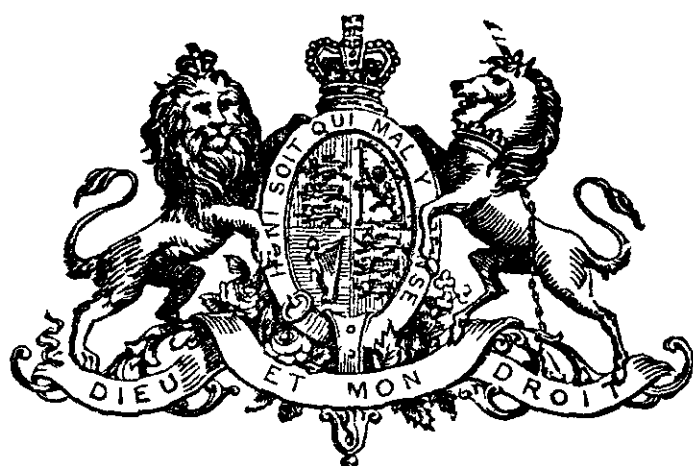


THE OFFICIAL GAZETTE OF THE

EAST AFRICA



PROTECTORATE.

Published under the authority of His Excellency the Governor of East Africa.

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EAST AFRICA PROTECTORATE.

His Excellency has approved of the following Bills being introduced at the next meeting of the Legislative Council.

E. P. EVANS,

Clerk.

A Bill

Intituled

The Law Officers Ordinance, 1912.

Short Title	1. This Ordinance may be cited as "The Law Officers Ordinance, 1912"
Attorney General to perform duties of Crown Advocate	2 From the date of the Commencement of this Ordinance the duties at present devolving upon the Crown Advocate shall devolve upon the Attorney General, and every Ordinance, Appointment, Regulation, Notice and Contract in which the term Crown Advocate occurs shall be read as if the designation Attorney General occurred therein instead
Assistant Attorney General to have powers of Attorney General	3 The Assistant Attorney General may perform any of the duties of, and shall have the same powers as the Attorney General

A Bill

Intituled

An Ordinance to make provision for Public Holidays.

Short Title	1 This Ordinance may be cited for all purposes as "The Public Holidays Ordinance, 1912"
Days to be kept as Public Holidays	2 The several days and each and every one of them in the first Schedule mentioned, shall be kept as Public Holidays by the several Public Offices and in all Banks in the Protectorate
Appointment of special days to be observed as Public Holidays	3 It shall be lawful for the Governor, from time to time, as may seem fit, by Proclamation, to appoint a special day or special days to be observed as a Public Holiday or Public Holidays, and any days so appointed shall be kept as Public Holidays as aforesaid
It when Public Holiday fall on a Sunday	4 If any day appointed to be a Public Holiday shall fall on a Sunday, the day next following not being itself a Public Holiday shall be kept as a Public Holiday in lieu thereof
Government Railway not to be affected	5 Any thing in this Ordinance to the contrary notwithstanding, it shall be lawful for the Manager of any Railway administered by the Government to open the offices and works thereof and call upon all or any persons employed by the Railway Administration to perform such of their duties on any Public Holiday as to the Manager may seem fit
Interpretation of the term Public Holiday in other Ordinances	6 (1) Whenever in any Ordinance, whether enacted before or after the commencement of this Ordinance, the expression "Public Holiday" is used, such expression shall, unless a contrary intention appears, be interpreted as meaning a Public Holiday appointed by or under this Ordinance.

(2) In the application of any imperial statute to the Protectorate the expression "Bank Holiday" shall be interpreted as meaning a Public Holiday appointed by or under this Ordinance

7 The Ordinance mentioned in the first column of the Second Schedule is repealed to the extent mentioned in the second column thereof

Interpretation of the term "Bank Holiday" in Imperial Statutes

Repea

First Schedule

New Year's Day
Good Friday
Easter Monday
Empire day
The Anniversary of the Birth Day of His Majesty
The first day of July
Christmas Day
Boxing Day

Second Schedule

Ordinance	Extent of Repeal
The Interpretation and General Clauses Ordinance, 1912	The Interpretation of the term "Public Holiday" in Section 2 of the Ordinance

A Bill

Intituled

The Official Secrets Ordinance, 1912.

1 This Ordinance may be cited as "The Official Secrets Ordinance, 1912"

2 In this Ordinance, unless the context otherwise requires —

"Document" includes part of a document

"Model" includes design, pattern, and specimen

"Sketch" includes any photograph or other mode of representing any place or thing

"Superintendent of Police" includes an Assistant Superintendent of Police and any police officer of a like or superior rank

"Office under His Majesty" includes any office or employment in or under any department of the Government

"Offence under this Ordinance" includes any act, omission, or other thing which is punishable under this Ordinance

"Prohibited place" means —

Short Title

Interpretation

- (a) any work of defence, arsenal, factory, dockyard, camp, ship, telegraph or signal station, or office belonging to His Majesty, and any other place belonging to His Majesty used for the purpose of building, repairing, making, or storing any ship, arms, or other materials or instruments of use in time of war, or any plans or documents relating thereto, and
- (b) any place not belonging to His Majesty where any ship, arms, or other materials or instruments of use in time of war, or any plans or documents relating thereto, are being made, repaired, or stored under contract with, or with any person on behalf of, His Majesty, or otherwise on behalf of His Majesty, and
- (c) any place belonging to His Majesty which is for the time being declared by notice by the Governor to be a prohibited place for the purposes of this section on the ground that information with respect thereto, or damage thereto, would be useful to an enemy, and
- (d) any railway, road, way, or channel, or other means of communication by land or water (including any works or structures being part thereof or connected therewith), or any place used for gas, water, or electricity works or other works for purposes of a public character, or any place where any ship, arms, or other materials or instruments of use in time of war, or any plans or documents relating thereto, are being made, repaired, or stored otherwise than on behalf of His Majesty, which is for the time being declared by notice by the Governor to be a prohibited place for the purposes of this section, on the ground that information with respect thereto, or the destruction or obstruction thereof, or interference therewith, would be useful to an enemy

Expressions referring to communicating or receiving include any communicating or receiving, whether in whole or in part, and whether the sketch, plan, model, article, note, document, or information itself or the substance, effect, or description thereof only be communicated or received, expressions referring to obtaining or retaining any sketch, plan, model, article, note, or document, include the copying or causing to be copied the whole or any part of any sketch, plan, model, article, note, or document, and expressions referring to the communication of any sketch, plan, model, article, note or document include the transfer or transmission of the sketch, plan, model, article, note or document

Penalties for
spying

3 (1) If any person for any purpose prejudicial to the safety or interests of the Government --

- (a) approaches or is in the neighbourhood of, or enters any prohibited place within the meaning of this Ordinance, or
- (b) makes any sketch, plan model, or note which is calculated to be or might be or is intended to be directly or indirectly useful to an enemy, or
- (c) obtains or communicates to any other person any sketch, plan, model, article, or note, or other document or information which is calculated to be or might be or is intended to be directly or indirectly useful to an enemy,

he shall be liable on conviction to imprisonment—of either description for a term not exceeding seven years

(2) On a prosecution under this section, it shall not be necessary to show that the accused person was guilty of any particular act tending to show a purpose prejudicial to the safety or interests of the Government, and, notwithstanding that no such act is proved against him, he may be convicted if, from the circumstances of the case, or his conduct, or his known character as proved, it appears that his purpose was a purpose prejudicial to the safety or interests of the Government, and if any sketch, plan, model, article, note, document, or information relating to or used in any prohibited place within the meaning of this Ordinance, or anything in such a place, is made, obtained, or communicated by any person other than a person acting under lawful authority, it shall be deemed to have been made, obtained, or communicated for a purpose prejudicial to the safety or interests of the Government unless the contrary is proved

4 (1) If any person having in his possession or control any sketch, plan, model, article, note, document, or information which relates to or is used in a prohibited place or anything in such a place, or which has been made or obtained in contravention of this Ordinance, or which has been entrusted in confidence to him by any person holding office under His Majesty or which he has obtained owing to his position as a person who holds or has held office under His Majesty, or as a person who holds or has held a contract made on behalf of His Majesty, or as a person who is or has been employed under a person who holds or has held such an office or contract —

Wrongful communication, &c of information

(a) communicates the sketch, plan, model, article, note, document, or information to any person, other than a person to whom he is authorised to communicate it, or a person to whom it is in the interest of the Government his duty to communicate it, or

(b) retains the sketch, plan, model, article, note, or document in his possession or control when he has no right to retain it or when it is contrary to his duty to retain it,

that person shall be guilty of an offence.

(2) If any person receives any sketch, plan, model, article, note, document, or information, knowing, or having reasonable ground to believe, at the time when he receives it, that the sketch, plan, model, article, note, document, or information is communicated to him in contravention of this Ordinance, he shall be guilty of an offence, unless he proves that the communication to him of the sketch, plan, model, article, note, document, or information was contrary to his desire

(3) A person guilty of an offence under this section shall be liable on conviction to imprisonment of either description for a term not exceeding two years, or to a fine, or to both

5 Any person who attempts to commit any offence under this Ordinance, or incites, or counsels, or attempts to procure another person to commit an offence under this Ordinance, shall on conviction be liable to the same punishment, and to be proceeded against in the same manner, as if he had committed the offence

Attempt to commit offence, or incitement to commit offence, under Ordinance

6 Any person who is found committing an offence under this Ordinance, or who is reasonably suspected of having committed or having attempted to commit, or being about to commit, such an offence, may be apprehended and detained in the same manner as a person who is found committing an offence which under the Code of Criminal Procedure is a non-bailable and cognisable offence

Power to arrest

7 If any person knowingly harbours any person whom he knows, or has reasonable grounds for supposing, to be a person who is about to commit or who has committed an offence under this Ordinance, or knowingly permits to meet or assemble in any premises in his occupation or under his control any such persons, or if any person having harboured any such person, or permitted to meet or assemble in any premises in his occupation or under his control any such persons, wilfully refuses to disclose to a Superintendent of Police any information which it is in his power to give in relation to any such person he shall be liable on conviction to imprisonment of either description for a term not exceeding one year, or to a fine, or to both

Penalty for harbouring spies

8 A prosecution for an offence under this Ordinance shall not be instituted except by or with the consent of the Attorney General

Restriction on prosecution

Provided that a person charged with such an offence may be arrested, or a warrant for his arrest may be issued and executed, and any such person may be remanded in custody or on bail, notwithstanding that the consent of the Attorney General to the institution of a prosecution for the offence has not been obtained, but no further or other proceedings shall be taken until that consent has been obtained

Search warrants

- 9 (1) If a Magistrate is satisfied by information on oath that there is reasonable ground for suspecting that an offence under this Ordinance has been or is about to be committed, he may grant a search warrant authorising any police officer named therein to enter at any time any premises or place named in the warrant, if necessary, by force, and to search the premises or place and every person found therein, and to seize any sketch, plan, model, article, note, or document, or anything of a like nature or anything which is evidence of an offence under this Ordinance having been or being about to be committed, which he may find on the premises or place or on any such person, and with regard to or in connection with which he has reasonable ground for suspecting that an offence under this Ordinance has been or is about to be committed
- (2) Where it appears to a Superintendent of Police that the case is one of great emergency and that in the interest of the Government immediate action is necessary, he may by a written order under his hand give to any police officer the like authority as may be given by the warrant of a Magistrate under this section

A Bill

Intituled

An Ordinance to make Provision for the Licensing of Theatres, Stage Plays and Cinematograph Exhibitions.

Short Title

1 This Ordinance may be cited as "The Stage Plays and Cinematograph Exhibitions Ordinance, 1912"

Definition

2 In this Ordinance —

"Stage play" includes any tragedy, comedy, farce, opera, burletta, interlude, melodrama, pantomime, dialogue, prologue, epilogue or other dramatic entertainment, or any part thereof

"Cinematograph exhibition" means any exhibition of pictures or other optical effects presented by means of a cinematograph or other similar apparatus.

"Theatre" means any building, tent or other erection, open to the public, gratuitously or otherwise, where a stage play or cinematograph exhibition is performed or presented

"Licensing officer" means such person as the Governor shall by notice appoint for the purposes of this Ordinance

Licence for play or exhibition

- 3 (1) No person shall advertise or direct or take part or assist in any performance of any stage play or any cinematograph exhibition to which the public shall be admitted, gratuitously or otherwise, unless the licence of the licensing officer in respect to such stage play or cinematograph exhibition shall previously have been obtained as hereinafter provided
- (2) No person shall advertise or direct or take part or assist in any performance of any stage play in respect to which a licence shall have been granted as aforesaid, if any new part shall have been added to such play, unless such new part shall have been licensed as hereinafter provided

4 One copy of every stage play, and of every new part added to any Play to be stage play for which a licence has already been granted, intended to be submitted performed shall be sent to the licensing officer with an account of the theatre where and the time when the same is intended to be performed. If any stage play or any new part thereof sent to the licensing officer for licence shall be in a language which the licensing officer does not understand, a true translation in English, certified to the satisfaction of the licensing officer, shall on demand be transmitted with the copy of the said stage play or new part thereof in the original language in which it is written. Provided always that the licensing authority may, with the approval of the Governor, dispense with such translation, and may submit any play or new part thereof for the examination and report of such person or persons as he may, with the approval of the Governor, appoint for such purpose.

5 A description of every scene intended to be presented at any cinematograph exhibition shall be sent to the licensing officer with an account of the theatre where and the time when the same is intended to be presented. Description of cinematograph scene to be submitted

6 The licensing officer may refuse to grant a licence in respect to any stage play or new part thereof or any cinematograph exhibition or may grant it subject to any rules made under this Ordinance or subject to such special conditions and restrictions, to be specified in such licence, as to him may seem fit. Any such licence may be revoked by the Governor at any time. Licence

7 No theatre shall be used for the performance of stage plays or the presentation of cinematograph exhibitions without the licence in writing of the District Commissioner being previously obtained. If the District Commissioner shall consider that the safety of persons attending such performances or presentations at such theatre is adequately provided for, he may grant such licence either generally or in respect of any single performance or presentation or for such period as he may think fit. The District Commissioner may refuse to grant such licence or may grant it subject to such terms and conditions as he may think desirable for the purpose of ensuring the safety of the persons attending such performances or presentations at such theatre. Any such licence may be revoked by the District Commissioner if he shall consider that the safety of persons attending such performances or presentations is or may be endangered. Safety of theatre

8 An appeal shall lie to the Governor in respect to any act or decision of the licensing officer or District Commissioner done or made or omitted to be done or made under the provisions of this Ordinance, and the Governor may confirm, disallow or vary such act or decision of the licensing officer or District Commissioner or direct him to act in such manner as to the Governor shall seem fit, subject to the provisions of this Ordinance. Appeal to Governor

9 Where the District Commissioner grants any licence as aforesaid upon condition that the stage play or cinematograph exhibition be conducted under the superintendence of some officer or person designated in the licence, then it shall be lawful, at any time, for the officer or person so designated to order such stage play or cinematograph exhibition to cease or to give any other direction which he may think necessary for ensuring the safety of the premises at which the stage play or cinematograph exhibition takes place and of the persons attending the stage play or cinematograph exhibition. Supervision to ensure safety from fire

10 The occupier or other person who manages or receives the rent of any theatre at which it may be proposed to perform or present any stage play or cinematograph exhibition shall ascertain whether the prescribed licences have been obtained, and, if so, the terms of such licences. Such occupier or person shall give notice to the Commissioner of Police, or to the Officer in charge of the nearest Police Station, if and so soon as he has reason to believe that there is an intention to proceed with any stage play or cinematograph exhibition either without the prescribed licences or without everything having been done which may be required under such licences or under any rules made under this Ordinance to be done previous to such stage play or cinematograph exhibition taking place. Duty of occupier, &c, of theatre

11 A Police-Officer, or any Officer appointed for the purpose by the Governor, may at all reasonable times enter any premises in which he has reason to believe that any stage play or cinematograph exhibition is being or is about to be performed or presented with a view to seeing whether the provisions of this Ordinance or any Rules made thereunder and the conditions of any licences granted under this Ordinance have been complied with. Any person preventing or obstructing the entry of a Police-Officer or any Officer appointed as aforesaid, shall be guilty of an offence under this Ordinance. Power of entry.

Penalty	12 Any person who commits any breach or non-observance or attempts to commit any breach of this Ordinance or of any rule made thereunder or of any of the terms and conditions specified in any licence made in pursuance thereof, shall be liable to a fine not exceeding three hundred Rupees or to imprisonment of either description for a term not exceeding three months or to both
Application of Ordinance	13 This Ordinance shall not apply to a performance of a stage play or cinematograph exhibition to which the public are not admitted either gratuitously or otherwise
Governor may direct that within a specified area the powers and duties of the District Commissioner under this Ordinance shall be performed by such other person or persons as he may appoint	14 The Governor may by notice in the Gazette direct that the powers and duties of the District Commissioner under this Ordinance shall, in any District, area, Township or place specified in such notice, be exercised and performed by such other Officer, person or persons as the Governor may appoint in that behalf From the date of the publication of such notice the powers and duties of the District Commissioner under this Ordinance shall, within such District, area, Township or place, devolve upon such Officer, person or persons appointed as aforesaid
Rules	15. The Governor may make rules — <ol style="list-style-type: none"> (a) Prescribing fees for any licence under this Ordinance (b) Prescribing conditions to be observed in reference to the erection, alteration, and equipment of any theatre (c) Prescribing conditions to be observed in reference to the safety from fire or otherwise of any theatre or for the safety and control of persons attending such theatre (d) Generally for the better carrying into effect of the provisions of this Ordinance

A Bill

Intituled

An Ordinance to Amend the Fugitive Criminals Surrender Ordinance, 1908.

Short Title	1 This Ordinance may be cited as "The Fugitive Criminals Surrender Amendment Ordinance, 1912"
Amendment of The Fugitive Criminals Surrender Ordinance, 1908	2 The Fugitive Criminals Surrender Ordinance 1908, shall be and is hereby amended as follows — By the deletion of Section 12 of the said Ordinance and by the substitution therefor of the section following — 12 Depositions or statements on oath taken in a Foreign State, and copies of such original depositions or statements, and foreign certificates of or judicial documents stating the fact of conviction, may, if duly authenticated, be received in evidence in proceedings under this Ordinance
Depositions to be evidence	

A Bill

Intituled

An Ordinance to make further and better provision for the Organisation of the Prisons Staff and the Management of Prisons

1 This Ordinance may be cited as ' The East Africa Prisons Ordinance, Short Title 1912 "

2 In this Ordinance the following words and expressions shall have the Interpretation. meaning assigned to them unless there be something in the subject or context repugnant to such meaning, that is to say —

" Board " means the Prison Board appointed under Section 9.

" Superintendent " means a Superintendent of Prisons

" Deputy Superintendent " means a Deputy Superintendent of Prisons

" Head Gaoler " means the European Officer for the time being appointed to be the Head Gaoler of any Prison

" Matron " means the European female officer appointed to any Prison

" Subordinate Officer " means an officer of a Prison below the rank of Gaoler or Matron

" Prison Officer " means all officers of the Prisons of whatever rank

" Prison " means any prison declared a prison under Section 3 hereof

" Prisoner " means any person whether convicted or not under detention in any prison

" Criminal Prisoner " means any prisoner duly committed to custody under the writ, warrant or order of any Court or authority exercising criminal jurisdiction or by order of a Court-martial

" Convicted criminal prisoner " means any criminal prisoner under sentence of a Court or Court-martial and includes a person detained in prison under the provisions of Chapter VIII of the Indian Criminal Procedure Code

" Juvenile " means a person under the age of sixteen years

" Medical Officer " means a European Medical Officer, and in places or stations where there is no such European Medical Officer, means a Medical Subordinate Assistant

" European " means a person of European origin or extraction

" Native " means a native of Africa

" Remission System " means the regulations for the time being in force regulating the shortening of sentences of prisoners

" Prohibited article " means an article the introduction or removal of which into or out of a prison is prohibited by this Ordinance or any rule thereunder

Establishment and Classification of Prisons

3 The Governor may by notice in the " Official Gazette " declare any Governor may prison in the Protectorate whether established before or after the coming into declare any } operation of this Ordinance, to be a prison for the purposes of this Ordinance, prison to be a } and may, in like manner, declare that any such prison shall cease to be a prison prison for the } for the purposes of the Ordinance purposes of this } Ordinance

- Classification of prisons 4 For the purposes of this Ordinance prisons shall be classified into prisons of the first class, second class and third class, and the Governor may, by notice in the "Official Gazette," declare whether any prison established shall be a first class, second class or third class prison
- Temporary Prisons 5 (a) Whenever it appears to the Board that the number of prisoners in any prison is greater than can be conveniently kept therein, and that it is not convenient to transfer the excess number to some other prison, or
- (b) Whenever, from the outbreak of epidemic disease, within any prison, or for any other reason it is desirable to provide for temporary shelter and safe custody of any prisoners
- Provision shall be made as the Board, with the approval of the Governor, may direct for the shelter and safe custody in temporary prisons of so many of the prisoners as cannot be conveniently or safely kept in the prison

Constitution of Prison-Officers.

- Constitution of Prison-Officers 6 The prison-officers shall be of such a number and shall, subject to the conditions of this Ordinance or any other law for the time being in force, be constituted in such manner and shall receive such pay, as shall from time to time be ordered by the Governor
- Appointment and duties of Inspector of Prisons 7 The Governor may from time to time appoint such person or persons as he may think fit to be an Inspector or Inspectors of Prisons and may prescribe the duties of the same
- Prison-officers 8 The prison-officers shall, unless otherwise ordered, consist of the following —
- Superintendent
 - Deputy Superintendent
 - European Gaolers and Matrons —
 - 1st Class Gaolers
 - 2nd Class Gaolers
 - 3rd Class Gaolers
 - Matron
 - Asiatic and Native Subordinate Officers —
 - 1st Grade Chief Warders
 - 2nd Grade Chief Warders
 - 3rd Grade Chief Warders
 - 1st Grade Warders
 - 2nd Grade Warders
 - 3rd Grade Warders
 - 4th Grade Warders
 - 5th Grade Warders
 - 6th Grade Warders
 - Wardresses
- Administration of prisons to be vested in the Board or in the Commissioner of Prisons 9 The administration of Prisons throughout the Protectorate shall be vested in a Board, the members of which shall be appointed, and may be removed, by the Governor. Provided, however, the Governor may at any time appoint a Commissioner of Prisons with such Assistant Commissioners as he may deem fit, to exercise and perform the powers and duties of the Board under this Ordinance. On the notification in the "Gazette" of the appointment of a Commissioner of Prisons, the Ordinance shall be read as if throughout the Ordinance the Commissioner of prisons were substituted for the Board or a member of a Board, any Assistant Commissioner appointed as aforesaid may, subject to the direction of the Commissioner of prisons, perform any of the duties and exercise any of the powers of the Commissioner of Prisons
- Superintendents 10 The administration of the prisons throughout a Province shall be vested in the Provincial Commissioner of the province with the powers and authority of a Superintendent who shall be subject to the directions of the Board
- Deputy Superintendents 11 The administration of a prison in a station or district shall be vested in the Administrative Officer in charge of such station or district with the powers and authority of a Deputy Superintendent who shall be subject to the directions of the Superintendent
- Appointment of Gaoler and Matron 12 Gaolers and Matrons shall be appointed and shall be removable in like manner as other Officers in the Protectorate Service

13 Subordinate Officers shall, under such regulations as the Governor shall from time to time prescribe, be appointed and may be removed by the Board or by a Superintendent with the general or special sanction of the Board

Appointment of Subordinate Officers

14 The Governor may make such rules as he may from time to time deem expedient for carrying out the purposes of this Ordinance, and the Board may from time to time issue such instructions and directions in accordance with this Ordinance, and subject to the provisions thereof or any rules made thereunder, respecting the appointment, duties, discipline, leave, discharge, training, arms and accoutrements, clothing and equipment of the prison-officers, the prevention of contagious diseases, the maintenance of prison discipline and all matters connected therewith, as may be required for promoting the discipline thereof, and may direct the employment and distribution of the prison-officers in the Protectorate as shall to it seem meet, subject to the directions of the Governor

Governor may make rules

Duties of Prison-Officers

15 Prison-officers shall obey strictly the regulations and instructions which are from time to time laid down for their guidance, and they shall maintain order and enforce discipline with justice, firmness and humanity

Prison-officers to obey regulations and instructions and maintain discipline

16 Prison-officers shall not have any interest, direct or indirect, in any contract for the supply of goods to the prison, nor receive any fee or gratuity, or have any business dealings with the prisoners, or with the friends of the prisoners, or with the visitors to the prisons

Prison-officers not to be interested in supply of goods nor to take gratuities.

17 (a) A prison-officer may use his weapons against any prisoner escaping or attempting to escape. Provided that resort shall not be had to the use of any such weapons unless such officer has reasonable ground to believe that he cannot otherwise prevent the escape

Use of arms against any prisoner or body of prisoners in the case of an outbreak or attempt to escape

(b) A prison-officer may use his weapons on any prisoner engaged in any combined outbreak, or in any attempt to force or break open the out-door gate or enclosure wall of the prison, and may continue to use such weapons so long as such combined outbreak or attempt is being actually prosecuted

(c) A prison-officer may use his weapons against any prisoner using violence to any prison-officer or other person. Provided that such officer has reasonable ground to believe that the prison-officer or other person is in danger of life or limb, or that other grievous hurt is likely to be caused to him

(d) Before using firearms against a prisoner under the authority conveyed in clause (a) the prison-officer shall give a warning to the prisoner that he is about to fire on him

(e) No prison-officer shall, in the presence of his superior officer, use arms of any sort against a prisoner in the case of an outbreak or attempt to escape except under the orders of such superior officer

(f) The use of weapons under this section shall be as far as possible to disable and not to kill

18 Complaints made to a subordinate officer or Gaoler or Matron shall be reported by them as soon as possible through the proper channels to the Deputy Superintendent

Complaints

19 No prison-officer shall except in case of sickness or emergency, enter a prisoner's cell at night unless accompanied by another prison officer

Prison-Officers not to enter cells at night except as mentioned

Board.

20 The Board, subject to the orders and directions of the Governor, shall have the control and direction of the prisons and prison-officers throughout the Protectorate, and may from time to time make such appointments, promotions, reductions and transfers as regards the Asiatic and Native subordinate officers as it may think fit

Board to have control of prisons

Board to inspect prisons 21 The Board shall periodically visit and inspect, or cause to be visited and inspected, all prisons within the Protectorate

Superintendents

Duties of Superintendents 22 Subject to the directions of the Board, the Superintendent shall supervise and maintain a control over all prisons within his Province in all matters relating to discipline, labour, expenditure, punishment and control

Deputy Superintendents

Deputy Superintendents to have control of prison 23 The Deputy Superintendent in charge of a prison shall have control of that prison and shall be responsible for the conduct and treatment of the prison-officers and prisoners under his control and for due economy in connection with the prison, and shall insist upon cleanliness and order in the building and among its inmates

Deputy Superintendents to be responsible for safe custody of records and documents 24 In prisons to which there is no Head Gaoler appointed the Deputy Superintendent shall be responsible for the safe custody of all records, the commitment warrants, and all other documents confided to his care

Records to be kept by Deputy Superintendent 25 The Deputy Superintendent shall keep or cause to be kept such records as may from time to time be prescribed by the Governor

Notice to be given on death of a prisoner 26 Upon the death of a prisoner the Deputy Superintendent shall cause immediate notice to be given to the Medical Officer

Enquiry by Magistrate 27 When any person dies while in the custody of a prison-officer the certificate of a Medical Officer that such death has resulted from natural causes will, in general, be deemed sufficient, but in all cases of sudden, violent or accidental death or deaths attended by suspicious circumstances the procedure laid down in the Indian Criminal Procedure Code, Section 176, for enquiry by a Magistrate shall be adopted

Deputy Superintendent to be responsible for the discharge of prisoners 28 The Deputy Superintendent shall be responsible for the due discharge of all prisoners immediately upon their becoming entitled to release, whether by the expiration of their terms of sentence, or by pardon, or by commutation, or by remissions of sentence

Medical Officer.

Medical Officer and Sanitary Administration 29 Subject to the control of the Superintendent, the Medical Officer shall have charge of the sanitary administration of the prison. He shall visit the prison at least once a week and shall make a complete sanitary inspection of the prison at least once in every month

Medical Officer and Prisoners 30 The Medical Officer or his subordinate shall visit the prison daily. The Medical Officer or his subordinate shall examine every convicted criminal or civil prisoner on admission and prior to discharge. He shall from time to time inspect the prisoners while at work and shall make such recommendations to the Deputy Superintendent as he may consider desirable in regard to modifications of labour, diet and punishment. The Medical Officer or his subordinate shall examine, daily, every prisoner in solitary confinement or hospital, or reported to him as being sick

Books to be kept by Medical Officer 31 (a) The Medical Officer or his subordinate shall enter in a register, kept for the purpose, his comment on the cases sent to him for treatment

(b) The Medical Officer shall, on the death of any prisoner, record in the register the following particulars, so far as they can be ascertained, namely —

- (1) The day on which the deceased first complained of illness, or was observed to be ill
- (2) The labour, if any, on which he was engaged on that day
- (3) The scale of his diet on that day
- (4) The day on which he was admitted to Hospital
- (5) The day on which the Medical Officer or his subordinate was first informed of the illness
- (6) The nature of the disease
- (7) When the deceased was last seen before death by the Medical Officer or his subordinate

- (8) When the prisoner died, and (in cases where a *post-mortem* examination is made) an account of the appearance after death, together with any special remarks that appear to the Medical Officer to be required

Head Gaoler.

32 The Head Gaoler shall reside in the prison, unless the Superintendent Duty of Head or Deputy Superintendent permits him in writing to reside elsewhere. He shall Gaoler not be absent from his quarters for a night without permission in writing from the Superintendent or Deputy Superintendent.

33 The Head Gaoler shall hand to the Medical Officer, daily, a list of those Head Gaoler and prisoners who are ill, or who complain of illness or who appear to him to require Sick Prisoners attention in mind or body, and the Medical Officer may make such recommendations to the Head Gaoler as he shall think fit in relation to such prisoners. Cases of sudden illness shall be reported to the Medical Officer without delay.

34 The Head Gaoler shall see every prisoner at least once in every 24 hours, Head Gaoler and go through the prison twice a week at an uncertain hour of the night, test the Prisoners prisoners' rations and hear their complaints daily, and report the complaint of prisoners giving them all reasonable facilities for stating their grievances personally to the Superintendent or Deputy Superintendent or Visiting Justices, and be specially careful of those who are in solitary confinement.

35 In the absence of the Head Gaoler or in prisons where there is no Powers of Head Head Gaoler his duties and authority should devolve upon the next senior prison Gaoler in his office (in so far as he is capable of performing such duties), subject to the absence control of the Deputy Superintendent.

Matron and Wardress.

36 In every prison in which female prisoners are imprisoned there shall Matron, be a Matron or Wardress who shall subject to the control of the Deputy Wardresses, Superintendent have the care and superintendence of the female department, and female and who shall enforce upon female prisoners the observance of the prison prisoners regulations. The wards where females are confined shall, if possible, be secured by locks different from those securing the wards allotted to males, and the keys shall be kept in the custody of the Matron or Wardress. The Matron or Wardress shall conform to the regulations in so far as they can be applied to the treatment of females.

Prison Officers

37 No Prison Officer below the rank of Head Gaoler shall be absent from Prison Officers the prison without the permission of the Superintendent, Deputy Superintendent not to be absent or Head Gaoler without leave.

38 No Prison Officer shall be given charge of more than such Prison Officers number of prisoners as shall from time to time be prescribed by the Board, and working as a working party outside the prison. He shall count the prisoners at frequent party intervals, specially on taking over charge, and on leaving any building or work.

39 No Prison Officer shall punish a prisoner unless ordered or duly Punishment of authorised to do so. prisoners by Subordinate Officers

40 Any prison-officer may examine anything carried in or out of the Gatekeeper prison, and may stop and search, or cause to be stopped and searched, any person suspected of bringing any prohibited article into or out of the prison, or of carrying out any property belonging to the prison, and, if any such article or property be found, shall give immediate notice thereof to the Deputy Superintendent or Gaoler.

Enlistment, Discharge and Service of Asiatic and Native Subordinate Officers.

41 All the provisions of this Ordinance, and of all rules, orders, or Application of regulations that may at any time be made in pursuance thereof, shall extend to all Ordinance to persons who at the commencement of this Ordinance shall be enrolled or serving existing prisons, in the Prison Department, in like manner as if such persons had been appointed under this Ordinance.

42 Every Warder shall be enlisted for the first term of his engagement First term of to serve for three years, or such less period as may from time to time be fixed engagement by the Governor, the term to be reckoned from the day on which the recruit shall have been finally approved for service and taken on the strength of the Prison Department.

Re-engagement
and continuance
in service

- 43 (1) Any Chief Waider or Warder of good character who at any time has completed, or who is within three months of completing the term of his engagement, may, with the approval of the Board, re-engage to serve for a further term of three years or less from the expiration of such term of engagement
- (2) Any Chief Warder or Warder of good character who has completed at least twelve years service may, with the approval of the Board, re-engage for any period or periods until he shall complete a total period of twenty one years' service reckoning from the time of his first enlistment
- (3) Upon completing such period of twenty one years' service, any Chief Warder or Warder may, if he shall so desire, and with the approval of the Board and of the Governor continue in the Department in the same manner in all respects as if the term of his service was still unexpired, except that it shall be lawful for him to claim his discharge at the expiration of any period of three months after he has given notice to the officer in charge of the Prison at the place at which such Chief Warder or Warder is stationed, of his wish to be discharged

Conditions of
leave and re-
engagements

- 44 (1) Any Asiatic Chief Warder or Warder will be eligible for leave in accordance with rules from time to time laid down for the non-European staff in the service of the Protectorate
- (2) Any African Chief Warder or Warder who, being entitled to his discharge at the end of his period of service, re-engages for further service, may, with the approval of the Board, be permitted to proceed on furlough for a period not exceeding one month for each year of service in respect of which no furlough shall have been granted and not exceeding in any case three months, and will receive during that period the half pay of his rank
- (3) If an Asiatic or African Chief Warder or Warder offers to re-enlist within three months after having received a certificate of discharge, he shall, if the Board approves of his re-enlistment, be entitled to the advantages to which he was entitled, with regard to rank, grade, or gratuity at the time of his discharge. If, however, a longer period than three months from the date of his discharge has elapsed, then it shall be discretionary with the Board subject to the approval of the Governor to allow the service, or part of the service, of such person previous to the date of such re-enlistment to reckon towards gratuity, the question of the rank in which the Chief Warder or Warder may re-enlist shall be left to the discretion of the Board

Declaration on
re-enlistment

45 Every man enlisting as aforesaid shall, previous to his being approved, make the following declaration by oath in his native language in such manner as he may declare to be most binding on his conscience —

"I, A B, do most solemnly and sincerely declare and promise that I will be faithful and bear true allegiance to His Majesty King George V, his heirs and successors, for a period of three years and for such other period or periods as I may re-engage to serve, and will obey all orders of His Majesty and of the Officers placed over me, and subject myself to all Ordinances, rules and regulations relating to the Prison Service now in force, or which may from time to time be enforced, within the said period or periods * And I hereby declare that I have not at any time served in any capacity in any of His Majesty's Forces or Prison Services

(Signature or mark of recruit)

Declared at . this . day of 191 .

Before me

" (Signature of Magistrate or Officer)"

* In a case where a man has served as mentioned and is nevertheless enrolled, this paragraph to be deleted

The declaration and oath shall be made before a Superintendent or Deputy Superintendent and be signed or marked by the recruit and shall be preserved as part of the enlistment papers of every recruit

46 Any Prison Officer whose period of service expires during a state of Prolongation of war, insurrection or hostilities, may be detained and his service prolonged for Service in case such further period, not exceeding twelve months, as the Governor may direct of war, etc

47 Subject to the provisions of Section 43 and of the last preceding Discharge on Section, every Chief Warder or Warder who has completed his period or periods completion of of engagement of service, according to the provisions of this Ordinance, shall be service discharged by the Officer in charge of the Prison at the place at which such Chief Warder or Warder is stationed, unless at the expiration of any period he is undergoing punishment for, or stands charged with, the commission of any offence, and in case he is undergoing such punishment, or is charged with any such offence, his service may be prolonged and his discharge deferred until such punishment shall have terminated, or until he has undergone his trial and any punishment awarded in respect of the offence with which he is charged

48 Every Chief Warder or Warder shall, until he has received a certifi- Prison Officers cate of discharge, remain subject to all the provisions of this Ordinance and to subject to all all the rules and regulations made in pursuance thereof regulations until formal discharge

49 Any Chief Warder or Warder may be discharged by a Superintendent Discharge when at any time during the currency of any term of engagement unfit for service or on being dismissed, or on purchase of discharge

- (a) When pronounced by a Medical Officer mentally or physically unfit for further service
- (b) When sentenced to be dismissed from the Prison Service for misconduct
- (c) If the Superintendent shall consider that he is unlikely to become an efficient Warder
- (d) On reduction of establishment
- (e) On purchase of discharge at the following rates —

Asiatics	Africans
Rs 60	Rs 40 during the first year of service
„ 45	„ 30 during the second year of service
„ 30	„ 20 during the third or any subsequent year of service

and on refunding the whole or such portion of the cost, if any, incurred by the Government in bringing such Chief Warder or Warder to the Protectorate as the Board shall determine

50 In reckoning the service of any Chief Warder or Warder for discharge, Rules for either in the case of limited engagement, or for the total period of 21 years reckoning service, there shall be excluded therefrom all periods during which he has been service absent from his duty for any of the following causes —

- (a) Imprisonment for any cause save that of detention awaiting any trial which results in the acquittal or discharge of the prisoner
- (b) Detention for any period
- (c) Absence without leave exceeding 48 hours

51 Whenever any Chief Warder or warder ceases to belong to the Prison Consequence of Service, all powers and authorities vested in him shall immediately cease and discharge or determine, and he shall, before a certificate of discharge is delivered to him, dismissal deliver over his arms, ammunition, accoutrements, uniform, and other appointments which are the property of the Government, to such person at such time and place as shall be directed by the Deputy Superintendent or Gaoler of the Prison at which such Chief Warder or Warder is stationed at the time of ceasing to belong to the Prison Service

52 (1) Gratuities at the following rates, in lieu of pension shall be Gratuities on granted to Chief Warders or Warders on discharge after a discharge continuous good service extending to a period of 12 years, viz, —

1st and 2nd grade Chief Warders	Rs 250
3rd grade Chief Warders & 1st & 2nd grade Warders	„ 100
3rd grade Warders	„ 70
4th, 5th and 6th grade Warders	„ 50

and at the following rates after total continuous good service extending 21 years, viz —

1st and 2nd grade Chief Warders	Rs 400
3rd grade Chief Warders & 1st & 2nd grade Warders „	150
3rd grade Warders	75

For the purpose of this Sub-section the service of a man who has enlisted under Section 44 (3) shall, subject to the provisions of such Sub-section, be deemed to be continuous

- (2) No increased rates of gratuities shall be paid in respect of any period of service in excess of a total service of 21 years, and no Chief Waider or Warder, who has received a gratuity on discharge after 12 years service shall, in the event of his afterwards re-enlisting, receive in respect of his service after such re-enlistment any higher gratuity, than may, together with such first gratuity, be equal to the gratuity which he would have earned by continuous service for 21 years
- (3) When any Chief Warder or Warder is discharged as medically unfit for further service or on account of reduction of establishment, before completing such continuous service of twelve years or 21 years as aforesaid, he may receive such proportion of the gratuity which he would have if he had completed the period of service he is then passing through as the Board may in its discretion determine and, in the event of the death of a Chief Warder or Waider, before receipt by him of such gratuity, it shall be lawful for the Governor to direct and cause the amount thereof to be paid to or for the benefit of the widow or widows, or child or children or to any next-of-kin of the Chief Warder or Warder so dying, on such conditions, and if to or for the benefit of more than one person, in such proportions as the Governor shall deem fit

Gratuities on
decease

53 Any gratuity that would have been due and payable to any Chief Waider or Waider had he taken his discharge under the provisions of this Ordinance shall, in the event of his re-engaging for a further term and dying in the service before completion of such term, be deemed for the purposes of this Ordinance to be his personal property in the charge of the Protectorate Treasurer for the time being and shall be paid out and distributed by the Protectorate Treasurer or such other person as he may appoint in accordance with the provisions of this Ordinance

Articles of clothing, etc., are the property of Government

54 All articles of clothing, accoutrements, appointments, and other necessities which shall have been supplied to any Chief Waider or Warder for the execution of his duty are the property of the Government, and shall be returned by such Chief Waider or Warder on his discharge. Provided that when the full period of wear has expired such Chief Warder or Warder may be permitted to hold any such article of clothing in possession so long as he shall continue a Prison Officer, but no such article of clothing shall be sold, exchanged, pledged, lent or given or otherwise transferred to any other person save as hereinafter provided. Upon any such article of clothing being delivered up by any Chief Waider or Waider in manner aforesaid, the Board may direct that it be destroyed or sold by auction. The purchasers at any such auction shall be limited to Prison Officers and the proceeds of such sale shall be handed over to such Chief Waider or Warder taking his discharge or shall be otherwise dealt with as the Board shall direct. No purchaser of such articles of clothing may resell the same. Provided always that in the case of such purchaser taking his discharge or dying any article of clothing so purchased may be resold by auction in a similar manner and subject to the same conditions as hereinbefore provided, and the proceeds of such sale shall be handed over to such Prison Officer taking his discharge or his personal representatives

Failure to deliver up accoutrements on ceasing to be a Prison Officer

55 Any Chief Warder or Waider having ceased to be a Prison Officer under this Ordinance, who shall not forthwith deliver up the clothing, accoutrements, appointments and other necessities which shall have been supplied to him for the execution of his duty, shall be liable, on conviction before a Magistrate, to a fine not exceeding two hundred rupees, or to imprisonment of either description, for a period not exceeding six months, or to both

Admission and Removal of Prisoners

56 Every prisoner on admission must be accompanied by a warrant Admission of stating his name, order for detention, or crime and sentence In the case of a prisoners and convicted criminal prisoner these particulars, together with a photograph of him warrants (if procurable) and a statement of his nationality, father's name, tribe, clan, village, chief, trade or occupation, probable age, weight, height, general Admission appearance, finger prints (if procurable), identification marks, previous Register convictions (if any), and date of release, shall be taken and shall be entered in a Register kept for that purpose

57 Every prisoner, male or female, shall be searched on admission by a Search of Prison Officer of his or her own sex not in the presence of any other prisoner, prisoners on and all prohibited articles taken from him or her Every convicted criminal or admission civil prisoner shall be medically examined as soon as possible after admission

58 On admission every convicted criminal prisoner shall be put into a Convicted prison suit and shall be supplied with a blanket and a sleeping mat His private criminal clothes, money or other articles in respect whereof no order of a competent prisoner to be Court has been made shall be placed in the custody of the Gaoler or if there is provided with no Gaoler appointed to the Prison, of the Deputy Superintendent and shall be prison suit, returned to him when released, an inventory of the same being entered in the blanket, and sleeping mat prisoner's history sheet Provided that in any case where such prisoner's clothing is so old, worn out or filthy as to be useless or not capable of being cleaned the Deputy Superintendent or Gaoler may order the same to be destroyed, and in such case, on the release of such prisoner, the Deputy Superintendent or Gaoler may give him clothing suitable to his position in life

59 Prisoners being sentenced or during confinement may be removed to Prisoners may any prison in the Protectorate, in accordance with any general or special order be removed to to be made by the Governor any prison in accordance with the orders of the Governor

60 Prisoners if sentenced to imprisonment at a station at which there is Prisoners no prison, shall be removed as soon as possible to the prison specified in such sentenced at a general or special orders place where there is no prison

61 All prisoners previously to being removed to any other prison shall be Removal of examined by the Medical Officer or his subordinate prisoners from one prison to another

62 No prisoner shall be removed from one prison to another unless the Removal of Medical Officer or his subordinate certifies that the prisoner is free from any prisoners from illness rendering him unfit for removal one prison to another

63 No prisoner if labouring under any acute or dangerous illness, shall Discharge of be discharged against his will from prison, nor until, in the opinion of the sick prisoners Medical Officer such discharge is safe

64 All prisoners shall be discharged at 1 p.m. on the date on which they Release of are entitled to be released, but should that date fall on a Sunday, Christmas Day, prisoners Good Friday, or any public holiday, they shall be released at 1 p.m. on the day previous

65 Prisoners discharged from a prison situate in a District to which they Discharge of do not belong may, by the direction of the Superintendent, be returned at prisoners in a Government expense to their own District, or supplied with a sum of money District to which they do not sufficient to take them back belong

66 With a view to prevent the repetition of crime when prisoners are Gratuity to discharged without funds or means of subsistence, it shall be in the discretion prisoners of the Deputy Superintendent to pay a gratuity not exceeding three rupees, in deserving cases and only after full enquiry has been made Should the Deputy Superintendent not consider this sum sufficient, he must obtain authority in writing from the Superintendent before paying any higher gratuity

Discipline of Prisoners

67 Male and female prisoners shall be imprisoned in separate buildings, Separation of or separate part of the same building, in such manner as to prevent their seeing, male and female or conversing or holding any intercourse with each other prisoners

68 Male prisoners under the age of 16 shall, if the accommodation of Male prisoners the prison permits, be separated from the other prisoners under 16 years of years

Unconvicted criminal prisoners and others committed for safe custody only	69	Unconvicted criminal prisoners, and all others committed for safe custody only, shall be kept apart from convicted criminal prisoners. They shall not be required to do any labour other than such as is required to keep their rooms, furniture and utensils clean, and they shall be allowed to have this work done for them at their own expense. Employment may be given to them at their own request.
Civil prisoners	70	Civil prisoners shall be kept apart from criminal prisoners.
Confinement of convicted criminal prisoners	71	Subject to the requirements of Sections 67 to 70 convicted criminal prisoners may be confined either in association or individually in cells or partly in one way or partly in the other.
Wards to be lighted and under supervision	72	The rooms or wards where a number of prisoners are confined shall be lighted at night, and be under the constant supervision of the Prison Officers.
Male officer and female prisoners	73	No male Prison Officer shall enter or remain in a room in which female prisoners are confined unless accompanied by a matron or wairess.
Solitary confinement	74	No cell shall be used for solitary confinement unless it is furnished with the means of enabling the prisoner to communicate at any time with a Prison Officer.

Prisoners under Sentence of Death

Supervision of prisoner under sentence of death	75	Every prisoner under sentence of death shall be confined apart from other prisoners in a special cell and shall be under constant supervision by day and night.
Access to prisoner sentenced to death	76	Except on the written order of the Superintendent, no one shall have access to a prisoner under sentence of death except Prison Officers, the Medical Officer or his assistant, and the ministers of the religious denomination to which he belongs.
Execution	77	Executions shall be attended by the Superintendent or Deputy Superintendent, the Gaoler (if any) and the Medical Officer, and may be attended by a minister of the denomination to which prisoners belong.

Cleanliness.

Washing and bathing	78	Convicted criminal prisoners shall wash their suits once a week at a time appointed by the Deputy Superintendent or Gaoler, and shall bathe every evening after work. Other prisoners shall comply with the reasonable instructions of the Deputy Superintendent or Gaoler as to cleanliness.
Cells	79	Cells shall be swept every morning, and buckets cleaned and water jars filled with fresh water. The cells shall be thoroughly ventilated by leaving the doors open in the day, and the walls and roof shall be swept and whitewashed whenever necessary.
Night-soil buckets	80	The night-soil buckets shall be emptied every morning.
Barber and hair cutting	81	Every convicted criminal prisoner's hair and beard shall be shaved or cut once a week. Provided always that if it shall be contrary to the religious belief of any such prisoner, his hair or beard shall not be shaved or cut except on the recommendation of the Medical Officer. During the last month of imprisonment a prisoner's hair or beard shall not be shaved or cut unless he so desires. The hair of a female prisoner shall not be cut or shaved unless she so desires, or on the recommendation of the Medical Officer.

Food, Clothing and Bedding of Civil and Unconvicted Criminal Prisoners.

Maintenance of certain prisoners from private sources	82	A civil prisoner or unconvicted criminal prisoner shall be permitted to maintain himself, and to purchase, or receive from private sources at proper hours, food, clothing, bedding or other necessaries, but subject to examination and to such regulations as may be approved by the Board.
Food, etc., not to be transferred to other prisoners	83	No part of any food, clothing, bedding or other necessaries belonging to a civil or unconvicted criminal prisoner shall be given, hired or sold to any other prisoner, and any such prisoner transgressing the provisions of this section shall lose the privilege of purchasing food, or receiving it from private sources, for such time as the Deputy Superintendent thinks proper.

84 Every civil prisoner and unconvicted criminal prisoner unable to provide himself with sufficient clothing and bedding shall be supplied by the Deputy Superintendent with such clothing and bedding as may be necessary to civil and unconvicted criminal prisoner. When any civil prisoner has been committed to prison in execution of a decree in favour of a private person, such person, or his representative, shall, within 48 hours after receipt by him of a demand in writing, pay to the Deputy Superintendent the cost of the food, clothing and bedding for the prisoner, and in default of such payment the prisoner may be released.

Diet and Dietary Scale

85 The prisoner's food shall be sufficient in quantity, and wholesome in quality suitable for men living and working in confinement. In no case shall hard work and low diet be combined.

86 The quality and quantity of the rations shall frequently be tested by Visiting Justices, the Superintendent and Deputy Superintendent, and the prisoners shall be allowed, if they wish to do so, to see their rations weighed for themselves frequently tested.

87 The following shall be the scale of diet in the prisons —

(a) Dietary for Europeans during the first three months of their imprisonment —

6 a m Tea $\frac{1}{4}$ oz, Bread 8 oz, Sugar 3 oz, Milk $\frac{1}{4}$ pint
 12 noon Meat cooked without bone 6 oz, Fresh vegetables 4 oz
 Bread 4 oz, Ghee 1 oz, Salt $\frac{1}{4}$ oz, Water *ad lib*
 6 p m Fresh vegetables 4 oz, Bread 4 oz, Butter 1 oz, Salt
 $\frac{1}{4}$ oz, Water *ad lib*

(b) Scale of dietary for Europeans after the first three months of their imprisonment —

The same as foregoing except that a ration of 4 oz of fish or meat is issued at the evening meal on Sundays, Tuesdays and Fridays in addition.

(c) Penal diet for Europeans —

Bread 12 oz, Salt $\frac{1}{8}$ oz, twice daily with Water *ad lib*

(d) Dietary for natives during the first three months of their imprisonment —

6 a m Warm Upi of Mtama 4 oz
 12 noon Maize, or rice, or flour made from Mtama, Mwele, bananas or mahogo $\frac{3}{4}$ lb or green plantains 20, or sweet potatoes 2 lbs. Any of these to be accompanied by beans $\frac{1}{4}$ lb with salt $\frac{1}{4}$ oz and water *ad lib*
 5 p m The same as at 12 noon

(e) Dietary for natives after the first three months of their imprisonment —

The same as foregoing except that instead of half their ordinary ration at the evening meal they shall receive 1 lb of meat on Sundays.

(f) Penal diet for natives —

Three quarters of the ordinary diet, without meat

(g) Dietary for Indians, Arabs and others (not including Europeans or Natives) for the first three months of their imprisonment —

6 a m One chopatti made of 4 oz of atta flour
 12 noon Rice 8 oz, Dhall 3 oz, Sim Sim oil 1 oz, Onions $\frac{1}{2}$ oz, Salt $\frac{1}{2}$ oz, Condiment $\frac{1}{8}$ oz, Water *ad lib*
 5 p m Two chopattis made of 6 oz of atta, meat 6 oz, Sim Sim oil 1 oz, Onions $\frac{1}{2}$ oz, Vegetables 2 ozs, Salt $\frac{1}{2}$ oz, Condiment 8 oz, Water *ad lib*

(h) Dietary for Indians, Arabs and others (not being Europeans or Natives) after the first three months of their imprisonment —

The same as foregoing scale, except that at 12 noon they shall receive 10 oz rice and 4 ozs of Dhall. Water *ad lib*

(i) Penal diet for Indians, Arabs and others (not being Europeans or Natives) —

Rice 8 oz, Salt $\frac{1}{8}$ oz, twice daily with Water *ad lib*

NOTE —The quantity of rice refers to dry rice before it is cooked, and not to rice after cooking

Scale may be varied 88 Such scale may be varied in the case of necessity or in the case of any particular prison by the Superintendent with the approval of the Board. Any such variation shall forthwith be reported by the Superintendent to the Board which shall submit such report to the Principal Medical Officer, and in the event of the Principal Medical Officer being of opinion that the scale as varied is not sufficient for the needs of the Prisoners and should be altered, the Board shall issue instructions for its alteration accordingly or refer to the Governor for directions.

Weighing of prisoners 89 Each prisoner shall be weighed at least once a week during the first three months of his confinement and afterwards once a month, and his weight entered in the page allotted in the Prisoners Record Sheet. Should any serious falling off in weight be observed, the attention of the Medical Officer shall be directed to it.

Labour

Prisoners sentenced to hard labour 90 Prisoners sentenced to hard labour or rigorous imprisonment shall be employed on the construction of roads, buildings or other works in scavenging, chopping firewood, or in such other work as the Superintendent may direct, with the approval of the Board.

Prisoners sentenced to simple imprisonment 91 Prisoners sentenced to simple imprisonment must not leave the prison but shall be given light employment within the walls, such as tailoring, cooking, or drawing water.

Female prisoners 92 Female prisoners shall not be employed outside the prison, except on the recommendation of the Medical Officer, and then only on such labour as is suitable for women.

The working day 93 Cells shall be opened at 6 a.m. each morning, and labour gangs shall be distributed for work at 7 a.m. There shall be one hour's rest from 11-30 a.m. to 12-30 noon for food. Gangs working at a distance from the prison shall have their food brought to them and shall return to the prison not later than 5 p.m. Cells shall be locked for the night at 6-30 p.m. after all the prisoners have been called over by a Prison Officer. Sunday shall be observed as a day of rest, except in exceptional circumstances. Provided that the hours above specified may be varied in the case of any prison with the approval of the Board, but not so as to increase the working hours.

Prison labour outside gaols 94 All prison labour shall be under the supervision of the Deputy Superintendent.

Visits to Prisoners.

Visits from friends and letters 95 Convicted criminal prisoners shall be allowed, once in every three months to receive a visit from friends in the sight and hearing of a Prison Officer, and to write and receive a letter. No other visit or communications, save under the next following section, shall be permitted except by an order in writing from the Superintendent or Deputy Superintendent or a Visiting Justice. In no case shall a prisoner under punishment for any offence committed within the prison or in solitary confinement under the sentence of a Court be permitted to receive any visit or communication, except on special grounds stated in the order.

Dangerously sick prisoners 96 If a prisoner, dangerously sick, desires to be visited by any relation or friend, the Medical Officer may give an order in writing for the admission of such relation or friend if he considers it advisable.

Prisoners other than convicted criminal prisoners 97 All prisoners other than convicted criminal prisoners shall be given all reasonable opportunities, daily, of communicating with their friends or legal adviser, and they may write or receive letters. Prisoners under trial shall be allowed to see their advocates in private, so far as possible so that they cannot be overheard.

Ministers of religion 98 The minister of the denomination to which a prisoner belongs shall be invited to visit the prison if any prisoner so desires it and shall be permitted to hold Services at such hours and in such places as the Deputy Superintendent may sanction.

Visitors to prison 99 The Deputy Superintendent or Gaoler shall demand the name and address of any visitor to any prisoner, and shall enter the same in the book provided for the purpose, and, when the Deputy Superintendent or Gaoler has any ground for suspicion, he may search any visitor, or cause him to be searched but the search shall not be made in the presence of any prisoner or of any other visitor. In case of any such visitor refusing to permit himself to be searched, the Deputy Superintendent or Gaoler may deny him admission, and the grounds of such proceeding, with the particulars thereof, shall be mentioned in the said book,

Visiting Justices

- 100 (a) There shall be Visiting Justices of every Prison Visiting Justices
 (b) The following are ex-officio Visiting Justices of every prison in the Protectorate, namely, the Judges of the High Court, the Officer Commanding Troops and the Principal Medical Officer, the Secretary of Native Affairs
 (c) The Governor may appoint by notice in the "Gazette" such other persons as he may deem expedient to be Visiting Justices of any prison and may in like manner remove any person so appointed

101 An ex-officio Visiting Justice may at any time visit any prison and an appointed Visiting Justice may at any time visit the prison to which he is appointed, and either such Visiting Justice may call for all the books, papers and records relating to the management and discipline of the prison, may visit every ward, ward and cell and see every prisoner in confinement, may inspect and test the quality and quantity of the prisoners' food, and shall ascertain, so far as possible, whether the rules and regulations are adhered to. On the completion of the visit, he or they shall enter in the Visiting Justices' Book such remarks, suggestions or recommendations as may seem advisable Duties of Visiting Justices

Except in the case of a third class prison or a prison to which no Visiting Justice is appointed by the Governor one or more Visiting Justices shall visit the prison not less than once a week

102 Every Visiting Justice shall, for the purpose of this Ordinance, have power to summon witnesses and to administer oaths Visiting Justices witnesses and oaths

Remission System.

103 Convicted criminal prisoners shall be divided into two classes, viz — Classes of convicted criminal prisoners
 Short term prisoners sentenced to imprisonment for six months and under, long term prisoners whose sentences exceed six months

104 Long term prisoners, by industry and good conduct, may after the completion of six months' imprisonment earn a remission of one-seventh of the remaining period of their sentence Long term prisoners and remission of part of sentence

For the purpose of giving effect to the provision of this section each prisoner on admission shall be credited with the full amount of remission to which he would be entitled, and shall only lose such remission as a punishment for idleness, lack of industry or other offence against prison discipline

105 The Superintendent may recommend to the Board and the Board may grant a further remission on special grounds, such as exceptional merit or permanent ill-health Governor may grant further remission of sentence

106 The sentence of a prisoner sentenced to imprisonment for life shall be specially considered at the end of fifteen years with a view to the release of such prisoner and the Governor shall give such directions in the matter as he shall think fit Life sentence to be considered at the end of fifteen years

Offences in Relation to Prisons

107 Save as is provided by section 82 any person who brings, throws or attempts by any means whatever to introduce into any prison, or to give to any prisoner, any spirituous liquor, tobacco, any intoxicating or poisonous drug, or contrary to the regulations any article whatsoever, and whoever contrary to any rule or regulation communicates or attempts to communicate with any prisoner, and whoever abets any offence made punishable by this section shall, on conviction, be liable to imprisonment of either description which may extend to six months, or to a fine not exceeding three hundred Rupees or both Penalty for introduction or removal of prohibited articles into and from prison and unauthorized communication with prisoners

108 When any person, in the presence of any Prison Officer, commits or attempts to commit any offence specified in the last foregoing section, and refuses on demand of such Prison Officer to state his name and residence, or gives a name or residence which such Prison Officer knows or has reason to believe to be false, such Prison Officer may arrest him and shall without unnecessary delay make him over to a Police Officer, and thereupon such Police Officer shall proceed as if the offence had been committed in his presence. Power of arrest for offences under preceding section

109. The Deputy Superintendent shall cause to be affixed, in a conspicuous place outside the Prison, a notice in English and the vernacular, setting forth the acts prohibited under Section 107, and the penalties incurred by their commission Publication of penalties

Prison Offences.

- Punishment for prison offences 110 The punishment for misconduct shall be loss of remission, solitary confinement, penal diet, hard labour and in very serious cases in respect to male convicted criminal prisoners corporal punishment. A prisoner shall not be subjected to solitary confinement or penal diet until certified medically fit to undergo it by a Medical Officer or in case no Medical Officer is available by a Prison Officer of and above the rank of Deputy Superintendent, and shall not be subjected to corporal punishment until certified medically fit to undergo it by a Medical Officer.
- Prisoner to be allowed to make his defence 111 No prisoner shall be punished until he has had an opportunity of hearing the charge and evidence against him, and making his defence.
- Corporal punishment 112 Where corporal punishment is awarded, the number of strokes shall be limited in the case of adults to 24 with such instrument only as the Governor has approved, and in the case of juveniles to 12 with a birch rod.
- Solitary confinement 113 Solitary confinement may be combined with penal diet, but penal diet shall not be combined with hard labour.
- Prison offences 114 The following acts are declared to be prison offences when committed by a prisoner —
- (1) Quarrelling with any other prisoner
 - (2) Making groundless complaints
 - (3) Making false charges against Prison Officers in reply to any question as to matters concerning the Gaol or gaol discipline, or answering untruthfully any question as to matters contained in Section 56 put by a Prison Officer
 - (4) Holding any communication, in writing, by word of mouth or otherwise, with an outsider or with a prisoner in disobedience of the regulations of Prison
 - (5) Doing any act calculated to create any unnecessary alarm in the minds of the prisoners or Prison Officers
 - (6) Omitting or refusing to march in file when moving about the Prison, or proceeding to or returning from work
 - (7) Refusing to eat the food prescribed by the Prison Diet Scale
 - (8) Eating or appropriating any food not assigned to him or taking or adding to the portions assigned to other prisoners
 - (9) Without permission of a Prison Officer removing food from the cook-house, or from the place where meals are served, or disobeying any order as to the issue and distribution of food and drink
 - (10) Wilfully destroying food, or throwing it away without orders
 - (11) Introducing into food or drink anything likely to render it unpalatable or unwholesome
 - (12) Omitting or refusing to wear the clothing given to him, or exchanging any portion of it for the clothing of other prisoners, or losing, discarding, damaging, or altering any part of it
 - (13) Removing, defacing, or altering any distinctive number, mark or badge attached to, or worn on, the clothing or person
 - (14) Omitting or refusing to keep the person clean, or disobeying any order regulating the cutting or shaving of hair
 - (15) Omitting or refusing to keep clothing, blankets, bedding or fetter clean, or disobeying any order as to the arrangement or disposition of such articles
 - (16) Tampering in any way with prison locks, lamps or lights, or other property with which he has no concern
 - (17) Stealing the prison clothing or any part of the prison kit of any other prisoner
 - (18) Committing a nuisance in any part of the prison
 - (19) Defacing or injuring the walls, furniture or other property of the prison
 - (20) Spitting on or otherwise soiling any floor, doors, wall or other part of the prison building or any article in the prison.
 - (21) Wilfully befouling the wells, latrines, washing or bathing places.
 - (22) Omitting or refusing to take due care of all prison property intrusted to him

- (23) Omitting or refusing to take due care of, or injuring, destroying or misappropriating the materials and implements intrusted to him for work
- (24) Wilfully causing to himself any illness, injury or disability
- (25) Causing, or omitting to assist the suppressing of, violence or insubordination of any kind
- (26) Taking part in any attack upon any Prison Officer or upon another prisoner
- (27) Omitting or refusing to help any Prison Officer in case of an attempted escape, or of an attack upon such Officer or upon another prisoner
- (28) Disobeying any lawful order of a Prison Officer, or omitting or refusing to perform duties in the manner prescribed
- (29) Treating with disrespect any Prison Officer or servant of the prison, or any visitor, or any person employed in connection with the prison
- (30) Being idle, careless or negligent at work, or refusing to work
- (31) Leaving his cell or other appointed location, or his place of work, or file assigned to him without permission
- (32) Having in his possession any article he is not entitled to have
- (33) Any assault or use of criminal force
- (34) Cursing, swearing or making unnecessary noise
- (35) Immoral, or disorderly, or indecent behaviour
- (36) Using insulting, threatening or indecent language
- (37) Malingering
- (38) Wilfully bringing a false accusation against any Prison Officer or prisoner
- (39) Escaping, or conspiring to escape or assist in escaping, or to commit or attempt to commit any other of the offences aforesaid
- (40) Abetting the commission of any prison offence
- (41) Any other act, conduct, disorder or neglect to the prejudice of good order or discipline though not specified in the foregoing Sub-sections

115 A prisoner, when being taken to or from any prison in which he may be lawfully confined, or whenever he is working outside or is otherwise beyond the limits of any such prison in or under the lawful custody or control of a Prison Officer belonging to such prison, shall be deemed to be in prison and shall be subject to all the same incidents as if he were actually in prison

116 A Superintendent, Deputy Superintendent or Visiting Justice may, after due enquiry, punish any prisoner guilty of any prison offence by —

- (a) Solitary confinement up to 48 hours,
- (b) Penal diet not exceeding 4 days
- (c) Loss of remission not exceeding 7 days
- (d) Hard labour for a period not exceeding 7 days in the case of convicted criminal prisoners not sentenced to rigorous imprisonment

117 In every case of aggravated, more serious or repeated offence, any one or more of the following punishments may be imposed by a Superintendent or Visiting Justice after due enquiry —

- (a) Solitary confinement, with or without penal diet, for a period not exceeding 28 days
- (b) Loss of remission not exceeding 28 days
- (c) Corporal punishment
- (d) Hard labour for a period not exceeding 14 days in the case of convicted criminal prisoner not sentenced to rigorous imprisonment

Provided as follows —

- (a) The solitary confinement shall not be continuous for more than 7 days, and an interval of 7 days shall elapse before a further period of such confinement
- (b) If an offender is sentenced to penal diet for a longer period than 4 days —
 - (1) In the case of a person, not being a native, the penal diet shall not be imposed for more than three days continuously with an interval of three days before it is again imposed

- (n) In the case of a native, the penal diet shall not be imposed for more than seven days continuously with an interval of one day before it is again imposed
- (o) Every sentence of corporal punishment imposed on a European shall, before being carried into execution, be confirmed by the Governor.
- (d) Every sentence of corporal punishment imposed by a Visiting Justice shall, before being carried into execution, be confirmed by the Superintendent
- (e) Corporal punishment shall not be awarded except for mutiny or incitement to mutiny, personal violence to any person, grossly abusive or offensive language, or any act of grave misconduct or insubordination, or for repeated serious offences against prison discipline
- (f) A sentence of corporal punishment shall not be carried out except in the presence of a Medical Officer or, if no medical officer is available, in the presence of a magistrate, nor before such medical officer or magistrate has after the examination of the offender certified that he is physically fit to undergo the sentence imposed upon him
- (g) The Medical Officer or Magistrate may at any time during the execution of the sentence of corporal punishment intervene and prohibit the remainder of the sentence being carried out if he considers the offender unable to bear it without risk of serious physical injury
- (h) Corporal punishment shall not be inflicted upon any female prisoner, or any male prisoner over the age of 55, or any unconvicted prisoner, or any prisoner under civil process.
- (i) No prisoner may be detained in custody after his sentence expires, regard being had to Section 63, unless he shall have been again brought before a Court of Justice and again sentenced

Trial before
Magistrate for
prison offence

118 A Prisoner may, when necessary, be charged before any Magistrate of the 1st or 2nd class with any offence against prison discipline, whether included in Section 114 or not, and such Magistrate shall have power to award imprisonment of either description for a term not exceeding six months, together with any such punishment as may, under this Ordinance, be awarded by a Superintendent. Such sentence shall run from the expiration of any previous sentence. Provided that nothing in this Ordinance shall be construed to exempt any prisoner from being proceeded against for any offence by the ordinary course of law, and provided that no prisoner shall be punished twice for the same offence

Entries in
punishment
book

- 119 (1) In the space allotted in the prisoner's record sheet shall be recorded the prison offence of which he is guilty and the punishment awarded and the date of infliction
- (2) In every case of a prison offence the names of the witnesses proving the offence shall be recorded, and in the case of offences for which whipping is awarded, the Superintendent or Visiting Justice who awarded the punishment shall record the substance of the evidence of the witnesses, the defence of the prisoner, and the finding with the reasons thereof in the crime sheet form provided for that purpose
- (3) Against the entries relating to such punishment the Superintendent, Deputy Superintendent or Visiting Justice shall affix his initials as evidence of the correctness of the entries

Discipline of Asiatic and African Subordinate Staff.

Law applicable
to the Prison
Staff

120 The Prison Staff shall, subject to the provisions of this Ordinance and Rules made thereunder, be amenable to the ordinary course of law

Pay not to
accrue during
imprisonment
under sentence

121 No pay shall accrue or become due to any Chief Warder or Warder in respect of any period during which he is undergoing any sentence of imprisonment or is detained in a prison guard room or cell awaiting any trial which results in his conviction either for any offence against discipline or for any other crime

22 (1) All fines imposed under this Ordinance by a Prison Officer and Fine to be all stoppages of pay under Section 128 upon a Chief Warder or recovered by Warder for offences under this Ordinance or any Rules there- stoppages under shall be recovered by stoppages from the offender's pay due at the time of committing such offence, or thereafter accruing due, and not from any other source or in any other manner

(2) The amount of stoppages shall be in the discretion of the Officer authorised to impose fines, in no case exceeding one-half of the daily pay of the offender, and whenever more than one order of stoppage are enforced for any cause against the same person, so much only of his pay shall be stopped as shall leave him a residue of at least one-half of his daily pay

(3) Where more than one order of stoppage is made upon the same person, the order or orders later in date shall, if necessary, be postponed as to their enforcement until the earlier orders are discharged

123 (1) All fines imposed under this Ordinance by a Prison Officer and Disposal of fines all stoppages of pay and the proceeds of sale of any prohibited article seized including money at any prison shall be paid over to the Treasurer of the Protectorate, to be placed to the credit of a fund to be styled the "Prison Rewards and Fines Fund"

(2) No payment shall be made from the "Prison Rewards and Fines Fund" except upon the authority of the Governor

(3) The Governor may, on the recommendation of the Board, sanction payments from the "Prison Rewards and Fines Fund" for any of the following purposes, that is to say —

(a) Assistance to the wives or families of a deceased Chief Warder or Warder or to a Chief Warder or Warder discharged as an invalid, who may be in immediate want

(b) Payment to a Chief Warder or Warder as rewards for special services when such payments cannot otherwise be met out of Protectorate funds

(c) Replacing property in respect of which stoppages have been credited to the fund

(4) Annual statements of receipts and expenditure on account of the "Prison Rewards and Fines Fund" shall be rendered by the Board to the Governor

124 Upon reasonable suspicion that any person is a Deserter from the Apprehension Prison Service any Prison Officer or other person may apprehend him without of Deserters warrant, and forthwith bring him before a Magistrate of the District wherein he was found, and upon conviction of being a Deserter such person shall be liable to imprisonment of either description for a term which may extend to two years and shall be liable to a fine not exceeding five hundred Rupees

125 Any prison officer who has forfeited any period of past service Restoration of qualifying towards gratuity may have such service restored to him by the forfeited Governor on the recommendation of the Board at any time as a reward for service conspicuous gallantry in the field or other notable service, or when he has served with uninterrupted good conduct as shown by his having no entries in the defaulter's book for two years in case of a first conviction entailing loss of service, for five years in case of a second conviction of the same nature, and for seven years in case of a third conviction of the same nature or should circumstances of an aggravated character have attended the offence on account of which his service was forfeited. Such period of probation shall be reckoned from the release of the person convicted from imprisonment or other completion of the punishment and his return to duty

126 If any Prison Official thinks himself wronged in any matter by any Mode of com- other Prison Official, he may complain thereof to the Board through his Superior plaint by a Officer, and if he thinks himself wronged by the Board either in respect of his Prison Official, complaint not being redressed or in respect of any other matter, he may complain thereof to the Governor, and the Board or the Governor upon any complaint being made in pursuance of this Section shall cause such complaint to be enquired into, and shall, if on enquiry it or he is satisfied of the justice of the complaint so made, take such steps as may be necessary for giving full redress to the complainant in respect of the matter complained of.

Offence by
Native Subor-
dinate Officers

Offences by Subordinate Officers.

127 Provided that nothing in this Ordinance shall be construed to exempt any Prison Officer from being proceeded against for any offence by the ordinary course of law, any Asiatic or Native Subordinate Officer who —

- (1) Uses traitorous or disloyal words regarding the Sovereign, or,
- (2) Strikes or uses or offers any violence against his Superior Officer, or uses threatening or insubordinate language to his Superior Officer, or,
- (3) Wilfully disobeys any lawful command, or,
- (4) Is drunk, or drinks intoxicants while actually on duty, or,
- (5) Absents himself without leave, or,
- (6) Sleeps on his post, or leaves it before being regularly relieved except in fresh pursuit of any offender whom he ought to apprehend, or,
- (7) Being under arrest or confinement, leaves or escapes from his arrest or confinement before he is set at liberty by proper authority, or,
- (8) Neglects or refuses to assist in the apprehension of any Prison Officer charged with any offence, or,
- (9) Allows any prisoner to escape who is committed to his charge or whom it is his duty to keep or guard, or,
- (10) Offers unwarrantable personal violence to any person in his custody, or,
- (11) Is guilty of cowardice, or,
- (12) Fires his rifle without just cause or orders, or,
- (13) Without cause fails to appear at any parade appointed by his Superior Officer, or,
- (14) Pawns, sells, loses by neglect, makes away with or wilfully spoils his arms, accoutrements, clothing, or necessities or any medal or decoration granted to him for service or good conduct, or,
- (15) Steals any money or goods the property of any Prison Officer or Prisoner, or steals or embezzles any Government money or goods, or receives any such money or goods knowing them to have been stolen or embezzled from any Prison Officer or prisoner or the Government, or,
- (16) Commits any act of plunder or wanton destruction of property, or,
- (17) Solicits or accepts a gratuity, or,
- (18) Is slovenly, inattentive, uncivil, or quarrelsome, or,
- (19) Does not keep his rifle clean, or,
- (20) Loses without any reasonable cause any ammunition issued to him, or,
- (21) Without due authority discloses or conveys any information concerning any investigation or departmental matter, or,
- (22) Malingers or feigns or produces any disease or infirmity, or,
- (23) Is wilfully guilty of misconduct, or wilfully disobeys, whether in hospital or otherwise, any orders by means of which misconduct or disobedience he produces or aggravates disease or infirmity or delays its cure, or,
- (24) Incurs debt, or,
- (25) Without proper authority exacts from any person carriage, portage or provisions, or,
- (26) Resists an escort whose duty it is to apprehend him or to have him in charge, or,
- (27) Breaks out of Warders' lines, camp or quarters, or,
- (28) Makes any false statement on becoming a Prison Officer, or,
- (29) Refuses or by culpable neglect omits to make or send a report or return which it is his duty to make or send, or,
- (30) Makes a false accusation against any Prison Officer or prisoner knowing such accusation to be false, or,
- (31) In making a complaint, where he thinks himself wronged, knowingly makes any false statement affecting the character of any Prison Officer or knowingly and wilfully suppresses any material facts, or,

(32) Engages without authority in any employment other than his duty as a Prison Officer, or,

(33) Is guilty of any other act, conduct, disorder, or neglect to the prejudice of good order and discipline,

shall be deemed to have committed an offence against discipline

128 The Superintendent or Deputy Superintendent may enquire into any such offence and determine thereupon and punish such offence by —

(a) Fine not exceeding Rs 5 to be levied by stoppages from the offender's pay

(b) Reduction by one grade only

129 In every case of aggravated, more serious, or repeated offence, any one or more of the following punishments may be imposed —

(a) Fine not exceeding Rs 10 to be levied by stoppages from the offender's pay

(b) Reduction in grade

(c) Dismissal

Provided that any sentence of reduction of more than one grade or dismissal shall be confirmed by the Board

130 Every Gaoler, or Matron or Asiatic or Native Subordinate Officer who shall be guilty of any violation of duty, or wilful breach of any rule or regulation, or lawful order made by a competent authority, or who shall withdraw from the duties of his office without permission or without having given two months' previous notice in writing of his intention to so withdraw, or who shall wilfully overstay any leave granted to him, or who shall engage without authority in any employment other than his prison duty, or who shall be guilty of cowardice, shall be liable, on conviction before a Magistrate, to a fine not exceeding two hundred Rupees, or to imprisonment with or without hard labour for a period not exceeding six months or both

Safe Custody of Prisoners.

131 The Board shall direct the manner in which prisoners are to be secured. The directions of the Board in regard to these matters shall be submitted to the Governor for his approval or otherwise

Licence to Prisoner to be at large.

132 The Governor may grant to any prisoner a licence to be at large within the Protectorate or in such part thereof as is in such licence expressed, during such portion of his term of imprisonment and upon such conditions as the Governor may deem fit. The Governor may at any time revoke or alter such licence

133 So long as such licence continues in force and unrevoked, such prisoner shall not be liable to imprisonment by reason of his sentence, but shall be allowed to go and remain at large according to the terms of such licence

134 In case of the revocation of any such licence as aforesaid, the Governor may by order in writing signify to any Justice of the Peace or Magistrate that such licence has been revoked, and require him to issue a warrant for the apprehension of the prisoner to whom such licence was granted, and such Justice of the Peace or Magistrate shall issue his warrant accordingly

135 Such warrant may be executed by any Officer to whom it may be directed or delivered for that purpose in any part of the Protectorate, and shall have the same force in any place within the Protectorate as if it had been originally issued or subsequently endorsed by the Justice of the Peace or Magistrate or other authority having jurisdiction in the place where the same is executed

136 The prisoner, when apprehended under such warrant, shall be brought as soon as conveniently may be, before the Justice of the Peace or Magistrate by whom it has been issued or before some other Justice of the Peace or Magistrate of the same place or before a Justice of the Peace or Magistrate having jurisdiction in the District in which the prisoner is apprehended. Such Justice of the Peace or Magistrate shall thereupon make out his warrant under his hand and seal for the recommitment of the prisoner to the prison from which he was released by virtue of the said licence

Recommitment	137 Such prisoner shall be recommitted accordingly and shall thereupon be liable to be imprisoned for such further term as with the time during which he may have been imprisoned under the original sentence and the time during which he may have been at large under an unrevoked licence, is equal to the term mentioned in the original sentence
Penalty for breach of condition of the licence	138 If a licence be granted under Section 132 upon any condition specified therein, and the prisoner to whom the licence is granted violates any such condition, or goes beyond the limits specified in the licence, or knowing of the revocation of such licence, neglects forthwith to surrender himself, or conceals himself, or endeavours to avoid being apprehended, he shall be liable upon conviction to be sentenced to imprisonment of either description for a term not exceeding two years
Deputy Superintendent, witnesses and oath	139 Every Prison Officer of and above the rank of a Deputy Superintendent shall for the purposes of this Ordinance have power to summon witnesses and to administer oaths
Repeal	140 The East Africa Prisons Regulations, 1902, are hereby repealed. Provided, however, that all appointments, orders, notices, rules or regulations issued or made thereunder in respect of any matters or things for which appointments, orders, notices, rules or regulations are required as may be issued or made under this Ordinance, shall have effect as if issued or made under this Ordinance until other provision be made under this Ordinance

A Bill

Intituled

Title **An Ordinance to supply a further Sum of Money for the Service of the year ended the 31st of March, 1912.**

Public Revenue charged 1 **1 The Public Revenue for the year 1911-12, and other funds of the East Africa Protectorate are hereby charged towards the service of the year ended 31st day of March, 1912, with a further sum of forty five thousand two hundred and ninety four pounds, six shillings and nine pence, in addition to the sums provided by the Appropriation Ordinance, 1911**

Application of money granted **2 The money granted by this Ordinance shall be applied to the purposes and services expressed in the schedule annexed hereto**

Treasurer's authority for payment **3 The Treasurer of the Protectorate is hereby authorised and required, from time to time, upon warrant or order of the Governor, to pay out of the Revenue and other funds of the Protectorate, for the several services specified in the schedule, the said sum of £45,294-6-9, which have come in course of payment during the year ended on the 31st day of March, 1912**

Short title **4 This Ordinance may be cited as "The Supplementary Appropriation Ordinance, 1912"**

Schedule

HEAD OF EXPENDITURE		AMOUNT		
		£	s	d
2	Pensions	219	2	3
3	His Excellency the Governor	946	5	1
6a	Provincial Administration, Special Expenditure	396	4	3
9a	Port and Marine Departments, Special Expenditure	2,734	2	1
10	Audit Department	374	17	11
13	Prisons	2,679	19	4
14	Medical Departments	23	12	11
17	Transport	154	5	6
18a	Military, Special Expenditure	561	11	10
19	Miscellaneous Services	1,300	7	11
21	Post Office and Telegraphs	456	9	10
21a	do do Special Expenditure	287	7	2
22	Railway Department	6,227	0	4
23	Agricultural Department	432	4	11
23a	do do Special Expenditure	299	13	11
24	Forest and Scientific Departments, Special Expenditure	272	1	0
		£	17,365	6 3
Special Expenditure for Magadi		£	27,929	0 6
Total		£	45,294	6 9

CIRCULAR

Downing Street,

15th November, 1911.

Sir,

I have the honour to inform you that the War Office have had under the r consideration the question whether commissions in the Special Reserve or Territorial Force can be held by gentlemen belonging to the permanent Civil Service of the Crown Colonies and Protectorates, and that the Army Council have now decided that—

- (a) Commissions in the Special Reserve will no longer be given to gentlemen permanently employed in civil capacities in the Crown Colonies and Protectorates
- (b) Officers of the Special Reserve who are at present holding, or who may in future accept, such permanent civil appointments will be called upon to resign their commissions

2 There is no necessity for an officer of the Territorial Force who has been seconded to resign his commission until he shall have reached the limit of the period (four years) during which he may be seconded from that force

3 The Army Council have further intimated that officers will no longer be permitted to retire under the provisions of Article 510 of the Royal Warrant if they intend to take up permanent civil appointments in British Colonies and Protectorates It is not meant, however, that the rule as to resignation of their commissions in the Special Reserve should have retrospective effect as regards officers who retired under the above-mentioned Article and are now employed under Colonial Governments

I have the honour to be,

Sir,

your most obedient, humble servant,

L HARCOURT

The Officer Administering

the Government of

East Africa Protectorate

CIRCULAR

Downing Street,

24th July, 1912

Sir,

In continuation of my Circular despatch of the 15th November, 1911, respecting the resignation of commissions in the Special Reserve by officers of the Special Reserve holding, or hereafter accepting, permanent civil appointments in Crown Colonies and Protectorates, I have to acquaint you that the Army Council do not propose to apply the new rule to officers holding probationary appointments, but that officers of the Special Reserve may be seconded in their regiments while holding any appointments on a probationary footing, on the clear understanding that as soon as an officer is confirmed in his appointment and he is taken on the permanent establishment of a Colony or Protectorate he should be called upon to resign his commission in the Special Reserve with as little delay as possible

2 The application of an officer for permission to resign should be transmitted to this Department to be forwarded to the War Office, and on receipt of this despatch you should take steps to bring the new arrangement to the notice of all officers serving under your administration so that all such officers to whom the rule applies may tender the resignation of their commissions in the Special Reserve without further delay.

3 As regards an intimation which has been conveyed to some officers that the Army Council are prepared to accept from officers of the Special Reserve—or late of the Special Reserve—who may be holding permanent appointments in the Colonial Service applications for appointment to the General Reserve of Officers if they are found to fulfil the Requirements of Section 211, Royal Warrant for Pay, etc., I have found it necessary to rule that, as officers appointed to commissions in the General Reserve are liable to be called upon for service in a military capacity outside the Colonies or Protectorates in which they are holding civil appointments, no officers in the employment of a Colonial Government shall be allowed to accept commissions in the General Reserve of Officers. I request that you will cause this decision to be published for general information.

I have the honour to be,

Sir,

Your most obedient, humble servant,

L. HARCOURT

The Officer Administering
the Government of
East Africa Protectorate

PROCLAMATION.

The Diseases of Animals Ordinance, 1906

IMPORTATION OF CATTLE FROM THE UNITED KINGDOM

In pursuance of the powers on this behalf conferred upon me by Section 6 of The Diseases of Animals Ordinance, 1906, I, Charles Calvert Bowring, C M G, Acting Governor of the East Africa Protectorate, do hereby prohibit the importation of cattle from the United Kingdom unless the cattle shall have undergone quarantine for a period of one month in a Government Veterinary Laboratory in the United Kingdom and on leaving such Laboratory have been certified free from disease and have been entrained direct from the Quarantine Station to the Docks for shipment, and on the importation of the cattle into the Protectorate a certificate of a Chief Veterinary Officer is produced certifying that the above conditions have been complied with.

Provided, however, that in any case in which the Chief Veterinary Officer is satisfied that any cattle brought to any port or place of entry of the Protectorate left the United Kingdom before the date of this Proclamation or before the above prohibition could have been communicated to the United Kingdom he may in his discretion permit such cattle to be imported into the Protectorate, subject to such inspection and quarantine as to the Chief Veterinary Officer may seem necessary to prevent the introduction of disease.

Nairobi,

Dated this 28th day of August, 1912

C. C. BOWRING,

Acting Governor

PROCLAMATION.

The Diseases of Animals Ordinance, 1906

IMPORTATION OF SHEEP AND PIGS FROM THE UNITED KINGDOM

In pursuance of the powers on this behalf conferred upon me by Section 6 of The Diseases of Animals Ordinance, 1906, I, Charles Calvert Bowring, C M G, Acting Governor of the East Africa Protectorate, do hereby prohibit the importation of any sheep or pig from the United Kingdom.

Provided, however, that in any case in which the Chief Veterinary Officer is satisfied that any sheep or pig from the United Kingdom brought to any port or place of entry of the Protectorate left the United Kingdom before the date of this Proclamation or before notice of the above prohibition could have been communicated to the United Kingdom, he may in his discretion permit such sheep or pig to be imported into the Protectorate, subject however to such inspection and quarantine as to the Chief Veterinary Officer may seem necessary to prevent the introduction of disease.

Nairobi,

Dated this 28th day of August, 1912

C. C. BOWRING,

Acting Governor.

PROCLAMATION.

Under the East Africa and Uganda (Currency) Order, 1910

In pursuance of the powers conferred upon me by Article 2 (1) of the East Africa and Uganda (Currency) Order 1910, I, Charles Calvert Bowring, C M G, Acting Governor of the East Africa Protectorate, do hereby direct that the Rules made under the aforesaid Order dated the twenty-second day of July, 1912, and published in the Gazette of August 1st, 1912, shall come into force in the Protectorate on the thirty-first day of August, 1912

Nairobi,

Dated this 31st day of August, 1912

C C BOWRING,

Acting Governor

ORDER.

The Vaccination Ordinance, 1912.

APPLICATION TO MOMBASA ISLAND

In pursuance of the powers conferred upon me by section 3 (1) of the above Ordinance I hereby direct that from the 1st day of September, 1912, and until further order, all adults and children on Mombasa Island who have not been previously inoculated or vaccinated successfully or already had small-pox shall be vaccinated

Nairobi,

Dated this 1st day of September, 1912

C C BOWRING,

Acting Governor.

RULES

The Infectious Diseases Ordinance, 1903.

Rules issued by His Excellency the Acting Governor of the East Africa Protectorate under the above Ordinance

Nairobi,

Dated this 29th day of August, 1912

C C BOWRING,

Acting Governor

Infectious Diseases

1 The bodies of all persons dying of any infectious disease, shall be buried or disposed of in such manner and within such time after death as a Medical Officer may order

2 It shall be lawful for a Medical Officer or other person duly authorised by a Medical Officer or by a District Commissioner, to enter and inspect any dwelling house or other building within an infected area and to examine any person therein for the purpose of ascertaining whether such person is suffering from an infectious disease

3 A Provincial Commissioner or a Medical Officer may order the destruction, cleansing, ventilation or disinfection of any building or of any property or goods whatever, which, in his opinion, may be likely to spread infection

4 On the notification of an infected area hospitals and observation camps or stations shall be formed within such area

5 All persons suffering or suspected of suffering from any infectious diseases shall, unless the Medical Officer shall otherwise order, be removed to a hospital formed or appointed for the reception of such persons

6 All persons who have been in contact with any person suffering from any infectious disease may be removed to and confined within an observation camp or station for such period as the Medical Officer may order

7 No person shall leave an infected area without undergoing such medical observation or disinfection or passing such period in an observation camp or station as the Medical Officer in charge of the area may prescribe No person shall be allowed to leave an infected area without having obtained a certificate of health from the Medical Officer in charge

8 No person shall enter any hospital or observation camp or station or leave the same without a permit from the Medical Officer in charge thereof

9 The Rules under the Infectious Diseases Ordinance 1903 dated January 16th, 1905, and October 12th, 1909, are hereby cancelled

RULES

The Land Titles Ordinance, 1908

Rules issued by His Excellency the Acting Governor of the East Africa Protectorate under the Land Titles Ordinance, 1908

Nairobi,

Dated this 29th day of August, 1912

C C BOWRING,

Acting Governor

As to Notice of Sale or Transfer of Land after the time for making claims shall have expired and before the issue of a certificate, and the proceedings after such Notice

1 Whenever in the interval between the date of his claim and the date of judgment being given by the Recorder of Titles on such claim, any claimant sells or otherwise transfers the land or a portion of the land in respect of which he shall have claimed that he is entitled to a certificate of ownership, and the purchaser or transferee (in these Rules hereafter referred to as the purchaser) cannot, by reason of the time having expired for making claims under Section 15 of the Ordinance, make a claim in respect of such land under that section, such purchaser may give notice in writing to the Recorder of Titles of such sale or transfer together with the name of the vendor or transferor and such other particulars as may be required to identify the land

The purchaser when giving such notice shall pay to the Recorder of Titles a fee of two Rupees.

2 Whenever notice shall have been given under and in accordance with the provisions of the last preceding rule, the purchaser shall be entitled to appear and be heard in the Land Registration Court as if he had duly made a claim for a certificate of ownership in respect of the land of which, in such notice, he shall have claimed to be the purchaser or transferee

3 Subject to the provisions of the Ordinance the Recorder of Titles shall enquire into the claims of the original claimant and the purchaser, and shall enter judgment thereon, and shall issue certificates and do all acts or things required to give effect to any judgment entered, as if both the original claimant and the purchaser had made claims under Section 15 of the Ordinance. Provided, however, if by reason of the sale or transfer of land to the purchaser it shall be necessary to demark or delineate any boundary, or to cause any boundary marks to be placed, or to make any survey or prepare any map or plan, which would not have been necessary had such sale or transfer not been effected, the purchaser shall pay to the Recorder of Titles the cost of the works or things aforesaid in addition to any other payment which he may be required by the Ordinance or any rule thereunder to make, and until such cost shall have been paid the purchaser shall not be entitled to receive and shall not, without the consent of the Governor, be granted a certificate of ownership

As to Notice of Mortgages and other interests granted or created after the time for making claims has expired and before the grant of a certificate in respect of the property affected and to proceedings after such Notice

4 Any person desiring that any mortgage or other encumbrance or any lease, or any right or interest, of, in, or over any property, granted or created after the time has expired for making claims under the Ordinance and before a certificate in respect of such property is issued, shall be noted on any certificate of ownership, may give notice in writing to the Recorder of Titles of such mortgage, encumbrance, lease, right or interest

Every person giving a notice under this rule shall pay to Recorder of Titles a fee of one rupee in respect of each mortgage, encumbrance, lease, right or interest of which notice is given

5 Whenever a notice shall have been given to the Recorder of Titles under the preceding rule, the Recorder of Titles shall adjudicate on the right of the person to have the mortgage, encumbrance, lease, right or interest of which notice has been given, noted on the certificate of ownership in like manner as if the person giving notice had made a claim for a certificate of mortgage or a certificate of interest under and in accordance with the terms of the Ordinance, and shall note or refrain from noting the certificate granted in respect of the property in accordance with his judgment

As to the Notice of the Transfer of Mortgages and other Interests after the time for making claims has expired and before the grant of a certificate in respect of the Mortgage or Interest, and Proceedings after such Notice

6 Any person to whom any mortgage or other encumbrance or any lease or right or interest, in respect of which a claim for a certificate of title has been made under the Ordinance, is transferred after the time has expired for making claims under the Ordinance and before the grant of a certificate, may give notice in writing of such transfer to the Recorder of Titles. Every person giving notice under this rule shall pay to the Recorder of Titles the like fee as in Rule 4 provided

7. Whenever notice shall have been given under the last preceding rule, the Recorder of Titles shall adjudicate on the right of the person who has given notice to receive a certificate of mortgage or a certificate of interest in like manner as if such person had made a claim for such certificate, and if the mortgage, encumbrance, lease, right or interest, and the transfer thereof is proved to the satisfaction of the Recorder of Titles he shall issue a certificate in respect thereof to the transferee

8 In these Rules the term "Ordinance" means The Land Titles Ordinance, 1908, and the Ordinances, amending the same

NOTICE

The Infectious Diseases Ordinance, 1903.

Notice is hereby given that owing to an epidemic or expected epidemic of small-pox in the Mombasa Township, the said Township has been declared to be an infected area, and the rules under the above Ordinance, dated the 29th day of August, 1912, are applied to the said Township

Nairobi,

Dated this 29th day of August, 1912

C C BOWRING,

Acting Governor

APPENDIX C

Rules for Reporting and Investigating Accidents on board Railway Steamers or at Railway Wharves and Piers other than the Wharves and Piers at Port Florence in the East Africa Protectorate

Rules issued by The Governor in Council for the East Africa Protectorate under the provisions of section 83 of the East Africa Railways Ordinance, 1910

Nairobi

17th August, 1912

C C BOWRING,

Acting Governor.

NOTICES

1 The notice mentioned in section 82 of the East Africa Railways Ordinance, 1910, shall contain the following particulars namely —

Pier or Wharf at which the accident occurred,
time and date of the accident
Name of the Steamer on which the accident occurred
and locality at time of accident,
nature of the accident
number of people killed or injured, as far as known,
cause of the accident, as far as known,
extent of damage as far as known,

2 (1) In the case of the following accidents, namely—

* *Indian Penal Code (Act XLV of 1860),
section 320*

The following kinds of hurt only
are designated as "grievous"

First —Emasculation

Secondly —Permanent privation
of the sight of either eye

Thirdly —Permanent privation of
the hearing of either ear

Fourthly —Privation of any mem-
ber or joint

Fifthly —Destruction or permanent
impairing of the powers of any
member or joint

Sixthly —Permanent disfiguration
of the head or face

Sevently —Fracture or dislocation
of a bone or tooth

Eighthly —Any hurt which end-
angers life, or which causes the
sufferer to be, during the space
of twenty days in severe bodily
pain, or unable to follow his
ordinary pursuits

(a) accidents attended
with loss of human life,
or with grievous hurt as
defined in the *Indian
Penal Code, or with
serious injury to proper-
ty, or

(b) collisions between
Steamers or a Steamer
and any other ship,
grounding of Steamers,
fires on Steamers or
lighters or any other
serious accident to ships

such notice shall be sent, by telegraph, as soon as possible after the accident has occurred by the Commander of the Ship or if there is no Commander by the railway servant in charge of the ship, pier or wharf on which the accident has occurred

Provided that no such investigation shall be made when a Magisterial enquiry has commenced or been ordered under rule 15, clause (a) or clause (b)

Provided also that nothing herein contained shall be deemed to limit the powers of the Police to investigate any information relating to the commission of any cognisable offence

11 (1) Whenever an investigation is to be made by the police—

In the case in which an accident is attended with loss of human life or with serious injury to person or property the investigation shall be conducted by the officer-in-charge of police in whose jurisdiction the accident occurred, and, if the officer should be unable to conduct the investigation himself, then by an officer to be deputed by him

(2) An officer deputed under sub-rule (1) shall ordinarily be an Assistant District Superintendent of Police, but if in any case it should be found impracticable to depute an officer of that grade, an Inspector or Sub-Inspector of Police may be deputed

12 The officer who is to conduct an investigation, in pursuance of rule 11, shall at once advise the Marine Superintendent of the date and hour at which the investigation will commence so that, if possible, the presence of a railway official may be arranged for to watch the proceedings and to aid the officer making the investigation. The absence of a railway official must not, however, be allowed to delay the investigation, which should be made as soon as possible after the accident has taken place

13 The result of every police investigation made in pursuance of a direction given under Rule 15 sub-section (c) shall be reported to the Town Magistrate by whose direction such investigation was made

14 Notwithstanding anything contained in section 174 of the Criminal Procedure Code, it shall not be incumbent upon the police to hold an inquiry under the said section unless directed so to do by a Town Magistrate or any other Magistrate who may be appointed in this behalf by the Governor

Duties of Magistrates.

MAGISTERIAL ENQUIRIES AND JUDICIAL ENQUIRIES

15 Whenever an accident, such as is described in section 82 (a), (d) and (e) of the East Africa Railways Ordinance, 1910, has occurred in the course of working ship, wharf or pier the Town Magistrate, Kisumu or any other Magistrate who may be appointed in this behalf by the Governor, may either

- (a) himself make an enquiry into the causes which led to the accident, or
- (b) depute another Magistrate, who should be a Magistrate having not less than 2nd class powers, to make such an enquiry, or
- (c) direct an investigation into the causes which led to the accident to be made by the police, or
- (d) may accept a report on the accident from the Manager,

Provided always that action shall not be taken by a Town Magistrate under clauses (a), (b), (c) of this Rule until the enquiry referred to in Rule 4 or 7 has been held, unless for reasons to be specially recorded by him, which reasons shall be at once communicated by him to the Manager of the Railway, he thinks it necessary to take such action in the interests of Justice

16 Whenever it is decided to make a Magisterial enquiry under rule 15, clause (a) or clause (b), the Town Magistrate or other Magistrate appointed as aforesaid, or the Magistrate deputed under rule 15, clause (b), as the case may be, shall conduct the enquiry at Kisumu or such other convenient place as he may select and shall at once advise the Manager of the Railway and the Marine Superintendent by telegraph of the place, date and hour at which the enquiry will be held so as to enable the railway administration to summon the requisite expert evidence

17 A Magistrate making an enquiry under rule 15, may summon any Railway servant and any other person whose presence he may think necessary, after taking the evidence and completing the enquiry shall, if he considers there are sufficient grounds for a judicial enquiry, take the requisite steps for bringing to trial any person whom he may consider to be criminally liable for the accident. Whenever technical points are involved, the Magistrate should be careful to call for, and take the opinion of professional persons

18 The result of every magisterial enquiry made under rule 15 shall be communicated by the Magistrate to the Manager of the Railway

19 If, in the course of any judicial enquiry into an accident occurring in the course of working ship, wharf or pier the Magistrate desires the assistance of the Manager of the railway, or the attendance of any officer of the railway, to explain any matter relating to railway supervision, management or working, he will issue a requisition to such officer through the Head of his Department to attend the Court, stating at the same time the nature of the assistance required. In summoning railway servants, the Magistrate will take care not to summon so large a number of the employees, specially of one class, on the same day, as to cause inconvenience to the working of the railway. In the case of very serious accidents, it will generally be advisable for the Magistrate to receive either the evidence of, or a report from, the Manager of the railway in regard to the accident before finally concluding the judicial enquiry

20 On the conclusion of any such judicial enquiry the Magistrate shall send a copy of his decision to the Manager of the railway, and shall, unless in any case he thinks it unnecessary to do so, report the result of the enquiry to the Governor

21 In every case of accident attended with loss of human life or serious injury to persons or property, the report of the Marine Superintendent or the Board of Officers shall contain—

- (1) a brief description of the accident,
- (2) a description of the locality of the accident,
- (3) a detailed statement of the evidence taken,
- (4) the conclusions arrived at at the enquiry,
- (5) an appendix stating the damage done, and
- (6) (when necessary) a sketch illustrative of the accident

22 These Rules shall come into force on and after the 17th day of August, 1912

23 These Rules may be cited as "the Railway (Steamers, Wharves and Piers) Accident Rules for 1912."

SECRETARIAT,
NAIROBI,
September 1st, 1912

APPOINTMENTS.

Under Justices of the Peace Ordinance. (No 3 of 1910)

His Excellency the Acting Governor has been pleased to make the following appointment under Section 2 of the Justices of the Peace Ordinance, No 3 of 1910 —

To be Justice of the Peace for the Voi District in the Seyidie Province,
GRAHAM THOMSON, Esq

His Excellency the Acting Governor has been pleased to make the following appointments —

To be Assistant Superintendent of Police on transfer from Uganda,
M. ST C THOM, to date July 24th, 1912 MR THOM'S seniority dates from October 1st, 1911

To be Assistant District Commissioner, Kyambu,
T A DICKSON, to date August 17th, 1912

To be Assistant District Commissioners, Kitui District,
A E CHAMBER

C B THOMPSON, to dated March 31st, 1912, and January 9th, 1912, respectively

To be Assistant District Commissioner, Nairobi,
A B C GIBSON, to date August 19th, 1912

To be Cathi of Faza,
ALI BIN MOHAMED, to date July 6th, 1912

To be Mudir of Kiunga,
LOO BIN URO, to date July 12th 1912

A C HOLLIS,
Acting Chief Secretary

NOTICE.

Nyanza Province

The following Headman is hereby appointed under the Village Headmen Ordinance, 1902

Name	Rank	Location	District	Remarks
Arap Kibosson	Headman	No 25	Nandi	In place of Arap Blagat deceased

Kisumu,
13th August, 1912

JOHN AINSWORTH,
Provincial Commissioner

NOTICE

Seyidie Province.

The following Headman is hereby appointed under the Village Headmen Ordinance, 1902.

Name	District	Village or Group of Villages
Kaduma wa Nodo	Takaungu	Bamba

Mombasa,
17th August, 1912

H R TATE,
Acting Provincial Commissioner.

NOTICE**Under Crown Lands Ordinance, 1902**

Whereas by an Indenture of lease made the sixth day of May one thousand nine hundred and ten between His Most Gracious Majesty King Edward the Seventh of the one part and John Abraham Coryell of Grand Forks City in the Province of British Columbia Dominion of Canada (thereinafter referred to as the Lessee) of the other part all that piece or parcel of land situate in the Eldama Ravine Township in the Naivasha Province of the East Africa Protectorate being plot No 7a comprising 8 42 acres or thereabouts and therein described was demised unto the Lessee for the term of twenty five years from the first day of July, one thousand nine hundred and nine as therein mentioned and whereas the Lessee covenanted to pay the rent for the said premises during the said term at the rate of Rupees Thirty a year in advance on the first day of January in every year and whereas the Lessee also covenanted to permanently improve and develop the resources of the said land with improvements of the nature specified in the Schedule and whereas the Lessee failed to pay the rent on the first day of January one thousand nine hundred and eleven and the first day of January one thousand nine hundred and twelve and to permanently improve and develop the resources of the said land pursuant to the covenants contained in the said lease now therefore by virtue of the provisions of Section 18 (1) of the said Crown Lands Ordinance, 1902, I, Charles Calvert Bowring, C M G the Acting Governor of the East Africa Protectorate, do hereby give notice to the said Lessee that I intend after one month from the publication of this notice to commence an action in the High Court for a declaration that the said Lease be forfeited

The said amount of rent in arrear is Rupees sixty

R B WRIGHT

Land Officer for and on behalf of His Excellency
the Acting Governor by virtue of a rule dated
the 10th Day of September, 1909, issued under
the Crown Lands Ordinance, 1902

Nairobi,

Dated this 26th day of August 1912

NOTICE.**Swahili Examination**

The following candidates were successful in obtaining a Pass at the Lower Standard Swahili Examination held during August, 1912 —

Capt W B Brook, Assistant District Commissioner
Capt G S Cary, Assistant Superintendent of Police
E C Crewe-Read, Assistant District Commissioner
W G Edwards, Assistant District Commissioner
J Maclean, European Police Constable
R F Ramsford, Assistant Inspector of Police
M L Skinner, Assistant Inspector of Police
Capt G E Smith, Assistant Superintendent of Police
H J H Stedman Assistant Engineer, Public Works Department
C E Ward, Assistant District Commissioner

NOTICE.

Notice is hereby given that Public Vaccination, free of charge, will be performed on Monday's and Thursday's from 9 a m , to 10 a m , at the Municipal Office

CORRIGENDA.

" Official Gazette " August 15th 1912, page 546 Notice under the Native Hut and Poll Tax Ordinance, 1910, 4th line, for March, 1912, read March 1913

" Official Gazette " August 15th 1912, page 546 The dates of Messrs S L K Lawford and A B C Gibson, appointments should be July 21st and not as shown

CURRENCY BOARD NOTICES.

Notice is hereby given that the Left half of Currency Note No $\frac{A}{1}$ 28264 for Rs 5 has been presented to the Currency Commissioners for payment by National Bank of India, Nairobi, who has certified that the other half of the said note was lost whilst in their possession. Any person claiming to be entitled to payment in respect of the said half note, should communicate forthwith with the Currency Commissioners. In the absence of any such claim being established within three month's of this date, payment for the said half note will be made to the said National Bank of India, Nairobi, and the half note will be cancelled.

Notice is hereby given that the Right hand half of Currency Note No $\frac{A}{1}$ 21228 for Rs 10 has been presented to the Currency Commissioners for payment by Siu Naram. Any person claiming to be entitled to payment in respect of the said half note should communicate forthwith with the Currency Commissioners. In the absence of any such claim being established within three month's of this date, payment for the said half note will be made to the said Siu Naram and the half note will be cancelled.

Notice is hereby given that the Left half and Right half of Currency Notes Nos $\frac{A}{1}$ 64213 and $\frac{A}{1}$ 63757 for Rs 5 have been presented to the Currency Commissioners for payment by A D C, Dagoretti. Any person claiming to be entitled to payment in respect of the said half notes should communicate forthwith with the Currency Commissioners. In the absence of any such claim being established within three month's of this date, payment for the said half notes, will be made to the said A D C, Dagoretti and the half notes will be cancelled.

Mombasa,
16th August, 1912

J CORBET WARD,
One of the Currency Commissioners

Notice is hereby given that the greater portion of Currency Note No $\frac{A}{1}$ 48722 for Rs 10 has been presented to the Currency Commissioners for payment by J E Widmark who has certified that the right hand top portion bearing number of the said note was lost whilst in his possession. Any person claiming to be entitled to payment in respect of the said note, should communicate forthwith with the Currency Commissioners. In the absence of any such claim being established within three month's of this date, payment for the said note will be made to the said J E Widmark and the note will be cancelled.

Mombasa,
22nd August, 1912

J CORBET WARD,
One of the Currency Commissioners

Notice is hereby given that the Right half of Currency Note No $\frac{A}{1}$ 55801 for Rs 5 has been presented to the Currency Commissioners for payment by Haji Mahomed Abdulla who has certified that the other half of the said note was lost whilst in his possession. Any person claiming to be entitled to payment in respect of the said half note, should communicate forthwith with the Currency Commissioners. In the absence of any such claim being established within three month's of this date, payment for the said half note will be made to the said Haji Mahomed Abdulla and the half note will be cancelled.

Mombasa

J CORBET WARD,

From the Lorian Swamp up the Uaso Nyiro to the junction with the Engare Ndare, thence up the Engare Ndare to its source thence across Mount Kenya to the source of the Nan River, thence down the Nairobi River to the North East corner of farm No 1246, thence along the North East boundary of farm No 1246 to the Engare Rongai River, thence down that River to its junction with the Amboni River, thence up the Amboni River to its source on the Aberdare Mountain, thence across the Aberdare Mountains to the most Northerly corner of farm No 1286, thence along the Eastern boundary of the Kinangop farms to the most Southerly corner of farm No 1312, thence by the Eastern boundary of farm No 1548 to the Uganda Railway, thence by the Uganda Railway to the Northern corner of farm 1708, thence by the Western boundaries of farms 1708 and 1709 to the Southerly corner of farm No 1709.

Movement of cattle into clean areas from the South:—

No cattle except cattle which have passed through the immunising test may cross a line bounded on the North by a line commencing at the most Southerly corner of farm No 1709, thence in a Westerly direction to the most Southerly corner of farm No 1380, thence by the general Westerly boundaries of farms Nos 1380, 1381, 410, 1382 to the most Northerly corner of farm No 1382, thence by a line in a North Westerly direction to the most Easterly corner of the Promised land, thence following the boundary of the Southern Masai Reserve in a general Westerly direction to the most Westerly point of the Promised land, thence by a line in a Westerly direction to the most Southerly corner of farm No 548, thence by the general South Westerly boundaries of farms Nos. 548, 547, 549, 546, 550, 551, 553 to the South Westerly corner of farm No 553.

Movement of cattle into clean areas from the West:—

No cattle except cattle which have passed through the immunising test, or adult cattle from Nyanza Province which shall be branded with a distinctive brand, may cross a line bounded on the East by a line commencing at the South Westerly corner of farm No 553, thence by the Westerly boundaries of farms Nos 553, 554, 556, 560, 561, 570 to the most North Westerly corner of farm No 570, thence by a line in a North Westerly direction to mile 506.8 on the Uganda Railway thence by the Uganda Railway to the most Westerly corner of farm 1185, thence to the North Westerly corner of farm 1185, thence by the Southerly boundary of farm 585 to the South Easterly corner of farm 1121, thence by the Easterly boundary of farm No 1121 to the North Easterly corner of same, thence along the Eastern boundary of farm No 1121 to the North Eastern corner of same, thence along the Northern boundaries of farms Nos 1121, 1439, 1440, 1443, 1448, 1449 and 1453 to the Southern corner of farm No 1455, thence along the South Eastern boundaries of farms Nos 1455, 1456 and 1183 to the Eastern corner of the latter, thence along the Northern boundaries of farms Nos 1183, 1458 and 1458a, and along the North Eastern boundary of farm No 1459 to the South East corner of farm No 1479, thence along the Eastern boundaries of farms Nos 1479, 1480, 1482, 1483, 1485, and 1485a, thence along the Northern boundary of farm No 1485a to the summit of Doinvo Lessos, thence in a North Westerly direction along the boundary of the Nandi Reserve to its most Northerly point where it joins the North Eastern boundary between the North Kavirondo District and the Trans-Nzoia group of farms, thence along this boundary to Mount Elgon.

Movement of cattle into Limoru area:—

No cattle except cattle which have passed through the immunising test or adult cattle from Meru or the Nyanza Provinces or cattle from clean areas (which may be brought by rail) may enter that area of Limoru bounded on the North by the Kamiti River, from the North East corner of farm No 39a (L 126) along the Kamiti River towards its source as far as farm No 81a (L 240) then in a Northerly direction along the Eastern boundaries of farms Nos 81a (L 240) and 80a (L 241), thence along the Northern boundary of farm No 80a (L 241), thence along the Western boundaries of farms Nos 80a (L 241) and 81a (L 240) to the Uganda Railway at Mile 353. On the West by the Uganda Railway line from Mile 353 to near Mile 346. On the South and East by the Southern boundary of the block of Limoru farms from the Southern corner of farm No 3a (L 171) to the North East corner of farm No 39a (L 126).

Movement of cattle Westward from the Southern Masai Reserve:—

No cattle except cattle which have passed through the immunising test may proceed westwards from the Southern Masai Reserve except on a permit issued by the Chief Veterinary Officer.

From an infected area to an infected area through a clean area:—

Movement of cattle by permit granted by Chief Veterinary Officer provided all cattle are taken direct by rail.

Southern Masai Reserve:—

No trading in cattle is permitted

Cattle from Northern Frontier and Jubaland:—

Shall cross the Uaso Nyiro into the Kenia Province at the junction of the Engare Ndare and the Uaso Nyiro Rivers, thence direct to near the junction of the Uaso Nyiro and the Uaso Nyarok Rivers, where they will be inspected and if considered necessary by the Veterinary Officer they will be inoculated against Rinderpest at a charge of Rs 2/- per head for two inoculations.

(Before arrival at the Uaso Nyiro notice must be given to the District Commissioners, Nyeri and Rumuruti, giving the probable date of arrival at the junction of the Uaso Nyiro and the Uaso Nyarok Rivers)

They shall then proceed up the Uaso Nyarok to the observation camp near Rumuruti. If necessary they shall be inoculated against Rinderpest before leaving the observation camp at Rumuruti. When released they will be under the same conditions as cattle in the East Coast Fever clean areas.

Movement under permit will be allowed in and between the Southern Masai Reserve and the districts of Kyambu, Nairobi, Fort Hall, Enibu, Meru, Kitui, Machakos and part of Nyeri District and the Provinces of Seyidie and Tanaland.

Sheep and Goats from the Northern Frontier District and Jubaland:—

Shall enter the Naivasha Province via Rumuruti where they shall be dipped.

Sheep and Goats:—

Moving from West to East of Nakuru shall be dipped at Nakuru.

Sheep and Goats:—

Moving Westwards through Naivasha shall be dipped at Naivasha.

Transport Camels from Jubaland and the Northern Frontier District:—

Such as do not show evidence of surra may proceed via Rumuruti as far as Gilgil. They shall not remain at Gilgil longer than 7 days.

Horses from the Northern Frontier District and Jubaland:—

Shall enter via Rumuruti or Nyeri where they shall be inspected and tested with Mallein at one of those places.

No permit shall be issued to allow cattle from the Southern Masai Reserve to enter Nyanza Province except by the Chief Veterinary Officer.

Permit Issuers

- Mr J K Hill, East African Syndicate, Gilgil
- „ P Guy, Escarpment
- „ M Flemmer, Nakuru
- „ R W Versturme-Bunbury, Kihima Mbogo, P O, Juja
- Major Toulson, Farm No 130 Uasin Gishu
- Mr F C Allsopp, Chania Bridge
- „ C A Ross, Kapiet, Nairobi
- „ T D Hopcraft, Naivasha
- „ C O Chaplin, Naivasha
- „ F Watkins, Abagony Farm, Nakuru
- „ F C Holmes, Limoru
- „ E P Smythe, Forest Hill, Molo
- „ F Allen Bates, Gilgil
- „ L Chivell, Eldoret, Uasin Gishu
- „ C Kemp, Farm No 68, Uasin Gishu
- „ C R Taylor, Naivasha
- „ C J Theunissen, Eldoret
- „ M Duirs, Sotik
- „ A Armstrong, Kampi Moto, Rongai River, Nakuru

IN THE HIGH COURT OF EAST AFRICA AT MOMBASA

INSOLVENCY JURISDICTION

CAUSE No 9 of 1912

IN RE GUIAMHUSEIN KASSAM RAJPAR

Take notice that the High Court of East Africa by an order dated the 23rd day of August, 1912, adjudicated the above-named Gulamhusein Kassam Rajpar insolvent and made a receiving order against him and appointed the Undersigned Receiver of his property

Further take notice that all property of the insolvents (save and except that exempted by the Code of Civil Procedure) is vested in the Undersigned as Receiver All persons indebted to the said insolvent are required to pay the respective amounts due by them to the Undersigned, and all creditors are required to prove their claims before the undersigned by affidavit as required by the Provincial Insolvency Act on or before the 1st day of October 1912

Mombasa,
August 28th, 1912

J F ST. A FAWCETT,
Ag Official Receiver,
Seindie Province

ARRIVALS.

Name	Rank	From leave or on 1st Appointment	Date of Embarkation	Date of leaving England	Date of arrival at Mombasa or Kilindini,
C S Hemsted	District Commissioner	Leave	July 22nd, 1912	July 21st, 1912	Aug 12th, 1912
E L Pearson	do	"	" 22nd, "	" 21st, "	" 12th, "
G St J Orde Browne	Asst Dist Commissioner	"	" 22nd, "	" 21st, "	" 12th, "
T A Dickson	do	"	" 22nd, "	" 21st, "	" 12th, "
Lt A B C Gibson, R N	do	1st Appointment	" 22nd, "	" 21st, "	" 12th, "
Lt S L K Lawford, R N	do	"	" 22nd, "	" 21st, "	" 12th, "
Lt A M Coode	Deputy Director of Surveys	Leave	" 22nd, "	" 21st, "	" 12th, "
J Twells	Asst Auditor	1st Appointment	" 22nd, "	" 21st, "	" 12th, "
Lt D W Reynolds	3rd King's African Rifles	"	" 22nd, "	" 21st, "	" 12th, "
Lt A A Hughes	do	"	" 22nd, "	" 21st, "	" 12th, "
N C Drury	Asst Printer, Govt Printing Press	"	" 22nd, "	" 21st, "	" 12th, "
A B Balmer	Clerk, Survey	"	" 22nd, "	" 21st, "	" 12th, "
R H Hampson	Head Clerk Provincial Commissioner, Office, Kisumu	Leave	" 22nd, "	" 21st, "	" 12th, "
S H Ramsey	Asst Junior Staff Surveyor	1st Appointment	" 22nd, "	" 21st, "	" 12th, "
A E Hamp	Asst Engineer, P W D	"	" 27th, "	" 28th, "	" 16th, "
J Cowan	Asst Traffic Manager	"	" 21st, "	" 22nd, "	" 12th, "
D H Harrison	do	"	" 21st, "	" 22nd, "	" 12th, "
H Tunworth	Asst Storekeeper	"	" 21st, "	" 22nd, "	" 12th, "

DEPARTURES.

Name	Rank	On leave or termination of appointment	Date of Departure
C E Spencer	District Commissioner	Leave	August 13th, 1912
D J Pugh	Medical Officer	"	" 13th, "
G B W Alexander	Chief Clerk to H E	"	" 13th, "
W N Low	Clerk Land Office	"	" 13th, "
E K Boileau	Junior Staff Surveyor	"	" 13th, "
V Sutcliffe	Postal Clerk & Telegraphist	"	" 13th, "
W M Lynde	Quantity Surveyor, P W Dept	"	" 13th, "
Sergt Major W Dickenson	3rd K A Rifles	"	" 13th, "

EAST AFRICA PROTECTORATE.

Comparative Statement of the EXPENDITURE of the East Africa Protectorate,
for the month ended April 30th, 1912

Heads of Expenditure	Estimates 1912-13	Actual Expenditure to 30-4-1912	Expenditure for same period of preceding year	Increase	Decrease.
	£	£	£	£	£
Rent and Interest to H H the Sultan	17,000	4,250	4,250		
Pensions	2,593	303	375		72
His Excellency the Governor	7,204	484	1,109		625
Secretariat	6,200	416	31	385	
"Official Gazette" and Printing	3,807	193	128	65	
Provincial Administration	91,265	6,523	3,043	3,480	
Ditto Special Expenditure	200	111	26	85	
Treasury	9,203	793	322	471	
Customs Department	15,455	987	854	133	
Port and Marine Departments	4,745	312	282	30	
Ditto Special Expenditure	3,490		1		1
Audit Department	3,859	— 53	— 198		— 145
Legal Departments	15,167	1,157	533	624	
Police	47,431	2,686	2,502	184	
Prisons	11,590	701	613	88	
Ditto Special Expenditure	1,586				
Medical Departments	18,129	1,292	432	860	
Ditto Special Expenditure	1,177	15	13	2	
Hospitals and Dispensaries	14,538	852	425	427	
Education	7,775	232	83	149	
Transport	2,961	175	100	75	
Military Expenditure	54,287	3,043	4,562		1,519
Ditto Special Expenditure	150		1		1
Miscellaneous Services	5,762	308	289	19	
Bombay Agency	851				
Post Office and Telegraphs	35,477	2,680	1,584	1,096	
Ditto Special Expenditure	5,570		1		1
Railway Department	282,132	18,907	17,919	988	
Ditto Special Expenditure	43,883	1,381		1,381	
Agricultural Department	24,214	1,408	443	965	
Ditto Special Expenditure	2,184	163	120	43	
Forest Departments	9,217	681	970	52	
Game Department	3,490	341			
Immigration Department	440	22	23		1
Survey Department	24,504	1,691	392	1,299	
Land Office	6,653	585	186	399	
Public Works Department	20,217	1,197	1,534		337
" " Recurrent	24,250	2,384	1,907	477	
" " Extraordinary	46,814	1,615	715	900	
Abolition of Slavery	1,010	168	384		216
Coast Land Settlement	10,804	484	95	389	
Loan Charges	2,115				
Special Expenditure for Magadi	68,500	3,913		3,913	
Total	£ 957,899	62,400	46,049	18,979	2,628
Expenditure out of Loans	£ Nil	Nil			

Nairobi,
August 13th, 1912

H. A. SMALLWOOD,
Treasurer.

EAST AFRICA PROTECTORATE.

Statement showing value in Rupees of various articles exported from Mombasa,
during June, 1912

Articles	Produce of						Total
	East Africa Protectorate	Uganda Protectorate	German East Africa	Italian East Africa	Congo Free State	Soudan	
Animals living —							
„ Goats	2,431						2,431
„ Wild animals	1,500						1,500
Bees Wax	17,255	175	5,182				22,612
Borities	250						250
Chillies		2,160					2,160
Coffee	10	3,846	3,576				7,432
Copra	61,075						61,075
Cotton	8,604	347,847	22,222				378,673
Fibres, sisal	5,437						5,437
„ Other sorts			1,670				1,670
Ghee	11,582	1,320	40,303				53,205
Gold			67,429				67,429
Grain, Maize	34,292						34,292
„ Beans and peas	11,654						11,654
„ Sim Sim	23,288						23,288
„ Ground nuts	3,773	1,680	6,402				11,855
„ Pulse	7,300						7,300
Gum copal	331						331
Hides, ox	69,522	21,171	75,356				166,049
Horns, Rhinoceros	238		344				582
„ Sportsmen's trophies	276						276
„ Sportsmen's trophies	319						319
„ Other sorts	3	12	287				302
Ivory	16,784	24,038	4,806		28,418	3,121	77,167
Oils, Cotton seeds		5,576					5,576
Oil cakes	156						156
Ostrich feathers	2,363						2,363
Potatoes	9,501						9,501
Rubber Plantation	3,032						3,032
„ Wild	22,466	1,297	1,400		726		25,889
Seeds Cotton	840	39,441	1,620				41,901
Skins, Sheep	1,441	2,079	4,836				8,356
„ Goats	32,942	21,254	60,234				114,430
„ Wild animals	349	41	35				425
„ Wild animals							
„ Sportsmen's trophies	1,765						1,765
Teeth, hippopotamus	88	1,007	270				1,365
Wattle bark	1,270						1,270
Wood fine	15						15
„ Other than fine wood			150				150
Wool	11,060						11,060
Goods Manufactured unenumerated	1,036	505					1,541
„ Unmanufactured unenumerated	573	1,681					2,254
Total Rupees	364,821	475,130	296,122		29,144	3,121	1,168,338

Total Value of exports in June, 1911

Rs 1,132,655

Total increase in value . . .

„ 35,683

F. W. MAJOR,

Chief of Customs

General Imports into the port of Mombasa during June, 1912 —(Continued)

Articles	Total quantities imported	Value in Rupees	Duty in Rupees
Brought forward		1 131,730	
Implements, other sorts		5,375	
Instruments, surgical		25	
„ Scientific, other sorts		11	
„ Pianos		2,259	
„ Musical, other sorts		2,896	
Jewellery			
Leather, unwrought			
„ Wrought, boots and shoes	Doz pairs 126	7,270	
„ „ Saddle and harness		1,375	
„ Manufactures, unenumerated		4,432	
Linen, hemp and Jute manufactures, unenumerated		104	
Machinery and parts thereof, agricultural		31,534	
„ „ „ industrial		24,016	
„ „ „ other sorts		5,374	
Manures and insecticides		949	
Matches	Gross boxes 7,700	7,503	
Metals —			
Brass and copper manufactures, for use as building materials			
Brass and copper manufactures, other sorts		5,061	
Brass and copper wire	Cwt 255	14,328	
Iron and steel manufactures, unenumerated, to be used as building materials		1,281	
Iron and steel manufactures, unenumerated, other sorts		16,782	
Iron and steel wire	Cwt 138	1,030	
Galvanised iron sheets and plates	„ 2,777	25,521	
Metals, manufactured, unenumerated		3,997	
Metals, unmanufactured, unenumerated			
Mineral and aerated waters	Doz bott 901	3,369	
Miscellaneous including parcel post			
Oils, fats and grease —			
Petroleum-Kerosine	Galls 112,842	47,809	
„ other sorts	„ 3,972	3,443	
Cocconut	„		
Ghee	Cwt 53	3,783	
Oil Margarin	„		
Turpentine	Galls 147	311	
Other sorts	„ 1,355	2,935	
Perfumery		1,915	
Photographs, engravings, pictures, and maps		595	
Plate and plated ware		678	
Porcelain, China and earthenware		5,827	
Preserved meats		803	
Preserves and tinned or bottled foods and fruits, other sorts unclassified		21,384	
Printed matter		2,190	
Railway, tramway and road material		29,137	
Rope and twine for agricultural and industrial purposes		3,673	
Rope and twine, other sorts		3,751	
Rubber manufactures, unenumerated		3,448	
Salt	Cwt 2,100	2,186	
Ships, boats, launches, lighters and parts			
Spirits —			
Brandy	Galls 856	7,206	
Whisky	„ 5,155	40,164	
Gin	„ 344	1,776	
Liqueurs and other sorts	„ 231	2,225	
Silk manufactures, unenumerated		2,228	
„ „ of and other materials			
„ yarn	lbs		
Soap	Cwt 947	21,274	
Stationery		18,762	
Carried forward		1,523,725	

EAST AFRICA PROTECTORATE

Statement showing number of trade packages and value in Rupees of trade goods re-exported from Mombasa to different countries during June, 1912

Articles	Total quantities re exported	German East Africa	U King dom	Ger-many	Italian East Africa	Zan zibar	India	Italy	Hol land	U States of Ameri-can
		Rs	Rs	Rs	Rs	Rs	Rs	Rs	Rs	Rs
Ale and Beer	Gallons 40	73								
Ammunition	Nos 375		75							
Arms	, 3		175							750
Bags and sacks for Industrial & Agril purposes						84				
Beads	lbs 3,098	1,549								
Books		70								
Building material unenumerated		55								
Cigarettes	lbs 15	59								
Coal Product		119								
Cotton Yarn	lbs 214	107								
„ piece goods, bleached	yards 18,459	6,153								
„ „ „ unbleached	„ 294,665	58,933								
„ „ „ printed	„ 27,132	6,783								
„ „ „ Dyed	„ 44,006	22,003								
„ Blankets	Nos 4,958	9,916								
„ Manufactures, unenumerated		596						75		
Food Stuff other sorts Unenumerated		844			80	187				
Furniture		25								
Glass manufactures, unenumerated		35	945			216				
Goods manufactures unenumerated		346	850	240	200	10				
Grain —Rice	Cwt 2				27					
Flour and wheat meal	„ 42	339								
Maize & maize meal	„ 45	70								
Haberdashery		1,386								
Hardware		1,074	200				250			
Implements Agricultural					80					
Instrument Scientific, other sorts			100							
Machinery and parts thereof Agricultural		175	90							
„ „ „ „ other sorts		1,607		500	70					
Matches	Gross boxes 600	596								
Metals,—Brass and copper wire	Cwt 20	4,742								
„ Iron & steel manufactures unenumerated other sorts						33			820	
„ Iron and steel wire	Cwt 61	573								
„ Galvanised Iron steel sheets & plates	331	3,312								
„ Metal manufactured unenumerated		129								
Railway, tramway and road material					1,750					
Rope and twine for Agricultural and Industrial purposes		65								
Spirits, whisky	Galls 184	1,210				300				
Liqueurs and other sorts	„ 4	60								
Soap	Cwt 46	1,038								
Stationery			15							
Sugar	Cwt 80	906								
Tea	lbs 180	158								
Tobacco manufactured	„ 2,196	2,196								
Vehicles & parts thereof not agricultural other sorts		1,015								
Wearing apparel		6,616								
Wooden manufactures unenumerated						170			735	
Total Rs		134,933	2,450	740	2,207	1,000	250	75	1,555	750

Total value of re-exported goods Rs. 143,960

F. W MAJOR,
Chief of Customs

UGANDA RAILWAY

Tender for Rations

Tenders are invited for the supply of the following Rations required for the Uganda Railway for a period of one year commencing from January 1st, 1913 —

Flour Atta, Dhall Gram, Rice Halwa,

The quantities required and the conditions under which they must be supplied can be obtained on application to the Chief Storekeeper, Nairobi

Sealed Tenders, marked "Tender for Rations," should reach the undersigned not later than the 31st of October next

A WILLIAM REID,
Chief Storekeeper,
Uganda Railway

Subscription to the East Africa Gazette.

All Applications or Remittances should be sent to the Editor
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EAST AFRICA PROTECTORATE.

AT THE COURT AT BUCKINGHAM PALACE,

The 24th day of June, 1912

PRESENT,

The King's Most Excellent Majesty in Council.

WHEREAS on the 9th day of September, 1886, a Convention with respect to the protection to be given by way of copyright to the authors of literary and artistic works (hereinafter called the Berne Convention) set out in the Second Schedule to this Order was concluded between Her late Majesty Queen Victoria and the foreign countries following, that is to say —Belgium, France, Germany, Hayti, Italy, Spain, Switzerland and Tunis, and on the 5th day of September, 1887, the ratifications of the said Berne Convention were duly exchanged between Her late Majesty Queen Victoria and the aforesaid countries

And whereas subsequently the foreign countries following, namely, Luxemburg, Monaco, Montenegro, Norway and Sweden, acceded to the said Berne Convention

And whereas an additional Act to the said Berne Convention (hereinafter called the Additional Act) set out in the Third Schedule to this Order was agreed upon between Her late Majesty Queen Victoria and the foreign countries following, namely, Belgium, France, Germany, Italy, Luxemburg, Monaco, Montenegro, Spain, Switzerland and Tunis, for the purpose of varying the provisions of the said Berne Convention, and the ratifications of the said Additional Act were, on the 9th day of September, 1897, exchanged between Her late Majesty Queen Victoria and the aforesaid countries

And whereas subsequently the Republic of Hayti acceded to the said Additional Act, and the foreign countries following, namely, Denmark and the Faroe Islands, the German Protectorates, Japan and Liberia, acceded to the said Berne Convention and the said Additional Act, and the Principality of Montenegro duly denounced the said Berne Convention and the said Additional Act

And whereas by the Orders in Council mentioned in the Fifth Schedule to this Order and made under the authority of the International Copyright Acts, 1844 to 1886, effect is now given throughout His Majesty's dominions to the said Berne Convention and the said Additional Act

And whereas a Convention (hereinafter called the Berlin Convention) set out in the First Schedule to this Order was on the 13th day of November, 1908, agreed upon between His late Majesty King Edward VII, and the Foreign countries following, namely Belgium, Denmark, France, Germany, Italy, Japan, Liberia, Luxemburg, Monaco, Norway, Spain, Sweden, Switzerland and Tunis, for the purpose of replacing the said Berne Convention and the said Additional Act

And whereas it is provided by the said Berlin Convention that the contracting States may make reservations by declaring at the exchange of ratifications that they desire to remain bound, as regards any specific point, by the provisions of the said Berne Convention and the said Additional Act, and it is further provided by the said Berlin Convention that the said Berne Convention and the said Additional Act shall remain in force in regard to relations with contracting States which do not ratify the said Berlin Convention

And whereas the said Berlin Convention was ratified by His Majesty on the 14th day of June, 1912, subject to the reservation mentioned in Part I of the Fourth Schedule to this Order

And whereas the said Berlin Convention has also been ratified by the foreign countries following, namely, Belgium, France, Germany, Hayti, Japan, Liberia, Luxemburg, Monaco, Norway, Spain, Switzerland and Tunis, subject to the reservations mentioned in Part II. of the Fourth Schedule to this Order

And whereas the Republic of Portugal has acceded to the said Berlin Convention

And whereas by the Copyright Act, 1911, the aforesaid International Copyright Acts, 1844 to 1886, are repealed, as from the commencement of the said Copyright Act, 1911, in the parts of His Majesty's dominions to which the said Act extends

- (d) In the case of any published musical work of which the country of origin is Denmark, Italy, Japan or Sweden the right to prevent performance in public shall be conditional upon performance in public being forbidden by an express declaration on the title-page or commencement of the work
- (e) In the case of any work of which the country of origin is Denmark, Italy or Sweden the entire rights conferred by the Copyright Act, 1911, shall be conditional upon the accomplishment of the conditions and formalities prescribed by law in the country of origin
- (iv) Nothing in the provisions of the Copyright Act, 1911, as applied to existing works, shall be construed as reviving any right of preventing the production or importation of any translation in any case where the right has ceased by virtue of Section 5 of the International Copyright Act, 1886

(3) Subject to the provisions of Article (2) proviso (1) of this Order where any musical work to which this Order applies has been published before the commencement of the Copyright Act, 1911, but no contrivances by means of which the work may be mechanically performed have before the commencement of this Order been lawfully made, or placed on sale, within the parts of His Majesty's dominions to which this Order applies, copyright in the work shall include all rights conferred by the said Act with respect to the making of records, perforated rolls and other contrivances by means of which the work may be mechanically performed

(4) In this Order the expression "the country of origin" as applied to a work has the same meaning as in the third paragraph of Article 4 of the Berlin Convention

(5)—(a) This Order shall apply to all His Majesty's dominions, colonies, and possessions, excepting to those hereinafter named, that is to say, except to the—

Dominion of Canada,
The Commonwealth of Australia,
The Dominion of New Zealand,
The Union of South Africa,
Newfoundland

(b) This Order shall also apply to Cyprus, and to the following territories under His Majesty's protection, that is to say,—the Bechuanaland Protectorate, East Africa Protectorate, Gambia Protectorate, Gilbert and Ellice Islands Protectorate, Northern Nigeria Protectorate, Northern Territories of the Gold Coast, Nyasaland Protectorate, Northern Rhodesia, Southern Rhodesia, Sierra Leone Protectorate, Somaliland Protectorate, Southern Nigeria Protectorate, Solomon Islands Protectorate, Swaziland, Uganda Protectorate, and Weihaiwei

(6) The Orders mentioned in the Fifth Schedule to this Order are hereby revoked, as from the date of the commencement of this Order, so far as regards the parts of His Majesty's dominions to which this Order applies

Provided that neither such revocation nor anything else in this Order shall prejudicially affect any right acquired or accrued before the commencement of this Order by virtue of any Order hereby revoked, and any person entitled to such right shall continue entitled thereto, and to the remedies for the same, in like manner as if this Order had not been made

(7) This Order shall be construed as if it formed part of the Copyright Act, 1911

(8) This Order shall come into operation in the United Kingdom on the 1st day of July, 1912, and in any other part of His Majesty's dominions to which this Order applies, on the day on which the Copyright Act, 1911, comes into operation in such part, which day is in this Order referred to as the commencement of this Order

And the Lords Commissioners of His Majesty's Treasury are to give the necessary orders accordingly

ALMERIC FITZROY,

First Schedule

Berlin Convention.

Convention for the purpose of revising the Convention of Berne of the 9th September, 1886, the Additional Article and the Final Protocol attached to the same Convention, and the Additional Act and the Interpretative Declaration of Paris of the 4th May, 1896, made on the 13th day of November, 1908, between His Majesty the King of the United Kingdom of Great Britain and Ireland, Emperor of India, His Majesty the German Emperor, King of Prussia; His Majesty the King of the Belgians, His Majesty the King of Denmark, His Majesty the King of Spain, the President of the French Republic, His Majesty the King of Italy, His Majesty the Emperor of Japan, the President of the Republic of Liberia, His Royal Highness the Grand Duke of Luxemburg, Duke of Nassau, His Serene Highness the Prince of Monaco, His Majesty the King of Norway, His Majesty the King of Sweden, the Federal Council of the Swiss Confederation, His Highness the Bey of Tunis

[The following is an English translation of the Convention, with the omission of the formal beginning and end]

For photographic works and works produced by a process analogous to photography, for posthumous works, for anonymous or pseudonymous works, the term of protection shall be regulated by the law of the country where protection is claimed, provided that the said term shall not exceed the term fixed in the country of origin of the work

Article 8

The authors of unpublished works, being subjects or citizens of one of the countries of the Union, and the authors of works first published in one of those countries shall enjoy, in the other countries of the Union, during the whole term of the right in the original work, the exclusive right of making or authorizing a translation of their works

Article 9

Serial stories, tales, and all other works, whether literary, scientific, or artistic, whatever their object, published in the newspapers or periodicals of one of the countries of the Union may not be reproduced in the other countries without the consent of the authors

With the exception of serial stories and tales, any newspaper article may be reproduced by another newspaper unless the reproduction thereof is expressly forbidden. Nevertheless, the source must be indicated, the legal consequences of the breach of this obligation shall be determined by the laws of the country where protection is claimed

The protection of the present Convention shall not apply to news of the day or to miscellaneous information which is simply of the nature of items of news

Article 10

As regards the liberty of extracting portions from literary or artistic works for use in publications destined for educational purposes, or having a scientific character, or for chrestomathies, the effect of the legislation of the countries of the Union and of special Arrangements existing or to be concluded between them is not affected by the present Convention

Article 11

The stipulations of the present Convention shall apply to the public representation of dramatic or dramatico-musical works, and to the public performance of musical works, whether such works be published or not

Authors of dramatic or dramatico-musical works shall be protected during the existence of their right over the original work against the unauthorized public representation of translations of their works

In order to enjoy the protection of the present Article, authors shall not be bound in publishing their works to forbid the public representation or performance thereof

Article 12

The following shall be specially included among the unlawful reproductions to which the present Convention applies. Unauthorised indirect appropriations of a literary or artistic work, such as adaptations, musical arrangements, transformations of a novel, tale, or piece of poetry into a dramatic piece and *vice versa*, &c, when they are only the reproduction of that work, in the same form or in another form without essential alterations, additions, or abridgements, and do not present the character of a new original work

Article 13

The authors of musical works shall have the exclusive right of authorizing (1) the adaptation of those works to instruments which can reproduce them mechanically, (2) the public performance of the said works by means of these instruments

Reservations and conditions relating to the application of this Article may be determined by the domestic legislation of each country in so far as it is concerned, but the effect of any such reservations and conditions will be strictly limited to the country which has put them in force

The provisions of paragraph 1 shall not be retroactive, and consequently shall not be applicable in any country of the Union to works which have been lawfully adapted in that country to mechanical instruments before the coming into force of the present Convention

Adaptations made in virtue of paragraphs 2 and 3 of the present Article, and imported without the authority of the interested parties into a country where they would not be lawful, shall be liable to seizure in that country

Article 14.

Authors of literary, scientific or artistic works shall have the exclusive right of authorizing the reproduction and public representation of their works by cinematography

Article 22

The International Office collects every kind of information relative to the protection of the rights of authors over their literary and artistic works. It arranges and publishes such information. It undertakes the study of questions of general interest concerning the Union, and by the aid of documents placed at its disposal by the different Administrations, edits a periodical publication in the French language on the questions which concern the objects of the Union. The Governments of the countries of the Union reserve to themselves the power to authorize by common accord the publication by the Office of an edition in one or more other languages, if experience should show this to be requisite.

The International Office will always hold itself at the disposal of members of the Union with the view to furnish them with any special information which they may require relative to the protection of literary and artistic works.

The Director of the International Office shall make an annual Report on his Administration, which shall be communicated to all the members of the Union.

Article 23

The expenses of the Office of the International Union shall be shared by the contracting States. Until a fresh arrangement be made they cannot exceed the sum of 60,000 francs a year. This sum may be increased, if necessary, by the simple decision of one of the Conferences provided for in Article 24.

The share of the total expense to be paid by each country shall be determined by the division of the contracting and acceding countries into six classes, each of which shall contribute in the proportion of a certain number of units, viz —

1st class	25	units.
2nd „		.	20	„
3rd „			15	„
4th „		.	10	„
5th „		.	5	„
6th „		...	3	„

These coefficients are multiplied by the number of countries of each class and the total product thus obtained gives the number of units by which the total expense is to be divided. The quotient gives the amount of the unit of expense.

Each country shall declare, at the time of its accession, in which of the said classes it desires to be placed.

The Swiss Administration prepares the Budget of the Office, superintends its expenditure, makes the necessary advances, and draws up the annual account which shall be communicated to all the other Administrations.

Article 24

The present Convention may be submitted to revisions in order to introduce therein amendments calculated to perfect the system of the Union.

Questions of this kind, as well as those which are of interest to the Union in other respects, shall be considered in Conferences to be held successively in the countries of the Union by delegates of the said countries. The Administration of the country where a Conference is to meet prepares, with the assistance of the International Office, the programme of the Conference. The Director of the Office shall attend at the sittings of the Conferences, and shall take part in the discussions without the right to vote.

No alteration in the present Convention shall be binding on the Union except by the unanimous consent of the countries composing it.

Article 25

States outside the Union which make provision for the legal protection of the rights forming the object of the present Convention may accede thereto on request to that effect.

Such accession shall be notified in writing to the Government of the Swiss Confederation, who will communicate it to all the other countries of the Union.

Such accession shall imply full adhesion to all the clauses and admission to all the advantages provided by the present Convention. It may, nevertheless, contain an indication of the provisions of the Convention of the 9th September, 1886, or of the Additional Act of the 4th May, 1896, which they may judge necessary to substitute, provisionally at least, for the corresponding provisions of the present Convention.

Article 26

Contracting countries shall have the right to accede to the present Convention at any time for their Colonies or foreign possessions.

Article II

Authors who are subjects or citizens of any of the countries of the Union, or their lawful representatives, shall enjoy in the other countries for their works, whether published in one of those countries or unpublished, the rights which the respective laws do now or may hereafter grant to natives

The enjoyment of these rights shall be subject to the accomplishment of the conditions and formalities prescribed by law in the country of origin of the work, and must not exceed in the other countries the term of protection granted in the said country of origin

The country of origin of the work shall be considered to be that in which the work is first published, or if such publication takes place simultaneously in several countries of the Union, that one of them the laws of which grant the shortest term of protection

For unpublished works the country to which the author belongs shall be considered to be the country of origin of the work

Article III

The stipulations of the present Convention shall apply equally to the publishers of literary and artistic works published in one of the countries of the Union, but of which the authors belong to a country which is not a party to the Union

Article IV

The expression "literary and artistic works" shall include books, pamphlets, and all other writings, dramatic or dramatico-musical works, musical compositions with or without words, works of drawing, painting, sculpture, and engraving, lithographs, illustrations, geographical charts, plans, sketches, and plastic works relative to geography, topography, architecture, or science in general, in fact, every production whatsoever in the literary, scientific, or artistic domain which can be published by any mode of impression or reproduction

Article V

Authors who are subjects or citizens of any of the countries of the Union, or their lawful representatives shall enjoy in the other countries the exclusive right of making or authorizing the translation of their works until the expiration of ten years from the publication of the original work in one of the countries of the Union

For works published in incomplete parts ("livraisons") the period of ten years shall commence from the date of publication of the last part of the original work

For works composed of several volumes published at intervals as well as for bulletins or collections ("cahiers") published by literary or scientific societies, or by private persons, each volume, bulletin, or collection shall be with regard to the period of ten years, considered as a separate work

In the cases provided for by the present Article, and for the calculation of the terms of protection, the 31st December of the year in which the work was published shall be regarded as the date of publication

Article VI

Lawful translations shall be protected as original works. They shall consequently enjoy the protection stipulated in Articles II and III as regards their unauthorized reproduction in the countries of the Union

It is understood that, in the case of a work for which the translating right has fallen into the public domain, the translator cannot oppose the translation of the same work by other writers

Article VII.

Articles from newspapers or periodicals published in any of the countries of the Union may be reproduced in original or in translation in the other countries of the Union, unless the authors or publishers have expressly forbidden it. For periodicals it shall be sufficient if the prohibition is indicated in general terms at the beginning of each number of the periodical

This prohibition cannot in any case apply to articles of political discussion, or to the reproduction of news of the day or miscellaneous information

Article VIII.

As regards the liberty of extracting portions from literary or artistic works for use in publications destined for educational or scientific purposes, or for chrestomathies, the effect of the legislation of the countries of the Union, and of special arrangements existing or to be concluded between them is not affected by the present Convention

Article XVII

The present Convention may be submitted to revisions in order to introduce therein amendments calculated to perfect the system of the Union

Questions of this kind, as well as those which are of interest to the Union in other respects, shall be considered in Conferences to be held successively in the countries of the Union by delegates of the said countries

It is understood that no alteration in the present Convention shall be binding on the Union except by the unanimous consent of the countries composing it

Article XVIII

Countries which have not become parties to the present Convention, and which make provision by their domestic law for the protection of the rights forming the object of the present Convention, shall be admitted to accede thereto on request to that effect

Such accession shall be notified in writing to the Government of the Swiss Confederation, who will communicate it to all the other countries of the Union

Such accession shall imply full adhesion to all the clauses and admission to all the advantages provided by the present Convention

Article XIX

Countries acceding to the present Convention shall also have the right to accede thereto at any time for their Colonies or foreign possessions

They may do this either by a general Declaration comprising in the accession all their Colonies or possessions, or by specially naming those comprised therein, or by simply indicating those which are excluded

Article XX

The present Convention shall be put in force three months after the exchange of ratifications, and shall remain in force for an indefinite period until the termination of a year from the day on which it may have been denounced

Such denunciation shall be made to the Government authorized to receive accessions. It shall only take effect in regard to the country making it, the Convention remaining in full force and effect for the other countries of the Union

Article XXI

The present Convention shall be ratified, and the ratifications exchanged at Berne within the space of one year at the latest

ADDITIONAL ARTICLE

The Convention concluded this day shall in no wise affect the maintenance of existing Conventions between the Contracting States, provided always that such Conventions confer on authors, or their lawful representatives, rights more extended than those secured by the Union, or contain other stipulations which are not contrary to this Convention

FINAL PROTOCOL

1 As regards Article IV it is agreed that those countries of the Union where the character of artistic works is not refused to photographs, engage to admit them to the benefits of the Convention concluded to-day, from the date of its coming into force. They shall, however, not be bound to protect the authors of such works further than is permitted by their own legislation except in the case of international engagements already existing, or which may hereafter be entered into by them

It is understood that an authorized photograph of a protected work of art shall enjoy legal protection in all the countries of the Union, as contemplated by the said Convention, for the same period as the principal right of reproduction of the work itself subsists, and within the limits of private agreements between those who have legal rights

2 As regards Article IX it is agreed that those countries of the Union whose legislation implicitly includes choreographic works amongst dramatico-musical works expressly admit the former works to the benefits of the Convention concluded this day

It is, however, understood that questions which may arise on the application of this clause shall rest within the competence of the respective tribunals to decide

3 It is understood that the manufacture and sale of instruments for the mechanical reproduction of musical airs in which copyright subsists, shall not be considered as constituting an infringement of musical copyright

Third Schedule.

Additional Act of Paris

[The following is an English translation of the Additional Act with the omission of the formal beginning and end]

Article I

The International Convention of the 9th September, 1886, is modified as follows —

1 Article II—The first paragraph of Article II shall run as follows —

“Authors who are subjects or citizens of any of the countries of the Union, or their lawful representatives, shall enjoy in the other countries for their works, whether unpublished, or first published in one of those countries, the rights which the respective laws do now or may hereafter grant to natives”

A fifth paragraph is added in these terms —

“Posthumous works shall be included among those to be protected”

2 Article III—Article III shall run as follows —

“Authors not being subjects or citizens of one of the countries of the Union, who first publish or cause to be first published, their literary or artistic works in one of those countries, shall enjoy, in respect of such works the protection granted by the Berne Convention, and by the present Additional Act”

3 Article V—The first paragraph of Article V shall run as follows —

“Authors who are subjects or citizens of any of the countries of the Union, or their lawful representatives, shall enjoy in the other countries the exclusive right of making or authorizing the translation of their works during the entire term of their right over the original work. Nevertheless, the exclusive right of translation shall cease to exist if the author shall not have availed himself of it, during a term of ten years from the date of the first publication of the original work, by publishing or causing to be published in one of the countries of the Union, a translation in the language for which protection is to be claimed”

4 Article VII—Article VII shall run as follows —

“Serial stories, including tales, published in the newspapers or periodicals of one of the countries of the Union, may not be reproduced, in original or translation, in the other countries, without the sanction of the authors or of their lawful representatives

“This stipulation shall apply equally to other articles in newspapers or periodicals, when the authors or editors shall have expressly declared in the newspaper or periodical itself in which they shall have been published that reproduction is forbidden. In the case of periodicals it shall be sufficient if such prohibition is indicated in general terms at the beginning of each number

“In the absence of prohibition, such articles may be reproduced on condition that the source is indicated

“The prohibition cannot in any case apply to articles of political discussion, to news of the day, or to miscellaneous information”

5 Article XII—Article XII shall run as follows —

“Pirated works may be seized by the competent authorities of any country of the Union where the original work enjoys legal protection

“The seizure shall take place in accordance with the domestic legislation of each country”

6 Article XX—The second paragraph of Article XX shall run as follows —

“Such denunciation shall be made to the Government of the Swiss Confederation. It shall only take effect in regard to the country making it, the Convention remaining in full force and affect for the other countries of the Union”

Article II.

The Final Protocol annexed to the Convention of the 9th September, 1886, is modified as follows —

1 No 1—This clause shall run as follows —

‘As regards Article IV, it is agreed as follows —

“(A) In countries of the Union where protection is accorded not only to architectural plans, but also to the architectural works themselves, these works shall be admitted to the benefits of the Berne Convention and of the present Additional Act

RESERVATIONS MADE TO THE BERLIN CONVENTION —(Contd)

Country	Subject	Provisions remaining in force
PART II		
France	{ Works of art applied to industrial purposes	Provisions of Berne Convention and Additional Act
Tunis		Article 5 of the Berne Convention, as amended by the Additional Act
Japan	{ Performing right in musical works	Articles 9, paragraph 3, of the Berne Convention
Norway	{ Works of architecture	Article 4 of the Berne Convention
	{ Newspaper and magazine articles	Article 7 of the Berne Convention
	{ Retrospective effect	Article 14 of the Berne Convention

Fifth Schedule

Orders in Council, of the dates named below, for securing the privileges of copyright in His Majesty's dominions to authors of literary and artistic works first produced in the following foreign countries, namely —

Date of Order	Countries to which it extends
November 28, 1887	Belgium, France, Germany, Hayti, Italy, Spain, Switzerland and Tunis
August 10, 1888	Luxemburg
October 15, 1889	Monaco
August 1, 1896	Norway
March 7, 1898	Belgium, France, Germany, Italy, Luxemburg, Monaco, Spain, Switzerland and Tunis.
May 19, 1898	Hayti
August 8, 1899	Japan
October 9, 1903	Denmark and the Faroe Islands
December 12, 1904	Sweden
November 28, 1908	Liberia
March 2, 1909	German Protectorates

PROCLAMATION.

The Forest Ordinance, 1911

In pursuance of the powers conferred upon me by section 3 of the Forest Ordinance, 1911, I hereby declare the areas hereinafter defined to be Forest Areas for the purpose of the aforementioned Ordinance

Nairobi,

This 6th day of September, 1912

C C BOWRING,

Acting Governor

I. Karura Forest Reserve

PART I

Commencing at the point where the Nairobi-Kiambu Road intersects the Getathura River, thence bounded by the Getathura River up stream to its junction with the Thigiri River, thence by the easterly boundaries of L O 20 and 21 to the Rui Ruaka River, thence by the Rui Ruaka down stream to the most southerly corner of L O 26, thence by the general southerly boundary of L O 26 to the Kiambu-Nairobi Road, thence by that Road southerly to the Getathura River, and point of commencement

PART II

Commencing at the point where the Getathura River intersects the Nairobi-Kiambu Road, thence bounded by the Getathura River down stream to its intersection by the northerly boundary of L O 213, thence by the northerly boundary of L O 213 to its intersection with the boundary of 216, thence by the general westerly boundary of L O 216 to the Karura River, thence by the Karura River up stream to the point where the old Nairobi-Kiambu road intersects it, thence by the old Nairobi-Kiambu Road to its intersection by the new Nairobi-Kiambu Road, thence by the new Nairobi-Kiambu Road to the point of commencement

2 Thigirii Forest Reserve

Commencement at the junction of the Getathura and Thigiri Rivers, thence bounded by the Getathura River upstream to the most westerly corner of L O 214, thence by the westerly boundary of L O 214 to the Mathari River, thence by the Mathari River upstream to the easterly boundary of L O 8, thence by that boundary northerly to the Getathura River, thence by the Getathura River upstream to the easterly boundary of L O 17, thence by the easterly boundary of L O 17 to the Thigiri River, thence by the Thigiri River downstream to the point of commencement

3 Kamiti Forest Reserve L O No 93

Commencing at the North Easterly corner of L O 92, thence bounded on the south by L O 92, on the west by L O 100, on the north and east by a road to the point of commencement

4 Kiambu Forest Reserve L O No 87

Commencing at the most easterly corner of L O 77, thence bounded on the west by L O 77 and 80, to the Riara River, on the north by the Riara River, on the east by L O 74, on the south by the Gatharaini River upstream to the point of commencement

RULES

Issued by His Excellency the Acting Governor under Section 31 of the "East Africa Volunteer Reserve Ordinance, 1910"

Nairobi,

Dated this 5th day of September, 1912

C C BOWRING,

Acting Governor

1 Every member of the Volunteer Reserve intending to leave the Protectorate either temporarily or permanently shall give notice of such intention to the Deputy President of the unit to which he belongs and shall deliver to the Deputy President or to such person as the Deputy President shall authorise to receive the same, the arms, ammunition and other articles issued to such member

ORDER.

Order made by His Excellency the Acting Governor under the powers conferred by the Fees and Royalties Ordinance, 1903

Nairobi,

Dated this 12th day of September, 1912

C C BOWRING,

Acting Governor.

On and after the 1st day of October, 1912, there shall be levied under the Fees and Royalties Ordinance, 1903, the fees following within the Township of Mombasa —

Government cattle pound fee —

25 cents on each goat and sheep per diem

NOTICE

Under the Infectious Diseases Ordinance, 1903.

Notice is hereby given that owing to an outbreak of Plague in the Nairobi Township the Rules under the above Ordinance, dated the 29th day of August, 1912, and published in the 'Official Gazette' of the 1st September, 1912, are applied to the said Township

Nairobi,

Dated this 6th day of September, 1912

C C BOWRING,

Acting Governor

NOTICE.

Under the Native Christian Marriage Ordinance, 1904.

In exercise of the provisions of the Native Christian Marriage Ordinance, 1904, Section 7, I hereby appoint the following minister to be a Registrar of Marriages for the purposes of the aforesaid Ordinance

REVD E J REES,

Friends Africa Industrial Mission,

Kaimosi,

District of Kisumu,

Province of Nyanza

Nairobi,

September 12th, 1912

C C BOWRING,

Acting Governor

NOTICE.

Under the Fugitive Criminals Surrender Ordinance, 1908

It is hereby notified for general information that under and by virtue of the powers conferred upon him by Section 2 of "The Fugitive Criminals Surrender Ordinance, 1908," His Excellency the Acting Governor has been pleased to direct that the said Ordinance shall forthwith apply in the case of Tunis during the continuance of the arrangements made between His Majesty the King and the Rulers of such State under which the East Africa Protectorate surrender fugitive criminals to such State

NOTICE.

Law Examination

At the Law Examination held in July last the following were granted a pass

Pass with Distinction

T D Butler

Pass

R G Stone

H W Gray

E B Horne

A Fuller-Maitland passed in Civil and Criminal Procedure

A. C HOLLIS,

Acting Chief Secretary.

NOTICE

His Majesty's Principal Secretary of State for the Colonies has approved of the Capital of Nyanza Province being called Kisumu

NOTICE

Under the Infectious Diseases Ordinance, 1903, and in accordance with Sections 2 and 3 of the aforesaid Ordinance

In consequence of a case of plague having been found in the Indian Bazaar, Nairobi, it is hereby given that the premises occupied by Mulji Karmali No 192 Indian Bazaar are declared an infected area for the purpose of the said Ordinance

Nairobi,
September, 5th, 1912

C W HOBLEY
Provincial Commissioner

NOTICE

The following are the values fixed for purposes of Export Duty on the respective articles listed for the period from 1st October to 31st December, 1912 —

Rubber	Rs 67-50 per masila of 36 lbs
Hides —	
Calf No 1 }	„ 15 „ „ „ „
do No 2 }	
Goats Skins }	„ 14-50 per corja of 20 pieces
Kid Skins }	„ 14-50 „ „ „ „
Sheep Skins	„ 7/- „ „ „ „
Tortoise Shells	„ 5/- to Rs 20 per lb
Hippo Teeth	„ 36/- per masila of 36 lbs
Rhino Horns	„ 135/- „ „ „
Gum Copal, (Sorted)	„ 20/- to Rs 30 „ „
do „ (Mixed)	„ 9/- to „ 18 „ „
do „ (Siftings)	„ 2/- to „ 6 „ „
do Red No 1	„ 20/- to „ 30 „ „
do „ No 2	„ 10/- to „ 20 „ „

Post Office House,
Mombasa, 10th September, 1912

F W MAJOR,
Chief of Customs

CURRENCY BOARD NOTICE.

Notice is hereby given that the Right hand half of Currency Note No 4 63160 for Rs 500 is presented to the Currency Commissioners for payment by National Bank of India, Nairobi who have certified that the other half of the said note was lost whilst in their possession. Any person claiming to be entitled to payment in respect of the said half note, must communicate forthwith with the Currency Commissioners. In the absence of any such claim being established within three months of this date, payment for the said half note will be made to the said National Bank of India Ltd, Nairobi and the half note will be cancelled.

Nairobi,
September, 1912

F W MAJOR,
One of the Currency Commissioners

NOTICE.

It is hereby given that the portion of the Masara Road opposite Parklands Sports Ground running from the Commencement of Mr V W NEWLANDS' plot as far as the Parklands will be closed for all traffic from 18th, instant until 25th, instant for the purpose of raising and widening the Masara Road Bridge

September, 1912

L H MACNAGHTEN,
Acting Executive Engineer, P W D

NOTICE.**Under the Crown Lands Ordinance, 1902**

WHEREAS by an Indenture of Lease dated the 4th day of September, 1909, made between late Most Gracious Majesty King Edward the Seventh of the one part and George Stuart Wilson of Zanzibar (hereinafter referred to as the Lessee) of the other part ALL THAT parcel of land situate at Nakuru in the Naivasha Province of the East Africa Protectorate comprising one acre or thereabouts and therein more particularly described was leased unto the Lessee for the term of 25 years from the 1st day of July, 1909, as therein mentioned AND WHEREAS the Lessee covenanted to pay for the said land during the said term a yearly rent of Rs 36/- in advance on the 1st day of January in every year and also covenanted to erect and build upon the said land buildings of the nature and description set out in the Schedule of the said lease and to complete such buildings in all respects within 3 years from the date of the said lease AND WHEREAS the Lessee has failed to pay the rent on the 1st day of January of the following years, namely, 1911 and 1912 and to build upon the said land pursuant to the covenant in that behalf NOW THEREFORE by virtue of the provisions of Section 18 (1) of the Crown Lands Ordinance, 1902, I, Charles Calvert Bowring, Esq., the Acting Governor of the East Africa Protectorate do hereby give notice to the said Lessee that I intend after one month from the publication of this notice to commence an action in the High Court for a declaration that the said lease be forfeited and for rent. The said amount of rent in arrear is Rs 72/

R B WRIGHT,

Land Officer

Given under the hand of His Excellency the Acting Governor by virtue of a rule dated the 10th September, 1909, issued under the Crown Lands Ordinance, 1902

Mombasa,

Dated this 9th day of September, 1912

NOTICE.

The description of the Muhoroni Township Boundary published in the "Official Gazette" of the 15th, 1912, is hereby cancelled and the following substituted therefor —

Description of the boundaries of Muhoroni Township.

Commencing at a point where the Uganda Railway crosses the Nendengui River (otherwise known as Likuno River),

the boundary is bounded by the Thalweg of that river up stream to the southerly boundary of Sub-division III of Portion 644,

then by the southerly boundary of that Sub-division,

then by the southerly boundary of Portion 1577 to the north-east corner of Muhoroni Station Reserve,

then by the northerly boundary of the Station Reserve to the easterly limit of the Uganda Railway Reserve,

then by the Railway Reserve to its intersection by the Kapturo River,

then by the Thalweg of the Kapturo River down stream to the Northerly boundary of Sub-division II of Portion 643,

then by the northerly boundary of that Sub-division eastward and the easterly boundary thereof to the northerly boundary of Portion 1282,

then by the northerly and easterly boundaries of Portion 1282 to the northerly boundary of Sub-division II of Portion 643,

then by the northerly boundary of that Sub-division to its north east corner,

thence a line north-easterly to the point of commencement

AVVISO.

Essi mostrata la necessità per la tutela degli interessi dei sudditi Italiani in Zanzibar, nel Protettorato dell'Africa Orientale Tedesca, Protettorato dell'Africa Italiana, e Protettorato dell'Uganda, di conoscere esattamente le generalità ed il numero della loro popolazione, s'invitano tutti i cittadini Italiani in dette regioni residenti a voler comparire il 30 ottobre venturo, le suddette informazioni a questa Regia Agenzia Consolare.

Settembre, 1912

GUGLIELMO LANG,

*Regio Agente Consolare di S. M. il**Re d'Italia in Mombasa.*

Eldama Ravine, Monday, 30th September, 1912

High Court Criminal Case No	55/12	Crown	v	Kiblagat Arap Chegewa
"	59/12	"	v	Chiutich Arap Sambeli (2) Cheboyna Arap Kimutuin (3) Kipkeni Arap Cheierui

Nakuru, Friday, 4th October, 1912.

High Court Criminal Case No	61/12	Crown	v	Njeroge alias Kimeri wa Karanja
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Nairobi, Monday, 7th October 1912

Nairobi District Registry.

Civil Case No	9/12	Allayi Magakhan	v	Chowdry Mahomed Hussein
"	13/12	Hukam Sing	v	Ganeshlal Guranditta
"	14/12	Premier Timber Coy	v	Haji Mandi & Co
"	18/12	Maulvi Abdul Momin	v	Maulvi Abdulla Shah
"	19/12	Ahmed Khan	v	Arsha
"	20/12	A Ismail Haji Coy	v	Velpi Vnpi
"	22/12	Gailey & Roberts	v	C B Clutterbuck
"	23/12	C H Franz Godeka	v	Clement Hirtzell

NOTE —Criminal Cases if any will be taken before the civil case list

Mombasa,
3rd September, 1912

W S WRIGHT,
Registrar, High Court

ARRIVALS.

Name	Rank	From leave or on 1st Appointment	Date of Embarkation	Date of leaving England	Date of arrival at Mombasa or Kilindini,
J Stordy	Chief Veterinary Officer	Leave	Aug 9th, 1912	Aug 9th, 1912	Sept 6th, 1912
at A H D Hall	Subaltern, 3rd K A R	1st Appointment	15th, "	" 17th, "	" 6th, "
at T S Muirhead	" 1st K A R		" 15th "	" 17th, "	" 6th, "
at A James	Asst Treasurer	"	" 8th, "	" 7th, "	" 6th, "
at Woodruff	District Surveyor	Leave	" 9th, "	" 9th, "	" 6th, "
D Pipe	Head Master Arab School	1st Appointment	" 8th, "	" 8th, "	" 6th, "
S Thomas	3rd Asst Secretary	Leave	" 16th, "	" 17th, "	" 6th, "
S F Traill	District Commissioner	"	" 15th, "	" 17th, "	" 6th, "
at A D J B Williams	Medical Officer	1st Appointment	" 15th, "	" 17th, "	" 6th, "
W T H Giegg	Subaltern, 3rd K. A R	"	" 15th, "	" 17th "	" 6th, "
omas A Gray	Inspector Prisons	Leave	" 9th, "	" 9th, "	" 6th, "
n A C MacDonald	Director of Agriculture	"	" 9th, "	" 9th, "	" 6th, "
M Gness	District Engineer	"	" 15th, "	" 17th, "	" 6th, "

Subscription to the East Africa Gazette.

All Applications or Remittances should be sent to the Editor.
The rates of subscription are as follows

	One year		Six months		Three months		Single Copy	
	Rs	Cents	Rs	Cents	Rs	Cents	Rs	Cents
ion (Including Postage)	5	50	2	75	1	25	0	25
(Exclusive of Postage)	4		2		1		0	20

ice of one Copy one month old						0	37
" six months old						0	75
" one year old				1	50

No	Description	Date
75	John Bull	July 27th, 1912
76	The Worlds Work	August
77	Nash's	July
78	Review of Reviews (two copies)	August
79	The Royal	June
80	The London	June
81	The Outlook	July 6th, 1912

Owners of the above should make early application to this Office, together with proof of ownership

Mombasa,
1st September, 1912

RALPH HART,
Postmaster

EAST AFRICA PROTECTORATE.

Currency Board.

(a)

ABSTRACT OF NOTES IN CIRCULATION.

Total amount of Currency Notes in circulation on the tenth day of September, 1912

Average daily amount of Currency Notes in circulation during the month ended the tenth day of September, 1912

... Rs 46,31,000

Rs 46,35,839

(b)

ABSTRACT OF CASH RESERVE

Amount of the coin portion of the Note Guarantee Fund on the tenth day of September, 1912

Average daily amount of the coin portion of the Note Guarantee Fund, during the month ended the tenth day of September, 1912

Gold Rs 11,25,000 00 Cts

Silver Rs 15,52,497 31 "

Rs 26,77,497 31 Cts.

. Rs 26,82,336 02 Cts

(c)

ABSTRACT OF SECURITIES FORMING THE INVESTED PORTION OF THE NOTE GUARANTEE FUND ON THE TENTH DAY OF SEPTEMBER, 1912

Nature of Security	Nominal Value	Price paid	Latest known market price
	£ s d	£ s d	
Transvaal 3% Guaranteed Stock	41,414 16 6	40,233 10 3	89½
India 3½% Stock	45,641 0 4	43,000 0 0	92½
Straits Settlements 3½% Inscribed Stock	35,000 0 0	33,253 8 9	94½
Southern Nigeria 3½% Inscribed Stock	14,478 5 7	13,746 11 3	96½
Total £	136,534 2 5	130,233 10 3	

Office of the Currency Board,
Mombasa,
September 10th, 1912

F. W MAJOR,
One of the Currency Commissioners

EAST AFRICA PROTECTORATE

Comparative Statement of the EXPENDITURE of the East Africa Protectorate,
for the month ended May 31st, 1912

Heads of Expenditure	Estimates 1912-13	Actual Expenditure to 31-5-1912	Expenditure for same period of preceding year	Increase	Decrease
	£	£	£	£	£
Rent and Interest to H. H. the Sultan	17,000	4,250	4,250		
Pensions	2,593	439	607		168
His Excellency the Governor	7,204	935	1,770		835
Secretariat	6,200	927	712	215	
"Official Gazette" and Printing	3,807	376	528		152
Provincial Administration	91,265	13,906	9,810	4,096	
Ditto Special Expenditure	200	272	31	241	
Treasury	9,203	1,511	1,084	427	
Customs Department	15,455	2,222	2,286		64
Port and Marine Departments	4,745	725	748		23
Ditto Special Expenditure	3,490		1		1
Audit Department	3,859	305	236	69	
Legal Departments	15,167	2,451	1,747	704	
Police	47,431	6,308	6,422		114
Prisons	11,590	1,840	1,976		136
Ditto Special Expenditure	1,586	143		143	
Medical Departments	18,129	2,646	1,531	1,115	
Ditto Special Expenditure	1,177	28	125		97
Hospitals and Dispensaries	14,538	1,885	1,507	378	
Education	7,775	514	404	110	
Transport	2,961	372	369	3	
Military Expenditure	54,287	6,904	8,794		1,890
Ditto Special Expenditure	150	129	1	128	
Miscellaneous Services	5,762	907	555	352	
Bombay Agency	851				
Post Office and Telegraphs	35,477	5,843	4,010	1,833	
Ditto Special Expenditure	5,570		29		29
Railway Department	282,132	38,548	35,747	2,801	
Ditto Special Expenditure	43,883	2,238		2,238	
Agricultural Department	24,214	3,362	2,329	1,033	
Ditto Special Expenditure	2,184	555	620		65
Forest Departments	9,217	1,418	2,173		755
Game Department	3,490	603		603	
Immigration Department	440	35	45		10
Survey Department	24,504	3,962	2,035	1,927	
Land Office	6,653	1,100	814	286	
Public Works Department	20,217	2,367	3,042		675
" " Recurrent	24,250	4,441	4,483		42
" " Extraordinary	46,814	2,973	2,340	633	
Abolition of Slavery	1,010	753	946		193
Coast Land Settlement	10,804	1,060	377	683	
Loan Charges	2,115				
Special Expenditure for Magadi	68,500	11,246		11,246	
Total £	957,899	130,499	104,484	31,264	5,249
Expenditure out of Loans £	Nil	Nil			

Nairobi,
September 4th, 1912

H. A. SMALLWOOD,
Treasurer

Fnearms registered at Mombasa—(Contd)

Date	Name	Fnearms	Residence	Remarks
1912				
June 22	A Blayney Percival	1 6 chambers revolver 455	Nairobi	
	Sergnt J C Chynoweth	1 Sporting rifle 303	"	
	G Asmussen	1 D B shot gun 16 bore	Mombasa	
	K Daudt	1 do	"	B L Holder
	do	1 S B rifle 650	"	
25	Richard Bava	1 D B shot gun 12 bore	Jamow Mission	B L Holder
26	Capt Hon F R D Pittie	1 Mauser sporting rifle 350	Uganda	
	C H Stamfordth	1 D B shot gun 12 bore	Nairobi	
	A Blayney Percival	1 D B shot gun 16 bore	"	
27	Taj Mohamed	1 D B shot gun 12 bore	Kilindini	B L Holder
28	D Reid	1 S B Winchester rifle 44	Nairobi	
	Chas Gittins	1 5 chambers revolver 32	Entebbe	
30	Charles Muller	1 Mauser pistol 6 m/m	Mombasa	

Licences issued at Mombasa during the quarter ended 30th June, 1912

Name	Date of issue	Date of expiry
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BIRD LICENCES

A S Milliken	April 2nd, 1912	April 1st, 1913
Ebrahim Ganjee	" 2nd "	" 1st "
A A Pinto	" 18th "	" 17th "
P P Fernandes	" 27th "	" 26th "
H Powell	May 2nd "	May 1st "
C G Affonso	" 7th "	" 6th "
C W Webber	" 9th "	" 8th "
Sherif Hoosein bin Awad	" 14th "	" 13th "
Donald Angier	" 15th "	" 14th "
E R Logan	" 18th "	" 17th "
Mohamed bin Ali	" 22nd "	" 21st "
S R Hill	" 31st "	" 30th "
Nabi Bux	June 8th "	June 7th "
Mbarak bin Seyid	" 10th "	" 9th "
K Daudt	" 22nd "	" 21st "
Richard Bava	" 25th "	" 24th "
Taj Mohamed	" 27th "	" 26th "

AMMUNITION LICENCES TO POSSESS AND SELL

Messrs Souza Junior and Dias	May 5th, 1912	May 4th, 1913
The British East Africa Corporation, Ltd	" 19th "	" 18th "

BLASTING EXPLOSIVES LICENCE TO POSSESS AND SELL

Messrs Smith Mackenzie and Co ,	May 14th, 1912	May 13th, 1913
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Game Licences issued at Mombasa during the month of April, 1912

No	To whom issued	Date	Residence
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RESIDENT'S LICENCE

654 | Judge A T Bonham-Carter | April 4th, 1912 | Mombasa

TRAVELLER'S LICENCES

629	G F N Hartnell	April 4th, 1912	C/o Uganda Rubber Estate, Kilindini
630	W Springett	" 4th "	C/o B E A Corporation, Ltd , Mombasa
631	M H Newby	" 4th "	" "
632	M G Jemmett	" 4th "	" "

Mombasa,
July 5th, 1912

J L O MANSERGH,
District Commissioner.

Game Licences issued at Nairobi during the month of 1st April, 1912

No	To whom issue	Date of issue d	Remarks
TRAVELLER'S LICENCES			
1522	William Price	April 1st, 1912	Nairobi
1523	G Nugente	" 1st "	c/o N T & Co, Nairobi
1524	W McLellan Wilson	" 2nd "	Nairobi
1525	H C Howard	" 2nd "	"
1526	A K B Mackintosh	" 2nd "	"
1527	Loidevic	" 2nd "	"
1528	Mrs Loidevic	" 2nd "	"
1529	C Hutzal	" 4th "	Lumoru
1530	E S Radcliffe	" 4th "	"
1531	P Moss	" 4th "	Nairobi
1532	H Griffiths	" 4th "	"
1533	G L Wilkes	" 6th "	Parklands
1534	A C Torr	" 9th "	Nairobi
1535	W H Torr	" 9th "	"
1536	A Bartlett	" 9th "	"
1537	G Collett	" 9th "	"
1538	J Pike	" 10th "	Government School
1539	G H Pickering	" 10th "	"
1540	do	" 10th "	"
1541	J F Manley	" 19th "	Nairobi
1542	Capt Duand	" 22nd "	"
1543	F Kohler	" 26th "	"
1544	R Leycester	" 26th "	"
1545	P W D	" 29th "	"
SPORTSMAN'S LICENCES			
2552	P Trophann	April 10th, 1912	C/o Newland, Tarlton and Co, Nairobi
2553	F F Paget	" 13th "	Nairobi
2454	B G Wander Weyer	" 18th "	C/o Boma Trade and Co,
2555	Sir J H Campbell	" 25th "	Nairobi
RESIDENT'S LICENCE			
4433	P M Rose	April 2nd, 1912	Nairobi
LANDHOLDER'S LICENCE			
214	H K A Stanton	April 11th, 1912	Molo
GIRAFFE LICENCE			
111	F C Selous	April 26th, 1912	Nairobi

C W HOBLEY,
Provincial Commissioner.

Licences and Permits issued at Kyambu during the month of April, 1912

No	To whom issued	Date of issue	Residence	Remarks
LANDHOLDER'S LICENCES				
3022	M S H Montague	April 1st, 1912	Kyambu	Farm No 134
3023	H H Heatley	" 27th "	"	

Kyambu,
May 2nd, 1912

C C DUNDAS,
Assistant District Commissioner.

UGANDA RAILWAY.

Approximate Statement of Public Coaching and Goods Traffic
for the month of August, 1912

Coaching Traffic	Rs	99,989
Goods Traffic	„	478,493
	Total Rs	578,482

Corresponding month of previous year:—

Coaching Traffic....	Rs	81,658
Goods Traffic	„	326,073
	Total Rs.	407,731
	Increase Rs	170,751
	Decrease Rs	Nil

Nairobi,
6th September, 1912

H E GOODSHIP,
Acting Chief Accountant

UGANDA RAILWAY.

Storage of Export Cargo.

The notice dated March 26th, 1912, is cancelled and the public are hereby advised that under rule 6 (a) amended (vide Gazette of 1st August 1911) of the rules issued by His Excellency in Council under sections 47 and 51 of the East Africa Railways Ordinance, 1910, from the 1st July to 30th September, 1912, both days inclusive the free period allowed in the Railway sheds at Kihindini Pier Station for the articles noted below consigned by rail from stations Voi and beyond for export shall be 15 days

Beeswax	Oil, country produce
Cotton-pressed in bales	Potatoes
Coffee	Rubber
Fibres	Tobacco
Ground nuts	Wool
Gram & Seeds	

On and from 1st October, 1912, the period of free storage allowed on all export cargo will be half that allowed for imported goods i.e 4 days

Nairobi,
12th July, 1912

C SANDIFORD,
*Acting Manager,
Uganda Railway.*

SHIPPING REPORT.
MOMBASA HARBOUR.
MONTH OF AUGUST, 1912

Name of Vessel	Captain	Gross Tons	Cargo	Nationality	To Whom Consigned	From	Date		Bound to
							Arr	Dep	
S S Tuna	Bhair	662	General	British	A A Visram	Kismayu	1912 July 31	1912 Aug 1	Zanzibar
„ Tuna	Bhair	662	„	„	„	Zanzibar	Aug 6	„ 7	Kismayu
„ President	Schutt	3335	„	German	Hansing & Co	„	„ 6	„ 7	Bombay
„ Tevere	Tanlongo	2640	„	Italian	L Fuggerio & Co	Genoa	„ 7	„ 9	Genoa
„ Pentakota	Hodgson	3418	„	British	S M & Co	Aden	„ 12	„ 13	Zanzibar
„ Tuna	Bhair	662	„	„	A A Visram	Kismayu	„ 15	„ 15	„
„ Kanzler	Schapp	2959	„	German	Hansing & Co	Bombay	„ 18	„ 19	„
„ Umsinga	Cox	2958	„	British	Boustead and Clarke Ltd	Durban	„ 18	„ 18	Bombay
„ Pentakota	Hodgson	3418	„	„	S M & Co	Zanzibar	„ 19	„ 19	„
„ Tuna	Bhair	662	„	„	A A Visram	„	„ 20	„ 20	Kismayu
„ Kilwa	Fakua	350	„	„	E Jivanjee & Co	„	„ 20	„ 20	„
„ Purnea	Williams	3306	„	„	S M & Co	Durban	„ 21	„ 21	Aden
„ Palamcotta	Cutbush	3413	„	„	„	Bombay	„ 21	„ 22	Durban
„ Rovuma	Beck	115	„	German	Hansing & Co	Dar es Salaam	„ 24	„ 25	Dar es Salaam
„ Tuna	Thur	662	„	British	A A Visram	Kismayu	„ 26	„ 26	Zanzibar
„ Kilwa	Fakua	350	„	„	E Jivanjee & Co	„	„ 27	„ 28	„
„ Somali	Kasch	2550	„	German	Hansing & Co	Zanzibar	„ 29	„ 31	Bombay
„ Tuna	Bhair	662	„	British	A A Visram	„	„ 30	„ 30	Kismayu

KILINDINI HARBOUR.

S S Adou	Mouton	3923	General	French	M M	Marseilles	1912 Aug 1	1912 Aug 2	Madagascar
„ Windhuk	Meyer	6351	„	German	Hansing & Co	Zanzibar	„ 2	„ 2	Hamburg
„ Duplex	Boyd	874	„	British	E Telegraph & Co	„	„ 7	„ 7	Zanzibar
„ Galeka	Armstrong	6767	„	„	S M & Co	Durban	„ 10	„ 13	London
„ Gaika	Burt	6287	„	„	B E A Corpora tion,	London	„ 12	„ 23	Durban
„ Katuna	Jackson	4641	„	„	Wm O'Swald & Co	New York	„ 12	„ 15	Calcutta
„ Gertrud Woermann	Custens	6465	„	German	Hansing & Co	Hamburg	„ 16	„ 18	Zanzibar
„ General	Tiedler	8100	„	„	„	Zanzibar	„ 16	„ 17	Hamburg
„ Duplex	Boyd	874	„	British	E Telegraph & Co	„	„ 18		Still in Harbour
„ Thweller	Richards	3042	„	„	East Africa Trading Co	Bona	„ 18	„ 26	Liverpool
„ Buawa	Nooroodin	330	„	Zanzibar	A A Visram	Zanzibar	„ 21	„ 23	Zanzibar
„ Haddon Hall	Perry	4177	Coal	British	S M & Co	Durban	„ 27		Still in Harbour
„ Adou	Mouton	3923	General	French	M M	Madagas car	„ 28	„ 28	Marseilles
„ Harry Wadsworth	Guthrie	2265	K Oil	British	S M & Co	Aden	„ 29	„ 31	Suez
„ Tiboro	Doheir	8100	General	German	Hansing & Co	Hamburg	„ 29	„ 30	Zanzibar

MAN-OF-WAR.

H M S Pandora	Brocklebank			British		Zanzibar	1912 July 24	Aug 11	Zanzibar
„ Hermes	Sawill			„		„	„ 13	„ 29	„

H PIDCOCK,
Port Officer.

EAST AFRICA PROTECTORATE.

Arrival of

HIS EXCELLENCY

H. C. BELFIELD, Esq., C.M.G.

His Excellency H. C. Belfield, Esq., C.M.G., is expected to arrive at Mombasa on Thursday, the 3rd of October.

His Excellency will leave Mombasa on the same day and is expected to arrive at Nairobi on the evening of Friday the 4th of October.

RULES**The Land Titles Ordinance, 1908**

Rules issued by His Excellency the Acting Governor under and by virtue of the powers conferred by Section 52 of the above Ordinance

Nairobi,

Dated this 17th day of September, 1912

C C BOWRING,

Acting Governor

1 In these Rules

“Dividing line” means a line cut or made in the course of and for the purposes of a survey of land under Section 22 of the Ordinance demarcating the boundary or boundaries of the lands of adjoining land owners

“The Ordinance” means “The Land Titles Ordinance, 1908”

“The occupier” includes the owner of unoccupied land, not being Crown Land

2 (1) It shall be the duty of all occupiers of land to at all times maintain to the satisfaction of the Director of Surveys all dividing lines demarcating the boundary or boundaries of land occupied by them

(2) Dividing lines shall be maintained at the joint expense of the occupiers of the lands divided by such lines

3 The occupier of land may serve a notice on the occupier of the adjoining land requiring him to assist in doing any work which may be necessary to maintain the dividing line between such lands, and if such occupier refuses or neglects for the space of one month after the service of such notice to assist in doing such work it shall be lawful for such first-named occupier to do such work as may be necessary to maintain such dividing line and to demand and recover from such occupier his portion of the cost of such work

4 Whenever it shall appear to the Director of Surveys or to any Officer of the Survey Department of the Government that any work should be done to maintain a dividing line, the Director of Surveys or such Officer as aforesaid may serve a notice on any occupier of land divided from other land by such line requiring such occupier to do such work as the Director of Surveys or such Officer may consider necessary for the purpose of maintaining the line and as shall be specified in such notice and to complete the same within such time as shall be specified in such notice

5 Any occupier on whom a notice shall have been served who shall fail to comply with the requirements specified therein shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding three hundred rupees

6 Whenever an occupier upon whom a notice shall have been served under rule 4 shall fail to comply with the requirements of such notice the Director of Surveys may cause the work specified in such notice to be done and may demand and recover from the person on whom such notice shall have been served the cost of such work

Any proceedings for the recovery of such cost shall be taken in the name of the Director of Surveys.

7 Any occupier on whom a notice shall have been served under rule 4 may serve a notice on any person on whom he is authorised by rule 3 to serve a notice, requiring such person to assist in doing the work directed to be done, and if such person shall refuse or neglect to assist in doing such work, the occupier may demand and recover from such person his portion of the cost of the work done by the occupier in compliance with the notice served upon him

8 All boundary marks placed on any land for the purposes of Section 22 of the Ordinance shall be maintained and repaired at the joint or proportionate expense of the proprietor of such land and of the proprietors of land contiguous thereto

Rules 3—7 (both inclusive) shall apply *mutatis mutandis* to the maintenance and repair of boundary marks and to the rights, duties and remedies of proprietors of land and of the Survey Department in respect thereof

9 Any person in the service of the Survey Department of the Government may at any time enter upon any land for purpose of inspecting any boundary mark or boundary line erected or made for the purposes of the Ordinance

5 The Master of any ship on which any apparatus for wireless telegraphy shall be worked or used in breach of any of the provisions of these Regulations or of any rule made by the Governor under these Regulations and every person working or using or assisting in the working or using of any such apparatus in breach of any such Regulations or rules, shall be guilty of an offence and on conviction shall be liable to a fine not exceeding one hundred and fifty rupees, and on the conviction of a Master or other person as aforesaid the Court may direct that the apparatus in respect of which an offence has been committed shall be forfeited

DECLARATION OF PUBLIC ROAD RESERVE

In exercise of powers conferred upon me by the Crown Lands Ordinance, 1902, I, Charles Calvert Bowring, C M G , Acting Governor of the East Africa Protectorate, hereby declare the route described in the Schedule hereto to be a public road reserve

Nairobi,
Dated this 26th day of September, 1912

C C BOWRING,
Acting Governor

The Schedule above referred to

A route commencing on the Ngong-Nairobi Road at the most Southerly corner of Farm 304a thence running along the North Easterly boundary of Farm 315 to its Northerly corner, thence across Farms 302 and 301 in a Westerly direction to a point near the North Westerly corner of Farm 301, thence in a Westerly and Northerly direction to the Dagoretti-Kikuyu Road

NOTICE

Under the Native Tribunal Rules, 1911

Notice is hereby given that His Excellency the Governor has been pleased to recognize the following Native Council for the purpose of the Native Tribunal Rules, 1911

Nairobi,
September 27th, 1912

W J MONSON,
Acting Chief Secretary

PROVINCE OF NYANZA

South Kavirondo District

<i>Name of President</i>	<i>Locality</i>
Osau	Kanam (Karachonya location) No 10
Subordinate to Orinda	

NOTICE.

Telegraph communication was established with Machakos on September 23rd

Nairobi,

23rd September, 1912

L E CAINE

Acting Postmaster General

NOTICE**Description of Boundaries of Fort Hall Township**

Commencing at a point on the Mathiyoa River and the North West Corner of the Township thence bounded by beacons lines bearing $140^{\circ} 52' 30''$ for 2570 9 feet, $123^{\circ} 00' 40''$ for 5339 8 feet, $101^{\circ} 36' 43''$ for 3700 00 feet, $69^{\circ} 00' 56''$ for 4911 8 feet, $48^{\circ} 03' 49''$ for 1310 9 feet, $347^{\circ} 55' 54''$ for 2647 8 feet to the Mathiyoa River, thence by the Mathiyoa River up stream to the point of commencement

NOTICE.**Sale of Residential Plots at Mombasa**

I hereby give notice that three residential plots, each comprising 202 of an acre, situated South of Kilindini Road and North of the Uganda Railway, and adjoining Salim Road, will be sold by public auction in the near future. Full particulars regarding the conditions of sale will appear in a subsequent issue of the Official Gazette

R BARTON WRIGHT,

Land Officer

30th September, 1912

NOTICE.**Native Labour Commission**

His Excellency the Acting Governor has directed the formation of a Commission to inquire into the question of Native Labour, and has approved the appointment of the following gentlemen thereto —

His Honour the Acting Chief Justice (Mr J W Barth,) *Chairman*
 Mr A F Church
 Mr F G Hamilton
 The Hon B G Allen
 Mr Geoffrey Williams
 The Revd Father G Brandsma
 Dr Arthur

The Terms of Reference are as follows —

To inquire into

- 1 The reasons for the shortage of Native Labour, obtaining information from the Employer and Employee
- 2 The effect of District Administration upon the Labour Question
- 3 Wages
 - (a) The amount paid for different classes of work in different parts of the Protectorate
 - (b) The system of payment *e g* for piece work or by time.
 - (c) Generally
- 4 Accommodation supplied to Native Labour, including the kinds and quantities of food and also privileges and rights given
- 5 Medical Attendance as supplied
- 6 The transport of and facilities for Native Labour travelling long distance.
- 7 The probable effects and desirability of Indentured Labour
- 8 The effects of Native Reserves on the labour supply
- 9 The effects of Kaffir Farming on the labour supply
- 10 The effects of Taxation on the labour supply
- 11 The effects of the present system of recruiting Labour
- 12 Remedies suggested for the shortage of Labour.

The first meeting of the Commission will be held on Monday, the 4th of November, at the Hall of the R A O B, Nairobi. Proceedings will commence at 9 a m

Evidence at this sitting will be taken from residents in Ukamba Province only.

Article	Contractors	Place	Department
Rice—Halwa	Alibhai & Rahamtalla, Kisumu	Kisumu	Prison
Rice—Mwanza	Radha Kishen & Son, Nairobi	Nairobi	Veterinary Department
do	Radha Kishen & Son, Nairobi	Kisumu	Native Hospital
Rice—Balam	Radha Kishen & Son, Nairobi	Nairobi	King's African Rifles
Salt—Coarse	Beliam Parimal & Co , Nairobi	„	Prisons, Lunatic Asylum, Native Hospital, Transport Department, Police Department, King's African Rifles
do	Hassan Ali Jewanjee, Mombasa	Mombasa	Prison, Native Hospital
do	Behram Parimal & Co , Nairobi	Naivasha	Naivasha Farm
do	A A Visiam, Nairobi	Kisumu	Public Works Department, Prison, Native Hospital, Conservancy Department
Salt—Rock	Beliam Parimal & Co , Nairobi	Naivasha	Naivasha Farm
Vegetables i e Sweet Potatoes	J Marcus, Nairobi	Nairobi	Native Hospital
do do	Radha Kishen & Son, Nairobi	Kisumu	Native Hospital
Vegetables i e Sweet oi English Potatoes Muhogo oi Pumpkin	J Marcus, Nairobi	Nairobi	Prisons
do do	Radha Kishen & Son, Nairobi	Mombasa	Prison
do do	Radha Kishen & Son Nairobi	Kisumu	Prison
Wheat Flour	Radha Kishen & Son, Nairobi	Nairobi	Prison
do	Hassan Ali Jewanjee, Mombasa	Mombasa	Prison
do	C B Clutterbuck, Njoro	Thika Siding, Nairobi	Prison

Treasury, Nairobi,
September 24th, 1912

A SMITH,
Secretary, Central Tender Board

NOTICE.

Mr Norman King has been appointed His Britannic Majesty's Vice-Consul at Dar-es-Salaam under the Superintendence of the Zanzibar Agency and Consulate General, and has taken up his duties at that post

ARRIVALS.

Name	Rank	From leave or on 1st Appointment	Date of leaving England	Date of Embarkation	Date of arrival at Mombasa or Kilindini,
* W Ross Piers Lieut P A G Kell, R N R J H Guley	Surveyor Commander Lake Steamers Engineer in Charge, Kilindini Pier	1st Appointment Leave 1st Appointment	Aug 9th, 1912 „ 10th, „	July 27th 1912 Aug 17th, „ „ 12th, „	Aug 11th, 1912 Sept 6th, „ Aug 29th, „

DEPARTURES.

Name	Rank	On leave or termination of appointment	Date of Departure
C W Haywood A E Chamier W W Brown Col Sergt J C Chynoweth	District Commissioner Assistant District Commissioner Clerk Customs Armourer Sergt Volunteer Reserve	Leave „ „ „	September 16th, 1912 „ 16th, „ „ 16th, „ „ 16th, „

* Date of leaving East London, July 27th, 1912

IN H M HIGH COURT OF EAST AFRICA AT MOMBASA

PROBATE AND ADMINISTRATION

CAUSE No 73 of 1912

NOTICE OF APPLICATION FOR PROBATE OF THE WILL OF ALIBHAI PIRBHAI BOHORA
LATE OF MOMBASA, DECEASED

Take notice, that application having been made in this Court by HASSANALI ALIBHAI AND MOHAMEDALI ALIBHAI of Mombasa for probate of the Will of ALIBHAI PIRBHAI late of Mombasa who died at Mombasa on the 4th day of July 1912, this Court will proceed to make a decree in the same unless cause be shown to the contrary and appearance in this respect entered on or before the 23rd day of October 1912

Mombasa,
27th September, 1912

J W BARTH,
Acting Chief Justice.

IN H M HIGH COURT OF EAST AFRICA AT MOMBASA

PROBATE AND ADMINISTRATION

IN THE MATTER OF JOSEPH BONNER HILL, DECEASED

To all to whom it may concern

Take notice that on or after the 15th day of October, 1912 I intend to apply to the High Court of East Africa at Mombasa for an order to administer the estate of the above-named Joseph Bonner Hill who died at Nairobi on the 12th day of August, 1912

Mombasa,
26th September, 1912

J F S F A FAWCETT,
Acting Administrator General.

IN THE TOWN MAGISTRATE'S COURT AT NAIROBI

INSOLVENCY JURISDICTION

CAUSE No 1 of 1911

Re VIRJEE IBRAHIM, DEBTOR

To all to whom it may concern

Take notice that the adjourned hearing of the application of the above-named Insolvent for his discharge has been fixed for the 16th day of October, 1912, at 10 o'clock in the forenoon.

Nairobi
Dated this 20th day of September, 1912

E. R. LOGAN,
Town Magistrate

HIS MAJESTY'S COURT OF APPEAL FOR EASTERN AFRICA.

The next Session of His Majesty's Court of Appeal for Eastern Africa has been fixed to be holden at Mombasa and to commence on Monday the 18th day of November, 1912, at 10 a.m. or as soon thereafter as cases can be heard

All appeal papers should be forwarded to the Registrar, His Majesty's Court of Appeal for Eastern Africa at Mombasa not later than the 25th day of October, 1912

EAST AFRICA PROTECTORATE

Statement showing value in Rupees of Imports made into Mombasa,
from different countries during July, 1912

COUNTRIES.	Value in Rupees
United Kingdom ...	1,430,625
India and Burmah ...	904,935
Ceylon	318
Mauritius ...	10,183
Zanzibar	5,298
South Africa Union ..	10,100
Arabia ...	2,749
Austria	45,033
Belgium ..	7,836
China	2,705
Denmark.	172
Egypt .	1,706
France	50,152
French Possession ...	336
Germany .	205,253
German East Africa	3,823
Holland . .	93,026
Italian East Africa	1,482
Italy .	86,402
Japan	9,127
Norway	45,948
Portuguese Possessions	30
Russia .	1,157
Sweden	32,819
Switzerland	34,376
Miscellaneous Ports of Asia	19,494
Turkey ..	1,384
United States of America ...	245,751
<hr/>	
Goods in Transit and Transhipment ...	3,252,220
	400,602
<hr/>	
Total Rupees ...	3,652,822

G. J. MUIR,
Assistant Chief of Customs.

EAST AFRICA PROTECTORATE.
General Imports into the port of Mombasa during July, 1912.

Articles	Total quantities imported	Value in Rupees	Duty in Rupees
and Beer	Galls 7,735	12,734	
cohol, Methylic	" 25	74	
munition	Number 58,825	6,221	
imals, living —			
Horses and Mules	" 7	3,050	
Other live-stock imported for breeding purposes	" 20	820	
Other sorts, unenumerated	"		
ms	" 104	10,109	
con and Ham	Cwt 29	2,104	
gs and Sacks for industrial and agricultural purposes		62,085	
gs and Sacks, other sorts		37	
ads	lbs 33,725	17,690	
oks		1,507	
ilding materials, unenumerated		22,969	
tter	lbs 360	408	
icles necessary for maintaining telegraphic communication		290,422	
nsular goods			
ps, Medals or other trophies imported for presentation or resented as prizes, etc, etc			
ndles of all sorts	Cwt 23	940	
ivas	yards 1,588	1,170	
nent	Cwt 50	163	
ese	lbs 571	709	
emicals and chemical manufactures, unenumerated		2,395	
atettes	lbs 6,445	8,622	
ars	" 992	4,202	
ul	Tons		
al products		3,919	
n admitted to circulation in the Protectorate		975,000	
ndensed milk	Cwt 408	13,297	
ton vain	lbs 2,188	1,964	
ton piece goods, bleached	yards 168,195	53,608	
" " unbleached	" 2,144,184	375,571	
" " printed	" 129,830	33,455	
" " dyed	" 187,961	60,056	
blankets	Number 188,911	116,834	
ton manufactures, unenumerated		31,538	
leiy		5,797	
ks, unenumerated		2,340	
s and medicines for sheep and cattle		296	
and medicines, other sorts		4,733	
ric apparatus		1,487	
osives, other sorts			
ing materials		2,386	
stuffs for animals			
stuffs, other sorts, unenumerated		26,438	
aw		1,521	
ure		9,803	
lates		1,473	
nanufactures, unenumerated		5,120	
ullion	Ounces		
manufactured unenumerated		60,272	
unmanufactured, unenumerated		2,283	
—			
Rice	Cwt. 4,784	41,307	
Flour and wheat meal	" 2,845	23,786	
Wheat	" 517	3,923	
Wheat	" 228	1,733	
Maize and maize meal	"		
Other sorts	"	3,491	
der	"		
shery	"	8,262	
e	"	20,555	
its, agricultural	"	41,950	
Carried forward		2,383,129	

General Imports into the port of Mombasa during July, 1912 —(Continued)

Articles	Total quantities imported		Value in Rupees	Duty in Rupees.
Brought forward			2,982,513	
Sugar	Cwt	3,082	40,691	
Tea	lbs	28,589	21,040	
Tobacco, manufactured	"	37,170	26,173	
" un-manufactured	"	4,669	829	
Tomb-stones and ornaments for graves, memorial windows, tablets and brasses			124	
Toys and games			1,120	
Trees, plants and seeds for cultivation			2,725	
Vehicles and parts thereof, agricultural, steam and motor			893	
Vehicles and parts thereof, agricultural, other sorts			16,279	
Vehicles and parts thereof, not agricultural, steam and motor			9,694	
Vehicles and parts thereof, not agricultural, other sorts			9,568	
Watches and clocks	Nos	216	997	
Wearing apparel			33,447	
Wires	Galls	3,513	15,912	
Wood (Timber)	Tons	1,069	73,055	
Wooden manufactures, unenumerated			1,711	
Woollen and worsted yarn	lbs	749	1,007	
" " " manufactures	yards	4,681	7,570	
" carpets and rugs	Nos	572	4,610	
" blankets	"	502	1,372	
" manufactures, unenumerated			890	
			3,252,220	
Goods in Transit and Transhipment	pkgs	4,758	400,602	
Total Rs			3,652,822	

Total value of Imports for Home Consumption in July, 1911 —Rs 1,601,853

Increase in value of Imports Rs 1,650,367

Total value of Goods in Transit in July, 1911 Rs 165,479

Increase in value of Goods in Transit Rs 235,123

Total increase in value of Imports Rs 1,885,490

G J MUIR,
Asst Chief of Customs

Game Licences issued at Kisumu during the month of April, 1912

No	To whom issued	Date of issue	Residence	Remarks
RESIDENT'S LICENCE				
4607	S H La Fontaine	April 10th 1912	Kisumu	14 days'
TRAVELLERS' LICENCES				
410	F H Corbett	April 6th, 1912	Kisumu	1 month's
411	S H Fazan	" 6th "	"	1 "
Kisumu, May 7th, 1912			H B PARTINGTON, <i>District Commissioner</i>	

Game Licences issued at Baringo during the month of April, 1912

No	To whom issued	Date of issue	Residence
RESIDENT'S LICENCE			
3103	Lce Corpl H O Jones, R E	April 15th, 1912	Nairobi
Baringo, May 6th, 1912		A G PAES, <i>District Clerk, for Asst District Commissioner</i>	

Game Licence issued at Ravine during the month of April, 1912

No	To whom issued	Date of issue	Residence
RESIDENT'S GAME LICENCE			
4704	G P Gaugh	April 10th, 1912	c/o Mr C de S Isaacson, London
L TALBOT SMITH, <i>District Commissioner</i>			

Game Licence issued at R Mogor during the month of April, 1912

No	To whom issued	Date of issue	Residence	Remarks
RESIDENT'S GAME LICENCE				
4501	A J M Collyer	April 9th, 1912	R Mogor	To expire 31st December, 1912
R Mogor, June 1st 1912			H R D'SOUZA, <i>District Clerk</i>	

Game Licences issued at Uasin Gishu, during the month of April, 1912

No	To whom issued	Date of issue	Residence
LANDHOLDER'S LICENCES			
3660	J V Steyn	April 4th, 1912	Farm 95
3661	C H Heine	" 9th "	" 79
3662	W T Harris	" 16th "	" 214
3663	H W Smith	" 18th "	" 221
3664	G B Tweedie	" 19th "	" 180
3665	J A J Van Rensburg	" 20th "	" 124

Game Licence issued at Ngabotok Station during the month of May, 1912

No	To whom issued	Date of issue	Residence	Remarks
SPECIAL (ELEPHANT) LICENCE				
606	Capt H S Filsell	May 31st, 1912	Ngabotok	To shoot one elephant Resident's Game Licence No 8102 of 14-2-1912

Ngabotok,
May 31st, 1912

A BRUCE,
Acting District Commissioner

Game Licences issued at Nairobi during the month of May, 1912

No	To whom issued	Date of issue	Residence	Remarks
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SPORTSMAN'S LICENCES

2556	B Burbridge	May 21st, 1912	Nairobi	
2557	Viscount De Poncin	" 23rd "	"	
2558	Count De Lambertye	" 23rd "	"	

SPECIAL LICENCES

112	W N McMillan	May 1st, 1912	Juja	for one Giraffe
536	G D Webb	" 29th "	Kijabe	for 1 Elephant

RESIDENT'S LICENCES

4434	H J A Furner	May 1st, 1912	Nairobi	To run from 17th May
4435	L Barbezet	" 15th "	"	
4436	G Proegers	" 21st "	Ngongo	
4437	R J Cunningham	" 22nd "	Nairobi	
4438	G D Webb	" 29th "	Kijabe	
458	J S Hunter	" 4th "	Nairobi	For 14 days
459	J H Noon	" 11th "	"	"
460	R F Mayer	" 31st "	"	"

LANDHOLDER'S LICENCES

3532	J H Lies	May 8th, 1912	Machakos	
3533	H E Vetter	" 25th "	Chania Bridge	

EMPLOYEE'S LICENCE

159	J W Collington	May 25th 1912	Chania Bridge	
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TRAVELLER'S LICENCES

1546	H A Tyler-Smith	May 1st, 1912	Nairobi	
1547	E Creswell	" 2nd "	"	
1548	A G Linsay	" 2nd "	"	
1548	Capt C R Wilkinson	" 2nd "	"	
1551	R W Lambert	" 4th "	"	
1552	W B Kerr	" 4th "	"	
1553	Mrs Gavin	" 4th "	"	
1554	O M Rees	" 4th "	"	
1555	C A Blanke	" 4th "	"	
1556	A Merriv	" 4th "	"	
1557	C F Sand	" 4th "	"	
1558	Gordon Hewitt	" 6th "	Rueira	

Game Licences issued at Nakuru during the month of May, 1912

No	To whom issued	Date of issue	Residence	Remarks
RESIDENT'S LICENCE				
3334	E C Crewe-Read	May 27th, 1912	Laikipia	
LANDHOLDER'S LICENCE				
2302	L F Eames	May 22nd, 1912	Nakuru	
TRAVELLER'S LICENCE				
921	S J P Vilhoen	May 13th, 1912	Nakuru	
BIRD LICENCES				
2843	J M Lumley	May 11th, 1912	Nakuru	
2844	R W Morrison	" 16th "	"	

Nakuru,
June 4th, 1912

FRANK STANGER,
Acting District Commissioner

Game Licences issued at Voi during the month of May, 1912

No	To whom issued	Date of issue	Residence	Remarks
RESIDENT'S LICENCE				
5203	C M Smyth	May 6th, 1912	Voi Plantations, Ltd	
PERMISSION TO SHOOT ONF ELEPHANT				
	C M Smyth	May 6th, 1912	Voi Plantations, Ltd	
LANDHOLDER'S EMPLOYEE'S LICENCE				
4503	A G Thomson	May 9th, 1912	Voi Fibre Estates	

Voi,
June 6th, 1912

A O LUCKMAN,
Assistant District Commissioner

Game Licences issued at Uasin Gishu during the month of May, 1912

No	To whom issued	Date of issue	Residence	Remarks
RESIDENT'S GAME LICENCE				
4435	A Merry	May 31st, 1912	Uasin Gishu	
14 DAYS RESIDENT'S LICENCE				
70	J A J Van Rensburg	May 14th, 1912	Farm 124	

Game Licences and Permits issued at Lumbwa during the month of May, 1912

To whom issued	Date of issue	Residence
RESIDENT'S GAME LICENCES		
R P F Maitland	May 1st, 1912	Lumbwa
A B Dunman	„ 2nd „	Nanobi
SPECIAL LICENCE (1ST AND 2ND ELEPHANTS)		
R P F Maitland	May 1st, 1912	Lumbwa

Game Licences issued at Kericho during the month of May, 1912

No	To whom issued	Date of issue	Residence	Remarks
RESIDENT'S LICENCES				
727	R P F Maitland	May 1st, 1912	Lumbwa	
728	A B Dunman	„ 2nd „	Nanobi	
SPECIAL LICENCE (1ST AND 2ND ELEPHANTS)				
653	R P F Maitland	May 1st, 1912	Lumbwa	Holder of Resident's L No 727

Kericho,
June 1st, 1912

H R MONTGOMERY,
Acting District Commissioner

Game Licence issued at Kyambu during the month of May, 1912

No	To whom issued	Date of issue	Residence
LANDHOLDER'S LICENCE			
3024	S O Hemsted	May 30th, 1912	Kyambu

C C DUNDAS,
Assistant District Commissioner

Game Licence issued at Kisii during the month of May, 1912

No	To whom issued	Date of issue	Residence
SPECIAL LICENCE			
112	R F Ramsford	May 30th, 1912	Kisii

D R CRAMPTON,
District Commissioner.

Game Licences issued at Nairobi during the month of June, 1912

No	To whom issued	Date of issue	Residence	Remarks
LANDHOLDER'S GAME LICENCES				
215	E M Playfair	June 24th 1912	Kyambu	
216	W E D Knight	" 29th "	Limouu	
3534	R E Mayer	" 31st "	Nairobi	
TRAVELLER'S GAME LICENCES				
1572	William Sterling	June 1st 1912	Nairobi	
1573	E J Dent C/o R B Wooswan	" 1st "	"	
1574	A Aldridge	" 1st "	"	
1575	A E Bughes	" 4th "	"	
1576	J C Kruger	" 7th "	Eldoret Farm No 21	
1577	do	" 7th "	Eldoret Farm No 21	To run from July 7th 1912
1578	Chas A Heyer	" 14th "	Nairobi	
1579	Hon J Crichton C/o Capt Edward	" 15th "	"	
1580	E A Bool	" 18th "	"	To run from June 23rd 1912
1581	N A Ross	" 22nd "	"	
1582	R E Dent	" 24th "	"	
1583	G O Adams C/o C Heyer & Co	" 27th "	"	
1584	W McFoddy	" 28th "	"	To run from June 30th 1912
SPORTSMAN'S GAME LICENCES				
2559	Col J Caswell	June 17th 1912	C/o B T & Co	
2560	Doctor Fahnestock	" 17th "	"	
RESIDENT'S LICENCES				
4439	G A Alexander	June 17th 1912	Molo	
4440	J P Lucy	" 20th "	Nairobi	
EMPLOYEE'S GAME LICENCES				
160	E B Bevan	June 1st 1912	Equator Saw Mills Njoro	
161	R Battlev	" 24th "	Nairobi Falls Estate	
162	Oscan Thomasson	" 25th "	Ngongo	
GAME LICENCES (ELEPHANT)				
537	Col J Caswell C/o B T & Co	June 17th 1912		
538	Doctor Fahnestock C/o B T & Co	" 17th "		

Game Licences and Permits issued at Lamu District during the month of June, 1912

To whom issued	Date of issue	Residence	Remarks
BIRD LICENCES			
W J Peake	June 4th 1912	Witu	
G C Mendonca	" 8th "	Lamu	

Game Licences and Permits issued at Kikuyu District during the month of June, 1912

To whom issued	Date of issue	Residence	Remarks
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RESIDENT'S LICENCE

J H Milton	April 27th 1912	Kikuyu	For 14 days only
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BIRD LICENCE.

MacGregor	April 1st 1912	Lari	
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M W H BEECH,
Acting District Commissioner

Game Licence issued at Nyeri during the month of June, 1912

No	To whom issued	Particulars	Remarks
4903	A Ruffell Barlow	Resident's	For fortnight

Nyeri,
July 3rd, 1912.

T D BUTLER,
Assistant District Commissioner

Game Licences issued at Naivasha during the month of June, 1912

No	To whom issued	Date of issue	Residence	Remarks
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RESIDENT'S GAME LICENCE

3835	Graham Currie	June 4th 1912	Naivasha	
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LANDHOLDER'S GAME LICENCE

1296	F S Clarke	June 13th 1912	Naivasha	
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TRAVELLER'S GAME LICENCE

230	R H Forbes	June 10th 1912	Naivasha	
231	M O Forbes	" 10th "	"	
232	D Forbes	" 10th "	"	
233	J W T McClellan	" 8th "	"	
234	G Creswell	" 21st "	"	
235	Mrs J W T McClellan	" 25th "	"	

SPECIAL ELEPHANT LICENCES

173	T J Murray	June 17th 1912	Naivasha	Second elephant
174	G Colville	" 22nd "	Gilgil	"

Naivasha,
July 10th, 1912

W F G CAMPBELL,
District Commissioner.

Game Licences and Permits issued at Lumbwa District during the month of June, 1912

To whom issued	Date of issue	Residence	Remarks
RESIDENT'S GAME LICENCE			
S A Hawkins	June 4th 1912	Lumbwa Kericho Road	
SPECIAL (1ST ELEPHANT) LICENCE			
S A Hawkins	June 4th 1912	Lumbwa Kericho Road	

Lumbwa,
July 1st, 1912

H R MONTGOMERY,
Acting District Commissioner

Game Licences issued at Mombasa during the month of June, 1912

No	To whom issued	Date of issue	Residence	Remarks
14 DAY LICENCES				
609	F W Krum	June 20th 1912	C/o Mbuyuni Estate, Mazeras	
444	C Harvey	June 19th 1912	Mohoroni	

Mombasa,
July 5th, 1912

J L O MANSERGH,
District Commissioner

Game Licences issued at Kitui during the month of June, 1912

No	To whom issued	Date of issue	Residence	Remarks
RESIDENT'S LICENCE				
2514	Hon C W Hobley, C M G	June 17th 1912	Nairobi	
RESIDENT'S 14 DAYS LICENCE				
2515	J T Oulton	June 20th 1912	Thika	

S W. J SCHOLEFIEDD,
District Commissioner

NOTICE.

It is hereby notified that the S S "William Mackinnon" will resume her regular running as advertised in the Gazette of the 15th April, 1912, from this date

Entebbe,

Dated this 17th day of September, 1912

H HUTCHINSON,
Commander R N R
Superintendent of Marine.

IV And We do hereby command all and singular Our Officers and loving Officers and subjects in Our said Protectorate, and all others whom it may concern, to take others to obey due notice hereof, and to give their ready obedience accordingly.

Given at Our Court at Saint James's, this Ninth day of August, 1912, in the Third year of Our Reign.

By His Majesty's Command,

L HARCOURT.

COMMISSION appointing

HENRY CONWAY BELFIELD, ESQ, C M.G.,

to be Governor and Commander-in-Chief,

EAST AFRICA PROTECTORATE

NOTICE.

It is hereby notified for general information that HIS EXCELLENCY HENRY CONWAY BELFIELD, Esq, C M G, arrived in Mombasa, was sworn in by His Honour the Acting Chief Justice, and assumed the functions of the Governor and Commander-in-Chief of the East Africa Protectorate on October 3rd, 1912

C C. BOWRING,

Chief Secretary.

EAST AFRICA PROTECTORATE.

RULES.

Under the East Africa Townships Ordinance, 1903

Rules issued by His Excellency the Governor of the East Africa Protectorate under the East Africa Townships Ordinance, 1903

Nairobi,

H C BELFIELD,

Dated this 10th day of October, 1912

Governor

1 These Rules shall apply to the Township of Mombasa only and shall be read together with the Township Rules, 1904

2 No person shall carry on the business of a fishmonger or fish salesman without being licensed as such

3 A licence under these Rules may be issued by the Superintendent of Conservancy

4 The following fees shall be levied under these Rules —

Fishmonger or fish salesman's licence per annum
(to be paid annually or quarterly in advance)

Rs 10

4 Any fish exposed for sale in the Public Fish Market which in the opinion of the Medical Officer of Health or the Superintendent of Conservancy is unfit for human food may be seized upon an order from either of the aforesaid Officers and destroyed

RULE.

Under the East Africa Townships Ordinance, 1903

Rule issued by His Excellency the Governor under the East Africa Townships Ordinance 1903

Nairobi,

H C BELFIELD,

Dated this 10th day of October, 1912

Governor

1 The following Rules shall apply to the Township of Kyambu in addition to the Rules already applied —

Of the Township Rules, 1904, the following —

BATHING—155 and 156

WASHING OF CLOTHES—157 and 158

CAMPS—169

RULES

The Infectious Diseases Ordinance, 1903.

Rules issued by His Excellency The Acting Governor of the East Africa Protectorate under the above Ordinance.

Mombasa,

C C BOWRING,

Dated this 2nd day of October, 1912

Acting Governor.

Infectious Diseases.

1 Any suspicious case of sickness occurring in Mombasa or its vicinity shall at once be reported to the Police or to the Medical Officer of Health

2. Any death occurring shall be immediately reported to the Police or to the Medical Officer of Health

3 The Police Authorities on receipt of information as to cases of sickness or death shall once notify the Medical Officer of Health

NOTICE.**Declaration of Public Road.**

In exercise of the powers conferred upon me by the Crown Lands Ordinance, 1902, I, Henry Conway Belfield C.M.G. Governor of the East Africa Protectorate, hereby declare the route described in the Schedule hereto to be a Public Road

Nairobi,

Dated this 5th day of October 1912

H C BELFIELD,

*Governor***The Schedule above referred to**

A route commencing at Athi River Station, thence running in an Easterly direction along the Northerly limit of the Uganda Railway to the Easterly boundary of Athi River Township Reserve, thence along the Southerly boundary of Farm No 1526 (T Deacon) continuing in a straight line through the Southern portion of Farm No 340 (T Deacon), thence in a North-Easterly direction along the South-Easterly boundaries of Farms Nos 340 and 341 (Crown Land) to a point approximately one quarter of a mile from the South Boundary of Farm No 312 (Crown Land) where the said route intersects the North-East corner of Farm No 339 (S Linton), thence continues in a North-Easterly direction through Farm No 342 as far as a spring about midway between the North boundary of Farm No 312 and most Southern boundary of Farm No 1530 (T Deacon) and thence from the said spring in an Easterly direction to the most Southerly corner of Farm No 1530 the point of termination

APPOINTMENT**Under the Master and Servants Ordinance, 1910.**

By virtue of the powers conferred upon me by the Master and Servants Ordinance, 1910 Section 64, I hereby appoint Captain Walter Burridge Brook to be a Special Magistrate under the aforesaid Ordinance to exercise Jurisdiction in the District of Kisumu

Nairobi,

Dated this 8th day of October 1912

H C BELFIELD,

*Governor***OBITUARY**

His Excellency the Governor deeply regrets to announce the death on August 19th last of Frederic George Foaker, late District Commissioner

Mr Foaker entered the service of the Uganda Protectorate in 1894, having previously been in the employment of the I B E A Co since 1889. He was transferred to East Africa in 1902

He was thus one of the most senior administrative officials in the service and his ripe experience was of particular value in a Magistral capacity, the patient and exhaustive manner in which he dealt with native cases being specially noticeable.

NOTICE.

His Excellency the Acting Governor has been pleased to approve of the following gentlemen to serve on the Road Boards of Naivasha Province —

Naivasha District.

Provincial Commissioner, Naivasha (*Chairman*)
District Commissioner, Naivasha
H W Attenborough, Esq
F S Clarke, Esq
Capt E Fey

Nakuru District

Provincial Commissioner, Naivasha (*Chairman*)
District Commissioner, Nakuru
A S Flemmer, Esq
F Bailhe, Esq
G L Cundy, Esq

Eldoret District

Provincial Commissioner, Naivasha (*Chairman*)
District Commissioner, Eldoret
J R K Hart
W T Harris
H C Kirk

NOTICE.**Nyanza Province.**

The following persons are hereby appointed Headmen under the Village Headmen Ordinance, 1902 —

Name	Rank	Location	District	Remarks
Olaka	Headman	Kisingiri	South Kavirondo	In place of Omolo, deceased
Atado	„	Mfwangano	„ „	In place of Oyugi, retired

Kisumu,
7th October, 1912

JOHN AINSWORTH,
Provincial Commissioner

NOTICE.**Under the Liquor Ordinance, 1909.****KENYA PROVINCE**

Notice is hereby given that the Licensing Court will sit on Monday, the 9th December, 1912, at the Provincial Commissioner's Office, Nyeri, at 10 a.m. in the forenoon.

All applications for Liquor Licences (except for the renewal of existing licences) or the renewal of any licence from the licensed premises to any other premises in the same district, or the transfer of a licence by the holder thereof to any other person should be made in writing to the Provincial Commissioner of the Province at least six weeks before the meeting of the Licensing Court.

All applications for the renewal of a licence must be made on the first day of the sitting of the Court.

Nyeri,
8th October, 1912

C. R. W. LANE,
Provincial Commissioner

NOTICE.**Kibos Township, Nyanza Province.****BUILDING PLOTS OPEN FOR APPLICATION**

I hereby give notice that the following plots are available for allotment in the above Township, and that applications will be accepted after one month from the date hereof.

INDIAN BUSINESS PLOTS Nos 3, 5, 7, 9, 11, 13, 15, 17 and 19 of Section No 1

Terms and conditions are as follows —

TERM. Lease 99 years

RENTAL Rs 36 per annum per plot, payable in advance for the proportion of the year ending December 31st, and afterwards on January 1st of each year

STAND PREMIUM Rs 75 per plot

CONDITIONS Lessee to erect a house or shop to be approved by the Land Officer, within two years from the date of granting the lease

If no building as above is erected within the specified time, double rent will be charged until such time as a building has been erected

Leases must be completed within three calendar months from date of grant

Each applicant is allowed one plot only

AREA 50' x 100'

APPLICATIONS. Must be accompanied by a deposit fee of Rs 75 which will be credited to account of applicant for Survey fees, Cost of deeds, Rent in advance, etc., and balance if any, will be refunded

TRANSFER Transfer or assignment will not be allowed without the prior sanction of the Land Officer in writing and a consent fee of Rs 15 will be charged for such sanction if and when granted

Nairobi,
Dated this 15th day of October, 1912

R. B. WRIGHT,
Land Officer

PROBATE AND ADMINISTRATION.

IN THE MATTER OF FRANK NEWTON COOKE, DECEASED

To all to whom it may concern

Take notice that on or after the 30th day of October, 1912, I intend to apply to the High Court of East Africa at Mombasa for an order to administer the estate of the above-named FRANK NEWTON COOKE, who died at Mombasa on the 29th day of September, 1912

Mombasa,
October 4th, 1912

J F ST A FAWCETT,
Acting Administrator General.

IN THE TOWN MAGISTRATE'S COURT AT NAIROBI

INSOLVENCY JURISDICTION

CAUSE No 4 OF 1909.

Re . DANIEL GREENSLADE

To all to whom it may concern

Notice is hereby given that Mr S C Fichat who was appointed Receiver of the property of the above named Daniel Greenslade by order of this Court dated the 14th day of April, 1909, has resigned and Mr Henry John Lindsay has been appointed Receiver in his place by order of this Court dated the 20th day of September, 1912

All monies due by any person to the said Daniel Greenslade must be paid to the said Henry John Lindsay instead of to the said S C Fichat, and

Notice is further hereby given that Lalji Visram, (2) Suleman Vunji & Sons, (3) M Santos (4) Meeral Chhotu, and (5) Ganeshilal having tendered proofs of their claims against the above named Daniel Greenslade this Court will proceed to hear objections (if any) why the names of the said persons should not be entered in the Schedule of creditors, on 25th October, 1912

Nairobi,
Dated this 3rd day of October, 1912

E R LOGAN,
Town Magistrate

IN THE TOWN MAGISTRATE'S COURT AT NAIROBI

INSOLVENCY JURISDICTION

CAUSE No 12 OF 1909

Re LALAPRASAD LAXMANPRASAD AND THAKORPRASAD LAXMANPRASAD TRADING
AS LALAPRASAD LAXMANPRASAD

Notice is hereby given that by an order of this Court dated the 3rd day of October, 1912, an absolute order of discharge has been granted to the above named insolvents Lalaprasad Laxmanprasad and Thakorprasad Laxmanprasad trading as Lalaprasad Laxmanprasad

Nairobi,
Dated this 3rd day of October, 1912

E R. LOGAN,
Town Magistrate

POST OFFICE SAVINGS BANK.

Account of all Deposits Received and Paid from 1st April, 1911, to 31st March, 1912

	Rs	Cts		Rs	Cts
To Balance brought forward	233,547	12	By Repayments made to Depositors from 1st April, 1911, to the 31st March, 1912, viz —		
„ Cash received from Depositors from 1st April, 1911, to 31st March, 1912	327,313	94	„ Cash Paid	253,300	59
„ Interest thereon up to 31st March, 1912, computed according to sections 10 & 11 of the Savings Bank Ordinance of 1909, and added to the Principal moneys of the said Depositors	5,387	32	„ Warrants issued but not cashed at date	739	00
				254,039	59
			„ Balance due on 31st March, 1912, to all Depositors, inclusive of interest to that date	312,208	79
	566,248	38		566,248	38

Audited and found correct,

Nairobi,
5th August, 1912.

H C E BARNES,
Auditor

BALANCE SHEET.

	Rs	Cts		Rs	Cts
To Balance due to Depositors on the 31st March, 1912, (including interest)	312,208	79	By Investments	285,000	00
„ Warrants issued to Depositors but not cashed until after 31st March, 1912	739	00	„ Cash with Crown Agents (Amount cabled for Investment on 29th March, 1912, Stock not actually purchased until 12th April, 1912)	15,000	00
			„ Cash balance with Treasurer	6,182	47
			„ „ „ „ Postmasters	1,378	00
			„ Interest	5,387	32
	312,947	79		312,947	79

Audited and found correct.

Nairobi,
5th August, 1912

H C E BARNES,
Auditor

STATEMENT OF INVESTMENTS AT 31st MARCH, 1912.

Stock	Face Value		Cost Price		Market Value on the 31st March, 1912.	
	Rs	Cts	Rs	Cts	Rs	Cts
Transvaal 3% Guaranteed	304,201	31	285,000	00	283,667	72

Audited and found correct,

Nairobi,
5th August, 1912.

H. C E BARNES,
Auditor.

POST OFFICE NOTICE

List of Newspapers, Magazines, etc, received without address at the Mombasa and Nairobi¹ Post Offices, during the month of September, 1912

No	Description	Date
1	The Times	Sept 6th, 1912
2	Nash's Magazine	August
3	The Bath Independent (Maine)	August 31d, 1912
4	The Courier (S A)	" 29th, "
5	The Quarterly Review	July
6	Grenier's Rubber News	August 3rd, 1912
7	The Derbyshire Advertiser	" 23d, "
8	Punch	" 7th, "
9	Weldons	September
10	Deutschen Kolonialgesellschaft	June
11	The Cape Times	August 21st, 1912
12	The Scottish Farmer and the Buteman	—
13	The Evening Times and the Glasgow News	—
14	The Field	August 10th, 1912
15	The Watam (Urdu)	" 31st, "
16	Cotton (Manchester)	" 17th, "
17	Le Figaro	1 bundle
18	Punch (Australia)	August 8th, 1912
19	Liberty Fabric Patterns	1 bundle
20	The Hamilton Advertiser	August 31d, 1912
21	The Bedfordshire Times	August 16th, "
22	The Farmer's Weekly (Bloemfontein)	" 28th, "
23	The India Rubber Journal	" 17th, "
24	The Sunday Chronicle	" 25th, "
25	Northern Ensign (Wick)	" 13th, "
26	The Weekly Irish Independent	" 17th, "
27	The Cheltenham Chronicle	" " "
28	The Chronicle and Telegraph	" 1st, "
29	Lloyds Weekly	" 11th, "
30	Advertising Matter of Royal Baking Powder Co	2 bundles
31	The Birmingham Weekly Post	August 10th, "
32	The Sporting Mail	" " "
33	Punch	July 24th, "
34	De Volkstem (Pretoria)	—
35	Weekly Despatch	August 11th, 1912
36	The Weekly Press (N Z)	July 10th, "
37	The Daily Mirror	6 Copies
38	People's Journal	July 27th, 1912
39	Liverpool Weekly Post	August 17th, 1912
40	The Cape Times	Sept 6th, "
41	Pearson's Magazine	August
42	La Tribuna Illustrata	September
43	La Croix	1 bundle
44	Punch	August 7th, 1912
45	The Sporting Mail	August 31d, "
46	The Christian Evangel	August
47	Aberdeen People's Journal	August 31d, 1912
48	The Winning Post & Cheltenham Chronicle	1 bundle
49	The Aberdeen Weekly Journal	August 2nd, 1912
50	Dukh Newain	—
51	The Fundamentals	—
52	The Derbyshire Advertiser	August 30th, 1912
53	Farmer & Stock Breeder	—
54	The Cheltenham Chronicle	Sept 7th, 1912
55	The Oxford Times	" " "
56	The Daily Mail (Overseas Edition)	" " "
57	Church of Ireland Gazette	" 6th, "
58	The Sudan Herald	August 20th 1912.
59	Het Huisgezin	1 bundle
60	Novel Magazine	September

EAST AFRICA PROTECTORATE.

Comparative Statement of the EXPENDITURE of the East Africa Protectorate,
for the period ended 30th June, 1912

Heads of Expenditure	Estimates 1912-13	Actual Expenditure to 30-6-1912	Expenditure for same period of preceding year	Increase	Decrease
	£	£	£	£	£
Rent and Interest to H. H. the Sultan	17,000	4,250	4,250		
Pensions	2,593	588	707		119
His Excellency the Governor	7,204	1,377	2,279		902
Secretariat	6,200	1,336	906	430	
"Official Gazette" and Printing	3,807	604	686		82
Provincial Administration	91,265	20,786	15,645	5,141	
Ditto Special Expenditure	200	423	40	383	
Treasury	9,203	2,224	1,919	305	
Customs Department	15,455	3,338	3,212	126	
Port and Marine Departments	4,745	1,051	1,100		49
Ditto Special Expenditure	3,490		8		8
Audit Department	3,859	818	623	195	
Legal Departments	15,167	3,553	2,738	815	
Police	47,431	9,871	9,807	64	
Prisons	11,590	2,853	2,936		83
Ditto Special Expenditure	1,586	272		272	
Medical Departments	18,129	3,979	2,677	1,302	
Ditto Special Expenditure	1,177	279	446		167
Hospitals and Dispensaries	14,538	2,632	2,769		137
Education	7,575	783	673	110	
Transport	2,961	566	595		29
Military Expenditure	54,287	11,689	12,795		1,106
Ditto Special Expenditure	150	1,450	396	1,063	
Miscellaneous Services	5,762	1,087	1,192		105
Bombay Agency	851	113	113		
Post Office and Telegraphs	35,477	8,315	6,170	2,145	
Ditto Special Expenditure	5,570	374	34	340	
Railway Department	282,132	57,854	51,127	6,727	
Ditto Special Expenditure	43,883	2,982	631	2,351	
Agricultural Department	24,214	4,793	4,073	720	
Ditto Special Expenditure	2,184	728	1,008		280
Forest Department	9,217	2,039	2,863		824
Ditto Special Expenditure			82		82
Game Department	3,490	825		825	
Immigration Department	440	72	66	6	
Survey Department	24,504	5,308	3,505	1,803	
Land Office	6,653	1,574	1,181	393	
Public Works Department	20,217	4,085	4,271		186
" " Recurrent	24,250	7,515	6,720	795	
" " Extraordinary	46,814	4,539	3,983	556	
Abolition of Slavery	1,010	1,061	1,718		657
Coast Land Settlement	10,804	1,606	731	875	
Loan Charges	2,115				
Special Expenditure for Magadi	68,500	24,569		24,569	
Total £	957,899	204,170	156,675	52,311	4,816
Expenditure out of Loans £	Nil	Nil			

Nairobi,
October 1st, 1912

H. A. SMALLWOOD,
Treasurer

ARRIVALS.

Name	Rank	From leave or on 1st Appointment	Date of leaving England	Date of Embarkation	Date of arrival at Mombasa or Kilindini
His Excellency H C Belfield, C M G	Governor & Commander-in-Chief	1st Appoint	Sept 6th 1912	Sept 6th 1912	Oct 3rd 1912
Lt R J McCloughlin	Aide-de-Camp	do	do 12th do	do 13th do	do 3rd do
Hon K R Dundas	District Commissioner	Leave	do 3rd do	do 3rd do	do 3rd do
H H Horne	do	do	do 3rd do	do 3rd do	do 3rd do
A M Champion	Asst Dist Commissioner	do	do 12th do	do 13th do	do 3rd do
J K Creighton	Telegraph Engineer	do	do 12th do	do 13th do	do 3rd do
P L Deacon	Asst Dist Commissioner	do	do 11th do	do 13th do	do 3rd do
J J Killingbeck	Asst Postmaster General	do	do 8th do	do 13th do	do 3rd do
W K Notley	Commissioner of Police	do	do 12th do	do 13th do	do 3rd do
J M Pearson	Asst Dist Commissioner	do	do 9th do	do 13th do	do 3rd do
J E Lawson-Wilton	do	do	do 12th do	do 13th do	do 3rd do
S L Hinde	Provincial Commissioner	do	do 15th do	do 15th do	do 3rd do
*W Blun	Executive Engineer	do	do 19th do	do 19th do	do 3rd do
H S Land	Accountant Agri Dept	1st Appoint	do 12th do	do 13th do	do 3rd do
A Walker	Stenographer Agri Dept	do	do 12th do	do 13th do	do 3rd do
J D Ritchie	Clerk, Agricultural Dept	do	do 12th do	do 13th do	do 3rd do
Peter Cairns	Lab Asst to the Vet Pathologist	do	do 12th do	do 13th do	do 3rd do
Miss H J Witcomb	Female Accountant, Post Office, Nairobi	do	do 12th do	do 13th do	do 3rd do
H B Simson	Clerk Agricultural Dept	do	do 12th do	do 13th do	do 3rd do
W Pickford	District Commissioner	Leave	Aug 24th do	Aug 24th do	Oct 6th do
J A G Elliot	Asst Dist Commissioner	do	do 31st do	do 31st do	do 6th do
J Schutz	Lab Assistant	1st Appoint	Sept 11th do †	Sept 15th do	do 2nd do

* Joined the steamer at Port Said † Left Pretoria

DEPARTURES.

Name	Rank	On leave or termination of appointment	Date of Departure
Hon A C Hollis, C M G	Secretary for Native Affairs	Transfer	September 24th 1912
H Brasscy Edwards	Veterinary Officer	Leave	do 24th do
Dr B W Cherrett	Medical Officer	do	October 9th do
Capt N Monckton	District Commissioner	do	do 9th do
A Bessler	Junior Staff Surveyor	do	do 9th do
A J Turner	Headmaster, European School	do	do 9th do
C S Hunter	Assistant Engineer	do	do 9th do

NOTICE.

Premier Timber Co., Limited.

Notice is hereby given that the Premier Timber Co, Ltd, have sold their business to Captain E S Grogan and have passed a special resolution authorising the Company to proceed to voluntary liquidation. The business of the Company will be carried on by Captain Grogan under the name of Equator Saw Mills as from October 1st, 1912. Any persons having claims against the Premier Timber Co, Ltd, are requested to forward them to Mr W C. Hunter, the liquidator, Sixth Avenue, Nairobi.

W C. HUNTER

NOTICE.

To all whom it may concern,

That the business heretofore carried on under the name and style of Taibji Esmailji, now based, at Nairobi, and Taibji Esmailji and Bros, at Mombasa, will hence forth be carried out at both places under the name and style of Moosaji Esmailji and Bros, who will be responsible for all the liabilities and assets both for the past and future, the partners being after (1) Gulam Hussein Esmailji, (2) Moosaji Esmailji, (3) Mamooji Esmailji.

Nairobi,

5th October, 1912

(Signed) MOOSAJI ESMAILJI, ADMINISTRATOR
OF THE ESTATE OF TAIBJI ESMAILJI
MOOSAJI ESMAILJI,
GULAM HUSSEIN ESMAILJI,
MAMOOJI ESMAILJIE,

Licences and Permits issued at Nandi District during the month of June, 1912

To whom issued	Date of issue	Residence	Remarks
LANDHOLDER'S GAME LICENCE			
J J S Garvie	April 16th, 1912	Gingit	No 4401
TRAVELLER'S GAME LICENCE			
L M Millar	May 14th, 1912		No 1153
AMMUNITION PERMIT			
W H. Dickens	May 14th, 1912	Kapriet	No 12613

Nandi,
June 30th, 1912

N MONCKTON,
District Commissioner.

Game Licences issued at Embu during the quarter ending 31st March, 1912

To whom issued	Date of issue	Nature of ammunition, etc	Nationality	Residence
Mohamed Moti & Co	Feb 5th, 1912	100 cartridges for D B shot gun 12 bore	Indian	Embu
J R Oni	, 5th, "	450 W R rounds 500 D B 12 bore " 500 303 " 200	British	

Bird Licences issued at Embu during the quarter ending 30th June, 1912

No	To whom issued	Date of issue	Residence
1915	Gani Kassam	June 26th, 1912	Embu

Embu,
June 30th, 1912

R G STONE,
Assistant District Commissioner.

Licences and Permits issued at Naivasha District during the month of April, 1912

No	To whom issued	Date of issue	Residence	Remarks
GUN TAX				
17831	J Mun	April 11th, 1912	Kedong	303 rifle
17832	do	" 11th, "	"	M H Carbine
17833	do	" 11th, "	"	6 Chamber revolver 380
17834	P Bright Williams	May 21st, "	Njabini, Naivasha	375 Mannlicher rifle
	A E Hudson	June 1st, "	Naivasha	400 Express

Naivasha,
July 10th, 1912

W F G. CAMPBELL,
Acting District Commissioner.

Licences and Permits issued at Taveta District during the month of June, 1912.

No	To whom issued	Date of issue	Residence	Remarks
GUN TAX PERMIT				
4871	J Densebis	April 13th 1912	Toni	D B shot gun, 1 barrel 16 bore, 1 barrel bullet
TRAVELLER'S LICENCE				
2117	J Densebio	April 13th 1912	Tour	One month
BIRD LICENCE.				
1614	H R Tate	May 14th 1912	Mombasa	One year

Taveta,
June 30th, 1912

L M FERNANDES,
*Acting District Clerk,
In absence Asst District Commissioner*

Licences and Permits issued at Rabai Station during the quarter ending 30th June, 1912

To whom issued	Date of issue	Residence	Remarks
BIRD LICENCES			
J B Dopwell	April 6th 1912	Mazeras	
Albhoy Ramjee	do 27th do	Rabai	
GUN TAX PERMITS			
J B Dopwell	April 6th 1912	Mazeras	4/446 5 ch revolver 455 renewed for 1912
do	do 6th do	do	No 615 D B shot gun, Transferred from P C D'Souza, Kilindini
W A Platts	do 9th do	Rabai	Automatic Pistol Webley & Scott No 30229, renewed for 1912
do	do 9th do	do	Cordite rifle 400/450 No 27451 renewed for 1912
do	do 9th do	do	S B rifle Lee Metford 303 renewed for 1912
do	do 9th do	do	D B shot gun No 4279 Renewed for 1912
Albhoy Ramjee	do 27th do	Mazeras	D B shot gun renewed for 1912
Mussajee Tajbhay	May 1st do	Musunguleni	450 revolver 6 ch Transferred from Peerbhay Tajbhay
EMPLOYEE'S LICENCE			
Mussajee Tajbhay	May 1st 1912	Masongaleni	To buy 50 rounds of 450 revolver 6 ch

Rabai,
30th June, 1912.

F W BRETT,
Assistant District Commissioner

Firearms registered at Malindi, during the quarter ending June, 1912

To whom issued	Date of issue	Firearms	Residence	Remarks
F X Martin	April 1st, 1912	1 D B shot gun	Malindi	Bird Licence Holder,
do	" 1st, "	M H Rifle 577	"	Renewed
do	" 1st, "	M H Rifle 303	"	"
Liwali Said bin Salim	" 4th, "	D B shot gun	"	Bird Licence Holder
E Prichard	" 9th, "	D B shot gun	"	Transferred
B M Davis	" 16th, "	Military Rifle	"	Land Holder Licence
do	" 16th, "	D B Rifle 577	"	" " "
do	" 16th, "	Revolver 455	"	" " "
do	" 16th, "	D B Rifle 577	"	" " "
do	" 16th, "	D B shot gun	"	" " "
do	" 16th, "	Rifle 303	"	" " "
do	" 16th, "	Pocket Pistol Derringer	"	" " "
do	" 16th, "	1 Martini Carbine	"	" " "
do	" 16th, "	1 " Rifle	"	" " "
George Summer	" 25th, "	M H Rifle	Jilore	Renewed
do	" 25th, "	" Rifle	"	"
Rev L F Gole	" 25th, "	Snider Rifle	"	"
H Bird	May 8th, "	303 Rifle	Malindi	Transferred
do	" 5th, "	Webley revolver	"	"
Shaib bin Khamis	" 11th, "	S B shot gun	"	Bird Licence Holder

To whom issued	Date of issue	Date of expiry
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BIRD LICENCES		
F X Martin	April 1st, 1912	March 31st, 1913
Liwali Said bin Abdalla	" 4th, "	April 3rd, "
E Prichard	" 9th, "	" 8th, "
Shaib bin Khamis	May 14th, "	Mar 13th, "

PAWN BROKERS		
Rajab Ali	May 11th, 1912	May 10th, 1913

GOLD AND SILVER SMITH'S		
Mohamed bin Mtari	May 15th, 1912	May 14th, 1913

Malindi,
July 11th, 1912

E V HEMMANT,
for District Commissioner

Licences and Permits issued at Ulu District during the quarter ended 30th June, 1912

No	To whom issued	Date of issue	Residence	Remarks
EXPLOSIVE PERMIT (TO POSSESS & USE)				
4481	J H Lues	April 15th, 1912	Lukema	300 Cartridges 303, 150 8 m/m Mann
482	W H N Webber	" 15th, "	Machakos	100/303 Ctges 50/32 Rev 100/12 b shot
483	O Johansen	" 23rd, "	Mua Farm	400/ 303 Ctges 300/12 b shot 100/45 Rev 500/22 short
84	Mahomed Hussain	May 27th, "	Masongalem	100/12 b shot cartridges
85	Ebrahim Ganji	June 10th, "	Kibwez.	100/12 b shot cartridges
36	W J Forgan	" 13th, "	Mua Hills	100/303 Cartridges
7	H L Button	" 26th, "	Kichanga	56 lbs. Blasting P or Dynamite 2 boxes Detonators 25 Coils Fuse

chakos,
une 10th, 1912.

C E WARD,
for District Commissioner.

Gun Licences issued at Nairobi during the quarter ended June 30th, 1912

Date	To whom issued	Residence	Description	Marks
April 1	Mrs A O Thompson	Nairobi	38 Revolver	34
	J T Riches	do	22 Miniature rifle	10268
	H Biamwhite	do	32 Colt revolver	24446
	do	do	M H rifle	N S A 219
	do	do	Mauser carbine	683
	do	do	450/400 Certus rifle	
	R Homewood	Naivasha	303 Rifle	27/12
2	H M Harris	Kyambu	12 bore D B shot gun	
	A D Welstead	Nairobi	350 S B rifle	3776
	do	do	12 bore D B shot gun	50371
	do	do	256 Mann schi rifle	5398
	do	do	450 Revolver	3847
	Mrs Mace	do	22 Rifle	9305
3	C H Stainforth	do	9 m/m Mauser rifle	24393, 0086 B
	W T Willson	do	22 Winchester rifle	255625
4	D Sparrow	do	D B comb rifle & shot gun	40118, 12/382
	P Moss	do	303 Rifle	11328, 11/69
9	M Santos	do	12 bore D B shot gun	8/668
	F Davies	do	do	12772
	P Moss	do	do	L S 35
11	H J Shaw	do	38 Bayard auto pistol	22868
	H Kol A Stanton	do	M H carbine	
	Eusuf Ali	do	12 bore D B shot gun	122937, 8/65
12	R W Humphery	do	6 ch webley revolver	18614
	do	do	303 Rifle	F 477
	G H B Dent	do	Browning pistol	554041
	R W Humphery	do	32 Colt's auto pistol	31025
	M Gavin	do	22 Winchester rifle	257931
13	F Thompson	do	455 Colt revolver	17030
15	J S Gribble	Kijabe	303 Savage rifle	8/872
	T Robeson	Nairobi	303 Rifle	9432
16	A K B Mackintosh	do	375 L M rifle	11159, 28/12
	P A Pelham	Naivasha	450 D B rifle	61394, 30/12
	do	do	L M carbine	11456, 29/12
	The Chowkidar Managers' Dept, Uganda Railway	Nairobi	M H rifle	
17	Ernest Devin	do	12 bore D B shot gun	2511
	W E Maddern	do	Swiss magazine rifle	5, 7/186
19	B Meyer	do	Combination gun	13
	do	do	8 m/m Mauser rifle	18
19	Lt-Col L E S Ward	do	475 D B rifle	15631
20	C S Lezan	do	32 Auto pistol	4460
22	C A Bunchell	do	256 Mann schi rifle	6140
	C H Bradley	do	22 Winchester rifle	237065
24	F M Elliott	do	405 Winchester rifle	69115
25	S Humphreys	do	22 Winchester rifle	237037
	G De Vere Joyce	Ulu	45 Colt's auto pistol	5916
	H J Shaw	Nairobi	450 D B rigby rifle	17302
	J Gavie	Kibigori	303 rifle	33/12
26	C Sard	Nairobi	8 m/m Mauser carbine	22124
27	V de Souza	do	12 bore D B shot gun	
	W C Powell	do	22 Winchester rifle	237039
	J S Cotter	do	12 D B shot gun	
29	H Binks	do	38 Colt's auto pistol	33669
	H E Wetter	do	7 9 m/m Mauser rifle	18441
	F Kohler	do	9 m/m Mauser rifle	605
	M Welter	Kijabe	9 m/m Mauser rifle	
	F J Doble	Nairobi	32 Revolver	78
	T Duffy	do	22 Rifle	237028
May 1	A T Pooley	Magadi	303 L E rifle	9352
	F J Waldegrave	Nairobi	22 Winchester rifle	237073
	D R Davies	do	12 D B shot gun	76856
2	J McClymont	do	150 Rigby mauser rifle	2973
	do	do	12 bore D B shot gun	5371
	S J Store	do	9 m/m Schr rifle	3315
	A M S Mudeher	do	410 Shot gun	
	Captain A C Sanders	do	12 bore D B shot gun	14699, 34/12
	do	do	303 S B rifle	9445

Gun registered at Nairobi —Contd

Date	To whom issued	Residence	Description	Marks
May 29	E Shelley	Nairobi	M H rifle	53/12
	do	do	do	54/12
	do	do	do	55/12
	do	do	do	56/12
	do	do	do	57/12
30	H Ghemann	Uasin Gishu	•28 bore shot gun	10/228
	J A Ribeyro	Fort Teinan	M H carbine	756
31	Duni Chand	Nairobi	12 bore & 450 comb, gun	7/469
	C F Sand	do	351 Winchester auto rifle	599
	C O Major	Limoru	12 bore D B shot gun	8/150
	R Tough	Nairobi	12 D B shot gun	5807
June 1	A W R Clayden	do	12 bore Win shot gun	
	E B Bevan	do	9 m/m Mauser rifle	120212
	E W Hickes	do	350 Rigby mauser rifle	4589
	Bugwanji Diaram	Ngongo Bagas	M H carbine	58/12
	A W R Clayden	Nairobi	C 5 Mann schr rifle	5896
	do	do	400 Falling block rifle	
4	Bernard Santos	do	320 Auto pistol	31 L
	Peter Finlay	do	303 Winchester rifle	
	B Pitt	Kikuyu	455 Webley Fisbury rifle	2513
	A W R Clayden	Nairobi	M H carbine	
	D O Adams	do	22 Miniature rifle	39/12
	J Andrew	do	32 Auto pistol	
	Mohamed Din	do	Snider rifle	59/12
	C Nourse	Eldoret	410 Collectors gun	20
	Chas Le Petit	Nairobi	256 Mann schr rifle	5126
	do	do	410 Collectors shot gun	
	do	do	M H rifle	59415
5	H J Lindsay	do	32 Automatic pistol	296288, 1/138
	C Blanke	do	12 bore D B shot gun	34806
6	A A Gueve	Mbagathi	M H rifle	K 88
	do	do	32 Colt's auto pistol	8932
	H Brianwhite	Kabete	12 bore D B shot gun	10/210
	H Ghemann	Uasin Gishu	303 Rifle	12/645
	A A Gueve	Mbagathi	12 bore D B shot gun	
	C G Haines	Nairobi	7 m/m Mauser rifle	4017
7	J C Kruger	do	12 bore D B shot gun	34805
	C Chitty	do	9 m/m Mauser rifle	C 071
10	W R Tweeddale	do	303 Rifle	10209
11	W Kennedy	do	do	42/11
	do	do	12 bore D B shot gun	517/10
	E W Hickes	Magadi	M H rifle	1154
	do	do	do	79
	do	do	do	109
	do	do	do	76
	do	do	do	15
	do	do	do	130
	H Ghemann	Uasin Gishu	Webley auto pistol	C 0158
	W Kennedy	Nairobi	375 Revolver	
12	A E Linton	do	38 Colt's auto pistol	2852
	J C Skene	Uasin Gishu	12 bore D B shot gun	75299, 60/12
	F M Wolff	Nairobi	38 Webley Fosberry rev	1027
	J J Rego	do	12 bore D B shot gun	13
	A Harrison	do	303 Rifle	10105
13	Dr R Small	do	375 Mann schr rifle	1143
	do	do	M H rifle	102/11
	R Muir	Kencho	12 bore D B shot gun	667
	H L Webley	Nairobi	do	23468
14	T J Murray	do	Snider rifle	566
	Louis Fern	Magadi	9 m/m Mauser rifle	9/737
15	G Blackburn	Nairobi	22 Rifle	11/113
	E de Souza	do	S B shot gun	123771
17	Duncan Beaton	do	12 bore D B shot gun	
24	A Nazareth	do	do	14163 D
	E Tailton	Uasin Gishu	256 Mann schr rifle	4279
	do	do	Mauser pistol	67841
	E M Playfan	Nairobi	256 Mann schr rifle	2/841
	R M Geater	do	38 S & W revolver	168063

Game Licences issued at Nyeri for the quarter ended 30th June, 1912

No	To whom issued	Date of issue	Residence	Remarks
RESIDENT'S LICENCE				
4903	A R Barlow	June 21st 1912	Nyeri	Forthnight Licence

Bird Licences issued at Nyeri for the quarter ended 30th June, 1912

No	To whom issued	Date of issue	Residence
6607	W Dennis	April 6th 1912	Nyeri
6608	Duces Biaganza	May 3rd do	do
6609	Fr A Canepaio	do 21st do	do
6610	A de V Wade	do 21st do	do
6611	A Ruffell Barlow	June 20th do	do

T D BUTLER,
Assistant District Commissioner

UGANDA RAILWAY

Approximate Statement of Public Coaching and Goods Traffic
for the month of September, 1912

Coaching Traffic	Rs	99,452
Goods Traffic	„	491,019
	Total Rs	590,471

Corresponding month of previous year:—

Coaching Traffic	Rs	91,330
Goods Traffic	„	292,559
	Total Rs.	383,889
	Increase Rs	206,582
	Decrease Rs	Nil

Nairobi,
4th October, 1912

H E GOODSHIP,
Acting Chief Accountant

“Illegal Enlistment.”

“It any Person, without the Licence of Her Majesty, being a British Subject, within or without Her Majesty's Dominions, accepts or agrees to accept any Commission or Engagement in the Military or Naval Service of any Foreign State at War with any Foreign State at Peace with Her Majesty, and in this Act referred to as a friendly State, or whether a British Subject or not, within Her Majesty's Dominions, induces any other Person to accept or agree to accept any Commission or Engagement in the Military or Naval Service of any such Foreign State as aforesaid,—

“He shall be guilty of an Offence against this Act, and shall be punishable by Fine and Imprisonment, or either of such punishments, at the discretion of the Court before which the Offender is convicted, and Imprisonment, if awarded, may be either with or without Hard Labour

“If any Person without the Licence of Her Majesty, being a British Subject, quits or goes on board any Ship with a view of quitting Her Majesty's Dominions, with intent to accept any Commission or Engagement in the Military or Naval Service of any Foreign State at War with a friendly State, or, whether a British Subject or not, within Her Majesty's Dominions, induces any other Person to quit or to go on board any Ship with a view of quitting Her Majesty's Dominions with the like intent,—

“He shall be guilty of an Offence against this Act, and shall be punishable by Fine and Imprisonment, or either of such punishments, at the discretion of the Court before which the Offender is convicted, and Imprisonment, if awarded, may be either with or without Hard Labour

“If any Person induces any other Person to quit Her Majesty's Dominions or to embark on any Ship within Her Majesty's Dominions under a Misrepresentation or false Representation of the Service in which such Person is to be engaged, with the intent or in order that such Person may accept or agree to accept any Commission or Engagement in the Military or Naval Service of any Foreign State at War with a friendly State,—

“He shall be guilty of an Offence against this Act, and shall be punishable by Fine and Imprisonment, or either of such punishments, at the discretion of the Court before which the Offender is convicted, and Imprisonment, if awarded, may be with or without Hard Labour

If the Master or Owner of any Ship, without the Licence of Her Majesty, knowingly either takes on board, or engages to take on board, or has on board such Ship within Her Majesty's Dominions any of the following Persons, in this Act referred to as illegally enlisted Persons, that is to say,—

- “(1) Any person who, being a British Subject within or without the Dominions of Her Majesty, has without the Licence of Her Majesty, accepted or agreed to accept any Commission or Engagement in the Military or Naval Service of any Foreign State at War with any friendly State
- “(2) Any Person, being a British Subject, who, without the Licence of Her Majesty, is about to quit Her Majesty's Dominions with intent to accept any Commission or Engagement in the Military or Naval Service of any Foreign State at War with a friendly State
- “(3) Any Person who has been induced to embark under a Misrepresentation or false Representation of the service in which such Person is to be engaged, with the intent or in order that such Person may accept or agree to accept any Commission or Engagement in the Military or Naval Service of any Foreign State at War with a friendly State

“Such Master or Owner shall be guilty of an Offence against this Act, and the following Consequences shall ensue, that is to say,—

- “(1) The Offender shall be punishable by Fine and Imprisonment, or either of such punishments at the Discretion of the Court before which the Offender is convicted, and Imprisonment, if awarded, may be either with or without Hard Labour and
- “(2) Such Ship shall be detained until the Trial and Conviction or Acquittal of the Master or Owner, and until all Penalties inflicted on the Master or Owner have been paid, or the Master or Owner has given Security for the Payment of such Penalties to the Satisfaction of Two Justices of the Peace, or other Magistrate or Magistrates having the Authority of Two Justices of the Peace : and
- “(3) All illegally enlisted Persons shall immediately on the Discovery of the Offence be taken on Shore, and shall not be allowed to return to the Ship

(1) Every Person engaged in such preparation or fitting out, or assisting therein, or employed in any capacity in such Expedition, shall be guilty of an Offence against this Act, and shall be punishable by Fine and Imprisonment, or either of such punishments, at the discretion of the Court before which the Offender is convicted, and Imprisonment, if awarded, may be either with or without Hard Labour

(2) All Ships, and their Equipments, and all Arms and Munitions of War, used in or forming part of such Expedition, shall be forfeited to Her Majesty

"Any person who aids, abets, counsels, or procures the Commission of any Offence against this Act shall be liable to be tried and punished as a principal Offender"

And whereas by the said Act it is further provided that Ships built, commissioned, equipped or despatched in contravention of the said Act, may be condemned and forfeited by Judgment of the Court of Admiralty, and that if the Secretary of State or Chief Executive Authority is satisfied that there is a reasonable and probable cause for believing that a Ship within Our Dominions has been or is being built, commissioned, or equipped, contrary to the said Act, and is about to be taken beyond the limits of such Dominions, or that a Ship is about to be despatched contrary to the Act, such Secretary of State or Chief Executive Authority shall have power to issue a warrant authorizing the seizure and search of such Ship and her detention until she has been either condemned or released by Process of Law And whereas certain powers of seizure and detention are conferred by the said Act on certain Local Authorities,

Now, in order that none of Our Subjects may unwarily render themselves liable to the Penalties imposed by the said Statute, We do hereby strictly command that no Person or Persons whatsoever do commit any Act, Matter, or Things whatsoever contrary to the Provisions of the said Statute, upon pain of the several Penalties by the said Statute imposed and of Our high Displeasure

And We do hereby further warn and admonish all Our loving Subjects, and all Persons whatsoever entitled to Our Protection, to observe towards each of the aforesaid Powers, their Subjects, and Territories, and towards all Belligerents whatsoever with whom We are at Peace, the Duties of Neutrality, and to respect, in all and each of them, the Exercise of Belligerent Rights

And We hereby further warn all Our loving Subjects, and all Persons whatsoever entitled to Our Protection, that if any of them shall presume, in contempt of this Our Royal Proclamation, to do any acts in derogation of their Duty as Subjects of a Neutral Power in a War between other Powers, or in violation or contravention of the Law of Nations in that behalf, all Persons so offending will rightfully incur and be justly liable to the Penalties denounced by such Law

And We do hereby give Notice that all Our Subjects and Persons entitled to Our Protection who may misconduct themselves in the Premises will do so at their peril, and of their own wrong, and that they will in no wise obtain any Protection from Us against such Penalties as aforesaid

Given at Our Court at *Buckingham Palace*, this Twenty-first day of October, in the year of Our Lord One thousand nine hundred and twelve, and in the Third year of Our reign

GOD SAVE THE KING

The Right Honourable Sir Edward Grey to the Lords Commissioners of the Admiralty* —

Foreign Office

October 18, 1912

My Lords,

His Majesty being fully determined to observe the duties of neutrality during the existing state of war between Turkey and Bulgaria, between Turkey and Greece, between Turkey and Montenegro and between Turkey and Servia, being, moreover, resolved to prevent, as far as possible, the use of His Majesty's harbours, ports, and coasts, and the waters within His Majesty's territorial jurisdiction, in aid of the warlike purposes of either belligerent, has commanded me to communicate to your Lordships, for your guidance, the following Rules, which are to be treated and enforced as His Majesty's orders and directions —

Rule 1 During the continuance of the present state of war, all ships of war of either belligerent are prohibited from making use of any port or roadstead in the United Kingdom, the Isle of Man, or the Channel Islands, or in any of His Majesty's Colonies or foreign possessions or dependencies, or of any waters subject to the territorial jurisdiction of the British Crown, as a station or place of resort for any warlike purpose, or for the purpose of

* Similar letters to the Treasury, Home Office, Colonial Office, War Office, India Office, Scottish Office, and Board of Trade

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 17 of 1912.

Title An Ordinance to make provision for the Registration of Trade Marks in the East Africa Protectorate.

Date. [16th October, 1912]

BE it enacted by the Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof —

Short Title and Commencement. 1 This Ordinance may be cited as “The Registration of Trade Marks Ordinance, 1912” and shall come into operation, for the purpose of making rules and prescribing forms and fees, on the publication of the Ordinance, and, for all other purposes, on such date as the Governor, by notice in the “Gazette,” shall determine

PART I
Definitions.

Definition. 2 In and for the purposes of this Ordinance (unless the context otherwise requires) —

“Marks” shall include a device, brand, heading, label, ticket, name, signature, word, letter, numeral, or any combination thereof.

“Trade Mark” shall mean a mark used or proposed to be used upon or in connection with goods for the purpose of indicating that they are the goods of the proprietor of such trade mark by virtue of manufacture, selection, certification, dealing with, or offering for sale

“Registrable Trade Mark” shall mean a trade mark which is capable of registration under the provisions of this Ordinance

“Register” shall mean the register of trade marks kept under the provisions of this Ordinance

“Registered Trade Mark” shall mean a trade mark which is actually upon the register

“Prescribed” shall mean, in relation to proceedings before the Court, prescribed by rules of Court, and, in other cases, prescribed by this Ordinance or the Rules thereunder

“Court” shall mean His Majesty’s High Court for East Africa

“Person” includes a body corporate

“Goods” shall mean anything which is the subject of trade, manufacture, or merchandise

Register of Trade Marks

Register of trade marks. 3 There shall be kept at the Office of the Secretary under the Inventions and Designs Act 1888 (Act V of 1888) for the purposes of this Ordinance a book called the Register of Trade Marks, wherein shall be entered all registered trade marks with the names and addresses of their proprietors, the dates on which applications were made for their registration, as hereinafter provided, notifications of assignments and transmissions, disclaimers, conditions, limitations, and such other matters relating to such trade marks as may from time to time be prescribed. The register shall be kept under the control and management of the aforesaid Secretary, who is in this Ordinance referred to as the Registrar

4 There shall not be entered in the register any notice of any trust expressed, implied, or constructive, nor shall any such notice be receivable by the Registrar

st not to be
red in register.

ction in regard
application.

11. (1) Subject to the provisions of this Ordinance the Registrar may refuse such application as aforesaid, or may accept it absolutely or subject to conditions, amendments or modifications.
- (2) In case of any such refusal or conditional acceptance the Registrar shall, if required by the applicant, state in writing the grounds of his decision and the materials used by him in arriving at the same, and such decision shall be subject to appeal to the Court.
- (3) An appeal under this section shall be made in the prescribed manner, and on such appeal the Court shall, if required, hear the applicant and the Registrar, and shall make an order determining whether, and subject to what conditions, amendments, or modifications, if any, the application is to be accepted.

Advertisement of
application

12. When an application for registration of a trade mark has been accepted, whether absolutely or subject to conditions, the Registrar shall, as soon as may be after such acceptance, cause the application as accepted to be advertised in the "Official Gazette." Such advertisement shall set forth all conditions subject to which the application has been accepted

Opposition of regis-
tration

13. (1) Any person may, within three months, or such further time, not exceeding nine months in all as the Registrar shall allow from the date of the advertisement of an application for the registration of a trade mark, give notice to the Registrar of opposition to such registration.

Notice

- (2) Such notice shall be given in writing in the prescribed manner, and shall include a statement of the grounds of opposition.

Counter-statement,

- (3) The Registrar shall send a copy of such notice to the applicant, and within one month after the receipt of such notice, or such further time, not exceeding three months in all, as the Registrar may allow, the applicant shall send to the Registrar, in the prescribed manner, a counter-statement of the grounds on which he relies for his application, and, if he does not do so, he shall be deemed to have abandoned his application.

Copy of counter-
statement to party
opposing

- (4) If the applicant send such counter-statement, the Registrar shall furnish a copy thereof to any person giving notice of opposition, and shall require him to give security in such manner and to such amount as the Registrar may require for such costs as may be awarded in respect of such opposition, and if such security is not given within fourteen days after such requirement was made or such further time as the Registrar may allow, the opposition shall be deemed to be withdrawn.

- (5) If the person who gave notice of opposition duly gives such security as aforesaid, the Registrar shall inform the applicant thereof in writing, and thereafter the case shall be deemed to stand for the determination of the Court.

- (6) Where the opponent is out of the Protectorate he shall, with notice of opposition to registration, give the Registrar an address for service in the Protectorate.

Cases how brought
before the Court.

14. (1) When a case stands for the determination of the Court under the provisions of the last preceding Section, the Registrar shall require the applicant to make a written application to the Court for an order that, notwithstanding the opposition of which notice has been given, the registration of the trade mark be proceeded with by the Registrar, or to take such other proceedings as may be proper and necessary for the determination of the case by the Court.

- (2) The applicant shall thereupon make his application or take such other proceedings as aforesaid, within the period of one month or such further time as the Registrar may allow, and shall also within the like period give notice thereof to the Registrar

- (3) If the applicant shall fail to make such application or to take such other proceedings of which failure the non-receipt by the Registrar of the said notice shall be sufficient proof, the applicant shall be deemed to have abandoned his application.

Powers of the Court

15. (1) The Court shall have power in proceedings under the last two preceding Sections to award to any party such costs as it may consider reasonable and to direct how and by what parties they are to be paid.

Associated Trade Mark

Associated trade marks

25 If application be made for the registration of a trade mark so closely resembling a trade mark of the applicant already on the register for the same goods or description of goods as to be calculated to deceive or cause confusion if used by a person other than the applicant, the tribunal hearing the application may require as a condition of registration that such trade marks shall be entered on the register as associated trade marks

Combined trade marks

26 If the proprietor of a trade mark claims to be entitled to the exclusive use of any portion of such trade mark separately he may apply to register the same as separate trade marks. Each such separate trade mark must satisfy all the conditions and shall have all the incidents of an independent trade mark, except that when registered it and the trade mark of which it forms a part shall be deemed to be associated trade marks and shall be entered on the register as such, but the user of the whole trade mark shall for the purposes of this Ordinance be deemed to be also a user of such registered trade marks belonging to the same proprietor as it contains

Series of trade marks

27 When a person claiming to be the proprietor of several trade marks for the same description of goods which, while resembling each other in the material particulars thereof, yet differ in respect of —

- (a) Statements of the goods for which they are respectively used or proposed to be used, or
- (b) Statements of number, price quality, or names of places, or
- (c) Other matter of a non-distinctive character which does not substantially affect the identity of the trade mark, or
- (d) Colour,

seeks to register such trade marks, they may be registered as a series in one registration. All the trade marks in a series of trade marks so registered shall be deemed to be, and shall be registered as, associated trade marks

Assignment and user of associated trade marks

28 Associated trade marks shall be assignable or transmissible only as a whole and not separately, but they shall for all other purposes be deemed to have been registered as separate trade marks. Provided that where under the provisions of this Ordinance user of a registered trade mark is required to be proved for any purpose, the tribunal may, if and so far as it shall think right, accept user of an associated registered trade mark, or of the trade mark with additions or alterations not substantially affecting its identity as an equivalent for such user

Duration and Renewal of Registration

Duration of registration

29 The registration of a trade mark shall be for a period of fourteen years, but may be renewed from time to time in accordance with the provisions of this Ordinance

Renewal of registration

30 The Registrar shall on application made by the registered proprietor of a trade mark in the prescribed manner and within the prescribed period, renew the registration of such trade mark for a period of fourteen years from the expiration of the original registration or of the last renewal of registration, as the case may be, which date is herein termed, 'the expiration of the last registration'

Procedure on expiry of period of registration

31 At the prescribed time before the expiration of the last registration of a trade mark, the Registrar shall send notice in the prescribed manner to the registered proprietor at his registered address of the date at which the existing registration will expire and the conditions as to payment of fees and otherwise upon which a renewal of such registration may be obtained and if at the expiration of the time prescribed in that behalf such conditions have not been duly complied with, the Registrar may remove such trade mark from the register, subject to such conditions (if any) as to its restoration to the register as may be prescribed

Status of unrenewed trade mark

32 Where a Trade Mark has been removed from the register for non-payment of the fee for renewal, such trade mark shall, nevertheless, for the purpose of any application for registration during one year next after the date of such removal, be deemed to be a trade mark which is already registered, unless it is shown to the satisfaction of the Registrar that there had been no *bonâ fide* trade user of such trade mark during the two years immediately preceding such removal

Non user of trade
mark

38 A registered trade mark may, on the application to the Court of any person aggrieved, be taken off the register in respect of any of the goods for which it is registered, on the ground that it was registered by the proprietor or a predecessor in title without any *bona fide* intention to use the same in connection with such goods, and there has in fact been no *bona fide* user of the same in connection therewith, or on the ground that there has been no *bona fide* user of such trade mark in connection with such goods during the five years immediately preceding the application, unless in either case such non-user is shown to be due to special circumstances in the trade, and not to any intention not to use or to abandon such trade mark in respect of such goods

Effect of Registration

39 Subject to the provisions of this Ordinance

Powers of registered
proprietor

- (1) The person for the time being entered in the register as proprietor of the trade mark shall, subject to any rights appearing from such register to be vested in any other person, have power to assign the same, and to give effectual receipts for any consideration for such assignment
- (2) Any equities in respect of a trade mark may be enforced in like manner as in respect of any other personal property

Rights of proprietor
of trade mark

40 Subject to the provisions of section 42 of this Ordinance and to any limitations and conditions entered upon the register, the registration of a person as proprietor of a trade mark shall, if valid, give to such person the exclusive right to the use of such trade mark upon or in connection with the goods in respect of which it is registered

More than one
proprietor

Provided always that where two or more persons are registered proprietors of the same (or substantially the same) trade mark in respect of the same goods no rights of exclusive user of such trade mark shall (except so far as their respective rights shall have been defined by the Court) be acquired by any one of such persons as against any other by the registration thereof, but each of such persons shall otherwise have the same rights as if he were the sole registered proprietor thereof

Registration *prima*
facie evidence of
validity

41 In all legal proceedings relating to a registered trade mark (including applications under section 37 of this Ordinance) the fact that a person is registered as proprietor of such trade mark shall be *prima facie* evidence of the validity of the original registration of such trade mark and of all subsequent assignments and transmissions of the same

Registration
conclusive after
7 years

42 In all legal proceedings relating to a registered trade mark (including applications under section 37 of this Ordinance) the original registration of such trade mark shall after the expiration of seven years from the date of such original registration (or seven years from the passing of this Ordinance, whichever shall last happen) be taken to be valid in all respects unless such original registration was obtained by fraud, or unless the trade mark offends against the provisions of section 9 of this Ordinance

Provided that nothing in this Ordinance shall entitle the proprietor of a registered trade mark to interfere with or restrain the user by any person of a similar trade mark upon or in connection with goods upon or in connection with which such person has, by himself or his predecessors in business, continuously used such trade mark from a date anterior to the user of the first mentioned trade mark by the proprietor thereof or his predecessors in business, or to object (on such user being proved) to such person being put upon the register for such similar trade mark in respect of such goods under the provisions of section 22 of this Ordinance

Unregistered trade
mark

No person shall be entitled to institute any proceeding to prevent or to recover damages for the infringement of an unregistered trade mark unless such trade mark was in use before the coming into operation of this Ordinance, and has been refused registration under this Ordinance. The Registrar may, on request, grant a certificate that such registration has been refused

Infringement

44 In an action for the infringement of a trade mark the Court trying the question of infringement shall admit evidence of the usages of the trade, in respect to the get-up of the goods for which the trade mark is registered, and of any trade marks or get-up legitimately used in connection with such goods by other persons

- (c) for prescribing the fees payable in respect of applications and registrations and other matters under the Ordinance, and the mode of payment of the same,
 - (d) generally for regulating all the things by the said Ordinance placed under the direction or control of the Registrar,
 - (e) for altering or revoking the provisions contained in the Schedules hereto
- (2) Any rules made in pursuance of this section shall be published in the "Gazette" and shall come into operation on the publication thereof, subject to disallowance by His Majesty
- (3) Unless and until they be altered or revoked under this section the provisions contained in the schedule hereto shall be and remain in force

Special Trade Mark

Standardization, &c.
of trade mark

55 Where any association or person undertakes the examination of any goods in respect of origin, material, mode of manufacture, quality, accuracy, or other characteristic, and certifies the result of such examination by mark used upon or in connection with such goods, the Governor may, if he judge it to be to the public advantage, direct the Registrar to permit such association or person to register such mark as a trade mark in respect of such goods, whether or not such association or person be a trading association or trader or possessed of a goodwill in connection with such examination and certifying. When so registered such trade mark shall be deemed in all respects to be a registered trade mark, and such association or person to be proprietor thereof, save that such trade mark shall be transmissible or assignable only by permission of the Governor

Trade Marks Registered in Great Britain

Registration of
British Trade Marks

- 56 (1) Any person who has registered a trade mark in the United Kingdom shall be entitled to registration of his trade mark under this Ordinance in priority to other applicants, and such registration shall have the same date as the application for registration in the United Kingdom, provided that his application is made within four months from his applying for protection in the United Kingdom
- Provided that nothing in this section contained shall entitle the proprietor of the trade mark to recover damages for infringements happening prior to the date of actual registration of his trade mark in the Protectorate
- (2) The use in the Protectorate during the period afore-said of the trade mark shall not invalidate the registration of his trade mark
- (3) The application for the registration of a trade mark under this Section must be made in the same manner as an ordinary application under this Ordinance. Provided that any trade mark the registration of which has been only obtained in the United Kingdom may be registered under this Ordinance

Offences.

Offences

- 57 (1) If any person makes or causes to be made a false entry in the register kept under this Ordinance, or a writing falsely purporting to be a copy of an entry in such register, or produces, or tenders, or causes to be produced or tendered in evidence any such writing knowing the entry or writing to be false, he shall be guilty of an offence and on conviction shall be liable to imprisonment of either description for a term not exceeding five years
- (2) Any person who represents any trade mark as registered, which is not so, shall be guilty of an offence, and liable on conviction to a fine not exceeding seventy five Rupees
- A person shall be deemed for the purposes of this section, to represent that a trade mark is registered if he uses in connection with the trade mark the word "registered" or any word or words expressing or implying that registration has been obtained for the trade mark

infringements, &c

61 If any person is, by reason of infancy, lunacy or other disability, incapable of making any affidavit or doing anything required or permitted by this Ordinance or by any rules made under the authority of this Ordinance, then the guardian of such incapable person, or if there be none, any person appointed by any Court possessing jurisdiction in respect of the property of incapable persons upon the petition of any person on behalf of such incapable person, or any other person interested in the making of such affidavit or doing such thing, may make such affidavit, or an affidavit as nearly corresponding thereto as circumstances may permit, and do such thing in the name and on behalf of such incapable person, and all acts done by such substitute shall, for the purposes of this Ordinance, be as effectual as if done by the person for which he is substituted

Powers of Customs
authorities to detain
goods in certain
cases

62 Any person who has duly registered his trade mark in respect of any goods in Great Britain may by himself, his agent or representative in the Protectorate on giving notice in writing to the Chief of Customs that goods bearing a mark so nearly resembling his trade mark as to be well calculated to deceive are being imported into the Protectorate, cause the said goods to be detained by the Chief of Customs until the rights of the matter have been determined according to law. Provided that any such informant shall reimburse to the Chief of Customs all expenses and damages incurred in respect of such detention made on his information, and of any proceedings consequent on such detention. And provided further that the Chief of Customs may refuse to detain any such goods as aforesaid unless and until the informant shall give a guarantee with sureties to be approved by the Chief of Customs for the due payment of such expenses and damages

The Schedule

PART I

Rules

interpretation

1 In the construction of these rules any words used herein defined by the Ordinance shall have the meaning thereby assigned to them respectively.

method of paying
fees

2 The fees to be paid in pursuance of this Ordinance shall be the fees specified in Part 2 of this Schedule and such fees shall be paid in stamps

classification of
goods

3 For the purposes of trade mark registration and of these rules, goods are classified in the manner appearing in the Part 3 of this Schedule

right to be settled
Registrar

4 If any doubt arises as to what class any particular description of goods belongs to, the doubt shall be determined by the Registrar

of paper

5 Subject to any directions which may be given by the Registrar, all applications, notices, counter statements, representations of marks, papers having representations affixed, or other documents required to be left with or sent to the Registrar shall be upon foolscap paper of a size of approximately 13 inches by 8 inches, and shall have on the left hand part thereof a margin of approximately 2 inches

signature by firm
or body

6 An application for registration of a trade mark, if made by any firm or partnership, may be signed by some one or more members of such firm or partnership as the case may be. If the application be made by a body corporate it may be signed by the Secretary or other principal Officer of such body corporate

7 An application for registration, and all other communications between the applicant and the Registrar, may be made by or through an agent duly authorised to the satisfaction of the Registrar

to be

8 Every application shall be advertised by the Registrar in the "Gazette" during such times and in such manner as the Registrar may direct unless he refuse to entertain the application. The Registrar shall in such advertisement name a place where a specimen or representation of the trade mark is exhibited

it is

9 Every application for registration of a trade mark shall contain a representation of the trade mark affixed to it in the space which the prescribed form contains for that purpose. The form is set forth in Part 4 of this Schedule

Where the representation exceeds such space in size, the representation shall be mounted on linen tracing cloth or other material that the Registrar may consider suitable. Part of the mounting shall be affixed in the space aforesaid, and the rest may be folded over

10 Subject to any directions given by the Registrar there shall be sent with the application three representations of each mark, in addition to that affixed to the application. If the mark is to be registered in more than one class then two additional representations for each class after the first shall be supplied.

PART II

Fees.

	Rs
1 On application to register a trade mark for one or more articles included in one class	8
2 For registration of a trade mark for one or more articles included in one class	15
3 For registering a series of trade marks, for every additional mark after the first in each class	4
4 On notice of opposition, for each application opposed by opponent	15
5 On application to register a subsequent proprietor in cases of assignment or transmission, the first mark	15
6 For every additional mark assigned or transmitted at the same time	4
7 For continuance of mark at the expiration of 14 years	15
8 Additional fee where fee is paid within three months after expiration of 14 years	8
9 Additional fee for re-registration of trade mark where removed for non-payment of fee	15
10 For altering address on the register, for every mark	4
11 For every entry in the register of a rectification thereof, of an alteration therein, not otherwise charged	8
12 For cancelling the entry or part of the entry of a trade mark upon the register, on the application of the owner of such trade mark	4
13 On request to Registrar to correct a clerical error or permit amendment of application under Section 33	4
14 For certificate of refusal to register a trade mark	15
15 For certificate of refusal at the same time for more than one trade mark, for each additional trade mark, after the first	8
16 For certificate of registration to be used in legal proceedings	15
17 For certificate of Registrar under Rule 25 other than certificate of registration to be used in legal proceedings	4
18 For inspecting register, for every quarter of an hour	2
19 For inspecting documents lodged in connection with the registration of a trade mark	2
20 For copies of extracts, for every hundred words or part thereof	2
21 For certifying copies or extracts	4

PART III

Classification of Goods.

- 1 Chemical substances used in manufactures, photography, or philosophical research, and anti-corrosives
- 2 Chemical substances used for agricultural, horticultural, veterinary, and sanitary purposes
- 3 Chemical substances prepared for use in medicine and pharmacy
- 4 Raw, or partly prepared vegetable, animal, and mineral substances used in manufactures not included in other classes
- 5 Unwrought and partly-wrought metals used in manufacture
- 6 Machinery of all kinds, and parts of machinery, except agricultural and horticultural machines included in class 7
- 7 Agricultural and horticultural machinery, and parts of such machinery.
- 8 Philosophical instruments, scientific instruments and apparatus for useful purposes Instruments and apparatus for teaching
- 9 Musical instruments
- 10 Horological instruments
- 11 Instruments, apparatus and contrivances, not medicated, for surgical or curative purposes, or in relation to the health of men or animals
- 12 Cutlery and edged tools
- 13 Metal goods, not included in other classes
- 14 Goods of precious metal (including aluminium, nickel, Britannia metal, &c), and jewellery, and imitations of such goods and jewellery
- 15 Glass
- 16 Porcelain and earthenware
- 17 Manufactures from mineral and other substances for building or decoration
- 18 Engineering, architectural, and building contrivances
- 19 Arms, ammunition, and stores not included in Class 20
- 20 Explosive substances
- 21 Naval architectural contrivances and naval equipments not included in Classes 19 and 20
- 22 Carriages

PART IV

Form of Application for Registration of Trade Mark.

(One representation to be fixed within this space, and two others
on separate sheets of foolscap of same size)

Representation of a larger size may be folded but must be mounted
upon linen and affixed hereto

You are hereby requested to register the accompanying trade mark in
class _____ in respect of
(a) in the name of
(b) _____ who claims to
be the proprietor thereof

Application fees herewith,

(Signed)

To the Registrar,

NOTE —State whether the trade mark has or has not been in use before the coming
into operation of this Ordinance

(a) Only goods contained in one and the same class should be set out here

(b) Here insert legibly the name, address, and business of the individual or firm.

Power to inspect	The Licensing officer may inspect or cause to be inspected any picture of pictures before issuing a licence in respect thereof
Licence	6 The licensing officer may refuse to grant a licence in respect to any stage play or new part thereof or any cinematograph exhibition or may grant it subject to any rules made under this Ordinance or subject to such special conditions and restrictions, to be specified in such licence, as to him may seem fit. Any such licence may be revoked by the Governor at any time.
Safety of theatre	7 No theatre shall be used for the performance of stage plays or the presentation of cinematograph exhibitions without the licence in writing of the District Commissioner being previously obtained. If the District Commissioner shall consider that the safety of persons attending such performances or presentations at such theatre is adequately provided for, he may grant such licence either generally or in respect of any single performance or presentation or for such period not exceeding 12 months as he may think fit. The District Commissioner may refuse to grant such licence or may grant it subject to such terms and conditions as he may think desirable for the purpose of ensuring the safety of the persons attending such performances or presentations at such theatre. Any such licence may be revoked by the District Commissioner if he shall consider that the safety of persons attending such performances or presentations is or may be endangered.
Appeal to Governor	8 An appeal shall lie to the Governor in respect to any act or decision of the licensing officer or District Commissioner done or made or omitted to be done or made under the provisions of this Ordinance, and the Governor may confirm, disallow or vary such act or decision of the licensing officer or District Commissioner or direct him to act in such manner as to the Governor shall seem fit, subject to the provisions of this Ordinance.
Supervision to ensure safety from fire	9 Where the District Commissioner grants any licence as aforesaid upon condition that the stage play or cinematograph exhibition be conducted under the superintendence of some officer or person designated in the licence, then it shall be lawful, at any time, for the officer or person so designated to order such stage play or cinematograph exhibition to cease or to give any other direction which he may think necessary for ensuring the safety of the premises at which the stage play or cinematograph exhibition takes place and of the persons attending the stage play or cinematograph exhibition.
Duty of occupier, &c. of theatre	10 The occupier or other person who manages or receives the rent of any theatre at which it may be proposed to perform or present any stage play or cinematograph exhibition shall ascertain whether the prescribed licences have been obtained, and, if so, the terms of such licences. Such occupier or person shall give notice to the Commissioner of Police, or to the Officer in charge of the nearest Police Station, if and so soon as he has reason to believe that there is an intention to proceed with any stage play or cinematograph exhibition either without the prescribed licences or without everything having been done which may be required under such licences or under any rules made under this Ordinance to be done previous to such stage play or cinematograph exhibition taking place.
Power of entry	11 A Police-Officer, or any Officer appointed for the purpose by the Governor, may at all reasonable times enter any premises in which he has reason to believe that any stage play or cinematograph exhibition is being or is about to be performed or presented with a view to seeing whether the provisions of this Ordinance or any Rules made thereunder and the conditions of any licences granted under this Ordinance have been complied with. Any person preventing or obstructing the entry of a Police-Officer or any Officer appointed as aforesaid, shall be guilty of an offence under this Ordinance.
Penalty	12 Any person who commits any breach or non-observance or attempts to commit any breach of this Ordinance or of any rule made thereunder or of any of the terms and conditions specified in any licence made in pursuance thereof, shall be liable to a fine not exceeding three hundred rupees or to imprisonment of either description for a term not exceeding three months or to both.
Application of Ordinance	13 This Ordinance shall not apply to a performance of a stage play or cinematograph exhibition to which the public are not admitted either gratuitously or otherwise.

Person paying tax to provide information required in preparing the receipt, and if required shall attend at the Office for such purpose

Penalty for furnishing false particulars or refusing to attend or give information when required

Magistrate may call on defaulter to appear and show cause why he should not pay the tax

Magistrate may order person in default to pay amount of tax and costs into Court

Imprisonment for failure to obey order

Proviso

Proof as to means of defaulter

Order of committal

Imprisonment not to extinguish liability

Tax etc unpaid leviable by attachment and sale of moveable property

Debtor paying whole of amount ordered to be paid

7 Every person paying the tax shall furnish the Officer to whom payment is made with such information as may be required by him in preparing a receipt in the prescribed form and shall, if required by such Officer, attend personally at the office of such Officer for such purpose

8 Any person who shall wilfully furnish a District Commissioner with false particulars as to any of the information required by such Officer in preparing a receipt, or who, on being required to attend at the Office of a District Commissioner, shall neglect or refuse to attend, or attending shall neglect or refuse to furnish any information required as aforesaid, shall, on conviction, be liable to a fine not exceeding one hundred and fifty rupees or to imprisonment for a term not exceeding two months

9 Whenever any person shall make default in the payment of the tax due and payable by him any Magistrate having jurisdiction in the district or place in which the person in default is for the time being staying or residing may issue a summons directing the defaulter to attend before him, at a time to be named in the summons, to show cause why he should not be ordered to pay the amount due as a judgment debt

10 If a summons for enabling a defaulter to show cause as mentioned in the last preceding Section is issued, it shall be lawful for the Magistrate on the date named in the summons or at any other date to which the hearing may be adjourned, to order him to pay into Court the amount of the unpaid tax, and such costs and expenses as are for this purpose from time to time fixed by the Governor, or to order him to pay into Court any part of such amount which the Magistrate may deem the defaulter able to pay or arrange for paying, within seven days of the order or within such extended time as may be determined by the Magistrate, and either in a lump sum or by instalments

11 (1) If the person summoned as aforesaid fails to comply with the summons without lawful excuse or if he makes default in payment into Court in the manner aforesaid, it shall be lawful for the Magistrate to commit such person to prison, without hard labour, for a term not exceeding six weeks or until payment of the sum ordered to be paid (if paid before the expiration of such term) Provided that no such committal shall be ordered for default in payment as aforesaid unless it be proved to the satisfaction of the Magistrate that the person making default either has, or has had since the date of the order the means to pay the sum in respect of which he has made default, and has refused or neglected, or refuses and neglects, to pay the same

(2) Proof of the means of the person making default may be given in such manner as the Magistrate thinks just, and, for the purpose of such proof, the debtor and any witnesses may be summoned and their attendance enforced by the same processes as in cases in which the Magistrate has jurisdiction in civil matters, and such debtor and witnesses may be examined on oath

(3) Every order of committal under this Section shall be issued, obeyed, and executed in manner similar to commitments by a Court in the exercise of jurisdiction in civil cases

(4) Imprisonment under this Section shall not operate as a satisfaction or extinguishment of the judgment debt

(5) The amount of any tax due and unpaid, and the sum (if any) ordered to be paid for costs and expenses under Section 10, may, at any time, be levied by the attachment and sale, under the orders of a Magistrate, of the moveable property of the defaulter in like manner as if the same were payable under a decree of a Civil Court, and a Magistrate is hereby empowered to issue such order either on his own motion or on the application of any District Commissioner

12 In the event of the defaulter paying the whole amount ordered to be paid as aforesaid and the cost and expenses of or in connection with any attachment ordered, the Magistrate, if a District Commissioner, shall grant to the person paying a receipt in the prescribed form for the amount of the tax paid, or, if not a District Commissioner, shall remit to a District Commissioner the amount so paid after deducting therefrom such part thereof as may represent the Court costs, and the District Commissioner on the receipt of such sum shall grant to the person who shall have paid the same a receipt in the prescribed form

AN ORDINANCE

No. 20 of 1912.

The Official Secrets Ordinance, 1912.

[16th October, 1912]

BE it enacted by the Governor of the East Africa Protectorate with the advice and consent of the Legislative Council —

Short Title

1 This Ordinance may be cited as “The Official Secrets Ordinance, 1912

Interpretation

2 In this Ordinance, unless the context otherwise requires —

“Document” includes part of a document

“Model” includes design, pattern, and specimen

“Sketch” includes any photograph or other mode of representing any place or thing

“Superintendent of Police” includes an Assistant Superintendent of Police and any police officer of a like or superior rank

“Office under His Majesty” includes any office or employment in or under any department of the Government

“Offence under this Ordinance” includes any act, omission, or other thing which is punishable under this Ordinance

“Prohibited place” means —

(a) any work of defence arsenal, factory, dockyard, camp, ship, telegraph or signal station, or office belonging to His Majesty, and any other place belonging to His Majesty used for the purpose of building, repairing, making or storing any ship, arms, or other materials or instruments of use in time of war, or any plans or documents relating thereto, and

(b) any place not belonging to His Majesty where any ship, arms, or other materials or instruments of use in time of war, or any plans or documents relating thereto, are being made, repaired, or stored under contract with, or with any person on behalf of, His Majesty, or otherwise on behalf of His Majesty, and

(c) any place belonging to His Majesty which is for the time being declared by notice by the Governor to be a prohibited place for the purposes of this section on the ground that information with respect thereto, or damage thereto, would be useful to an enemy, and

(d) any railway road, way, or channel, or other means of communication by land or water (including any works or structures being part thereof or connected therewith), or any place used for gas, water, or electricity works or other works for purposes of a public character, or any place where any ship, arms, or other materials or instruments of use in time of war, or any plans or documents relating thereto, are being made, repaired, or stored otherwise than on behalf of His Majesty, which is for the time being declared by notice by the Governor to be a prohibited place for the purposes of this section, on the ground that information with respect thereto or the destruction or obstruction thereof, or interference therewith would be useful to an enemy

(2) If any person receives any sketch, plan, model, article, note, document, or information, knowing, or having reasonable ground to believe, at the time when he receives it, that the sketch, plan, model, article, note, document, or information is communicated to him in contravention of this Ordinance, he shall be guilty of an offence, unless he proves that the communication to him of the sketch, plan, model, article, note, document, or information was contrary to his desire

(3) A person guilty of an offence under this section shall be liable on conviction to imprisonment of either description for a term not exceeding two years, or to a fine, or to both

Attempt to commit offence, or incitement to commit offence, under Ordinance

5 Any person who attempts to commit any offence under this Ordinance, or incites, or counsels, or attempts to procure another person to commit an offence under this Ordinance, shall on conviction be liable to the same punishment, and to be proceeded against in the same manner, as if he had committed the offence

Power to arrest

6 Any person who is found committing an offence under this Ordinance, or who is reasonably suspected of having committed, or having attempted to commit, or being about to commit, such an offence, may be apprehended and detained in the same manner as a person who is found committing an offence which under the Code of Criminal Procedure is a non-bailable and cognisable offence

Penalty for harbouring spies

7 If any person knowingly harbours any person whom he knows, or has reasonable grounds for supposing, to be a person who is about to commit or who has committed an offence under this Ordinance, or knowingly permits to meet or assemble in any premises in his occupation or under his control any such persons, or if any person having harboured any such person, or permitted to meet or assemble in any premises in his occupation or under his control any such persons, wilfully refuses to disclose to a Superintendent of Police any information which it is in his power to give in relation to any such person he shall be liable on conviction to imprisonment of either description for a term not exceeding one year, or to a fine, or to both

Restriction on prosecution

8 A prosecution for an offence under this Ordinance shall not be instituted except by or with the consent of the Attorney General.

Provided that a person charged with such an offence may be arrested, or a warrant for his arrest may be issued and executed, and any such person may be remanded in custody or on bail, notwithstanding that the consent of the Attorney General to the institution of a prosecution for the offence has not been obtained, but no further or other proceedings shall be taken until that consent has been obtained

Search warrants

9 (1) If a Magistrate is satisfied by information on oath that there is reasonable ground for suspecting that an offence under this Ordinance has been or is about to be committed, he may grant a search warrant authorising any police officer named therein to enter at any time any premises or place named in the warrant, if necessary, by force, and to search the premises or place and every person found therein, and to seize any sketch, plan, model, article, note, or document, or anything of a like nature or anything which is evidence of an offence under this Ordinance having been or being about to be committed, which he may find on the premises or place or on any such person, and with regard to or in connection with which he has reasonable ground for suspecting that an offence under this Ordinance has been or is about to be committed

(2) Where it appears to a Superintendent of Police that the case is one of great emergency and that in the interest of the Government immediate action is necessary, he may by a written order under his hand give to any police officer the like authority as may be given by the warrant of a Magistrate under this section

AN ORDINANCE

No. 22 of 1912.

An Ordinance to make further and better provision in regard to the powers and duties of Native Chiefs, Councils and Headmen recognised or appointed by the Governor and to provide for the enforcement of Native Authority.

[16th October, 1912]

BE it enacted by the Governor of the East Africa Protectorate with the advice and consent of the Legislative Council —

Short title.

1 This Ordinance may be cited as “The Native Authority Ordinance, 1912”

Appointment of Headmen

2 (1) It shall be lawful for the Governor to appoint any Chief or other Native he may think suitable or any Council of Elders to be the Official Headman or Collective Headmen (hereinafter referred to in the singular only as Headman) of any area which shall be specified in such appointment, and to make the Headmen of any area subordinate to the Headman of any other area, and it shall be lawful for the Governor at any time to suspend or cancel any such appointment. Every appointment under this Section and every suspension or cancellation of such appointment shall be notified in the “Gazette”

All persons appointed as Headmen under the Village Headmen Ordinance, 1902 shall be deemed for the purposes of this Ordinance to have been appointed under this Ordinance

(2) Whenever a Council of Elders is appointed the Collective Headmen of any area, the Provincial Commissioner in whose Province such area is situate shall from time to time appoint or shall cause the members of the Council to appoint, from among the Members of the Council, a President and a Deputy President of the Council, and any order of the Council issued under this Ordinance shall be issued through the President or in his absence through the Deputy President

Duty of Headmen to maintain order

3 It shall be the duty of every Headman to maintain order in the area in respect of which he shall have been appointed and for such purpose he shall have and exercise the jurisdiction and powers by this Ordinance conferred over the Natives residing or being within such area.

Headman may employ persons to assist him in carrying out his duties

4 A Headman may employ any person or persons subject to his jurisdiction to assist him in carrying out the duties imposed upon him by this Ordinance or otherwise by law and any person so employed may carry out and give effect to any lawful order given by a Headman

Power of Headman in the prevention of crime and the arrest of offenders

5 (1) A Headman may interpose for the purpose of preventing, and shall, to the best of his ability, prevent the commission of any offence by any Native within the local limits of his jurisdiction.

(2) A Headman knowing of a design to commit an offence by a Native within the local limits of his jurisdiction may arrest or direct the arrest of the Native so designing, if it appears to such Headman that the commission of the offence cannot be otherwise prevented. Any person arrested under the powers conferred by this Sub-section shall, unless he be released from arrest within 12 hours of his arrest, be taken before the District Commissioner

Power to direct
cancellation of any
order

- (2) Whenever a Provincial Commissioner or District Commissioner shall consider that any order issued by a Headman should not have been issued or should not be enforced he may direct the Headman to cancel the order or to refrain from enforcing the order, and if any person shall have been convicted before a Native Tribunal of failing to comply with such order may quash the conviction and order the repayment of any fine which may have been recovered

Penalty on Natives
for disobeying
orders

9 Any Native who shall without lawful excuse, disobey or shall fail to comply with any lawful order issued or given by a Headman under this Ordinance or by a Provincial Commissioner or District Commissioner under the powers conferred by the preceding Section, shall be guilty of an offence and shall, on conviction before a Magistrate or before a Native Tribunal having jurisdiction over such Native, be liable to a fine not exceeding Seventy five Rupees and in default of payment to imprisonment of either description for a term not exceeding two months

Administrative
Officers may order
Natives occupying
Crown land outside
a Reserve to remove
into the Reserve

10 Whenever a Provincial Commissioner or District Commissioner shall find that any Native being the member of a tribe or community, for the occupation of the members of which land has been reserved, is cultivating or occupying unalienated Crown land outside the lands so reserved he may order such Native to remove from such land on to land reserved for the tribe or Community to which such Native belongs

Penalty

Any Native who shall, without lawful excuse, neglect to obey an order issued under this Section, shall be guilty of an offence and on conviction before a Magistrate shall be liable to a fine not exceeding Seventy five Rupees and in default of payment to imprisonment of either description for a term not exceeding two months, and any hut or crops belonging to such Native on the land from which he has been ordered to remove shall be forfeited to the Government, and may be destroyed or otherwise dealt with as the Magistrate in his discretion may direct

Administrative
Officers may issue
process to compel
attendance of
Natives before
Native Tribunals

11 Whenever a Headman shall satisfy a Provincial Commissioner or a District Commissioner that the attendance of any Native before a Native Tribunal having jurisdiction over such Native is required and that the Native is residing outside the local limits of the jurisdiction of such Tribunal, he may, in his discretion, issue process for the purpose of compelling the appearance of such Native before the Native Tribunal

Offences by
Headmen

12 (1) Any Headman may be fined any sum not exceeding three hundred Rupees and in default of payment may be sentenced to imprisonment of either description for a term not exceeding six months, in case he shall be convicted before a Magistrate of any of the following acts or neglects, that is to say —

- (a) If when summoned by a Provincial Commissioner, District Commissioner, or a Superior Headman, or by the President or Deputy President of a Native Council to attend any Native Council or to meet a Provincial Commissioner or District Commissioner, he shall, without good and sufficient excuse, neglect to obey such summons
- (b) If he shall wilfully neglect to exercise the powers by this Ordinance conferred upon him for or in respect of the prevention of offences and the bringing of offenders to justice, and the seizure of property stolen or believed to have been stolen
- (c) If when directed by Provincial Commissioner or a District Commissioner to issue orders for any of the purposes specified in Section 7 of this Ordinance, he shall wilfully neglect to issue the orders directed
- (d) If he shall wilfully neglect to enforce any orders issued by him under the directions of a Provincial Commissioner or District Commissioner or issued by a Provincial Commissioner or District Commissioner under the powers conferred by Section 8 Sub-section (1) of this Ordinance
- (e) If he shall neglect to cancel an order when directed by a Provincial Commissioner or District Commissioner under the powers conferred by Section 8 Sub-section (2) of this Ordinance or if he shall enforce or attempt to enforce any order after he has been ordered as aforesaid to refrain from so doing; and

Schedule

HEAD OF EXPENDITURE		AMOUNT		
		£	s	d
2	Pensions	219	2	3
3	His Excellency the Governor	946	5	1
6a	Provincial Administration, Special Expenditure	396	4	3
9a	Port and Marine Departments, Special Expenditure	2,734	2	1
10	Audit Department	374	17	11
13	Prisons	2,679	19	4
14.	Medical Departments	23	12	11
17	Transport	154	5	6
18a	Military, Special Expenditure	561	11	10
19	Miscellaneous Services	1,300	7	11
21	Post Office and Telegraphs	456	9	10
21a	do do Special Expenditure	287	7	2
22	Railway Department	6,227	0	4
23	Agricultural Department	432	4	11
23a	do do Special Expenditure	299	13	11
24	Forest and Scientific Departments, Special Expenditure	272	1	0
Special Expenditure for Magadi		£	17,365	6 3
			27,929	0 6
Total		£	45,294	6 9

AN ORDINANCE

No. 24 of 1912.

The Law Officers Ordinance, 1912.

[16th October, 1912]

BE it enacted by the Governor of the East Africa Protectorate with the advice and consent of the Legislative Council —

1 This Ordinance may be cited as “ The Law Officers Ordinance, 1912 ”

2 From the date of the Commencement of this Ordinance the duties at present devolving upon the Crown Advocate shall devolve upon the Attorney General, and every Ordinance, Appointment, Regulation, Notice and Contract in which the term Crown Advocate occurs shall be read as if the designation Attorney General occurred therein instead

3 The Assistant Attorney General may perform any of the duties of, and shall have the same powers as the Attorney General

Attorney General to perform duties of Crown Advocate

Assistant Attorney General to have powers of Attorney General

Licences in Form B	(2) A licence in the Form B shall not be granted to any person other than an Arab or native
Security to be given by Auctioneer	8 Before the licence is granted the applicant shall, if so required by any Rule made under this Ordinance, give security, in such form and in such amount as may be prescribed to answer for the faithful discharge of his office
Register of licences	9 It shall be the duty of each Provincial Commissioner to keep a register of the names of all persons to whom any licence under this Ordinance shall have been granted by him, in such form and with such particulars as to the nature and duration of the licence granted as the Governor directs
Duration of licences	10 Every licence under this Ordinance shall have effect from the date of the granting thereof till the 30th day of June or the 31st day of December, in the case of half yearly or yearly licences respectively, of the year in which any such licence may have been granted
Suspension or revocation of licence	Whenever an order suspending a licence is made, the licence shall cease to be of any effect during the term of suspension, and whenever the licence is revoked the licence shall cease to have any effect whatsoever

Respecting Sales

Auctioneers to accept the sale of all property offered by owners	11 Every licensed auctioneer shall, on the requisition of the owner thereof, accept the sale of all property which he is not prohibited by law from selling, which may be offered to him for sale at the town or place in which he carries on his ordinary business as an auctioneer, and shall sell the same within such time as the owner may require, or as soon thereafter as is possible, having regard to the sale of other property with which he has been entrusted provided that he shall not be bound to sell such property sooner than seven days after he shall have accepted the sale thereof
Proviso	Nothing herein shall be held to restrict any auctioneer from selling at the same sale the property of more than one owner, so as the goods are lotted consecutively and in such manner that no owner's goods may become mixed with the goods of any other owner
Auctioneer's licence not to authorise sale of spirits	12 (1) Save as in the Liquor Ordinance 1909 or any Ordinance amending or substituted for the same otherwise provided, no auctioneer's licence shall authorise any person to deal in or sell (either on account of or for the benefit of himself or of any other person) any intoxicating liquor for the sale of which a licence is required by law Provided, however, any person having a licence in force in the Form A may, acting on the instructions of the legal personal representative of a deceased person, sell by auction, liquor forming part of the estate of such deceased person, anything in any Ordinance as aforesaid to the contrary notwithstanding
Proviso	(2) Save as may be otherwise provided by law no auctioneer's licence shall authorise any person to deal in or sell (either on account of or for the benefit of himself or of any other person) anything, the dealing in, or sale of, which is prohibited to persons other than those duly licensed registered or otherwise authorised on that behalf
On sale of other things the sale of which are restricted to licensed persons	13. Every licensed auctioneer other than a person holding a licence in the Form B of the Second Schedule before beginning any auction, shall display and during the whole time of such auction keep displayed in some conspicuous part of the room or place where the auction is held, a ticket or board containing his true and full name and residence, painted, printed or written in large letters, publicly visible and legible
Auctioneer's name and address to be published at sale	Penalty If any auctioneer fails to comply with this enactment, he shall be guilty of an offence and shall be liable for every such offence to a fine not exceeding 75 rupees
Sales without reserve reserve price, etc	14 (a) It shall be stated in the Particulars or Conditions of Sale by Auction of any movable or immoveable property whether such sale be without reserve or subject to a reserve price, or whether a right to bid is reserved,
Where without reserve	(b) If it is stated that the sale be without reserve or to that effect, then it shall not be lawful for the seller or any person on his behalf or employed by him to bid at such sale, or for the auctioneer to take knowingly any such bidding,

and may annex a penalty which may extend to 375 rupees in respect of the breach of any such rule, and may provide that in the case of a breach of any rule by a person licensed under this Ordinance his licence may be suspended or revoked

- (2) Every such rule shall come into operation upon the publication thereof in the "Official Gazette", or at such time thereafter as shall be in such rule provided, Provided, however, no rule made for any of the purposes set forth in paragraphs (1) or (11) shall come into operation except the rule has been previously published and has been submitted to the Legislative Council and approved by the majority of the members present A recital in any such rule that the same has been previously published, submitted, and approved as aforesaid shall be sufficient evidence that the requirements of this Sub-Section have been complied with unless the contrary be proved

A licence under the Brokers' Regulations not to authorise the holder to carry on the business of an Auctioneer

19 On and after the Commencement of this Ordinance "The Brokers' Regulations 1901" shall not apply to the business of an Auctioneer nor shall a licence under the said Regulations authorise the holder to carry on the business of an Auctioneer

Saving as to existing licences

Provided, however, any person who, at the commencement of this Ordinance, shall be carrying on the business of an Auctioneer under a licence issued under the said Regulations may, subject to the provisions of the said Regulations, lawfully carry on such business until the expiration of his licence

The First Schedule.

Duties Payable for Licences

Every licence of the Form A	Rs	cts
For one year	75	00
For half a year	45	00
Every licence of the Form B		
For one year	10	00
For half a year	6	00

The Second Schedule

Forms of Licences

A —Auctioneers Licence

Licence is hereby granted to (name and residence of person licensed) to carry on the business of an auctioneer in the East Africa Protectorate until the . . . day of 191 . . . subject to the Sales by Auction Ordinance, 1912

Dated this . . . day of 191 . . .
 Duty paid, Rupees

Signature of Provincial Commissioner

NOTE —This licence expires on the . . . day of 191 . . .

NOTICE.

His Excellency has been pleased to approve of the following gentlemen to serve on the Road Board of the Nyanza Province —

The Provincial Commissioner (*Chairman*)
 The District Commissioner of the District concerned
 The Acting Executive Engineer of the Province
 J W Cushney, Esq, J P
 J. B Martin, Esq, J P

Nairobi,

October 28th, 1912

NOTICE.

The Cathi of Lamu is hereby appointed to hold a Cathi's Court in the Tana River District in addition to the Court held by him in the District of Lamu

NOTICE.

In exercise of the powers vested in me, I hereby confer upon PHILIP LESLIE DEACON, the power to hold a Subordinate Court of the 2nd Class while holding his present appointment of Assistant District Commissioner in charge of Rabai

APPOINTMENTS.

His Majesty the King has been graciously pleased to appoint Mr JOHN HENRY WILSON, to be an unofficial member of the Legislative Council of the East Africa Protectorate for a further period of two years to date from the 8th August, 1912

His Excellency has approved the nomination of MAJOR A HUME, as a Member of the Land Board in succession to the late MR C J CLOETE

His Excellency the Governor has been pleased to make the following appointments —

JOHN MAURICE PEARSON, Assistant District Commissioner, Mombasa, to be a Magistrate of the 2nd Class with Jurisdiction to hold a Court of the 2nd Class within the Provinces of Seyidie and Tanaland, with effect from 18th of October, 1912

To be Provincial Commissioner, Ukamba Province,

SIDNEY LANGFORD HINDE, to date October 28th, 1912

To be District Commissioner, Nyeri,

GEOFFREY ALEXANDER STAFFORD NORTHCOTE, to date from October 23rd, 1912

To be Officer Commanding the 3rd Battalion King's African Rifles, CAPT BERTRAM

ROBERT GRAHAM, Queen Victoria's Own Corps of Guides, with local rank of Lieutenant-Colonel, to date October 21st, 1912

To be a Nursing Sister,

MISS SARAH ELIZABETH LUMSDEN, to date June 22nd, 1912

To be a District Surgeon at Uasin Gishu,

DR WILLIAM HEARD, to date October 21st, 1912

To be a Temporary Medical Officer,

DR ARTHUR JOHN DONALD BEDWARD WILLIAMS, to date August 15th, 1912

Under the Prisons Regulations, 1902.

His Excellency has been pleased to appoint the following gentlemen as Visiting Justices of the Special Prison now in process of formation on the Ndarugu River for the purposes of the construction of the Thika Tramway —

MR CHARLES HUBERT REYNOLDS, Executive Engineer in charge of the Works

HON PERCIVAL GARNETT DICKINSON,

MR F FLETCHER,

Under the Prisons Regulations, 1902

His Excellency has been pleased to appoint Mr CHARLES EDWARD WHITTON as a Visiting Justice of Lamu and Kipini Prisons

SECRETARIAT, NAIROBI,

November 1st, 1912

W J MONSON,

Secretary.

NOTICE.**Ivory Auction Sale**

A quantity of 110 fiasilas of Government Ivory (Vilanti, Cutchi & Calasia, etc) will be sold by public auction at the Mombasa Custom House in Godown No 5 opposite the Post Office at 10 a m on Thursday the 5th December, 1912

Lots will be ready for inspection on the previous day

Custom House, Mombasa

25th October, 1912

F. W. MAJOR,

Chief of Customs

NOTICE**Auction of Land. Mombasa**

Mr Costa Bui Auctioneer, has been instructed to sell by public auction at the Jubilee Hall, Mombasa, on Thursday the 7th November, 1912, at 5 p m the Crown leases of the properties, particulars of which are set out below

Particulars

Three residential building plots situate at Mombasa, numbered 16, 17 and 18

Term of lease	99 years
Rent	Rs 60/-
Area	202 of an acre
Upset price	Rs 300/-

The properties are offered as residential building plots subject to the conditions of sale hereinafter mentioned

Conditions of Sale

1. Each plot will be auctioned separately, and no purchaser shall be allowed to buy more than one plot

2 The highest bidder will be the purchaser and if any dispute arises as to any bidding the plot shall be put up again at the last undisputed bidding The amount of the advance of each bidding shall be regulated by the Auctioneer and no bidding shall be retracted

3 Each purchaser shall pay to a Government Official, appointed for the purpose immediately after the sale, a deposit of 25% on his purchase money, and shall pay the residue of the purchase money to the Land Officer, Nairobi, on or before the 14th November, 1912 If a purchaser shall fail to pay the residue of the purchase money on or before the 14th November, 1912, the sale shall be void, and the said deposit of 25% shall be forfeited wholly to the Government

4 On payment of the residue of the purchase money a purchaser shall be entitled to enter into immediate occupation and as soon thereafter as circumstances admit a formal lease shall be granted The term of such lease and rent payable thereunder shall commence to run as from the date of such payment

5 Each purchaser shall erect, within two years from the commencement of his lease, one dwelling house only on his plot of a value of at least £400, such value to be the actual cost in labour and materials only and in all respects according to plans and elevations to be approved by the Land Officer or such person as he may appoint

6 No building to be erected on any of the plots shall at any time during the term be used for any other purpose than a private dwelling house, nor occupied by a person or persons other than of European origin and their domestic servants

7 The lease of each plot shall contain a covenant against assigning, subletting or otherwise parting with the possession of the premises without consent and also a covenant by the purchaser to pay Rs 15/- for every such consent In no case will an assignment, subletting, or subdivision of part of a plot be permitted

8 If a purchaser fails to complete the building conditions within the said period of two years he shall pay as liquidated and ascertained damages for such default and not as a penalty the sum of Rs 15 per day for every day after the expiration of two years until such completion. The lease of each plot shall contain a covenant on the part of the purchaser in the above terms, and also a proviso for re-entry on the breach of any of the covenants by the purchaser of the lease

9 Each purchaser shall bear the cost of deeds, stamps, registration and survey fees, and all other expenses, if any, connected with the purchase

10 So far as applicable, the above conditions shall be embodied in each lease

Nairobi,

October 24th, 1912.

R B WRIGHT,

Land Officer.

IN THE TOWN MAGISTRATE'S COURT AT NAKURU

PROBATE AND ADMINISTRATION

CAUSE No 2 OF 1912

RE THE ESTATE OF CHRISTIAAN JOHANNES CLOEFF, DECEASED

To all to whom it may concern

Pursuant to an order of the above Court granting probate of Will of the late CHRISTIAAN JOHANNES CLOEFF, deceased, who died at Uasin Gishu on the 2nd day of July, 1912, all creditors and others having claims upon the estate of the above-named deceased are required to send in writing the particulars of their debts, claims or demands to Miss Anna Magdalena Cloete and John Clifton Shaw of Uasin Gishu, Post Office, Eldoret, on or before the 31st day of December, 1912, after which date the claims so received will be paid and the estate distributed according to law

Nakuru,

23rd October, 1912

R DONALD,

District Delegate

IN THE TOWN MAGISTRATE'S COURT AT NAIROBI

PROBATE AND ADMINISTRATION

CAUSE No 5 OF 1912

NOTICE OF APPLICATION FOR LETTERS OF ADMINISTRATION OF ESTATE OF PARVATI, WIFE OF BABU BASAKHIRAM, LATE OF NAIROBI, DECEASED

Take notice, that application having been made in this Court by Babu Basakhiyam s/o Kechendhand of Nairobi for the letters of administration of the estate of PARVATI WIFE OF BABU BASAKHIRAM, late of Nairobi who died at Nairobi on the 25th day of September, 1912, this Court will proceed to make a decree in the same unless cause be shown to the contrary and appearance in this respect entered on or before the 15th day of November, 1912

Nairobi,

29th October, 1912

E R LOGAN,

District Delegate

PROBATE AND ADMINISTRATION

CAUSE No 47 OF 1912

IN THE MATTER OF KRITI, DECEASED

To all to whom it may concern

Take notice that the account of the estate of the above-named KRITI, deceased, has been lodged with the Registrar of the High Court at Mombasa and that he has appointed the 25th day of November, 1912, at 2 o'clock in the afternoon for passing of such account

Mombasa,

October 17th, 1912

J F St A FAWCETT,

Acting Administrator General

IN THE TOWN MAGISTRATE'S COURT AT KISUMU

PROBATE AND ADMINISTRATION

CAUSE No 1 OF 1912

IN THE MATTER OF SANTRAM S/O LALCHAND, DECEASED

To all to whom it may concern

Take notice that the account of the estate of the above-named SANTRAM S/O LALCHAND, deceased, has been lodged with the District Delegate at Kisumu and that he has appointed the 18th day of November, 1912, at 10 o'clock a m, for passing of such account

Kisumu,

October 22nd, 1912

KARANDAI,

Widow and Administrative of the estate of the late Santram s/o Lalchand, deceased.

FOREST DEPARTMENT**NOTICE****List of tree seeds and young trees for sale after November 15th, 1912**

Botanical Name	Common Name	Description	Plants price per 100	Seeds price per lb
			Rs Cts	Rs Cts
<i>Aberia caffra</i>	Kei Apple	Hedge plant	3/-	8/-
<i>L Acacia cunninghamii</i>	Golden Wattle	Small tree ornamental	4/-	4/-
" <i>cyanophylla</i>		" " "	6/-	
" <i>farnesiana</i>	Cassie	Shrub sweet scented	6/-	-/50
" <i>linifolia</i>		Ornamental shrub	6/-	
" <i>longifolia</i>	Long leaf Wattle	" "	6/-	
<i>L " melanoxydon</i>	Black-wood	Timber tree	4/-	
<i>L " pycnantha</i>	Broad leaf Wattle	Produces tan bark	4/-	8/50
" <i>retinodes</i> var <i>floribunda</i>	Wattle Mimosa	Ornamental shrub	6/-	
" <i>richii</i>		Small tree ornamental	6/-	
<i>L " saligna</i>	Cape Flats Wattle	Produces tan bark	5/-	16/-
" " var <i>heophylla</i>		" " "	6/-	
<i>L Abies pindrow</i>		Timber tree	5/-	
<i>Afzelia cuanensis</i>	Mbamba Kofe	Tropical timber tree		4/-
<i>Albizia moluccana</i>	Pride of Moluccas	" shade tree	5/-	20/-
<i>Ampelopsis verticilli</i>	Virginia Creeper	Self supporting creeper	6/-	
<i>Angophora lanceolata</i>		Timber tree	5/-	20/-
" <i>subvelutina</i>		" "	5/-	
<i>Brachychiton acerifolium</i>		Tree ornamental	6/-	
" <i>populneus</i>		" "	6/-	
<i>Callistemon lanceolatus</i>		Ornamental shrub	6/-	
<i>L Callitris arborea</i>	Clan William Cedar	Timber tree	5/-	
<i>Calodendron capense</i>	Cape Chestnut	Flowering tree	5/-	1/50
<i>Cassia grandiflora</i>		Hedge plant	3/-	3/-
<i>L Casuarina cunninghamiana</i>	River Oak	Timber tree	3/-	
" <i>quadrivalvis</i>	She Oak	" "	4/-	
" <i>stricta</i>	Shingle Oak	" "	4/-	
<i>Catalpa speciosa</i>	Western Catalpa	" "	4/-	
<i>Cedrella odorata</i>	West Indian Cedar	" "	5/-	
" <i>toona</i>	Bastard Cedar	" "		4/-
<i>Cedrus deodara</i>	Deodar	" " ornamental		10/-
<i>L Ceratonia siliqua</i>	Carob	Produces valuable fruit	5/-	7/-
<i>L Cercis siliquastrum</i>	Judas Tree	Small tree ornamental	6/-	
<i>Crotolaria agatiflora</i>	Mwezia (Kik)	" " "		1/-
<i>Croton ellipticus</i>	Mukindui (Kik)	Timber tree		1/-
<i>Cryptomeria japonica</i>	Japanese Cedar	" "	5/-	12/-
<i>Cupressus lusitanica</i>	Portuguese Cypress	" "	4/-	5/-
<i>L " macrocarpa</i>	Monterey Cypress	" "	4/-	12/-
<i>L " sempervirens</i> var <i>horizontalis</i>	Common Cypress	" "	3/-	4/-
" <i>torulosa</i>	Himalayan Cypress	" "		6/-
<i>Dalbergia sissoo</i>		" "	4/-	
<i>Datura conigera</i>		Ornamental shrub	6/-	
<i>Dodonea viscosa</i>	African Box	Hedge plant	3/-	3/-
<i>Duranta plumieri</i>		" "	3/-	
<i>Eucalyptus citriodora</i>	Lemon scented Gum	Timber tree	5/-	
" <i>corynocalyx</i>	Sugar Gum	" "	5/-	
" <i>crebra</i>	Iron Bark	" "	4/-	15/-
" <i>diversicolor</i>	Kari	" "	5/-	
" <i>ficifolia</i>	Crimson Flowering Gum	Small tree ornamental	6/-	
" <i>globulus</i>	Blue Gum	Timber tree		12/-
" <i>gomphocephala</i>	Tooait	" "	5/-	
" <i>hemiphloia</i>	Grey Box	" "	5/-	
" <i>leucoxydon</i>	White Gum of South Australia	" "		
" <i>maculata</i>	Spotted Gum	" "	5/-	
" <i>paniculata</i>	Iron Bark	" "	4/-	15/-
" <i>punctata</i>	Leather Jacket	" "	4/-	15/-
" <i>polyanthema</i>	Red Box	" "	5/-	
" <i>resinifera</i>	Forest Mahogany	" "	4/-	
" <i>rostrata</i>	Red Gum	" "	4/-	
" <i>rudis rostrata</i>	Hybrid	" "	5/-	

NOTICE

In pursuance of the East Africa and Uganda (Currency) Order-in-Council, 1905, Regulations par 6 (2) The Currency Commissioners hereby give notice that the following Currency Notes of the undermentioned denominations have been cancelled —

Rupees 5/- Rupees 5/- Rupees 5/- Rupees 5/- Rupees 5/- Rupees 5/-

No. $\frac{A}{1}$	No. $\frac{A}{1}$	No. $\frac{A}{1}$	No. $\frac{A}{1}$	No. $\frac{A}{1}$	No. $\frac{A}{1}$
00032	00441	00909	01420	01946	02518
00038	00445	00912	01421	01966	02530
00041	00452	00923	01427	01967	02546
00044	00459	00932	01447	01969	02547
00048	00466	00944	01454	01972	02560
00074	00467	00952	01458	01987	02567
00084	00471	00958	01460	01989	02568
00093	00481	00965	01466	01992	02580
00094	00485	00968	01474	01999	02583
00098	00490	00976	01475	02004	02584
00099	00498	00978	01483	02009	02596
00103	00499	00997	01500	02010	02597
00112	00514	00999	01509	02017	02621
00118	00529	01000	01516	02018	02627
00123	00535	01005	01543	02024	02635
00127	00543	01029	01553	02027	02638
00132	00545	01036	01568	02033	02685
00133	00546	01074	01579	02038	02695
00135	00547	01077	01599	02041	02705
00143	00548	01079	01613	02055	02715
00151	00549	01081	01614	02072	02735
00153	00550	01102	01618	02080	02775
00154	00554	01104	01621	02081	02788
00157	00555	01107	01622	02092	02817
00158	00558	01122	01635	02093	02825
00160	00561	01126	01639	02096	02827
00168	00564	01129	01640	02103	02829
00181	00569	01132	01648	02117	02844
00184	00571	01141	01650	02119	02845
00186	00575	01147	01655	02123	02857
00188	00582	01148	01663	02125	02861
00192	00595	01173	01669	02127	02867
00205	00597	01193	01672	02129	02878
00219	00602	01201	01677	02135	02899
00224	00607	01211	01684	02138	02903
00227	00608	01218	01687	02143	02905
00239	00612	01231	01702	02144	02922
00248	00613	01234	01721	02161	02946
00256	00633	01237	01736	02164	02953
00258	00640	01243	01739	02166	02965
00266	00647	01244	01753	02167	02966
00270	00649	01253	01761	02174	02976
00272	00687	01258	01762	02198	02999
00273	00690	01265	01766	02202	03005
00277	00694	01266	01767	02211	03011
00280	00696	01269	01775	02232	03012
00289	00701	01270	01783	02246	03021
00293	00704	01277	01787	02247	03026
00295	00713	01279	01791	02249	03029
00296	00734	01280	01793	02279	03030
00297	00742	01292	01803	02282	03032
00309	00745	01303	01818	02285	03033
00319	00747	01305	01822	02292	03038
00320	00753	01308	01824	02302	03045
00331	00775	01312	01825	02306	03059
00335	00780	01313	01826	02315	03063
00340	00781	01316	01827	02317	03064
00350	00783	01321	01850	02337	03066
00355	00804	01341	01855	02342	03070
00358	00805	01343	01858	02347	03077
00363	00812	01350	01861	02355	03078
00367	00820	01360	01876	02367	03079
00371	00836	01361	01881	02385	03086
00385	00838	01376	01888	02397	03092
00388	00842	01380	01897	02403	03100
00390	00862	01382	01911	02414	03107
00397	00864	01396	01912	02424	03112
00403	00867	01399	01914	02444	03114
00427	00878	01413	01917	02457	03115
00433	00879	01414	01921	02486	03124
00436	00887	01418	01932	02487	03142
00438	00895	01419	01941	02516	03146

Rupees 5/-	Rupees 5/-	Rupees 5/-	Rupees 5/-	Rupees 5/-	Rupees 5/-
No $\frac{A}{1}$	No $\frac{A}{1}$	No $\frac{A}{1}$	No $\frac{A}{1}$	No $\frac{A}{1}$	No $\frac{A}{1}$
06941	07862	08431	08919	10511	11063
06961	07878	08438	08928	10512	11068
06966	07885	08441	08932	10513	11071
06987	07893	08447	08947	10539	11076
06996	07898	08453	08960	10540	11078
07001	07901	08462	08961	10556	11081
07016	07903	08463	08984	10563	11082
07032	07915	08472	08986	10569	11083
07033	07937	08477	08989	10579	11094
07038	07938	08500	08992	10587	11112
07056	07940	08503	08997	10590	11116
07073	07946	08508	09000	10595	11129
07089	07955	08529	10002	10601	11136
07094	07959	08531	10019	10614	11141
07108	07961	08533	10023	10615	11157
07143	07971	08534	10028	10620	11166
07163	07972	08535	10033	10624	11167
07170	07987	08553	10041	10636	11169
07181	07991	08555	10042	10641	11184
07185	08002	08559	10066	10643	11190
07190	08010	08562	10071	10665	11191
07198	08013	08571	10080	10672	11199
07216	08018	08574	10083	10693	11203
07221	08021	08584	10084	10699	11204
07231	08022	08586	10085	10705	11206
07243	08023	08594	10095	10708	11216
07250	08030	08600	10097	10709	11220
07270	08041	08601	10105	10722	11224
07277	08048	08604	10110	10727	11225
07291	08050	08628	10114	10729	11240
07293	08060	08631	10122	10730	11245
07343	08069	08634	10124	10734	11254
07348	08081	08636	10125	10735	11256
07369	08083	08656	10130	10741	11274
07393	08089	08657	10133	10743	11276
07399	08102	08661	10140	10801	11280
07401	08110	08667	10148	10802	11284
07404	08111	08682	10165	10817	11298
07412	08114	08686	10173	10825	11304
07419	08130	08709	10176	10836	11313
07429	08134	08717	10177	10840	11316
07437	08152	08724	10181	10842	11318
07442	08175	08727	10182	10843	11321
07447	08178	08732	10205	10865	11323
07466	08187	08738	10206	10866	11330
07474	08197	08741	10209	10867	11331
07478	08206	08747	10212	10870	11352
07495	08213	08750	10213	10881	11356
07499	08216	08759	10218	10885	11364
07500	08217	08765	10227	10917	11369
07506	08220	08766	10231	10918	11379
07513	08224	08770	10246	10920	11386
07539	08239	08772	10252	10921	11390
07558	08240	08774	10263	10930	11391
07572	08247	08775	10274	10936	11402
07578	08251	08780	10277	10942	11405
07595	08258	08783	10296	10943	11406
07597	08273	08784	10299	10945	11426
07599	08276	08797	10305	10956	11430
07600	08277	08801	10308	10957	11431
07604	08290	08806	10314	10959	11442
07621	08307	08808	10345	10963	11445
07628	08313	08809	10356	10971	11446
07635	08316	08815	10361	10976	11451
07644	08320	08831	10374	10983	11455
07658	08324	08839	10382	10985	11457
07670	08347	08841	10383	10989	11493
07675	08356	08859	10395	10993	11494
07715	08357	08861	10403	10994	11510
07741	08359	08872	10409	11002	11521
07768	08360	08874	10414	11004	11526
07769	08382	08884	10415	11007	11528
07775	08390	08889	10426	11027	11531
07790	08392	08890	10428	11028	11543
07794	08405	08891	10433	11035	11553
07795	08410	08898	10445	11036	11557
07798	08419	08904	10468	11042	11560
07801	08423	08908	10477	11047	11562
07820	08424	08912	10499	11054	11569
07838	08427	08916	10504	11059	11574

NOTICE.

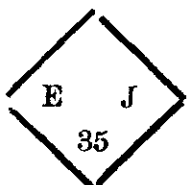

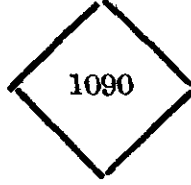
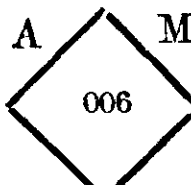
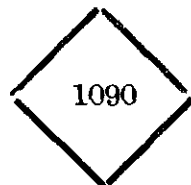
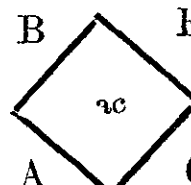

Notice is hereby given that the undermentioned goods will be sold by Public Auction at the Mombasa Custom House on Monday, the 18th November, 1912, if not claimed before that date and the proceeds will be applied first to the payment of freight and charges and next of duties

The surplus, if any, will be paid to the proprietor of the goods on his application in writing for the same within 12 months from the date of sale but if on the expiration of that time no such application shall have been made the surplus will be forfeited and will be applied as if it had been originally paid as the duty due and payable

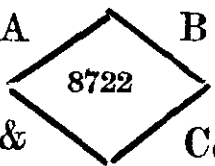


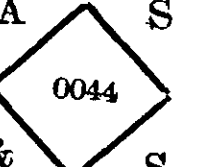
Customs House,
Mombasa,
4th October, 1912

F W. MAJOR,
Chief of Customs

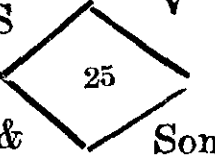
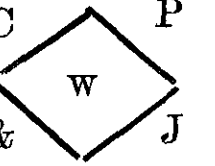


Union Castle Line Steamers.

Date of Arrival	Steamer	Marks	Description and Number of Packages
1911			
Nov 2nd	S S Carisbrook Castle	 48	1 Case Lime Juice
Dec 30th 1912	S S Gascon		1 Crate Stove
Jan 26th	„ Gaika	Miss Carter	1 Parcel Wood
Feb 20th	„ Dunvegan Castle	 No 6	1 Bale Canvas
„ 20th	„	A S Goodwin	1 Case Cartridges
„ 20th	„		1 Keg Grapes, empty
„ 20th	„	Nil	7 Nos Iron Pieces
„ 20th	„	$\frac{2616}{BC}$	2 Drums Poison, $\frac{1}{4}$ empty
„ 20th	„	do	3 Drums, empty
„ 20th	„	Nil	1 Drum, empty
Mar 14th	S S Guelph	B E A C	1 Cask Cement, empty
„ 14th	„	 7	1 Bundle Merchandise
„ 14th	„		4 Nos Galv Sheets
„ 14th	„	P L B	1 Empty Keg
„ 14th	„	C B or Nil	4 Nos Pillows
„ 14th	„	Nil	30 Nos Buckets
„ 14th	„	 1207	1 Case Bath Bricks

D O A Line Steamers

Date of Arrival	Steamer	Marks	Description and Number of Packages
1911			
Oct 10th	S S General	Nil	1 Package Iron
" 30th	" Markgraf	Nil	1 Bundle Coir, small
1912			
Jan 23rd	" Prinzregent	H W 1891	1 Case Merchandise
Feb 15th	" Rhenania	A  B & Co 51/75	25 Cases Whisky
" 15th	" "	L  F Taveyre or nil	1 Case Tumblers
" 15th	" "	Nil	2 Bundles Iron Wheels
" 15th	" "	Nil	4 Iron Bars
" 29th	" Burgermeister	Nil	6 Nos Camp Ovens
Mar 16th	" Prinzgessin	D O A G	1 Parcel Cloth
" 16th	" "	Nil	1 Parcel Merchandise
" 17th	" Feldmarshall	4334 } T E I C 4351 } 4348 }	3 Cases Milk
" 17th	" "	Cap P M. Lacken or P L	1 Parcel Merchandise
" 17th	" "	M 80	1 " "
" 17th	" "	D O A G $\frac{251}{260}$	1 " "
Apr 2nd	" Rufidgi	H  R & R	1 Bale P Goods
" 10th	" Admiral	Mrs A E Martin	1 Case Merchandise
" 17th	" Windhuk	A  S	1 " "
" 17th	" "	& S W H S 73	1 Case Window Glasses

Clan and Harrison Line.

1912			
Feb 29th	S S Traveller	S  V & Sons	1 Nos Camp Oven
" 29th	"	Nil	1 Keg Cement, $\frac{3}{4}$ empty
" 29th	"	C  P & J	1 No Gal Sheet
" 29th	"	G I 10	1 Case Machinery
Apr 17th	"	J  H S T	1 Case contg 2 Flasks
" 17th	"	Nil	1 Bundle Gal Sheet
" 17th	"	Nil	1 Keg Nails
May 5th	Worsly Hall		2 loose Bundles Gal Sheets

List of Want of Entry Cargo on hand for over 4 months and 21 days at
Kilindini Customs —(Contd)

Date	Steamer	From	Marks and Numbers	Packages
1912				
Apr 20th	Gascon	Europe	<div>S<div>701</div>M</div>	1 Piece Pipe
„ 20th	„	„	Nil	1 Spring
„ 20th	„	„	C P & J	1 Cask Cement
„ 27th	Serbistan	„	Manager U Ry Req 1938	1 Empty drum
„ 27th	„	„	Nil	1 Crate 5' x 3' x 3'
„ 20th	Gascon	„	Nil	4 Casks Cement
„ 20th	„	„	S C & Co , 3	1 Drum Merchandise
„ 20th	„	„	<div><div>B Ltd</div><div>No</div></div>	1 Cask Merchandise

Unclaimed Baggage lying in the Customs Baggage Room, Mombasa

Date	Steamer	From	Marks	Number and Description of packages
1911				
Nov 21st		From lighter	Nil	1 Bag Rice
Dec 1st	Goorkha	Europe	D'Ma enato	1 Packet
1912				
Jan 1st		S M & Co, lighter	Nil	1 Bag Rice
" 22nd	Pentakota	Unknown	Juma Shanji	1 Parcel
" 23rd	Prinzlegent	Europe	Deutsche Ost Afrika Gesellschaft	1 "
Feb 2nd	Dhow	Kismayu	Sheik Ali Mukudurji	1 Parcel Coffee
" 3rd	Somali	Bombay	Mohamed Kanji	4 Parcels Seeds
" 3rd	"	"	Gulambhai Haji Hasserali	1 Parcel
" 5th	Entella	Europe	Smith Louis	1 Case Gun
" 5th	Unknown	Unknown	L F & Co	6 Phials Johana Maria Farina
" 18th	Palamcotta	Bombay	Karsambai Mohamed	1 Parcel Personal Goods
" 8th	Nil			1 Parcel
" 10th	Wissman	Zanzibar	Witto Frigerio & Co	1 Parcel
" 14th	"	"	Nil	1 Parcel Rockets
" 20th	D'Castle	Europe	E C Philips	1 Revolver
" 24th	Purnea	Aden	Cudh Patel	2 Spears
Mar 8th	Pentacotta	Bombay	A E Muriay	1 Case Cartridges
" 8th	"	"	Javoher P	2 Parcels Seeds
" 2nd	Praesident	"	Alibhai Essaji	1 Parcel
Feb 27th	Rovuma	Zanzibar	Somari Bin Omani	1 Tin Plants
Mar 17th	Markgraf	Bombay	T Topham	1 Small Case
" 17th	"	"	Nil	1 Parcel
" 17th	"	"	Nil	1 "
" 24th	Purnea	Aden	Esmail Kalim & Sons	1 Parcel Seeds
" 24th	"	"	Nil	2 Parcels
Apr 1st	Markgraf	South	Jena Bin Hoosin T Ebiam	1 Parcel
" 8th	Wissmann	"	Barawa C/o Abubake Alnoi	4 Watches
" 9th	Up-country	"	Pentacotta	1 Bedding
" 11th	Praesident	"	V K	1 Parcel Locks
" 16th	Bairmania	Aden	Max Klein	1 Parcel
" 30th	Somali	Bombay	Nil	1 Lion Pan
" 30th	"	"	Nil	1 Bucket
May 8th	Markgraf	"	Nil	1 Dish (Basin)
" 11th	Praesident	"	Nil	1 Lion Spoon

EAST AFRICA PROTECTORATE.

Statement showing value in Rupees of Imports made into Mombasa,
from different countries during August, 1912

COUNTRIES	Value in Rupees
United Kingdom ...	859,122
India and Burmah ...	580,550
Ceylon ..	1,381
Mauritius ...	3,881
Zanzibar	3,981
South Africa Union	83,764
Arabia ...	3,550
Austria	70,697
Belgium ..	8,036
China	3,057
Denmark	101
Egypt	2,142
French Possessions ...	80
France	41,194
Germany .	154,775
German East Africa	21,960
Holland .	155,306
Italian East Africa	1,593
Italy .	65,162
Japan	8,711
Norway	31,279
Russia	939
Spain .	2,839
Sweden .	15,900
Switzerland	32,321
Miscellaneous Ports of Asia .	22,041
United States of America .	215,364
	2,389,726
Goods in Transit and Transhipment .	230,982
Total Rupees	2,620,708

F. W. MAJOR,
Chief of Customs.

General Imports into the Port of Mombasa during August, 1912 —(Continued)

Articles	Total quantities imported	Value in Rupees	Duty in Rupees.
Brought forward		1,502 385	
Implements, other sorts		3,314	
Instruments, surgical			
„ scientific, other sorts		415	
„ pianos			
„ musical, other sorts		1,824	
Jewellery		262	
Leather, unwrought		1,758	
„ wrought, boots and shoes	Doz pairs 208	15,254	
„ „ saddlery and harness		2,701	
„ manufactures, unenumerated		2,361	
Linen, hemp and jute manufactures, unenumerated		815	
Machinery and parts thereof, agricultural		9 061	
„ „ „ industrial		39,007	
„ „ „ other sorts		9,289	
Manures and insecticides			
Matches	Gross boxes 6,750	6,576	
Metals —			
Brass and copper manufactures, for use as building materials			
Brass and copper manufactures, other sorts		5,255	
Brass and copper wire	Cwts 216	11,236	
Iron and steel manufactures, unenumerated, to be used as building materials		7,747	
Iron and steel manufactures, unenumerated, other sorts		28,766	
iron and steel wire	Cwts 235	9,347	
Galvanised iron sheets and plates	„ 11,679	114,641	
Metals, manufactured, unenumerated		41,827	
Metals, unmanufactured, unenumerated			
Mineral and aerated water	Doz bott 431	1 951	
Miscellaneous including parcel post			
Oils, fats and grease —			
Petroleum-Kerosine	Galls		
„ other sorts	„		
Cocoanut	„		
Ghee	Cwts 22	1,332	
Castor Oil	„		
Turpentine	Galls 120	288	
Other sorts	„ 2,366	4,494	
Perfumery		3,320	
Photographs, engravings, pictures, and maps		643	
Plate and plated ware		2,067	
Porcelain, china and earthenware		2,701	
Preserved meats		353	
Preserves and tinned or bottled foods and fruits, other sorts unclassified		14,845	
Printed matter		305	
Railway, tramway and road material		234,148	
Rope and twine for agricultural and industrial purposes		3,705	
Rope and twine, other sorts		651	
Rubber manufactures, unenumerated		634	
Salt	Cwts 100	1,959	
Ships, boats, launches, lighters and parts		1,453	
Spirits —			
Brandy	Galls 947	9,684	
Whisky	„ 2,105	16,427	
Gin	„ 415	2,089	
Liqueurs and other sorts	„ 154	2,097	
Silk manufactures, unenumerated		8,203	
„ „ of and other materials		1,015	
„ yarn	Lbs 45	392	
Soap	Cwts 603	14,980	
Stationery		15,332	
Carried forward		2,151,907	

EAST AFRICA PROTECTORATE.

Statement showing value in Rupees of various articles exported from Mombasa,
during August, 1912

Articles	Produce of						Total
	East Africa Protectorate	Uganda Protec- torate	German East Africa	Italian East Africa	Congo Free State	Soudan	
Animals living —							
„ wild animals	10	10					20
„ other sorts		68					68
Beeswax	22,320	580	2,174				25,074
Carbonate of soda	200						200
Chillies	259	27,301					27,560
Coffee	2,311	2,464	153,019				157,794
Copra	25,611						25,611
Cotton		396,023	18,632				414,655
Fibres, sisal	6,665						6,665
„ other sorts	1,834		3,885				5,719
Ghee	16,697		19,206				35,903
Grain, millet	400						400
„ maize	110,164						110,164
„ beans and peas	16,174						16,174
„ sim-sim	16,625		10,732				27,357
„ ground nuts			84,785				84,785
„ pulse	2,940						2,940
„ other sorts			16,980				16,980
Gum copal	213						213
Ham and bacon	2,698						2,698
Hides, ox	61,585	39,338	83,329				184,252
Horns, rhinoceros		261					261
„ „ sportsmen's trophies	198						198
„ other sorts		165	40				205
„ sportsmen's trophies	264						264
Ivory	1,705	63,910	2,532		35,671	448	104,266
Oils, sim-sim	500						500
Ostrich feathers	1,060						1,060
Potatoes	50,800						50,800
Rubber, plantation	9,545						9,545
„ wild	7,145	1,442	543				9,130
Seeds, castor	1,417						1,417
„ cotton		46,019					46,019
Skins, sheep	1,252	981	5,695				7,928
„ goats	36,719	24,428	37,414				98,561
„ wild animals	468	361	15				844
„ sportsmen's trophies	1,520						1,520
Teeth, hippopotamus	17	59	158				234
Goods, manufactured, unen- umerated	396	283	45				724
„ unmanufactured, unen- umerated	1,718	343					2,061
Total Rupees ..	401,430	604,036	439,184		35,671	448	1,480,769

Total Value of exports in August, 1911

Rs 1,359,401

Total increase in value .

„ 121,368

F W MAJOR,
Chief of Customs

NOTICE**Brands Allotted and Registered.**

It is hereby notified for general information that the following Brands have been allotted and registered under the Branding Stock Ordinance (Ordinance No 12, 1907)

Name	Address	District	Brand
L Chivell	Gilgil	Naivasha	V 5 C
Capt P Chapman	Uasin Gishu	Ravine	G 1 C
J H Lines	Machakos	Machakos	B 4 L
M Bux	Lumbwa	Lumbwa	T 2 M
S Rosenbloom	Nairobi	Kyambu	E 3 R
Agricultural Dept Veterinary Division	"	"	N
do do	"	"	I
do do	"	"	E
T D Turnbull	"	Nairobi	A 1 T
T E Buich	Limuru	Kyambu	E 5 B
Agricultural Dept Veterinary Division	Nairobi		A
do do	"		S
J T Oulton	N'gong	Nairobi	A 1 O
H M Harries	Kyambu	Kyambu	E H 2
C M Dawson	Nairobi	Nairobi	A 1 D
J W Bell, Lieut -Col	"	"	A 1 K
James Rennie	Limuru	Kyambu	E 5 R
Jas K Watson	Nairobi	Nairobi	A 2 W
Waters, Neilson and Devin	Escarpment	Kyambu	E 2 N
P B Odenaal	"	"	E 1 O
B E A Sawmills	Limuru	"	E 6 S
J P Clark	Naivasha	Naivasha	V 7 C
R Stephen	Escarpment	Kyambu	E 7 S
Scotch Mission	Kikuyu	"	E 3 M
W Sulski	Kyambu	"	E 8 S
A E Stephenson	Uasin Gishu	Ravine	G 3 S
C R Watson	Nairobi	Kyambu	E 4 W.
A A Ortlepp	Nakuru	Naivasha	V 1 O
Walter E Kelbe, Dr	Uasin Gishu	Ravine	G 1 K
Agricultural Dept Veterinary Division	Nairobi		D
Wilson and Lambert	Kilima Kiu	Machakos	B 2 K
G S Cloete	Ndarugu	Kyambu	E 3 C
Mr W and Mrs Klapprott	Kyambu	"	E 3 K
Rev F W Kreiger	"	"	E 4 K
D W Noble	Limuru	"	E 3 N
C Campbell	"	"	E 4 C
Newland, Tarlton and Co	Nairobi	"	E 4 N
T S Dunn, Dr	Naivasha	Naivasha	V 7 D
J and O Mann	Uasin Gishu	Ravine	G 3 M
J A Van der Westerhuizen	Nyeri	Nyeri	K 1 V
Fletcher, Morrison, Phelps and Wilson	Kyambu	Kyambu	E 6 T
Agricultural Dept Veterinary Division	Nairobi		A M
do do	"		M
W H Heid, Dr	Uasin Gishu	Ravine	G 1 H
Stanning Bros	Nakuru	Naivasha	V 3 S
J W Holtzapfel	Kijabe	"	V 2 H
A C Hoey	Uasin Gishu	Ravine	G 6 H
A Bates	Gilgil	Naivasha	V 2 R
H C Kirk	Uasin Gishu	Ravine	† 1 K
Dennis and Thorne	Kyambu	Kyambu	E 3 T
Lindsay and Little	"	"	E 1 L
A F Dudei	Nakuru	Naivasha	V 3 D
H A Cameron	Lumbwa	Lumbwa	T 2 C
D A Kidson	Uasin Gishu	Ravine	G 2 K
W E Knight	Naivasha	Naivasha	V 1 K.
H Story	"	"	V 5 S
Ayre Bros	"	"	V 7 N.
A E Fawcus	Chania Bridge	Fort Hall	J 1 F.
Edwards	Naivasha	Naivasha	V 3 E.
Posho Ltd	Fort Hall	Fort Hall	J 1 P
F R Vincent	Uasin Gishu	Ravine	G 1 V.
A Armstrong	Nakuru	Naivasha	V 2 A
G Dreyer	Uasin Gishu	Ravine	G 2 X
Mrs W N McMillan	Athi River	Machakos	B 1 M
Finch Hatton and Pixley	Uasin Gishu	Ravine	G 1 U
do do	Nyeri	Nyeri	K 1 X.

Brands —(Continued)

Name	Address	District	Brand
R C Bayldon	Nanobi	Nyeri	K 1 B
C Harvey	Muhoroni	Lumbwa	T 2 H
P Bright Williams	Magadi Junction	Machakos	B 3 B
Alex Milne	Machakos	"	B 1 X
S T Laddford	Kencho	Lumbwa	T 2 L
S Bastard	Kema	Nyeri	K 2 B
E L Lindsay	Chama Bridge	Kyambu	E 3 L
Geo Doering	Naivasha	Naivasha	V 5 D
J Morrison, Capt	Kapiti	Machakos	B 4 K
G E Ramsay	Nanobi	Naivasha	V 3 R
A E Aubrey	Kyambu	Kyambu	F 1 A
A V Barclay	Kencho	Lumbwa	T 1 K
R Walker Munio	Chama Bridge	Fort Hall	J 1 M
J M Duiy	Limouu	Kyambu	E 4 D
Florida Farm	Njoro	Naivasha	V 1 F
S H Charrington, Capt	Muhoroni	Lumbwa	T 3 S

Nanobi,
22nd October, 1912

A C MacDONALD
Director of Agriculture

ARRIVALS.

Name	Rank	From leave or on 1st Appointment	Date of leaving England	Date of Embarkation	Date of arrival at Mombasa or Kilindini
*C O Gilbert	Junior Staff Surveyor	1st Appoint	Aug 30th, 1912	Aug 30th 1912	Sept 16th, 1912
Lieut R M T Rose	3rd King's African Rifles	Leave	Sept 20th, do	Sept 24th, do	Oct 6th, do
G E Stanfield	Chauffeur Gardener Govt House	1st Appoint	do 27th, do	do 28th, do	do 18th, do
†Lieut-Colonel B R Graham	Officer Commanding 3rd King's African Rifles	do	Oct 5th, do	Oct 5th, do	do 16th do

* Left Durban August 30th, 1912

† Left India October 5th, 1912

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Licences and Permits issued at Kisumu during the quarter ending June 30th, 1912

No	To whom issued	Date of issue	Residence	Remarks
GUN TAX PERMITS				
6803	Manjee Kanjee	May 1st, 1912	Homa Bay	Webley revolver 6-ch 450
6804	do	, 1st "	do	M H rifle 303
6805	Onuko Nyanjong	" 31st "	Kochia	M H rifle
6806	Chief Mkalimaga	" 20th "	Mohutu	M H rifle
AMMUNITION PERMITS				
12503	A A Carscallen	June 11th, 1912	Kendu	100 303 cartridges for self- defence
12504	H J Sparks	" 11th "	do	300 303 cartridges for shooting Game

D. R. CRAMPTON,
District Commissioner.

Licences and Permits issued at North Kavirondo District during the month of June, 1912

No	To whom issued	Date of issue	Residence	Remarks
GUN TAX PERMITS				
4328	Sherif Abubakar	June 17th, 1912	Mumias	Russian Mauser No 484
4329	do	" 17th "	"	" " No 485
4330	Nuri Mahomed Wali	" 17th "	"	12 bore D B shotgun No 76325
4331	Isherdas Bishendas	" 20th "	Yala	Webley revolver 6-ch No 76168, 455/476
4332	Gopalchand Bishendas	" 20th "	"	D B 12 bore shot gun Allan, Glasgow
AMMUNITION PERMIT				
2130	Gopalchand Bishendas	June 20th, 1912	Yala	100 rounds shot cartridges
BIRD LICENCES				
6412	Nuri Mahomed Wali	June 17th, 1912	Mumias	Expires June 16th, 1913
6413	Gopalchand Bishendas	" 20th "	Yala	" " 19th "

June 30th, 1912

H W GRAY,
for Acting District Commissioner

Gun Tax Receipts issued at Baringo during the quarter ending June 30th, 1912

No	To whom issued	Date of issue	Marks	Description
3639	Valji Phanj and Co	April 15th, 1912	359 U R Y	M H rifle
3640	Awud bin Ahmed	May 19th "	5/432, 3712 E C Green	6-ch revolver

Baringo,
July 9th, 1912

L TALBOT SMITH,
District Commissioner.

Firearms registered at Mombasa during the quarter ended September 30th, 1912

Date	To whom issued	Firearms	Residence	Remarks
July 1	F Peters	1 Browning auto pistol 6 35	Jinja	
2	E R MacMullan	1 D B shot gun 12 bore	Lamu	
3	do	1 Jeffreys sporting rifle 404	do	
	A B H Baillie	1 D B shot gun 20 bore	Nairobi	
	Miss Mason	1 5-ch revolver 32	do	
4	Fundi Mtenzi	1 S B shot gun 16 bore	Mtophango	
	Geo Smith	1 6-ch revolver 380	Nairobi	
5	V Delabere Mar	1 5-ch do 32	Jinja	
6	Bakari bin Mohamed	1 D B shot gun 12 bore	Shimoni	B L Holder
	H Lenherr	5 S B sporting rifles 7 5 m/m	Kampala	
8	M S Fernandes	1 D B shot gun 12 bore	Mombasa	
9	H Ocfe	1 Browning auto pistol	Changamwe	
10	G A Mackenzie	1 S B rifle 350	Kampala	G L Holder
	G V Schweier	1 D B shot gun 12 bore	Mombasa	
	do	1 S B rifle 350	do	
	do	1 S B rifle 9 m/m	do	
	Abdulahman bin Muan	1 Jeffrey's S B rifle 404	Congo	
15	Bakari bin Said Ahmad	1 D B shot gun 12 bore	Shimoni	B L Holder
	Adam bin Musa	1 5-ch revolver 380	Mombasa	
	Sher Singh	1 5-ch do 320	do	
	H R Harris	1 6-ch do 380	Nairobi	
	Jas Vicary	1 Mauser auto pistol 500	do	
	G Nussberger	1 Mauser pistol 6 35 m/m	do	
	Hubert Swinburne	1 S B rifle 350	Malindi	
	Roy Whillet	1 D B shot gun 12 bore	Nairobi	
	do	1 Mannlicher rifle 256	do	
	K J Seth Smith	1 do do 355	do	
	do	1 6-ch revolver 398	do	
	G H Sheppard	1 D B shot gun 12 bore	Malindi	
	do	1 S B rifle 440	do	
	do	1 Webley revolver 450	do	
	H Gordon	1 D B shot gun 12 bore	Chama Bridge	
	A R Turner	1 Service rifle 303	Nairobi	
	do	1 D B shot gun 12 bore	do	
	do	1 6-ch revolver 450	do	
	Percy Kyle	1 6-ch do 28	do	
	James M Smyth	1 5-ch do 38	do	
	C V U Jav	1 5-ch do 38	do	
	Frank G Millen	1 5-ch do 38	Kijabe	
	M E Southy	1 D B shot gun 12 bore	Londiani	
	M J Power	1 S B rifle 303	Magadi Junction	
	Dr S A Ellis	1 D B rifle 470	Nairobi	G L Holder
	do	1 S B rifle 11 m/m	do	do
	do	1 S B rifle 30	do	do
	do	1 D B shot gun 12 bore	do	do
	do	1 S B rifle 256	do	do
	do	1 automatic pistol 25 m/m	do	do
	A J Van As	1 Lee Enfield rifle 303	Uasin Gishu	
	C C Clapp	1 S B rep rifle 11 m/m	Nairobi	
	do	1 rep rifle 30 m/m	do	
	do	1 6-ch revolver 38	do	
	J N Swait	1 5-ch do 455	Uasin Gishu	
	F S O Molony	1 comb rifle 450 and shot gun 12 bore	Nairobi	
	L Hawkins	1 S B sporting rifle 353	do	
	do	1 an gun 1 77	do	
	Captain Charrington	1 D B shot gun 12 bore	E A P	
	do	1 D B rifle 450	do	
	do	1 S B rifle 350	do	
	Lieut Gsu Rusbridger	1 Mannlicher rifle 355	Bonabo	
	do	1 D B shot gun 12 bore	do	
	do	1 Webley service rev 250	do	
	R W Hemsted	1 Mannlicher rifle 256	Nairobi	
	do	1 miniature rifle 297/230	do	
	Lt Geoffrey A P Maxwell	1 D B cordite rifle 450	do	
	do	1 Lee Enfield rifle 303	do	
	do	1 D B shot gun 12 bore	do	
	do	1 revolver 450/455	do	
	J H M Kirkwood	1 D B rifle 375	do	

Firearms registered at Mombasa —Contd

Date	To whom issued	Firearms	Residence	Remarks
Aug 2	E Cawaple	1 S B rook rifle 6 m/m	Nairobi	B L Holder
	D J Suvall	1 5-ch revolver 44	Mombasa	
	Chas T Cogle	1 Browning pistol 7 65 m/m	Nairobi	
	do	1 6-ch Webley revolver 38	do	
	G McMillan	1 D B shot gun 12 bore	do	
	W J Bellairs	1 S B rifle 318	do	
3	C Harvey	1 D B shot gun 12 bore	Muhoroni	
	do	1 Lee Enfield rifle 303	do	
	R G Faillaud	1 an gun	Mombasa	
	do	1 D B rifle 500	do	
	do	1 S B rifle 303	do	
	do	1 D B shot gun 12 bore	do	
	do	1 D B pistol	do	
	John Hager	1 S B rifle 256	do	
5	Freundt	1 Browning aut pistol 7 m/m	do	
	T A Sah	1 Mannlicher rifle 270	Uasin Gishu	
8	Baron Mario Blanc	1 D B express rifle 350	Nairobi	
	do	1 D B express rifle 450	do	
	do	1 6-ch revolver 38	do	
	S Petropoulos	1 6-ch revolver 455	Entebbe	
10	R Oakley	1 D B cordite rifle 500/450	Kilindini	
	W H Pierce	1 S B Winch rep rifle 405	Takaungu	
	Donald McClae	1 D B rifle 450	Nairobi	
	do	1 D B shot gun 12 bore	do	
	M D Allen	1 S B rifle 303	Muhoroni	
	H Douglas	1 Mauser rifle 303	Nairobi	
	A P Allen	1 automatic pistol 7 65	Muhoroni	
	Geo H Archer	1 Lee Enfield rifle 303	Nairobi	
	A S Fry	2 5-ch revolvers 38	Eldoret	
	W E Fry	1 6-ch revolver 455	do	
	W E Kolbe	1 Mauser rifle 7 5 m/m	Nairobi	
	do	1 Mauser rifle 9 3 m/m	do	
	do	1 D B shot gun 12 bore	do	
	do	1 Browning revolver 38	do	
	S Luxton	1 S B rifle 42	do	
12	M Douglas	1 Mauser rifle 303	do	
	H Tuxworth	1 6-ch revolver 380	do	
	R G Buchanan	1 D B shot gun 12 bore	do	
	A H Hadlow	1 5-ch revolver 32	do	
	Lieut D W Reynolds	1 6-ch revolver 450	Jubaland	
	W M Congreve	1 Lee Enfield rifle 303	Njoro	
	Lieut A A Hughes	1 S B rifle 350	Nairobi	
	do	1 D B shot gun 12 bore	do	
	do	1 6-ch revolver 455	do	
	A P Alcock	1 Mauser rifle 9 m/m	Jinja	
	do	1 Webley automatic pistol 32	do	
	J A Crocker	1 6-ch revolver 450	Nairobi	
	do	1 D B rifle 450	do	
	do	1 magazine rifle 375	do	
	do	1 D B shot gun 12 bore	do	
	M C Blunt	1 magazine rifle 375	do	
	do	1 D B hless shot gun 12 bore	do	
	do	1 D B shot gun 12 bore	do	
	do	1 automatic pistol 32	do	
	H F King	1 Browning pistol 32	do	
	N C Drury	1 5-ch revolver 380	do	
	E P H Pardoe	1 S B rifle 318	do	
	do	1 D B rifle 400	do	
	do	1 Colt automatic pistol 450	do	
	do	1 D B shot gun 12 bore	do	
	H R Gallatley	1 S B rifle 375	do	
	do	1 D B shot gun 12 bore	do	
	do	1 automatic pistol 32	do	
	G L Mantland Waite	1 D B shot gun 12 bore	Entebbe	
	do	1 Colt automatic pistol 32	do	
	C S Hemsted	1 D B shot gun 12 bore	Nairobi	
	do	1 miniature rifle 22	do	
	Ernest Walker	1 magazine rifle 22	do	

Firearms registered at Mombasa —Contd

Date	To whom issued	Firearms	Residence	Remarks
Aug 29	Captain W T Miles	1S B rifle 256	Londiani	
	do	do 350	do	
	Rev Father J Lesbios	1Mauser rifle 9 m/m	Entebbe	
	do	1 automatic pistol 12 m/m	do	
	do	1S B shot gun 12 bore	do	
30	M O Voister	1 5-ch revolver 320	Uasin Gishu	
	J W Millogan	1S B rifle 303	Nairobi	
	R Douglas	1S B rifle 7 m/m	Londiani	
	do	do do	do	
Sept 2	C W Day	1D B shot gun 12 bore	Kiambu	
	Edgar Rossegger	1 automatic pistol 6 35 m/m	Mombasa	
3	Gulam Hossein Jafferjee	1D B shot gun 12 bore	do	L Renewed
4	F B Ballenden	1Webley auto pistol 32	do	
6	A Davies Evans	1Winchester rep rifle 30	Nairobi	
	Anne Frans Arnoldi	1S B rifle 303	Kismayu	
	P C Cuiteris	1D B shot gun 12 bore	Kampala	
	do	1 automatic pistol 32	do	
	H K Wood	1D B shot gun 12 bore	Nairobi	
	do	1 comb rifle & shot gun 12 b	do	
	do	1S B express rifle 375	do	
	Lieut T S Munhead	1S B rifle 375	do	
	do	1D B shot gun 12 bore	do	
	do	1 6-ch revolver 455	do	
	Col C F Blanc	1D B rifle 275	do	
	do	1D B shot gun 12 bore	do	
	do	1D B rifle 465	do	
	do	1 6-ch revolver 456	do	
	Dr A D G B Williams	1S B rifle 375	do	
	do	1D B shot gun 12 bore	do	
	H K Wood	1S B rifle 22	do	
	do	1Webley pistol 380	do	
	F Mnanda	1 automatic pistol 6 35	Kilindini	
	P Frank Hadow	1D B rifle 450/455	Nairobi	G L Holder
	do	1S B magazine rifle 375	do	do
	do	1S B rifle 303	do	do
	do	1D B shot gun 12 bore	do	do
	F H D McCombi	1D B rifle 450	Uganda	
	do	1 6-ch revolver 450	do	
	Jeuness Richardson	1S B rifle 375	Nairobi	
	do	1D B shot gun 12 bore	do	
	do	1 6-ch revolver 45	do	
	Rev J E Harrison	1S B rifle 303	Machakos	
	Captain G J Keane	1D B shot gun 12 bore	Uganda	
	do	1Webley revolver 455	do	
	Lieut W T Giegg	1 6-ch webley revolver 455	Nairobi	
	E B Place	1 miniature rifle 22	Uganda	
	do	1D B shot gun 12 bore	do	
	do	1Winch rep rifle 405	do	
	do	1S B rifle 310	do	
	do	1 6 ch revolver 450	do	
9	Captain R B Knox	1 5 ch revolver 450	Bombo	
	do	1Service revolver 455	do	
10	W Carstensen	1S B rifle 7 9 m/m	Mombasa	
	H H Sampat Rao Gaekwar	1D B rifle 600	Nairobi	
	do	do 577	do	
	do	do 500	do	
	do	do 400/450	do	
	do	do 450/480	do	
	do	1Mauser rifle 400/350	do	
	do	1D B rifle 8 bore	do	
	do	1S B rifle 318	do	
	do	2 D B shot guns 12 bore	do	
	do	1D B comb rifle & shot gun		
	do	12 & 500	do	
	do	1S B rifle 310	do	
	do	1 6-ch revolver 450/455	do	
	do	1 6-ch do 455/478	do	
	do	1 6-ch do 455/176	do	
	do	2 brass signalling revolvers	do	

Firearms registered at Mombasa—Contd

Date	Name	Firearms	Residence	Remarks
Sept 22	A N Smith	1 S B Mauser rifle 7m/m	Nairobi	
	do	1 S B rifle 7 m/m	"	
	W J Merwe	1 S B Mauser rifle 7m/m	"	
	Lieut A B Trewin	1 Lee Metford rifle 303	"	
	do	1 D B shot gun 12 bore	"	
	do	1 D B rifle 450/400	"	
	do	1 6-ch revolver 455/476	"	
	23 J L Francis	1 Browning auto pistol 32	Mtophanga	
	24 Capt P Chapman	1 automatic pistol 450	Uasin Gishu	
	28 George Butler	1 Winch rep rifle 45 90	Mazeias	
	29 W D Joiner	1 5-ch revolver 32	Nairobi	
	G Tosetti	1 S B rifle 303	"	
	do	1 D B shot gun 12 bore	"	
	Dr W S Rainsford	do	"	
	do	do	"	
	do	1 D B rifle 470	"	
	C E Ross	1 D B shot gun 12 bore	Mombasa	
	do	1 automatic pistol 32	"	
	30 J E Hannigan	1 D B shot gun 12 bore	Nairobi	
	do	1 S B rifle 275	"	
	J G Hargreaves	1 D B rifle 475	"	
	do	1 S B rifle 318	"	
	do	1 Lee Enfield rifle 303	"	
	do	1 D B shot gun 12 bore	"	
	do	1 6-ch Service revolver 400	"	
	do	1 6-ch revolver 320	"	
	Capt A M O'Brien	1 carbine 303	Lumbwa	
	do	1 Mauser rifle 318	"	
	F Gieswolde Williams	1 D B rifle 475	Nairobi	
	do	1 magazine rifle 318	"	
	do	1 D B rifle 303	"	
	Mrs Musgrave Hall	1 mag Mannlicher rifle 256	"	
	Salim b Hamisi b Kombo	1 D B shot gun 12 bore	Mombasa	B L Holder

Licences issued at Mombasa during the quarter ended 30th September, 1912

No	To whom issued	Date of issue	Date of expiry
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BIRD LICENCES

741	Right Rev Bishop Peel	July 5th, 1912	July 4th, 1913
742	Bakari bin Mohamed	" 6th "	" 5th "
743	Bakari bin Said Ahmad	" 15th "	" 14th "
744	J O Dykes	" 25th "	" 24th "
745	J B de Souza	" 27th "	" 26th "
746	Salim bin Mbarak	" 29th "	" 28th "
747	R G Farrant	Aug 3rd "	August 2nd "
748	James Strang	" 16th "	" 15th "
749	Mohamed bin Salim Elmandry	" 19th "	" 18th "
750	R H Alder	" 29th "	" 28th "
751	F S May	" 29th "	" 28th "
752	W Colley	" 29th "	" 28th "
753	H P Smith	Sept 14th "	September 13th "
754	L Collings Wells	" 16th "	" 15th "
755	A S Emphietzie	" 17th "	" 16th "
756	Salim bin Hamisi	" 30th "	" 29th "

AMMUNITION LICENCES TO POSSESS AND SELL

17066	Messrs Smith Mackenzie & Co ,	July 7th, 1912	July 6th, 1913
17286	Messrs Boustead and Clarke Ltd	" 20th "	" 19th "

Mombasa,
October 7th, 1912

J M PEARSON,
for District Commissioner.

Where warrant may be executed	6 A warrant issued under the last preceding section may be executed within the local limits of the jurisdiction of such Court, and it shall authorise the distress and sale of any such property without such limits, when endorsed by a Magistrate within the local limits of whose jurisdiction such property is found
Effect of such warrant	7 Whenever a warrant shall have been issued under Section 5, and no or insufficient moveable property of the offender shall be found to satisfy the fine, the warrant shall be executed against the moveable property, (1) or any member or members of the offender's family (2) of any member or members of the sub-tribe to which the offender belongs, (3) of any member or members of the tribe to which the offender belongs, in the order set out above, until the amount of the fine is levied
Trespass on farm offence	8 (1) Any Native who shall be found within a farm or part of a farm enclosed on all sides with a sufficient fence, or within a stock boma, and who, when so found, was not proceeding along some road or thoroughfare traversing such farm or part of a farm, and who also was on such farm or part of a farm or in such cattle boma without the authority or consent of the owner or occupier or of some one who was entitled, or was by the person so found <i>bona fide</i> believed to be entitled to give such authority or consent, may be found guilty by the Court by which he is tried, of criminal trespass, unless he shall satisfy the Court that he was not there with intent to commit theft in respect of any stock or produce
Intent	
Onus of proof on accused	
Penalty	Any Native found guilty of criminal trespass under this section shall be punished with imprisonment of either description for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both
	(2) For the purposes of this section the term "Native" shall include a Swahili

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- I —Enactments repealed
- II —Tabular Statement of Offences
- III —Ordinary Powers of Magistrates
- IV —Additional Powers with which Magistrates may be invested

Advocates	(a) "Advocate" used with reference to any proceeding in any Court, means an Advocate authorised under any law for the time being in force to practise in such Court
Bailable Offence	(b) "Bailable Offence" means an offence shewn as bailable in the second schedule hereto or which is made bailable by any other law for the time being in force, and "non-bailable offence" means any other offence
Non-bailable Offence	
Charge	(c) "Charge" includes any head of charge when the charge contains more heads than one
Cognizable Offence	(d) "Cognizable Offence" means an offence for, and "cognizable case" means a case in, which a Police Officer may, in accordance with the second schedule hereto or under any law for the time being in force, arrest without warrant
Complaint	(e) "Complaint" means the allegation made orally or in writing to a Magistrate, with a view to his taking action under this Ordinance, that some person, whether known or unknown, has committed an offence, but complaint does not include the report of a Police Officer
European	(f) "European" means a person of European origin or descent
High Court	(g) "High Court" means His Majesty's High Court of East Africa as constituted by the East Africa Order in Council, 1902.
Inquiry	(h) "Inquiry" includes every inquiry other than a trial conducted under this Ordinance by a Magistrate or Court
Investigation	(i) "Investigation" includes all the proceedings under this Ordinance for the collection of evidence conducted by a Police Officer or by any person (other than a Magistrate) who is authorised by a Magistrate in this behalf
Judicial Proceeding	(j) "Judicial Proceeding" includes any proceeding in the course of which evidence is or may be legally taken on oath or affirmation
Native	(k) "Native" means any native of Africa not of European or Asiatic extraction but includes any Arab and Somali and also any Beluchi born in Africa
Non-cognizable Offence	(l) "Non-cognizable Offence" means an offence for, and "non-cognizable case" means a case in, which a Police Officer may not arrest without warrant
Non cognizable Case	
Offence	(m) "Offence" means any act or omission made punishable by any law for the time being in force
Officer in charge of a Police-Station	(n) "Officer in charge of a Police Station" includes, when the Officer in charge of the Police Station is absent from the station-house or unable from illness or other cause to perform his duties, the Police Officer present at the station-house who is next in rank to such Officer and is above the rank of constable, or, when the Governor so directs, any other Police Officer so present For the purposes of this clause a European Constable shall be deemed to be above the rank of Constable
Penal Code	(o) "Penal Code" means the Indian Penal Code as applied to the East Africa Protectorate at the coming into operation of this Ordinance and any amendment thereof or addition thereto hereafter applied or made by Ordinance and any codification of the criminal law hereafter substituted therefor
Place	(p) "Place" includes also a house, building, tent and vessel
Police Station	(q) "Police Station" means a post or place declared, generally or specially, by the Governor to be a Police-station, and includes any local area specified by the Governor in this behalf
Public Prosecutor	(r) "Public Prosecutor" means any person appointed under Section 382 and includes the Attorney General and any person acting under the directions of the Attorney General and any person conducting a prosecution on behalf of His Majesty in the High Court in the exercise of its original criminal jurisdiction
Registrar	(s) "Registrar" means any person appointed to be a Registrar of the High Court and includes Deputy Registrar and District Registrar
Subordinate Court	(t) "Subordinate Court" includes a Subordinate Native Court.

- (2) Such appointments shall define the local area in which the powers conferred thereby shall be exercised
- (3) Such appointments shall continue in force until revoked by notice in the Gazette
- (4) Each such appointments shall direct the person appointed thereby to hold a Subordinate Court of the 1st, 2nd or 3rd Class as the case may be and shall specify the powers to be exercised thereunder

Special Native Courts 9 The Governor may appoint any native to hold a Native Subordinate Court

Limits of jurisdiction of Subordinate Courts 10 The local limits within which Subordinate Courts shall ordinarily exercise their jurisdiction shall be as follows —

A Subordinate Court of the 1st Class	Within the Province in which it is situated
" " 2nd Class	" District "
" " 3rd Class	" " " "
A Liwali's Court	In the Coast Districts within the District in which it is situated
A Cadi's Court	In the Coast Districts within the District in which it is situated
A Mudir's Court	In the Coast Districts within the District in which it is situated

Provided that where there is more than one Subordinate Court in the same District the High Court may direct the distribution of business between such Courts

Place of Sitzings 11 Subordinate Courts shall ordinarily be held at such places as the Governor may direct but may be held at any other place within the local limits of their jurisdiction

In the absence of any such direction, Subordinate Courts shall continue to be held at such places as Courts of a similar character have hitherto been held

Chapter III

Powers of Courts

Offences under Penal Code 12 Subject to the other provisions of this Ordinance, any offence under the Penal Code may be tried —

- (a) by the High Court, or
- (b) by any other Court by which such offence is shewn in the eighth column of the Second Schedule hereto to be triable, or by any Court with greater powers

Offences under other laws 13 (1) Any offence under any other law shall, when any Court is mentioned in this behalf in such law, be tried by such Court
(2) When no Court is so mentioned, it may, subject to the other provisions of this Code, be tried by the High Court or by any Subordinate Court by which such offence is shewn in the eighth column of the second schedule to be triable

High Court sentence 14 The High Court may pass any sentence authorized by law

Subordinate Courts sentences 15 (1) Subordinate Courts of the 1st, 2nd and 3rd Class, subject to the provisions of Chapter XXVII of this Ordinance, may, when the Accused is a non-native, pass the following sentences, namely —

Subordinate Courts of the 1st Class	{ Imprisonment for a term not exceeding two years including such solitary confinement as is authorized by law
	{ Fine not exceeding Rs 3,000/-
	{ Whipping
Subordinate Courts of the 2nd Class	{ Imprisonment for a term not exceeding six months including such solitary confinement as is authorized by law
	{ Fine not exceeding Rs 750/-
	{ Whipping (if specially empowered)
Subordinate Courts of the 3rd Class	{ Imprisonment for a term not exceeding one month
	{ Fine not exceeding Rs 150/-

Provided that Magistrates holding Subordinate Courts of the 3rd Class shall not have jurisdiction to try Europeans under Chapter XXVII, but may take cognizance of an offence committed by a European in any case in which they could take cognizance of a like offence if committed by another person, but so that if

Provided as follows —

Maximum term
of punishment

- (a) in no case shall such person be sentenced to imprisonment for a longer period than fourteen years —
- (b) if the case is tried by a Subordinate Court, the aggregate punishment shall not exceed twice the amount of punishment which the Court is, in the exercise of its ordinary jurisdiction, competent to inflict
- (3) For the purposes of appeal or confirmation aggregate sentences passed under this section in case of convictions for several offences at one trial shall be deemed to be a single sentence

Explanation — Separable offences which come within the provisions of section 71 of the Penal Code are not distinct offences within the meaning of this section

Illustration

- A breaks into a house with intent to commit theft and steals property therein A has not committed distinct offences
- Ordinary Powers of Magistrates 22 All Magistrates of Subordinate Courts of the First, Second and Third Class and of Subordinate Native Courts shall have the powers respectively conferred upon them and specified in the Third Schedule Such powers shall be called their “Ordinary Powers”
- Over Natives Provided that Magistrates empowered to hold Subordinate Courts of the 2nd or 3rd Class may subject to the provisions of this or any other Ordinance exercise over natives the ordinary powers exercisable under this Ordinance by a Magistrate empowered to hold a Subordinate Court of the 1st Class
- Additional powers conferrable on a Magistrate 23 In addition to his ordinary powers, any Magistrate of a Subordinate Court of the first, second or third class may be invested by the Governor with any powers specified in the Fourth Schedule hereto as powers with which he may be invested by the Governor
- Mode of conferring powers 24 (1) In conferring powers under this Ordinance the Governor may by order empower persons specially by name, or by virtue of their office, or classes of officials generally by their Official titles
- (2) Every such order shall take effect from the date on which it is communicated to the persons so empowered
- Powers may be cancelled 25 The Governor may withdraw all or any of the powers conferred under this Ordinance on any person by him or by an officer of the Government

PART III

General Provisions.

Chapter IV.

Of aid and Information to the Magistrates, the Police and Persons making Arrests.

Public when to
assist Magist-
rates and Police

26 Every person is bound to assist a Magistrate or Police Officer reasonably demanding his aid —

- (a) in the taking or preventing the escape of any other person whom such Magistrate or Police Officer is authorised to arrest,
- (b) in the prevention or suppression of a breach of the peace, or in the prevention of any injury attempted to be committed to any railway, canal, telegraph or public property

Aid to person
other than Police
Officer, executing
warrant

27 When a Warrant is directed to a person other than a Police Officer, any other person may aid in the execution of such warrant, if the person to whom the warrant is directed be near at hand and acting in the execution of the warrant.

Breaking open
Zenana

Provided that, if any such place is an apartment in the actual occupancy of a woman (not being the person to be arrested) who, according to custom, does not appear in public, such person or Police Officer shall, before entering such apartment, give notice to such woman that she is at liberty to withdraw, and shall afford her every reasonable facility for withdrawing, and may then break open the apartment and enter it

Power to break
open doors and
windows for
purposes of
liberation

33 Any Police Officer or other person authorised to make an arrest may break open any outer or inner door or window of any house or place in order to liberate himself or any other person who, having lawfully entered for the purpose of making an arrest, is detained therein

No unnecessary
restraint

34 The person arrested shall not be subjected to more restraint than is necessary to prevent his escape

Search of arrested
persons

35 Whenever a person is arrested by a Police Officer under a warrant which does not provide for the taking of bail, or under a warrant which provides for the taking of bail but the person arrested cannot furnish bail, and whenever a person is arrested without warrant, or by a private person under a warrant, and cannot legally be admitted to bail, or is unable to furnish bail, the Officer making the arrest, or, when the arrest is made by a private person, the Police Officer to whom he makes over the person arrested, may search such person, and place in safe custody all articles, other than necessary wearing apparel, found upon him

Mode of
searching women

36 Whenever it is necessary to cause a woman to be searched the search shall be made by another woman with strict regard to decency

Power to seize
offensive
weapons

37 The Officer or other person making any arrest may take from the person arrested any offensive weapons which he has about his person, and shall deliver all weapons so taken to the Court or Officer before which or whom the Officer or person making the arrest is required by law to produce the person arrested

(B) *Arrest without Warrant*

When Police
may arrest with-
out warrant

38 Any Police Officer may, without an order from a Magistrate and without a warrant, arrest

firstly—any person who has been concerned in any cognizable offence or against whom a reasonable complaint has been made, or credible information has been received, or a reasonable suspicion exists, of his having been so concerned,

secondly—any person having in his possession without lawful excuse, the burden of proving which excuse shall lie on such person, any implement of house-breaking,

thirdly—any person who has been proclaimed as an offender either under this Ordinance or by order of the Governor,

fourthly—any person in whose possession anything is found which may reasonably be suspected to be stolen property or who may reasonably be suspected of having committed an offence with reference to such thing,

fifthly—any person who obstructs a Police Officer while in the execution of his duty, or who has escaped, or attempts to escape, from lawful custody,

sixthly—any person reasonably suspected of being a deserter from His Majesty's Army or Navy,

seventhly—any person who has been concerned in, or against whom a reasonable complaint has been made or credible information has been received or a reasonable suspicion exists of his having been concerned in, any act committed at any place out of the Protectorate, which, if committed in the Protectorate, would have been punishable as an offence, and for which he is, under the Fugitive Criminal Surrender Ordinance, 1908, or under the Fugitive Offenders' Act, 1881, or otherwise, liable to be apprehended or detained in custody in the Protectorate, and

eighthly—any released convict committing a breach of any rule made under Section 446

Arrest of
vagabonds,
habitual robbers,
etc

39 Any Officer in charge of a Police Station may, in like manner, arrest or cause to be arrested —

(a) any person found taking precautions to conceal his presence within the limits of such station under circumstances which afford reason to believe that he is taking such precautions with a view to committing a cognizable offence, or

(b) any person within the limits of such station who has no ostensible means of subsistence, or who cannot give a satisfactory account of himself,

Arrest by or in presence of Magistrate	49	Any Magistrate may at any time arrest or direct the arrest, in his presence, within the local limits of his jurisdiction, of any person for whose arrest he is competent at the time and in the circumstances to issue a warrant
Power, on escape, to pursue and retake	50	If a person in lawful custody escapes or is rescued, the person from whose custody he escaped or was rescued, may immediately pursue and arrest him in any place in the Protectorate
Provisions of Sections 31, 32 and 33 to apply to arrests under Section 50	51	The provisions of Sections 31, 32 and 33 shall apply to arrests under Section 50, although the person making any such arrest is not acting under a warrant and is not a Police Officer having authority to arrest

Chapter VI.

Of Processes to Compel Appearance.

(A) Summons

Form of summons	52	(1) Every summons issued by a Court under this Ordinance shall be in writing, in duplicate, signed and sealed by the presiding officer of such Court, or by such other officer as the High Court may from time to time, by rule, direct
Summons by whom served	(2)	Such summons shall be served by a Police Officer or by an officer of the Court issuing it or other public servant
Summons how served	53	(1) The summons shall, if practicable, be served personally on the person summoned by delivering or tendering to him one of the duplicates of the summons
Signature of receipt for summons	(2)	Every person on whom a summons is so served shall, if so required by the serving officer, sign a receipt therefor on the back of the other duplicate
	(3)	Service of a summons on an incorporated company or other body corporate may be effected by serving it on the secretary, local manager or other principal officer of the corporation or by registered post letter addressed to the chief officer of the corporation in the Protectorate. In such case the service shall be deemed to have been effected when the letter would arrive in ordinary course of post
Service when person summoned cannot be found	54	Where the person summoned cannot by the exercise of due diligence be found, the summons may be served by leaving one of the duplicates for him with some adult male member of his family, or with his servant residing with him, and the person with whom the summons is so left, shall, if so required by the serving officer, sign a receipt therefor on the back of the other duplicate
Procedure when service cannot be effected as before provided	55	If service in the manner mentioned in Sections 53 and 54 cannot by the exercise of due diligence be effected, the serving officer shall affix one of the duplicates of the summons to some conspicuous part of the house or homestead in which the person summoned ordinarily resides, and thereupon the summons shall be deemed to have been duly served
Service on servant of Government or of Railway Company	56	(1) Where the person summoned is in the active service of the Government or of a Railway Company, the Court issuing the summons shall ordinarily send it in duplicate to the head of the office in which such person is employed, and such head shall thereupon cause the summons to be served in manner provided by Section 53, and shall return it to the Court under his signature with the endorsement required by that section
	(2)	Such signature shall be evidence of the service
Service of summons outside Local limits	57	When a Court desires that a summons issued by it shall be served at any place outside the local limits of its jurisdiction, it shall ordinarily send such summons in duplicate to a Magistrate within the local limits of whose jurisdiction the person summoned resides or is, to be there served
Proof of service in such cases, and when serving Officer not present	58	(1) When a summons issued by a Court is served outside the local limits of its jurisdiction, and in any case where the officer who has served a summons is not present at the hearing of the case, an affidavit, purporting to be made before a Magistrate, that such summons has been served, and a duplicate of the summons purporting to be endorsed (in manner provided by Section 53

- Warrant directed to Police Officer for execution outside jurisdiction
- 68 (2) The Magistrate to whom such warrant is so forwarded shall endorse his name thereon and, if practicable, cause it to be executed in manner hereinbefore provided within the local limits of his jurisdiction
- (1) When a warrant directed to a Police Officer is to be executed beyond the local limits of the jurisdiction of the Court issuing the same, he shall ordinarily take it for endorsement to a Magistrate within the local limits of whose jurisdiction the warrant is to be executed
- (2) Such Magistrate shall endorse his name thereon, and such endorsement shall be sufficient authority to the Police Officer to whom the warrant is directed to execute the same within such limits, and the local police shall, if so required, assist such officer in executing such warrant
- (3) Whenever there is reason to believe that the delay occasioned by obtaining the endorsement of the Magistrate within the local limits of whose jurisdiction the warrant is to be executed will prevent such execution, the Police Officer to whom it is directed may execute the same without such endorsement in any place beyond the local limits of the jurisdiction of the Court which issued it
- Procedure on arrest of person against whom warrant issued
69. (1) When a warrant of arrest is executed outside the local limits of the jurisdiction of the Court by which it was issued, the person arrested shall, unless the Court which issued the warrant is within twenty miles of the place of arrest, or is nearer than the Magistrate within the local limits of whose jurisdiction the arrest was made, or unless security is taken under Section 60, be taken before the Magistrate within the local limits of whose jurisdiction the arrest was made
- (2) Such Magistrate shall, if the person arrested appears to be the person intended by the Court which issued the warrant, direct his removal in custody to such Court
- Procedure by Magistrate before whom person arrested is brought
- Provided that, if the offence is bailable, and such person is ready and willing to give bail to the satisfaction of such Magistrate, or a direction has been endorsed under Section 60 on the warrant and such person is ready and willing to give the security required by such direction, the Magistrate shall take such bail or security, as the case may be, and forward the bond to the Court which issued the warrant
- (3) Nothing in this section shall be deemed to prevent a Police Officer from taking security under Section 60
- (C) *Proclamation and Attachment*
- Proclamation for person absconding.
- 70 (1) If any Court has reason to believe (whether after taking evidence or not) that any person against whom a warrant has been issued by it has absconded or is concealing himself so that such warrant cannot be executed, such Court may publish a written proclamation requiring him to appear at a specified place and at a specified time not less than thirty days from the date of publishing such proclamation
- (2) The proclamation shall be published as follows —
- (a) it shall be publicly read in some conspicuous place of the town or village or district in which such person ordinarily resides, or, if such person has no ordinary place of residence in the Protectorate, in which he was last known to be residing,
- (b) it shall be affixed to some conspicuous part of the house or homestead in which such person ordinarily resides or to some conspicuous place of such town or village or district, and
- (c) a copy thereof shall be affixed to some conspicuous part of the Court house
- (3) A statement in writing by the Court issuing the proclamation to the effect that the proclamation was duly published on a specified day shall be conclusive evidence that the requirements of this section have been complied with, and that the proclamation was published on such day

Arrest on breach
of bond for
appearance

75. When any person, who is bound by any bond taken under this Ordinance to appear before a Court, does not so appear, the Officer presiding in such Court may issue a warrant directing that such person be arrested and produced before him

Provisions of
this Chapter
generally
applicable to
summonses and
warrants of
arrest

76 The provisions contained in this Chapter relating to a summons and warrant, and their issue, service and execution, shall, so far as may be, apply to every summons and every warrant of arrest issued under this Ordinance or by a Justice of the Peace, and save in so far as the same may be inconsistent with any other law, the powers of a Magistrate or Court in relation to the issuing or endorsing of a summons or warrant may be exercised by a Justice of the Peace

Chapter VII.

Of Processes to compel the Production of Documents and other moveable Property, and for Discovery of Persons wrongfully confined

(A) Summons to Produce

Summons to
produce
document or
other thing

77. (1) Whenever any Court or any Officer in charge of a Police Station considers that the production of any document or other thing is necessary or desirable for the purposes of any investigation, inquiry, trial or other proceeding under this Ordinance by or before such Court or Officer, such Court may issue a summons, or such Officer a written order, to the person in whose possession or power such document or thing is believed to be, requiring him to attend and produce it, or to produce it, at the time and place stated in the summons or order
- (2) Any person required under this section merely to produce a document or other thing shall be deemed to have complied with requisition if he causes such document or thing to be produced instead of attending personally to produce the same
- (3) Nothing in this section shall be deemed to affect the Indian Evidence Act, 1872, Sections 123 and 124, or to apply to a letter, post-card, telegram or other document or any parcel or thing in the custody of the Postal or Telegraph authorities

Procedure as to
letters and
telegrams

- 78 (1) If any document, parcel or thing in the custody of the Postal or Telegraph Authorities is, in the opinion of the High Court or a Subordinate Court of the 1st class, wanted for the purpose of any investigation, inquiry, trial or other proceeding under this Ordinance, such Court may require the Postal or Telegraph authorities, as the case may be, to deliver such document, parcel or thing to such person as such Court directs
- (2) If any such document, parcel or thing is, in the opinion of any other Magistrate, or of the Commissioner of Police, or any Superintendent of Police, or Assistant Superintendent of Police wanted for any such purpose, he may require the Postal or Telegraph Department, as the case may be, to cause search to be made for and to detain such document, parcel or thing pending the orders of the High Court or a Subordinate Court of the 1st class

(B) Search-Warrants

When search-
warrant may be
issued

- 79 (1) Where any Court has reason to believe that a person to whom a summons or order under Section 77 or a requisition under Section 78 Sub-section (1), has been or might be addressed, will not or would not produce the document or thing as required by such summons or requisition,
- or where such document or thing is not known to the Court to be in the possession of any person,
- or where the Court considers that the purposes of any inquiry, trial or other proceeding under this Ordinance will be served by a general search or inspection,
- it may issue a search-warrant, and the person to whom such warrant is directed, may search or inspect in accordance therewith and the provisions hereinafter contained.

Persons in charge
of closed place to
allow search

85 (1) Whenever any place liable to search or inspection under this Chapter is closed, any person residing in, or being in charge of, such place shall, on demand of the Officer or other person executing the warrant, and on production of the warrant, allow him free ingress thereto, and afford all reasonable facilities for a search therein

(2) If ingress into such place cannot be so obtained, the Officer or other person executing the warrant may proceed in manner provided by Section 32

(3) Where any person in or about such place is reasonably suspected of concealing about his person any article for which search should be made, such person may be searched. If such person is a woman, the directions of Section 36 shall be observed

Search to be
made in presence
of witnesses

86 (1) Before making a search under this Chapter, the Officer or other person about to make it shall call upon two or more respectable inhabitants of the locality in which the place to be searched is situate to attend and witness the search

(2) The search shall be made in their presence, and a list of all things seized in the course of such search and of the places in which they are respectively found shall be prepared by such Officer or other person and signed by such witnesses, but no person witnessing a search under this section shall be required to attend the Court as a witness of the search unless specially summoned by it

Occupant of
place searched
may attend

(3) The occupant of the place searched, or some person in his behalf, shall, in every instance, be permitted to attend during the search, and a copy of the list prepared under this section, signed by the said witnesses, shall be delivered to such occupant or person at his request

(4) When any person is searched under Section 85 Sub-Section (3), a list of all things taken possession of shall be prepared, and a copy thereof shall be delivered to such person at his request

The search warrant should, except under special circumstances, be executed between sunset and sunrise

(E) *Miscellaneous*

Power to
impound
document &c
produced

87 Any Court may, if it thinks fit, impound any document or thing produced before it under this Ordinance

Magistrate may
direct search in
his presence

88 Any Magistrate may direct a search to be made in his presence of any place for the search of which he is competent to issue a search warrant

PART IV

Prevention of Offences.

Chapter VIII.

Of Security for Keeping the Peace and for good Behaviour.

A — Security for Keeping the Peace and for good Behaviour

Security for
keeping the peace
on conviction

89 (1) Whenever any person accused of rioting, assault or other offence involving a breach of the peace or of abetting the same, or of assembling armed men or taking other unlawful measures with the evident intention of committing the same, or any person accused of committing criminal intimidation, is convicted of such offence before a High Court or a Subordinate Court of the first class,

and such Court is of opinion that it is necessary to require such person to execute a bond for keeping the peace,

such Magistrate may, in manner hereinafter provided, require such person to show cause why he should not be ordered to execute a bond, with sureties, for his good behaviour for such period, not exceeding one year, as the Magistrate thinks fit to fix

Security for good
behaviour from
habitual offenders

93 Whenever a Magistrate empowered to hold a Subordinate Court of the first class receives information that any person within the local limits of his jurisdiction —

- (a) is by habit a robber, house-breaker or thief, or
- (b) is by habit a receiver of stolen property, knowing the same to have been stolen, or
- (c) habitually protects or harbours thieves or aids in the concealment or disposal of stolen property, or
- (d) habitually commits mischief, extortion or cheating or counterfeiting coin, currency notes or stamps, or attempts so to do, or
- (e) habitually commits, or attempts to commit, or abets the commission of, offences involving a breach of the peace, or
- (f) is so desperate and dangerous as to render his being at large without security hazardous to the community,

such Magistrate may in manner hereinafter provided, require such person to shew cause why he should not be ordered to execute a bond, with sureties, for his good behaviour for such period, not exceeding three years, as the Magistrate thinks fit to fix

Proviso as to
European vagrants

94 The provisions of Sections 92 and 93 shall not apply to Europeans in cases where they may be dealt with under the Vagrancy Regulations 1900 or any Ordinance hereafter substituted for such Regulations

Order to be made

95 When a Magistrate acting under Section 90, Section 91, Section 92 or Section 93, deems it necessary to require any person to shew cause under such section, he shall make an order in writing, setting forth the substance of the information received, the amount of the bond to be executed, the term for which it is to be in force, and the number, character and class of sureties (if any) required

Procedure in respect
of person present
in Court

96 If the person in respect of whom such order is made, is present in Court, it shall be read over to him, or, if he so desires, the substance thereof shall be explained to him

Summons or
warrant in case of
person not so
present

97 If such person is not present in Court, the Magistrate shall issue a summons requiring him to appear, or, when such person is in custody, a warrant directing the Officer in whose custody he is, to bring him before the Court

Provided that whenever it appears to such Magistrate, upon the report of a Police Officer or upon other information (the substance of which report or information shall be recorded by the Magistrate), that there is reason to fear the commission of a breach of the peace, and that such breach of the peace cannot be prevented otherwise than by the immediate arrest of such person, the Magistrate may at any time issue a warrant for his arrest

Copy of order under
Section 95 to
accompany
summons or
warrant

98 Every summons or warrant issued under Section 97 shall be accompanied by a copy of the order made under Section 95 and such copy shall be delivered by the Officer serving or executing such summons or warrant to the person served with, or arrested under, the same

Power to dispense
with personal
attendance

99 The Magistrate may, if he sees sufficient cause, dispense with the personal attendance of any person called upon to show cause why he should not be ordered to execute a bond for keeping the peace, and may permit him to appear by an Advocate

Inquiry as to truth
of information

100 (1) When an order under Section 95 has been read or explained under Section 96 to a person present in Court, or when any person appears or is brought before a Magistrate in compliance with, or in execution of, a summons or warrant issued under Section 97 the Magistrate shall proceed to inquire into the truth of the information upon which action has been taken, and to take such further evidence as may appear necessary

(2) Such inquiry shall be made, as nearly as may be practicable where the order requires security for keeping the peace, in the manner hereinafter prescribed for conducting trials and recording evidence in summons-cases, and, where the order requires security for good behaviour, in the manner hereinafter prescribed for conducting trials and recording evidence in warrant-cases, except that no charge need be framed

Kind of
imprisonment

- (5) Imprisonment for failure to give security for keeping the peace shall be simple
- (6) Imprisonment for failure to give security for good behaviour may be rigorous or simple as the Court or Magistrate in each case directs

Power to release
persons imprisoned
for failure to give
security

107 Whenever a Magistrate empowered to hold a Subordinate Court of the first class is of opinion that any person imprisoned for failing to give security under this Chapter may be released without hazard to the community, such Magistrate shall make an immediate report of the case for the orders of the High Court and such Court may, if it thinks fit, order such person to be discharged

Power of High
Court to cancel any
bond for keeping
the peace or good
behaviour

108 The High Court may at any time, for sufficient reasons to be recorded in writing, cancel any bond for keeping the peace or for good behaviour executed under this Chapter by order of any Court

Discharge of
sureties

- 109
- (1) Any surety for the peaceable conduct or good behaviour of another person may at any time apply to a Magistrate empowered to hold a Subordinate Court of the first class to cancel any bond executed under this chapter within the local limits of his jurisdiction
 - (2) On such application being made, the Magistrate shall issue his summons or warrant, as he thinks fit, requiring the person for whom such surety is bound to appear or to be brought before him
 - (3) When such person appears or is brought before the Magistrate, such Magistrate shall cancel the bond, and shall order such person to give, for the unexpired portion of the term of such bond, fresh security of the same description as the original security. Every such order shall, for the purposes of Sections 104, 105, 106 and 107 be deemed to be an order made under Section 89 or Section 101 as the case may be

Chapter IX

Unlawful Assemblies

Assembly to
disperse on
command of
Magistrate or Police
Officer

110 Any Magistrate or Officer in charge of a Police Station may command any unlawful assembly, or any assembly of five or more persons likely to cause a disturbance of the public peace, to disperse and it shall thereupon be the duty of the members of such assembly to disperse accordingly

Use of Civil force
to disperse

111 If, upon being so commanded, such assembly does not disperse, or if, without being so commanded, it conducts itself in such a manner as to show a determination not to disperse, any Magistrate or Officer in charge of a Police Station may proceed to disperse such assembly by force, and may require the assistance of any male person, not being an Officer or Soldier in His Majesty's Army and acting as such, for the purpose of dispersing such assembly, and, if necessary, arresting and confining the persons who form part of it, in order to disperse such assembly or that they may be punished according to law

Use of military force

112 If any such assembly cannot be otherwise dispersed, and if it is necessary for the public security that it should be dispersed, the Magistrate of the highest rank who is present may cause it to be dispersed by armed force

Duty of officer
commanding troops
required by
Magistrate to
disperse assembly

- 113
- (1) When a Magistrate determines to disperse any such assembly by armed force, he may require any Commissioned or Non-Commissioned Officer or Police Officer in command of any members of an armed force belonging to the Protectorate to disperse such assembly by armed force, and to arrest and confine such persons forming part of it as the Magistrate may direct, or as it may be necessary to arrest and confine in order to disperse the assembly or to have them punished according to law
 - (2) Every such Officer shall obey such requisition in such manner as he thinks fit, but in so doing he shall use as little force, and do as little injury to person and property, as may be consistent with dispersing the assembly and arresting and detaining such persons

Information in non
cognizable case

122 (1) When information is given to an Officer in charge of a Police Station of the commission within the limits of such station of a non-cognizable offence he shall enter in a book to be kept as aforesaid the substance of such information and refer the informant to the Magistrate

(2) No Police Officer shall investigate a non-cognizable case without the order of a Magistrate empowered to hold a Subordinate Court of the first or second class having power to try such case or commit the same for trial

(3) Any Police Officer receiving such order may exercise the same powers in respect of the investigation (except the power to arrest without warrant) as an Officer in charge of a Police Station may exercise in a cognizable case

Investigation into
cognizable cases

123 (1) Any Officer in charge of a Police Station may, without the order of a Magistrate, investigate any cognizable case which a Court having jurisdiction over the local area within the limits of such station would have power to inquire into or try under the provisions of Chapter XII relating to the place of inquiry or trial

(2) No proceeding of a Police Officer in any such case shall at any stage be called in question on the ground that the case was one which such Officer was not empowered under this section to investigate.

(3) Any Magistrate may order such an investigation as above mentioned

Procedure where
cognizable offence
suspected

124 (1) If, from information received or otherwise, an Officer in charge of a Police Station has reason to suspect the commission of an offence which he is empowered under section 123 to investigate, he shall forthwith send a report of the same to a Magistrate empowered to take cognizance of such offence upon a police report, and shall proceed in person, or shall depute one of his subordinate officers to proceed, to the spot, to investigate the facts and circumstances of the case and to take such measures as may be necessary for the discovery and arrest of the offender —

Provided as follows

Where local
investigation
dispensed with

(a) When any information as to the commission of any such offence is given against any person by name and the case is not of a very serious nature, the Officer in charge of a Police Station need not proceed in person or depute a subordinate Officer to make an investigation on the spot

(b) If it appear to the Officer in charge of a Police Station that there is no sufficient ground for entering on an investigation, he shall not investigate the case

(2) In each of the cases mentioned in Clauses (a) and (b) of the proviso to Sub-section (1), the Officer in charge of the Police Station shall state in his said report his reasons for not fully complying with the requirements of that Sub-section

Report under
Section 124 how
submitted

125 (1) Every report sent to a Magistrate under Section 124 shall, if the Governor so directs, be submitted through such superior Officer of Police as the Governor by general or special order, appoint in that behalf

(2) Such superior Officer may give such instructions to the Officer in charge of the Police Station as he thinks fit, and shall, after recording such instructions on such report, transmit the same without delay to the Magistrate

Power to hold
investigation or
preliminary inquiry

126 Such Magistrate, on receiving such report, may direct an investigation or, if he thinks fit, at once proceed, to hold a preliminary inquiry into, or otherwise to dispose of, the case in manner provided in this Ordinance

Police Officer's
power to require
attendance of
witnesses

127 Any Police Officer making an investigation under this Chapter may, by order in writing, require the attendance before himself of any person being within the limits of his own or any adjoining station who, from the information given or otherwise, appears to be acquainted with the circumstances of the case, and such person shall attend as so required

- (2) Such Officer shall, if practicable, conduct the search in person
- (3) If he is unable to conduct the search in person, and there is no other person competent to make the search present at the time, he may require any Officer subordinate to him to make the search, and he shall deliver to such subordinate Officer an order in writing, specifying the document or thing for which search is to be made, and the place to be searched, and such subordinate Officer may thereupon search for such thing in such place
- (4) The provisions of this Ordinance as to search-warrants shall, so far as may be, apply to a search made under this section

When Officer in charge of Police Station may require another to issue search warrant

133 (1) An Officer in charge of a Police Station may require an Officer in charge of another Police Station, whether in the same or a different district, to cause a search to be made in any place, in any case in which the former Officer might cause such search to be made within the limits of his own station

- (2) Such Officer, on being so required, shall proceed according to the provisions of section 132, and shall forward the thing found, if any, to the Officer at whose request the search was made.

Procedure when investigation cannot be completed in twenty four hours

134 (1) When it appears that any investigation under this Chapter cannot be completed within the period of twenty-four hours fixed by Section 45, and there are grounds for believing that the accusation or information is well founded, the Officer in charge of the Police Station shall forthwith transmit to the nearest Magistrate a copy of the entries in the diary hereinafter prescribed relating to the case, and shall at the same time forward the accused (if any) to such Magistrate

- (2) The Magistrate to whom an accused person is forwarded under this Section may, whether he has or has not jurisdiction to try the case, from time to time authorize the detention of the accused in such custody as such Magistrate thinks fit, for a term not exceeding fifteen days in the whole. If he has not jurisdiction to try the case or commit it for trial, and considers further detention unnecessary, he may order the accused to be forwarded to a Magistrate having such jurisdiction

- (3) A Magistrate authorizing under this Section detention in the custody of the Police shall record his reasons for so doing

Report of investigation by Subordinate Police Officer

135 When any Subordinate Police Officer has made any investigation under this Chapter, he shall report the result of such investigation to the Officer in charge of the Police Station

Release of accused when evidence deficient

136 If, upon an investigation under this Chapter, it appears to the Officer in charge of the Police Station that there is not sufficient evidence or reasonable ground of suspicion to justify the forwarding of the accused to a Magistrate, such Officer shall if such person is in custody, release him on his executing a bond, with or without sureties, as such Officer may direct, to appear, if and when so required, before a Magistrate empowered to take cognizance of the offence on a Police report and to try the accused or commit him for trial

Case to be sent to Magistrate when evidence is sufficient

137 (1) If, upon an investigation under this Chapter, it appears to the Officer in charge of the Police Station that there is sufficient evidence or reasonable ground as aforesaid, such Officer shall forward the accused under custody to a Magistrate empowered to take cognizance of the offence upon a police-report and to try the accused or to commit him for trial, or, if the offence is bailable and the accused is able to give security, shall take security from him for his appearance before such Magistrate on a day fixed for his attendance from day to day before such Magistrate until otherwise directed

- (2) When the Officer in charge of a Police Station forwards an accused person to a Magistrate or takes security for his appearance before such Magistrate under this Section, he shall send to such Magistrate any weapon or other article which it may be necessary to produce before him, and shall require the complainant (if any) and so many of the persons who appear to such Officer to be acquainted with the circumstances of the

- (b) has been killed by another, or by an animal or by machinery, or by an accident, or
 - (c) has died under circumstances raising a reasonable suspicion that some other person has committed an offence, shall immediately give intimation thereof to the nearest Magistrate empowered to hold inquests and unless otherwise directed by any rule prescribed by the Governor, shall proceed to the place where the body of such deceased person is, and there, in the presence of two or more respectable inhabitants of the neighbourhood, shall make an investigation, and draw up a report of the apparent cause of death, describing such wounds, fractures, bruises and other marks of injury as may be found on the body, and stating in what manner, or by what weapon or instrument (if any), such marks appear to have been inflicted
 - (2) The report shall be signed by such Police Officer and other persons, or by so many of them as concur therein, and shall be forthwith forwarded to the nearest Magistrate empowered to hold inquests
 - (3) When there is any doubt regarding the cause of death, or when for any other reason the Police Officer considers it expedient so to do, he shall, subject to such rule as the Governor may prescribe in this behalf, forward the body, with a view to its being examined, to the nearest Medical Officer or other person appointed by the Governor in this behalf, if the state of the weather and the distance admit of its being so forwarded without risk of such putrefaction on the road as would render such examination useless
 - (4) The following Magistrates are empowered to hold inquests namely any Magistrate empowered to hold a subordinate Court of the first or second class and any Magistrate specially empowered in this behalf by the Governor
- Power to summon persons 142 (1) A Police Officer proceeding under Section 141 may, by order in writing, summon two or more persons as aforesaid for the purpose of the said investigation and any other person who appears to be acquainted with the facts of the case
- Every person so summoned shall be bound to attend and to answer truly all questions other than questions the answers to which would have a tendency to expose him to a criminal charge, or to a penalty or forfeiture
- (2) If the facts do not disclose a cognizable offence to which Section 137 applies, such persons shall not be required by the Police Officer to attend a Magistrate's Court
- Inquiry by Magistrate into cause of death 143 (1) When any person dies when undergoing a sentence of imprisonment or while in the custody of the Police, the nearest Magistrate empowered to hold inquests shall, and, in any other case mentioned in Section 141 Clauses (a), (b) and (c) of Sub-section (1), any Magistrate so empowered may, hold an inquiry into the cause of death, either instead of, or in addition to the investigation held by the Police Officer, and, if he does so, he shall have all the powers in conducting it which he would have in holding an inquiry into an offence
- Power to disinter corpses (2) Whenever such Magistrate considers it expedient to make an examination of the dead body of any person who has been already interred, in order to discover the cause of his death, the Magistrate may cause the body to be disinterred and examined
- Power to issue Summons or warrant of arrest (3) If before or at the termination of the inquiry the Magistrate is of opinion that the commission by some known person or persons of an offence has been disclosed, he shall issue a summons or a warrant for his or their arrests, as the case may be, or take such other steps as may be necessary to secure his or their attendance to answer the charge
- Information to Police (4) If at the termination of the inquiry the Magistrate is of opinion that an offence has been committed by some person or persons unknown, he shall record his opinion and forthwith send a copy thereof to the Commissioner of Police

Kidnapping and
abduction

- (4) The offence of kidnapping or abduction may be inquired into or tried by a Court within the local limits of whose jurisdiction the person kidnapped or abducted was kidnapped or abducted or was conveyed or concealed or detained

Place of inquiry or
trial where scene of
offence is uncertain
not in one district
only, or where
offence is continuing
or consists of several
acts

148 When it is uncertain in which of several local areas an offence was committed, or

where an offence is committed partly in one local area and partly in another, or

where an offence is a continuing one, and continues to be committed in more local areas than one, or

where it consists of several acts done in different local areas, it may be inquired into or tried by a Court having jurisdiction over any of such local areas

Offence committed
on a journey

149 An offence committed whilst the offender is in the course of performing a journey or voyage may be inquired into or tried by a Court through or into the local limits of whose jurisdiction the offender, or the person against whom, or the thing in respect of which, the offence was committed, passed in the course of that journey or voyage

High Court to
decide, in case of
doubt, district
where inquiry or
trial shall take place

150 Whenever any doubt arises as to the Court by which any offence should under the preceding provisions of this Chapter be inquired into or tried, the High Court may decide by which Court the offence shall be inquired into or tried

Powers to issue
summons or warrant
for offence
committed beyond
local jurisdiction

- 151 (1) When a Magistrate empowered to hold a subordinate court of the first class sees reason to believe that any person within the local limits of his jurisdiction has committed without such limits (whether within or without the Protectorate) an offence which cannot, under the provisions of Section 144 to 149 (both inclusive), or any other law for the time being in force, be inquired into or tried within such local limits, but is under some law for the time being in force triable in the Protectorate, such Magistrate may inquire into the offence as if it had been committed within such local limits, and compel such person in manner herebefore provided to appear before him, and send such person to the Magistrate having jurisdiction to inquire into or try such offence, or, if such offence is bailable, take a bond with or without sureties for his appearance before such Magistrate
- (2) Where there are more Magistrates than one having such jurisdiction, and the Magistrate acting under this section cannot satisfy himself as to the Magistrate to or before whom such person should be sent, or bound to appear, the case shall be reported for the orders of the High Court

(B) Conditions requisite for Initiation of Proceedings

Cognizance of
offences by
Magistrates

- 152 (1) A Magistrate competent to try an offence or commit for trial in respect of it may, except as hereinafter provided, take cognizance of any offence —
- (a) upon receiving a complaint of facts which constitute such offence,
- (b) upon a police report of such facts,
- (c) upon information received from any person other than a Police Officer, or upon his knowledge or suspicion, that such offence has been committed
- (2) A magistrate holding a subordinate court of the third class may, except as hereinafter provided, take cognizance of an offence which he is not competent to try or to commit for trial
- (a) upon receiving a complaint of facts which constitute such offence,
- (b) upon a police report of such facts

Provided that if any such Magistrate shall issue process for compelling the appearance of any person accused of such offence such process shall be made returnable before a Magistrate having jurisdiction to try such offence or to commit for trial in respect of it

Nothing herein shall be deemed to affect any other provisions of this Ordinance or the jurisdiction of the High Court under any other law

Informations by
Attorney General

(2) (a) Notwithstanding anything in this Ordinance contained the Attorney General may, with the previous sanction of the Governor in Council, exhibit to the High Court, against persons subject to the jurisdiction of the High Court, informations for all purposes for which His Majesty's Attorney-General may exhibit informations on behalf of the Crown in the High Court of justice in England

(b) Such proceedings may be taken upon every such information as may lawfully be taken in the case of similar informations filed by His Majesty's Attorney-General so far as the circumstances of the case and the practice and procedure of the said High Court will admit

(c) The High Court may make rules for carrying into effect the provisions of this section

Prosecution for
contempts of
lawful authority of
public servants

157 (1) No Court shall take cognizance—

(a) of any offence punishable under Sections 172 to 188 (both inclusive) of the Penal Code, except with the previous sanction, or on the complaint, of the public servant concerned or of some public servant to whom he is subordinate,

(b) of any offence punishable under Sections 193, 194, 195, 196, 199, 200, 205, 206, 207, 208, 209, 210, 211 or 228 of the same Code, when such offence is committed in, or in relation to, any proceeding in any Court, except with the previous sanction or on the complaint of such Court, or of the High Court

(c) of any offence described in Section 463 or punishable under Sections 471, 475 or 476 of the same Code, when such offence has been committed by a party to any proceedings in any Court in respect of a document produced or given in evidence in such proceeding except with the previous sanction or on the complaint of such Court, or of the High Court

(2) In Clauses (b) and (c) of Sub-section (1) the term "Court" means a Civil or Criminal Court

(3) The provisions of sub-section (1) with reference to the offences named therein, apply also to the abetment of such offences, and attempts to commit them

(4) The sanction referred to in this section may be expressed in general terms, and need not name the accused person, but it shall, so far as practicable, specify the Court or other place in which, and the occasion on which the offence was committed

(5) When sanction is given in respect of any offence referred to in this section, the Court taking cognizance of the case may frame a charge of any other offence so referred to which is disclosed by the facts

(6) Any sanction given or refused by a Subordinate Court under this section may be revoked or granted by the High Court and no sanction shall remain in force for more than six months from the date on which it was given provided that the High Court may, for good cause shown, extend the time

Prosecution for
certain offences
against public
justice

Prosecution for
certain offences
relating to
documents given
in evidence

Nature of sanction
necessary

Prosecutions for
offences against the
State

158 No Court shall take cognizance of any offence punishable under Chapter VI of the Penal Code (except Section 127), or punishable under Section 108 A, or Section 153A, or Section 294A, or Section 505 of the same Code, unless upon complaint made by order of, or under authority from, the Governor in Council

Prosecution of
Judges and public
servants

159 (1) When any Judge, or any public servant who holds office during His Majesty's pleasure, is accused as such Judge or public servant of any offence, no Court shall take cognizance of such offence, except with the previous sanction of the Governor in Council

Power of Govern-
ment as to
prosecution

(2) The Governor in Council may determine the person by whom, the manner in which, the offence or offences for which, the prosecution of such Judge or public servant is to be conducted, and may specify the Court before which the trial is to be held

- in the first instance, he may issue a warrant, or, if he thinks fit a summons, for causing the accused to be brought or to appear at a certain time before such Magistrate or (if he has not jurisdiction himself) some other Magistrate having jurisdiction
- (2) Nothing in this section shall be deemed to affect the provisions of Section 73
- (3) When by any law for the time being in force any process fees or other fees are payable, no process shall be issued until the fees are paid, and, if such fees are not paid within a reasonable time, the Magistrate may dismiss the complaint
- Magistrate may dispense with personal attendance of accused 167 (1) Whenever a Magistrate issues a summons, he may, if he sees reason so to do, dispense with the personal attendance of the accused, and permit him to appear by his pleader
- (2) But the Magistrate inquiring into or trying the case may, in his discretion, at any stage of the proceedings, direct the personal attendance of the accused, and, if necessary, enforce such attendance in manner hereinbefore provided

CHAPTER XV

Of inquiry into cases triable by the High Court.

Power to commit for trial

168 Any Magistrate empowered to hold a subordinate court of the first second or third class may commit any person for trial to the High Court for any offence triable by such court

Provided that it shall not be competent for a Magistrate empowered to hold a subordinate court of the third class to commit a European for trial to the High Court

Procedure in inquiries preparatory to commitment

169 The following procedure shall be adopted in inquiries before Magistrates where the case is triable exclusively by the High Court, or in the opinion of the Magistrate, ought to be tried by such court

Taking of evidence produced

170 (1) The Magistrate shall, when the accused appears or is brought before him, proceed to hear the complainant (if any), and take in manner hereinafter provided all such evidence as may be produced in support of the prosecution or in behalf of the accused, or as may be called for by the Magistrate

(2) The accused shall be at liberty to cross-examine the witnesses for the prosecution, and in such case the prosecutor may re-examine them

Process for production of further evidence

(3) If the complainant or Officer conducting the prosecution or the accused applies to the Magistrate to issue process to compel the attendance of any witness or the production of any document or thing, the Magistrate shall issue such process unless, for reasons to be recorded, he deems it unnecessary to do so

When accused person to be discharged

171. (1) When the evidence referred to in Section 170, sub-sections (1) and (3), has been taken, and he has (if he deem necessary) examined the accused for the purpose of enabling him to explain any circumstances appearing in the evidence against him, such Magistrate shall, if he finds that there are not sufficient grounds for committing the accused person for trial, record his reasons and discharge him, unless it appears to the Magistrate that such person should be tried before himself or some other Magistrate, in which case he shall proceed accordingly

(2) Nothing in this section shall be deemed to prevent a Magistrate from discharging the accused at any previous stage of the case if, for reasons to be recorded by such Magistrate, he considers the charge to be groundless

When charge is to be framed

172. (1) When upon such evidence being taken, and such examination (if any) being made, the Magistrate is satisfied that there are sufficient grounds for committing the accused for trial, he shall frame a charge under his hand, declaring with what offence the accused is charged

Custody of accused
pending trial

179 Until and during the trial the Magistrate shall, subject to the provision of this Ordinance regarding the taking of bail commit the accused by warrant to custody

Chapter XVI.

Of the Charge

Charge to state
offence

180 (1) Every charge under this Ordinance shall state the offence with which the accused is charged

Specific name of
offence sufficient
description

(2) If the law which creates the offence gives it any specific name the offence may be described in the charge by that name only,

How stated where
offence has no
specific name

(3) If the law which creates the offence does not give it any specific name, so much of the definition of the offence must be stated as to give the accused notice of the matter with which he is charged.

(4) The law and section of the law against which the offence is said to have been committed shall be mentioned in the charge

What implied in
charge

(5) The fact that the charge is made is equivalent to a statement that every legal condition required by law to constitute the offence charged was fulfilled in the particular case

Language of charge

(6) The charge shall be written either in English or in any other language of the Court

Previous conviction
when to be set out

(7) If the accused has been previously convicted of any offence, and it is intended to prove such previous conviction for the purpose of affecting the punishment which the Court is competent to award, the fact, date and place of the previous convictions shall be stated in the charge. If such statement is omitted, the Court may add it at any time before sentence is passed

Particulars as to
time, place and
person

181 (1) The charge shall contain such particulars as to the time and place of the alleged offence, and the person (if any) against whom, or the thing (if any) in respect of which, it was committed, as are reasonably sufficient, to give the accused notice of the matter with which he is charged

(2) When the accused is charged with criminal breach of trust or dishonest misappropriation of money, it shall be sufficient to specify the gross sum in respect of which the offence is alleged to have been committed, and the dates between which the offence is alleged to have been committed, without specifying particular items or exact dates, and the charge so framed shall be deemed to be a charge of one offence within the meaning of Section 193

Provided that the time included between the first and last of such dates shall not exceed one year

When manner of
committing offence
must be stated

182 When the nature of the case is such that the particulars mentioned in Sections 180 and 181 do not give the accused sufficient notice of the matter with which he is charged, the charge shall also contain such particulars of the manner in which the alleged offence was committed as will be sufficient for that purpose.

Illustrations.

(a) A is accused of the theft of a certain article at a certain time and place. The charge need not set out the manner in which the theft was effected

(b) A is accused of cheating B at a given time and place. The charge must set out the manner in which A cheated B

(c) A is accused of giving false evidence at a given time and place. The charge must set out that portion of the evidence given by A which is alleged to be false

(d) A is accused of obstructing B, a public servant, in the discharge of his public functions at a given time and place. The charge must set out the manner in which A obstructed B in the discharge of his functions

(e) A is accused of the murder of B at a given time and place. The charge need not set out the manner in which A murdered B

(f) A is accused of disobeying a direction of the law with intent to save B from punishment. The charge must set out the disobedience charged and the law infringed.

Words in charge
taken in sense of
law under which
offence is punishable

183 In every charge words used in describing an offence shall be deemed to have been used in the sense attached to them respectively by the law under which such offence is punishable.

Acts constituting one offence, but constituting when combined a different offence

- (3) If several acts, of which one or more than one would by itself or themselves constitute an offence, constitute when combined a different offence, the person accused of them may be charged with, and tried at one trial for, the offence constituted by such acts, when combined and for any offence constituted by any one, or more of such acts
- (4) Nothing contained in this section shall affect the Penal Code, Section 71

Illustrations.

to sub-section (1)

(a) A rescues B, a person in lawful custody, and in so doing causes grievous hurt to C, a constable in whose custody B was. A may be charged with, and convicted of, offences under sections 225 and 333 of the Indian Penal Code

(b) A commits house-breaking by day with intent to commit adultery, and commits, in the house so entered, adultery with B's wife. A may be separately charged with, and convicted of, offences under section 454 and 497 of the Indian Penal Code

(c) A entices B, the wife of C, away from C, with intent to commit adultery with B and then commits adultery with her. A may be separately charged with, and convicted of, offences under sections 498 and 497 of the Indian Penal Code

(d) A has in his possession several seals, knowing them to be counterfeit and intending to use them for the purpose of committing several forgeries punishable under section 466 of the Indian Penal Code. A may be separately charged with, and convicted of, the possession of each seal under section 473 of the Indian Penal Code

(e) With intent to cause injury to B, A institutes a criminal proceeding against him knowing that there is no just or lawful ground for such proceeding, and also falsely accuses B of having committed an offence, knowing that there is no just or lawful ground for such charges. A may be separately charged with, and convicted of, two offences under sections 211 of the Indian Penal Code

(f) A, with intent to cause injury to B, falsely accuses him of having committed an offence, knowing that there is no just or lawful ground for such charge. On the trial, A gives false evidence against B, intending thereby to cause B to be convicted of a capital offence. A may be separately charged with, and convicted of, offences under sections 211 and 194 of the Indian Penal Code

(g) A, with six others commits the offences of rioting, grievous hurt and assaulting a public servant endeavouring in the discharge of his duty as such to suppress the riot. A may be separately charged with, and convicted of, offences under sections 147, 325 and 152 of the Indian Penal Code

(h) A threatens B, C and D, at the same time with injury to their persons with intent to cause alarm to them. A may be separately charged with, and convicted of, each of the three offences under section 506 of the Indian Penal Code

The separate charges referred to in illustrations (a) to (h) respectively may be tried at the same time

to sub-section (2)

(i) A wrongfully strikes B with a cane. A may be separately charged with, and convicted of offences under sections 352 and 323 of the Indian Penal Code

(j) Several stolen sacks of corn are made over to A and B, who know they are stolen property for the purpose of concealing them. A and B thereupon voluntarily assist each other to conceal the sacks at the bottom of a gram-pit. A and B may be separately charged with, and convicted of, offences under sections 411 and 414 of the Indian Penal Code

(k) A exposes her child with the knowledge that she is thereby likely to cause its death. The child dies in consequence of such exposure. A may be separately charged with, and convicted of, offences under sections 317 and 304 of the Indian Penal Code

(l) A dishonestly uses a forged document as genuine evidence in order to convict B, a public servant, of an offence under section 167 of the Indian Penal Code. A may be separately charged with, and convicted of, offences under sections 471 (read with 466) and 196 of the same Code

to sub-section (3)

(m) A commits robbery on B, and in doing so voluntarily causes hurt to him. A may be separately charged with, and convicted of, offences under sections 323, 392 and 394 of the Indian Penal Code

Where it is doubtful which offence has been committed

195 If a single act or series of acts is of such a nature that it is doubtful which of several offences the facts which can be proved will constitute, the accused may be charged with having committed all or any of such offences, and any number of such charges may be tried at once, or he may be charged in the alternative with having committed some one of the said offences

Chapter XVII

Of the Trial of Summons Cases by Magistrates

Procedure in Summons cases	200	The following procedure shall be observed by Magistrates in the trial of summons-cases
Substance of accusation to be stated	201	When the accused appears or is brought before the Magistrate, the particulars of the offence of which he is accused shall be stated to him, and he be asked if he has any cause to show why he should not be convicted, but it shall not be necessary to frame a formal charge
Conviction on admission of truth of accusation	202	If the accused admits that he has committed the offence of which he is accused, his admission shall be recorded as nearly as possible in the words used by him, and, if he shows no sufficient cause why he should not be convicted, the Magistrate shall convict him accordingly
Procedure when no such admission is made	203	(1) If the accused does not make such admission, the Magistrate shall proceed to hear the complainant (if any), and take all such evidence as may be produced in support of the prosecution, and also to hear the accused and take all such evidence as he produces in his defence (2) The Magistrate may, if he thinks fit, on the application of the complainant or accused, issue process to compel the attendance of any witness or the production of any document or other thing (3) The Magistrate may, before summoning any witness on such application, require that his reasonable expenses, incurred in attending for the purposes of the trial, be deposited in Court
Acquittal	204	(1) If the Magistrate upon taking the evidence referred to in section 203 and such further evidence (if any) as he may, of his own motion, cause to be produced, and (if he thinks fit) examining the accused, finds the accused not guilty, he shall record an order of acquittal (2) If he finds the accused guilty, he shall pass sentence upon him according to law
Sentence		
Finding not limited by complaint or summons	205	A Magistrate may, under section 202 or section 204, convict the accused of any offence triable under this Chapter which from the facts admitted or proved he appears to have committed, whatever may be the nature of the complaint or summons
Non appearance of complainant	206	If the summons has been issued on complaint, and upon the day appointed for the appearance of the accused, or any day subsequent thereto to which the hearing may be adjourned, the complainant does not appear, the Magistrate shall, notwithstanding anything hereinbefore contained, acquit the accused, unless for any reason he thinks proper he adjourns the hearing of the case to some other day Provided that where the complainant is a public servant and his personal attendance is not required, the Magistrate may dispense with his attendance and proceed with the case
Withdrawal of complaint	207	If a complaint, at any time before a final order is passed in any case under this Chapter, satisfies the Magistrate there are sufficient grounds for permitting him to withdraw his complaint, the Magistrate may permit him to withdraw the same, and shall thereupon acquit the accused
Power to stop proceedings when no complainant	208	In any case instituted otherwise than upon complaint, a Magistrate empowered to hold a Subordinate Court of the first class, or, with the previous sanction of the High Court, any other Magistrate, may, for reasons to be recorded by him, stop the proceedings at any stage without pronouncing any judgment either of acquittal or conviction, and may thereupon release the accused
Frivolous or vexatious accusations	209	(1) If, in any case instituted by complaint as defined in this Ordinance, or upon information given to a Police Officer or to a Magistrate, a person is accused before a Magistrate of any offence triable by a Magistrate, and the Magistrate by whom the case is heard discharges or acquits the accused and is satisfied that the accusation against him was frivolous or vexatious, the Magistrate may, in his discretion, by his order of discharge or acquittal, direct the person upon whose complaint or information the accusation was made to pay to the accused or to each of the accused where there are more than one, such compensation, not exceeding fifty rupees, as the Magistrate thinks fit

Defence

215. (1) If the accused refuses to plead, or does not plead, or claims to be tried he shall be required to state whether he wishes to cross-examine any, and, if so, which, of the witnesses for the prosecution whose evidence has been taken. If he says he does so wish, the witnesses named by him shall be re-called and, after cross-examination and re-examination (if any), they shall be discharged. The evidence of any remaining witnesses for the prosecution shall next be taken, and, after cross-examination and re-examination (if any), they also shall be discharged. The accused shall then be called upon to enter upon his defence and produce his evidence.

(2) If the accused puts in any written statement, the Magistrate shall file it with the record.

Process for compelling production of evidence at instance of accused

216. (1) If the accused, after he has entered upon his defence, applies to the Magistrate to issue any process for compelling the attendance of any witness for the purpose of examination or re-examination, or the production of any document or other thing, the Magistrate shall issue such process unless he considers that such application should be refused on the ground that it is made for the purpose of vexation or delay or for defeating the ends of justice. Such ground shall be recorded by him in writing. Provided that, when the accused has cross-examined, or had the opportunity of cross-examining any witness after the charge is framed, the attendance of such witness shall not be compelled under this section unless the Magistrate is satisfied that it is necessary for the purposes of justice.

(2) The Magistrate may, before summoning any witness on such application, require that his reasonable expenses incurred in attending for the purposes of the trial be deposited in Court.

Acquittal

217. (1) If in any case under this Chapter in which a charge has been framed the Magistrate finds the accused not guilty, he shall record an order of acquittal.

Conviction

(2) If in any such case the Magistrate finds the accused guilty, he shall pass sentence upon him according to law.

Absence of Complainant

218. When the proceedings have been instituted upon complaint, and upon any day fixed for the hearing of the case the complainant is absent, and the offence may be lawfully compounded, the Magistrate may, in his discretion, notwithstanding anything hereinbefore contained, at any time before the charge has been framed, discharge the accused.

Chapter XIX.

Of Summary Trials.

Power to try summarily

219. (1) Notwithstanding anything contained in this Ordinance any Magistrate holding a first class Subordinate Court specially empowered in this behalf by the Governor may if he thinks fit try in a summary way all or any of the following offences,—

- (a) offences not punishable with death, transportation or imprisonment for a term exceeding six months,
- (b) offences against the East Africa Weights and Measures Ordinance 1912,
- (c) hurt, under section 323 of the same Code,
- (d) theft, under section 379, 380 or 381 of the same Code, where the value of the property stolen does not exceed fifty rupees,
- (e) dishonest misappropriation of property under section 403 of the same Code, where the value of the property misappropriated does not exceed fifty rupees,
- (f) receiving or retaining stolen property, under section 411 of the same Code, where the value of such property does not exceed fifty rupees,
- (g) assisting in the concealment or disposal of stolen property, under section 414 of the same Code, where the value of such property does not exceed fifty rupees,
- (h) mischief, under section 427 of the same Code,
- (i) house trespass, under section 448 and offences under sections 451, 453, 454, 456 and 457 of the same Code,

- Plea of guilty (2) If the accused pleads guilty, the plea shall be recorded, and he may be convicted thereon
- Refusal to plead or claim to be tried 225 If the accused refuses to, or does not plead, or if he claims to be tried, the Court shall proceed to choose jurors or assessors, as hereinafter directed and to try the case
- Trial by same jury or assessors of several offenders in succession Provided, that, subject to the right of objection hereinafter mentioned, the same jury may try, or the same assessors may aid in the trial of, as many accused persons successively as the Court think it
- Entry on unsustainable charges 226 (1) In trials before the High Court, when it appears to the High Court, at any time before the commencement of the trial of the person charged, that any charge or any portion thereof is clearly unsustainable, the Judge may make on the charge an entry to that effect
- Effect of entry (2) Such entry shall have the effect of staying proceedings upon the charge or portion of the charge, as the case may be

(C) *Choosing a Jury*

- Number of jury 227 (1) The jury shall consist of nine persons
- Juror to be chosen by lot (2) The jurors shall be chosen by lot from the persons summoned to act as such in such manner as the High Court may from time to time by rule direct

Provided that —

- Existing practice maintained *first*—pending the issue under this section of rules, the practice now prevailing in such Court in respect to the choosing of jurors shall be followed,
- Persons not summoned when eligible *secondly*—in case of a deficiency of persons summoned, the number of jurors required may, with the leave of the Court, be chosen from such other persons as may be present,

- Names of jurors to be called 228 (1) As each juror is chosen, his name shall be called aloud, and upon his appearance, the accused shall be asked if he objects to be tried by such juror

- Objection to jurors (2) Objection may then be taken to such juror by the accused or by the prosecutor, and the grounds of objection shall be stated

- Grounds of objection 229 Any objection taken to a juror on any of the following grounds, if made out to the satisfaction of the Court, shall be allowed —

- (a) some presumed or actual partiality in the juror,
- (b) some personal ground, such as alienage, deficiency in the qualification required by any law or rule having the force of law for the time being in force or being under the age of twenty-one or above the age of sixty years,
- (c) his having by habit or religious vows relinquished all care of worldly affairs,
- (d) his holding any office in or under the Court,
- (e) his executing any duties of Police or being entrusted with police-duties,
- (f) his having been convicted of any offence which, in the opinion of the Court, renders him unfit to serve on the jury,
- (g) his inability to understand the language in which the evidence is given or when such evidence is interpreted the language in which it is interpreted,
- (h) any other circumstances which, in the opinion of the Court, renders him improper as a juror

- Decision of objection 230 (1) Every objection taken to a juror shall be decided by the Court, and such decision shall be recorded and be final

- Supply of place of juror against whom objection allowed (2) If the objection is allowed, the place of such juror shall be supplied by any other juror attending in obedience to a summons and chosen in manner provided by section 227, or if there is no such other juror present, then by any other person present in the Court whose name is on the list of jurors, or whom the Court considers a proper person to serve on the jury,

Provided that no objection to such juror or other person is taken under section 229 and allowed

- Foreman of jury 231 (1) When the jurors have been chosen, they shall appoint one of their number to be foreman

Defence

241 The accused or his pleader may then open his case, stating the facts or law on which he intends to rely, and making such comments as he thinks necessary on the evidence of the prosecution. He may then examine his witnesses (if any) and after their cross-examination and re-examination (if any) may sum up his case.

Right of accused as to examination and summoning of witnesses

242 The accused shall be allowed to examine any witness not previously named by him, if such witness is in attendance, but he shall not, except as provided in sections 173 and 190 be entitled of right to have any witness summoned, other than the witnesses named in the list delivered to the Magistrate by whom he was committed for trial.

Prosecutor's right of reply

243 If the accused, or any of the accused, adduces any evidence, the prosecutor shall be entitled to reply.

View by jury or assessors

244 (1) Whenever the Court thinks that the jury or assessors should view the place in which the offence charged is alleged to have been committed, or any other place in which any other transaction material to the trial is alleged to have occurred, the Court shall make an order to that effect, and the jury or assessors shall be conducted in a body, under the care of an Officer of the Court, to such place, which shall be shown to them by a person appointed by the Court.

(2) Such Officer shall not, except with the permission of the Court, suffer any other person to speak to, or hold any communication with, any of the jury or assessors, and unless the Court otherwise directs, they shall, when the view is finished, be immediately conducted back to Court.

When juror or assessor may be examined

245 If a juror or assessor is personally acquainted with any relevant fact, it is his duty to inform the Judge that such is the case, whereupon he may be sworn, examined, cross-examined and re-examined in the same manner as any other witness.

Jury or assessors to attend at adjourned sitting

246 If a trial is adjourned, the jury or assessors shall attend at the adjourned sitting and at every subsequent sitting until the conclusion of the trial.

Locking up jury

247 The High Court may, from time to time, make rules as to keeping the jury together during a trial before such Court lasting for more than one day, and subject to such rules, the presiding Judge may order whether and in what manner the jurors shall be kept together under the charge of an Officer of the Court, or whether they shall be allowed to return to their respective homes.

(F) Conclusion of Trials in Cases Tried by Jury

Charge to jury

248 In cases tried by jury, when the case for the defence and the prosecutor's reply (if any) are concluded, the Court shall proceed to charge the jury, summing up the evidence for the prosecution and defence, and laying down the law by which the jury are to be guided.

Duty of Judge

249 (1) In such cases it is the duty of the Judge—

- (a) to decide all questions of law arising in the course of the trial, and especially all questions as to the relevancy of facts which it is proposed to prove, and the admissibility of evidence or the propriety of questions asked by or on behalf of the parties, and, in his discretion, to prevent the production of inadmissible evidence whether it is or is not objected to by the parties,
- (b) to decide upon the meaning and construction of all documents given in evidence at the trial,
- (c) to decide upon all matters of fact which it may be necessary to prove in order to enable evidence of particular matters to be given,
- (d) to decide whether any question which arises is for himself or for the jury, and upon this point his decision shall bind the jurors.

(2) The Judge may, if he thinks proper, in the course of his summing up, express to jury his opinion upon any question of fact, or upon any question of mixed law and fact, relevant to the proceeding.

Duty of jury

250 It is the duty of the jury—

- (a) to decide which view of the facts is true and then to return the verdict which under such view ought, according to the direction of the Judge, to be returned,

- (c) if he answers that he has been so previously convicted, the Judge may proceed to pass sentence on him accordingly but if he denies that he has been so previously convicted, or refuses to, or does not, answer such question, the jury, or the Court and the assessors (as the case may be), shall then hear evidence concerning such previous conviction, and in such case (where the trial is by jury) it shall not be necessary to swear the jurors again

When evidence of previous conviction may be given

260 Notwithstanding anything in the last foregoing section, evidence of the previous conviction may be given at the trial, for the subsequent offence, if the fact of the previous conviction is relevant under the provisions of the Indian Evidence Act, 1872

(I) *List of Jurors and Summoning Jurors*

Preparation of list of jurors and assessors

261 The Registrar of the High Court shall before the first day of March in each year, and subject to such rules as the High Court may from time to time prescribe, prepare a list of all persons in East Africa other than natives of African extraction liable to serve as jurors or assessors

Liability to serve

262 All male persons between the ages of 21 and 60 shall be liable to serve as assessors and all male persons of European extraction between the ages of 21 and 60 shall be liable also to serve as jurors, at any trial held within the Protectorate

Exemptions

Provided that the High Court may from time to time make rules regulating the area within which a person may be summoned to serve as a juror or assessor

263 The following persons are exempt from liability to serve as jurors or assessors, namely —

- (a) Members of the Executive Council
- (b) salaried Judges,
- (c) Police Officers and persons engaged in the Preventive Service in the Customs Department,
- (d) persons engaged in the collection of the revenue whom the District Commissioner thinks fit to exempt on the ground of official duty,
- (e) persons actually officiating as priests or ministers of their respective religions,
- (f) surgeons and others who openly and constantly practise the medical profession,
- (g) legal practitioners in actual practise,
- (h) persons employed in the Post Office and Telegraph Department,
- (i) persons exempted from personal appearance in Court under the provisions of the Code of Civil Procedure
- (j) other persons exempted by the Governor from liability to serve as jurors or assessors

Publication of lists

264 (1) A copy of the list made by the Registrar of persons liable to serve as jurors or assessors shall be published in the "Official Gazette" of the first day of March, and extracts therefrom containing the names of the persons liable to serve as jurors or assessors residing in each Province shall be exposed to public inspection at the Offices of the Provincial Commissioner of each Province respectively

(2) To every such copy or extract shall be subjoined a notice stating that objections to the list will be heard and determined by a Judge of the High Court and such Magistrate as the High Court may appoint at a time and place to be mentioned in such notice

Revision of list

265 (1) For the hearing of such objections a Judge shall sit with the Magistrate, and shall, at the time and place mentioned in the notice, revise the list and hear the objections (if any) of persons interested in the amendment thereof, and shall strike out the name of any person not suitable in their judgment to serve as a juror or as an assessor, or who may establish his right to any exemption from service given by section 263 and insert the name of any person omitted from the list whom they deem qualified for such service

- (3) For good cause shewn, the High Court may remit or reduce any fine so imposed
- (4) In default of recovery of the fine by attachment and sale, such juror or assessor may, by order of the High Court be imprisoned as a civil prisoner for the term of 15 days, unless such fine is paid before the end of the said term

(J) *Special Provisions*

Power of Attorney
General to stay
prosecution

272 At any stage of any trial before the High Court under this Ordinance, before the return of the verdict, the Attorney General may, if he thinks fit, inform the Court on behalf of His Majesty that he will not further prosecute the defendant upon the charge, and thereupon all proceedings on such charge against the defendant shall be stayed, and he shall be discharged of and from the same. But such discharge shall not amount to an acquittal unless the presiding Judge otherwise directs

Place of sitting of
High Court

- 273 (1) For the exercise of its original criminal jurisdiction the High Court shall hold sittings at such places and on such days as the Chief Justice may direct
- (2) The Registrar shall ordinarily give notice beforehand in the "Official Gazette" of all such sittings

Chapter XXI.

General Provisions as to Inquiries and Trials

Tender of pardon to
accomplice

- 274 (1) In the case of any offence triable exclusively by the High Court any Magistrate empowered to hold a Subordinate Court of the first class or any other Magistrate with the sanction of such Magistrate, may, with the view of obtaining the evidence of any person supposed to have been directly or indirectly concerned in, or privy to, the offence under inquiry, tender a pardon to such person on condition of his making a full and true disclosure of the whole of the circumstances within his knowledge relative to such offence, and to every other person concerned, whether as principal or abettor, in the commission thereof
- (2) In the case of offences not triable exclusively by the High Court but which are punishable with more than three years imprisonment a Magistrate empowered to hold a Subordinate Court of the first or second class may tender a pardon with the previous sanction of the High Court
- (3) Every person accepting a tender under this section shall be examined as a witness in the case
- (4) Such person, if not on bail, shall be detained in custody until the termination of the trial by the High Court
- (5) Every Magistrate, who tenders a pardon under this section, shall record his reasons for so doing, and, when any Magistrate has made such tender and examined the person to whom it has been made, he shall not try the case himself, although the offence which the accused appears to have committed may be triable by such Magistrate

Power to direct
tender of pardon

275 At any time after commitment, but before judgment is passed, the High Court may, with the view of obtaining on the trial the evidence of any person supposed to have been directly or indirectly concerned in, or privy to, any such offence, tender, or order the committing Magistrate to tender, a pardon on the same condition as specified in section 274 to such person

Compounding offences 282 (1) The offences punishable under the sections of the Penal Code described in the first two columns of the table next following may be compounded by the persons mentioned in the third column of that table

Offence	Sections of Penal Code applicable	Person by whom offence may be compounded
Uttering words, etc., with deliberate intent to wound the religious feelings of any person	298	The person whose religious feelings are intended to be wounded
Causing hurt	323, 334	The person to whom the hurt is caused
Wrongfully restraining or confining any person	341, 342	The person restrained or confined
Assault or use of criminal force	352, 355, 358	The person assaulted or to whom criminal force is used
Unlawful compulsory labour	374	The person compelled to labour
Mischief, when the only loss or damage caused is loss or damage to a private person	426, 427	The person to whom the loss or damage is caused
Criminal trespass	447	The person in possession of the property trespassed upon
House trespass	448	
Criminal breach of contract or service	490, 491, 492	The person with whom the offender has contracted
Adultery	497	The husband of the woman
Enticing or taking away or detaining with a criminal intent a married woman	498	
Defamation	500	The person defamed
Printing or engraving matter knowing it to be defamatory	501	The person defamed
Sale of printed or engraved substance containing defamatory matter, knowing it to contain such matter	502	
Insult intended to provoke a breach of the peace	504	The person insulted
Criminal intimidation, except when the offence is punishable with imprisonment for seven years	506	The person intimidated

- (2) The offences of causing hurt and grievous hurt, punishable under section 324, section 325, section 335, section 337, or section 338, of the Penal Code, may with the permission of the Court before which any prosecution for such offence is pending, be compounded by the person to whom the hurt has been caused
- (3) When any offence is compoundable under this section, the abetment of such offence or an attempt to commit such offence (when such attempt is itself an offence) may be compounded in like manner
- (4) When the person who would otherwise be competent to compound an offence under this section is a minor, an idiot or a lunatic, any person competent to contract on his behalf may compound such offence
- (5) When the accused has been committed for trial or when he has been convicted and an appeal is pending, no composition for the offence shall be allowed without the leave of the Court to which he is committed, or as the case may be, before which the appeal is to be heard
- (6) The composition of an offence under this section shall have the effect of an acquittal of the accused
- (7) No offence shall be compounded except as provided by this section

Record in other cases		(3) In all other trials before Magistrates and in all inquiries under Chapter XV the evidence of each witness shall be taken down in writing in the language of the Court by the Magistrate, or in his presence and hearing and under his personal direction and superintendence, and shall be signed by the Magistrate
		(4) If the Magistrate is prevented from making a memorandum or taking down the evidence or record of evidence as above required, he shall record the reason of his inability to do so, and shall as the examination of each witness proceeds cause such memorandum or record of evidence to be made in writing from his dictation in open Court, and shall sign the same, and such memorandum or record of evidence shall form part of the record
Mode of recording evidence under section 288	289	(1) Evidence taken under section 288 shall not ordinarily be taken down in the form of question and answer, but in the form of a narrative
		(2) The Magistrate may, in his discretion take down, or cause to be taken down, any particular question and answer
Procedure in regard to such evidence when completed	290	(1) As the evidence of each witness taken down under section 288 is completed, it shall be read over to him in the presence of the accused if in attendance or his pleader, if he appears by pleader, and shall, if necessary, be corrected
		(2) If the witness denies the correctness of any part of the evidence when the same is read over to him, the Magistrate may, instead of correcting the evidence, make a memorandum thereon of the objection made to it by the witness, and shall add such remarks as he thinks necessary
		(3) If the evidence is taken down in a language different from that in which it has been given, and the witness does not understand the language in which it is taken down the evidence so taken down shall be interpreted to him in the language in which it was given, or in a language which he understands
Interpretation of evidence to accused or his advocate	291	(1) Whenever any evidence is given in a language not understood by the accused, and he is present in person, it shall be interpreted to him in open Court in a language understood by him
		(2) If he appears by advocate and the evidence is given in a language other than the language of the Court, and not understood by the advocate, it shall be interpreted to such advocate in the language of the Court
		(3) When documents are put in for the purpose of formal proof, it shall be in the discretion of the Court to interpret as much thereof, as appears necessary
Remarks respecting demeanour of witness	292	When a Magistrate has recorded the evidence of a witness he shall also record such remarks (if any) as he thinks material respecting the demeanour of such witness whilst under examination
Examination of accused how recorded	293	(1) Whenever the accused is examined by any Magistrate the whole of such examination, including every question put to him and every answer given by him, shall be recorded in full in the language of the Court and such record shall be shown or read to him, or, if he does not understand the language in which it is written, shall be interpreted to him in a language which he understands and he shall be at liberty to explain or add to his answers
		(2) When the whole is made conformable to what the accused declares is the truth, the record shall be signed by the Magistrate, and such Magistrate shall certify under his own hand that the examination was taken in his presence and hearing, and that the record contains a full and true account of the statement made by the accused
		(3) In cases in which the examination of the accused is not recorded by the Magistrate himself, he shall be bound, as the examination proceeds, to make a memorandum thereof in the language of the Court, and such memorandum shall be written and signed by the Magistrate with his own hand, and shall be annexed to the record. If the Magistrate is unable to make a memorandum as above required, he shall record the reason of such inability

Court not to alter
Judgment

298 No Court, other than a High Court, when it has signed its judgment, shall alter or review the same, except as provided in Sections 313 and 375 or to correct a clerical error

Copy of Judgment etc,
to be given to accused
on application

299 (1) On the application of accused a copy of the judgment, or, when he so desires, a translation in his own language, if practicable, shall be given to him without delay. Such copy shall be given free of costs

(2) In trials by jury, a copy of the heads of the charge to the jury shall, on the application of the accused, be given to him without delay and free of costs

Case of person
sentenced to death

(3) When the accused is sentenced to death by a Judge, such Judge shall further inform him of the period within which, if he wishes to appeal, his appeal should be preferred

Chapter XXIV.

Of Execution.

300 When a sentence of death is passed by the High Court the Court shall on receiving the order of the Appeal Court, if any, thereon and the order of confirmation of sentence or other order by the Governor issue a warrant or take such other steps as may be necessary to carry such order or orders into effect

Postponement of
capital sentence on
pregnant woman

301 If a woman sentenced to death is found to be pregnant, the High Court shall order the execution of the sentence to be postponed

Execution of sentences
of transportation
or imprisonment in
other cases

302 Where the accused is sentenced to transportation or imprisonment in cases other than those provided for by section 300 the Court passing the sentence shall forthwith forward a warrant to the jail in which he is, or is to be, confined, and unless the accused is already confined in such jail, shall forward him to such jail, with the warrant

Direction of warrant
for execution

303 (1) Every warrant for the execution of a sentence of imprisonment shall be directed to the Officer in charge of the jail or other place in which the prisoner is, or is to be, confined

Warrant with whom
to be lodged

(2) When the prisoner is to be confined in a jail, the warrant shall be lodged with the jailor

Warrant for levy of
fine

304 Whenever an offender is sentenced to pay a fine the Court passing the sentence may, in its discretion, issue a warrant for the levy of the amount by distress and sale of any property belonging to the offender, although the sentence directs that, in default of payment of the fine, the offender shall be imprisoned

Effect of such warrant

305 Such warrant may be executed within the local limits of the jurisdiction of such Court, and it shall authorise the distress and sale of any such property without such limits, when endorsed by a Magistrate holding a Subordinate Court of the 2nd Class within the local limits of whose jurisdiction such property is found

Suspension of
execution of sentence
of imprisonment

306 (1) When an offender has been sentenced to fine only and to imprisonment in default of payment of the fine, and the Court issues a warrant under Section 304, it may suspend the execution of the sentence of imprisonment and may release the offender on his executing a bond, with or without sureties, as the Court thinks fit, conditioned for his appearance before such Court on the day appointed for the return to such warrant, such day not being more than fifteen days from the time of executing the bond, and in the event of the fine not having been realised the Court may direct the sentence of imprisonment to be carried into execution at once

(2) In any case in which an order for the payment of money had been made, on non-recovery of which imprisonment may be awarded, and the money is not paid forthwith, the Court may require the person ordered to make such payment to enter into a bond as prescribed in sub-section (1), and in default of his so doing may at once pass sentence of imprisonment as if the money had not been recovered

Who may issue
warrant

307 Every warrant for the execution of any sentence may be issued either by the Judge or Magistrate who passed the sentence or by his successor in office

EXPLANATION —For the purposes of this section—

- (a) a sentence of penal servitude shall be deemed severer than a sentence of imprisonment,
- (b) a sentence of imprisonment with solitary confinement shall be deemed severer than a sentence of the same description of imprisonment without solitary confinement, and
- (a) a sentence of rigorous imprisonment shall be deemed severer than a sentence of simple imprisonment with or without solitary confinement

Sentenced offender
already sentenced for
another offence

315 When a person already undergoing a sentence of imprisonment, penal servitude or transportation is sentenced to imprisonment, penal servitude or transportation, such imprisonment, penal servitude or transportation shall commence at the expiration of the imprisonment, penal servitude or transportation to which he has been previously sentenced

Saving as to sections
314 and 315

316 (1) Nothing in section 314 or section 315 shall be held to excuse any person from any part of the punishment to which he is liable upon his former or subsequent conviction

- (2) When an award of imprisonment in default of payment of a fine is annexed to a substantive punishment of imprisonment, or to a sentence of transportation or penal servitude for an offence punishable with imprisonment, and the person undergoing the sentence is after its execution to undergo a further substantive sentence, or further substantive sentences of imprisonment, transportation or penal servitude, effect shall not be given to the award of imprisonment in default of payment of the fine until the person has undergone the further sentence or sentences

Return of warrant on
execution of sentence

317 When a sentence has been fully executed, the Officer executing it shall return the warrant to the Court from which it is issued, with an endorsement under his hand certifying the manner in which the sentence has been executed.

Chapter XXV.

Of Previous Acquittals or Convictions.

Person once convicted
or acquitted not to be
tried for same offence

- 318 (1) A person who has once been tried by a Court of competent jurisdiction for an offence and convicted or acquitted of such offence shall, while such conviction or acquittal remains in force, not be liable to be tried again for the same offence, nor on the same facts for any other offence for which a different charge from the one made against him might have been made under section 195 or for which he might have been convicted under section 196
- (2) A person acquitted or convicted of any offence may be afterwards tried for any distinct offence for which a separate charge might have been made against him on the former trial under section 194, sub-section (1)
 - (3) A person convicted of any offence constituted by any act causing consequences which, together with such act, constituted a different offence from that of which he was convicted, may be afterwards tried for such last mentioned offence, if the consequences had not happened, or were not known to that Court to have happened, at the time when he was convicted
 - (4) A person acquitted or convicted of any offence constituted by any acts may, notwithstanding such acquittal or conviction be subsequently charged with, and tried for any other offence constituted by the same acts which he may have committed if the Court by which he was first tried was not competent to try the offence with which he is subsequently charged

EXPLANATION —The dismissal of a complaint, the stopping of proceedings under section 208, the discharge of the accused or any entry made upon a charge under section 226 is not an acquittal for the purposes of this section

No appeal in certain cases where accused has pleaded guilty

(2) Notwithstanding anything hereinbefore contained there shall be no appeal by an accused person who has pleaded guilty and has been convicted on such plea by a Subordinate Court of the first class except as to the extent or legality of the sentence

No appeal from certain summary convictions

325 Notwithstanding anything hereinbefore contained, there shall be no appeal by a convicted person in any case tried summarily in which a Magistrate empowered to act under Section 219 passes a sentence of imprisonment not exceeding three months only or of fine not exceeding two hundred rupees only, or of whipping only

Proviso to Sections 321 and 325

326 An appeal may be brought against any sentence referred to in Section 324 or Section 325 by which any two or more of the punishments therein mentioned are combined, but no sentence which would not otherwise be liable to appeal, shall be appealable merely on the ground that the person convicted is ordered to find security to keep the peace

EXPLANATION — A sentence of imprisonment in default of payment of fine is not a sentence by which two or more punishments are combined within the meaning of this section

Appeal on behalf of Government in case of acquittal by High Court

327 The Governor in Council may direct the Attorney General to present an appeal to His Majesty's Court of Appeal for Eastern Africa from an order of acquittal by the High Court. Such appeal may lie on a matter of fact as well as a matter of law except where the trial was by jury in which case the appeal shall lie on a matter of law only

Appeal on behalf of Government in case of acquittal by Subordinate Court

328 The Governor in Council may direct the Attorney General to present an appeal to the High Court from an order of acquittal passed by any Subordinate Court

Petition of appeal

329 Every appeal to the High Court shall be made in the form of a petition in writing presented by the Appellant or his Advocate, and every such petition shall (unless the High Court otherwise directs) be accompanied by a copy of the Judgment or order appealed against

Procedure when Appellant in Jail

330 If the Appellant is in Jail, he may present his petition of appeal and the copies accompanying the same to the Officer in charge of the jail, who shall thereupon forward such petition and copies to the Registrar of the High Court

Summary dismissal of appeal

331. (1) On receiving the petition and copy under Section 329 or Section 330 the High Court shall peruse the same, and if it considers that there is no sufficient ground for interfering, it may dismiss the appeal summarily

Provided that no appeal presented under Section 329 shall be dismissed unless the Appellant if not in custody or his Advocate has had a reasonable opportunity of being heard in support of the same

(2) Before dismissing an appeal under this Section, the Court may call for the record of the case, but shall not be bound to do so

Notice of appeal

332 If the High Court does not dismiss the appeal summarily, it shall cause notice to be given to the Appellant or his Advocate, and to the Attorney General of the time and place at which such appeal will be heard, and shall, furnish the Attorney General with a copy of the grounds of appeal,

and, in cases of appeals under Section 328 the High Court shall cause a like notice to be given to the Accused

Power of Appellate Court in disposing of appeal

333 The High Court shall then send for the record of the case if such record is not already in Court. After perusing such record, and hearing the Appellant or his Advocate, if he appears, and the Public Prosecutor if he appears, and, in case of an appeal under Section 328 the Accused, if he appears, the Court may, if it considers that there is no sufficient ground for interfering dismiss the appeal, or may —

(a) in an appeal from an order of acquittal reverse such order and direct that further inquiry be made or that the Accused be retried or committed for trial as the case may be or find him guilty and pass sentence on him according to law,

(b) in an appeal from a conviction, (1) reverse the finding and sentence and acquit or discharge the Accused, or order him to be retried by a Court of competent jurisdiction or commit him for trial, or (2) alter the finding, maintaining the sentence, or with or without altering the finding, reduce the sentence, or (3) with or without such reduction and with or without altering the finding, alter the nature of the sentence but subject to the provisions of Section 89 not so as to enhance the same

High Court's powers
of revision

- 343 (1) In the case of any proceeding in a Subordinate Court the record of which has been called for or which has been reported for orders, or which otherwise comes to its knowledge, the High Court may, in its discretion, exercise any of the powers conferred on a Court of Appeal by Sections 333, 336, 337 and 338 and may enhance the sentence
- (2) No order under this Section shall be made to the prejudice of the Accused unless he has had an opportunity of being heard either personally or by Advocate in his own defence
- (3) Where the sentence dealt with under this Section has been passed by a Subordinate Court, the High Court shall not inflict a greater punishment for the offence which in the opinion of the High Court the Accused has committed than might have been inflicted for such offence by a Magistrate empowered to hold a Subordinate Court of the 1st class
- (4) Nothing in this section shall be deemed to authorize a High Court to convert a finding of acquittal into one of conviction
- (5) Where under this Ordinance an appeal lies and no appeal is brought, no proceeding by way of revision shall be entertained at the instance of the party who could have appealed

Optional with Court to
hear parties

344 No party has any right to be heard either personally or by Advocate before the High Court when exercising its powers of revision

Provided that such Court may, if it thinks fit, when exercising such powers, hear any party either personally or by Advocate and that nothing in this section shall be deemed to affect section 343 sub-section (2)

Number of Judges
in revision

345 All proceedings before the High Court in the exercise of its revisional jurisdiction may be heard and any Judgment or order thereon may be made or passed by one Judge provided that when such Court is composed of more than one Judge and such Court is equally divided in opinion, the sentence or order of the Subordinate Court shall be upheld

Certifying order of
revision

346 When a case is revised by the High Court it shall certify its decision or order to the Court by which the sentence or order so revised was recorded or passed and the Court to which the decision or order is so certified, shall thereupon make such orders as are conformable to the decision so certified and if necessary the record shall be amended in accordance therewith

PART VIII

Special Proceedings.

Chapter XXVII

Trial of Europeans.

Method of inquiry, not
certain offences

347 Save as hereinafter provided every case in which a European shall appear before a Magistrate accused of any offence punishable with imprisonment which may exceed six months shall be enquired into under Chapter XV of this Ordinance as if the offence were one triable exclusively by the High Court and if there are sufficient grounds for committing the accused for trial the Magistrate shall, if he has power to commit, commit him for trial to the High Court

Offences triable by
Magistrate

348 Notwithstanding anything contained in the preceding section a Magistrate holding a Subordinate Court of the 1st and 2nd Class may try and pass sentence according to law upon a European in any of the following cases —

- (a) If the maximum term of imprisonment prescribed by law as a punishment for the offence alleged does not exceed three years and the Magistrate after hearing the evidence for the prosecution is of opinion that the accused would be adequately punished for the offence by a fine or by imprisonment for a term not exceeding six months with or without fine and the person accused shall consent to be tried by such Magistrate

- (e) A person charged and being a witness in pursuance of this Chapter may be asked any questions in cross-examination notwithstanding that it will tend to criminate him as to the offence charged
- (f) A person charged and called as a witness in pursuance of this Chapter shall not be asked and if asked shall not be required to answer any question tending to show that he has committed or been convicted of or been charged with any offence other than that wherewith he is then charged or is of bad character unless —
 - * (i) the proof that he has committed or been convicted of such offence is admissible evidence to show that he is guilty of the offence wherewith he is then charged
 - (ii) He has personally or by his Advocate asked questions of the witnesses for the prosecution with a view to establishing his own good character, or the nature or conduct of the defence is such as to involve imputation on the character of the prosecutor or the witnesses for the prosecution, or
 - (iii) He has given evidence against any other person charged with the same offence
- (g) Every person called as a witness in pursuance of this Chapter shall, unless otherwise ordered by the Court, give his evidence from the witness box or other place from which the other witnesses have given their evidence
- (h) Nothing in this Chapter shall affect the other provisions of this Ordinance with regard to the examination of an accused person or the right of the person charged to make a statement

When accused is only witness for the defence

356 Where the only witness to the facts of the case called by the defence is the person charged he shall be called as a witness immediately after the close of the evidence for the prosecution

Right of reply

357 In a case where the right of reply depends upon the question whether evidence has been called for the defence the fact that the person charged has been called as a witness shall not of itself confer on the prosecution the right of reply

Cases when wife or husband may be called without consent

358 In any inquiry or trial in which the wife or husband of a person accused charged with any offence might be called as a witness for the prosecution under any law in force before the enactment of this Ordinance the wife or husband may be called as a witness for the prosecution or defence and without the consent of the person charged

Procedure to be followed in case of trial of European

359 The procedure otherwise prescribed by this Ordinance shall be followed in every inquiry, trial, finding or sentence in every case in which a European is the person or one of the persons accused except in so far as such procedure is repugnant to the provisions of this Chapter

Chapter XXVIII.

Lunatics

Procedure in case of accused being lunatic

- 360 (1) When a Magistrate holding an inquiry or a trial has reason to believe that the accused is of unsound mind and consequently incapable of making his defence, the Magistrate shall inquire into the fact of such unsoundness, and shall cause such person to be examined by a Medical Officer, and thereupon shall examine such medical officer as a witness, and shall reduce the examination to writing
- (2) If such Magistrate is of opinion that the accused is of unsound mind and consequently incapable of making his defence, he shall postpone further proceedings in the case

Procedure in case of person committed before High Court being lunatic

- 361 (1) If any person committed for trial before the High Court appears to the Court at his trial to be of unsound mind and consequently incapable of making his defence, the jury, or the Court with the aid of assessors, shall, in the first instance, try the fact of such unsoundness and incapacity, and, if satisfied of the fact, shall pass judgment accordingly, and thereupon the trial shall be postponed

Lunatic prisoners to
be visited

368 When any person is confined under the provisions of section 362 or section 367 if such person is confined in a jail, the visiting justices of the prison or the visitors of the lunatic asylum, or any two of them, if he is confined in a lunatic asylum, may visit him in order to ascertain his state of mind, and he shall be visited once at least in every six months by two of such visitors as aforesaid and such visitors shall make a special report to the Governor as to the state of mind of such person

Procedure where
lunatic prisoner is
reported capable
of making his defence

369 If such person is confined under the provisions of section 362, and such visitors shall certify that, in their opinion, such person is capable of making his defence, he shall be taken before the Magistrate or High Court as the case may be, at such time as the Magistrate or High Court appoints, and the Magistrate or High Court shall deal with such person under the provisions of section 364 and the certificate of such visitors as aforesaid shall be receivable as evidence

Procedure where
lunatic confined under
section 362 or 367 is
declared fit to be
discharged

370 (1) If such person is confined under the provisions of section 362 or section 367 and such visitors shall certify that, in their judgment, he may be discharged without danger of his doing injury to himself or to any other person, the Governor may thereupon order him to be discharged, or to be detained in custody, or to be transferred to a public lunatic asylum if he has not been already sent to such an asylum, and, in case it orders him to be transferred to an asylum, may appoint a Commission, consisting of a judicial and two medical officers

(2) Such Commission shall make formal inquiry into the state of mind of such person, taking such evidence as necessary, and shall report to the Governor, who may order his discharge or detention as he thinks fit

Delivery of lunatic to
care of relative

371 (1) Whenever any relative or friend of any person confined under the provisions of section 362 or section 367 desires that he shall be delivered over to his care and custody, the Governor upon the application of such relative or friend, and, on his giving security to the satisfaction of the Governor that the person delivered shall be properly taken care of and shall be prevented from doing injury to himself or to any other person, may order such person to be delivered to such relatives or friends

(2) Whenever such person is so delivered, it shall be upon condition that he shall be produced for the inspection of such Officer and at such times as the Governor directs

(3) The provisions of section 368 and 370 shall, *mutatis mutandis*, apply to persons delivered under the provisions of this section, and the certificate of the inspecting Officer appointed under this section shall be receivable as evidence

Chapter XXIX

Proceedings in case of certain Offences affecting the Administration of Justice.

Procedure in case
mentioned in section
157

372 (1) When any Civil or Criminal Court is of opinion that there is ground for inquiring into any offence referred to in section 157 and committed before it or brought under its notice in the course of a judicial proceeding such Court, after making any preliminary inquiry that may be necessary, may send the case for inquiry or trial to the nearest Magistrate empowered to hold a Subordinate Court of the first class, and may send the accused in custody, or take sufficient security for his appearance, before such Magistrate, and may bind over any person to appear and give evidence on such inquiry or trial

(2) Such Magistrate shall thereupon proceed according to law, and as if upon complaint made and recorded under section 162

(3) The High Court may charge a person for any offence referred to in section 157 and committed before it or brought under its notice in the course of a judicial proceeding and may commit or admit to bail and try such person upon its own charge

Chapter XXX.

Directions of the nature of a Habeas Corpus and Writ.

Power to issue
directions of the
nature of a
habeas corpus

- 380 (1) The High Court may, whenever it thinks fit, direct —
- (a) that a person within the limits of the Protectorate be brought up before the Court to be dealt with according to law,
 - (q) that a person illegally or improperly detained in public or private custody within such limits be set at liberty,
 - (c) that a prisoner detained in any jail situate within such limits be brought before the Court to be there examined as a witness in any matter pending or to be inquired into in such Court,
 - (d) that a prisoner detained as aforesaid be brought before a Court-martial or any Commissioners acting under the authority of any commission from the Governor in Council for trial to be examined touching any matter pending before such Court-martial or Commissioners respectively,
 - (e) that a prisoner within such limits be removed from one custody to another for the purpose of trial, and
 - (r) that the body of a defendant within such limits be brought in on a return of *cepi corpus* to a writ of attachment
- (2) The High Court may, from time to time, frame rules to regulate the procedure in cases under this section

Issue of writs by
High Court

- 381 (1) The High Court may in the exercise of its criminal jurisdiction issue any writ which may be issued by the High Court of Judicature in England
- (2) The High Court may from time to time frame rules to regulate the procedure in cases under this section

PART IX

Supplementary Provisions.

Chapter XXXI

Of the Public Prosecutor.

Power to appoint
Public Prosec-
utors

- 382 (1) The Governor may appoint generally, or in any case, or for any specified class of cases, in any local area, one or more Officers to be called Public Prosecutors
- (2) In any case committed for trial to the High Court the Attorney General may appoint any Advocate of the High Court, or Officer of the administration not being an Officer of Police below the rank of Inspector of Police to be Public Prosecutor for the purpose of such case

Public Pro-
secutors may
plead in all
Courts in cases
under his charge
Pleaders
privately in-
structed to be
under his
direction

383 The Public Prosecutor may appear and plead without any written authority before any Court in which any case of which he has charge is under inquiry, trial or appeal, and, if any private person instructs an Advocate to prosecute in any Court any person in any such case the Public Prosecutor may conduct the prosecution, and the Advocate so instructed shall act therein under his directions

Effect of with-
drawal from
prosecution

384 Any Public Prosecutor may, with the consent of the Court, in cases tried by jury before the return of the verdict, and in other cases before the judgment is pronounced, withdraw from the prosecution of any person, and, upon such withdrawal,—

- (a) if it is made before a charge has been framed, the accused shall be discharged,
- (b) if it is made after a charge has been framed, or when under this Ordinance no charge is required, he shall be acquitted

- Discharge from custody 390 (1) As soon as the bond has been executed the person for whose appearance it has been executed shall be released, and when he is in jail, the Court admitting him to bail shall issue an order of release to the Officer in charge of the jail and such Officer on receipt of the order shall release him
- (2) Nothing in this section, section 386 or section 387 shall be deemed to require the release of any person liable to be detained for some matter other than that in respect of which the bond was executed
- Power to order sufficient bail when that first taken is insufficient 391 If, through mistake, fraud or otherwise, insufficient sureties have been accepted, or if they afterwards become insufficient, the Court may issue a warrant of arrest directing that the person released on bail be brought before it and may order him to find sufficient sureties, and on his failing so to do commit him to jail
- Discharge of sureties 392 (1) All or any sureties for the attendance and appearance of a person released on bail may at any time apply to a Magistrate to discharge the bond either wholly or so far as relates to the applicants
- (2) On such application being made the Magistrate shall issue his warrant of arrest directing that the person so released be brought before him
- (3) On the appearance of such person pursuant to the warrant, or on his voluntary surrender, the Magistrate shall direct the bond to be discharged either wholly or so far as it relates to the applicants, and shall call upon such person to find other sufficient sureties, and, if he fails to do so, may commit him to custody

Chapter XXXIII.

Of Commissions for the Examinations of Witnesses

- When attendance of witness may be dispensed with 393 (1) Whenever, in the course of an inquiry, a trial or any other proceeding under this Ordinance the High Court is satisfied that the examination of a witness is necessary for the ends of justice, and that the attendance of such witness cannot be procured without an amount of delay, expense or inconvenience which, under the circumstances of the case, would be unreasonable, the Court may issue a commission to any Magistrate, within the local limits of whose jurisdiction such witness resides, to take the evidence of such witness
- (2) The Magistrate to whom the commission is issued, shall proceed to the place where the witness is or shall summon the witness before him, and shall take down his evidence in the same manner, and may for this purpose exercise the same powers, as in trials of warrant-cases under this Ordinance
- Issue of Commission, and procedure thereunder
- Parties may examine witnesses 394 (1) The parties to any proceeding under this Ordinance in which a commission is issued, may respectively forward any interrogatories in writing which the Court directing the commission may think relevant to the issue, and the Magistrate or Officer to whom the commission is directed, shall examine the witness upon such interrogatories
- (2) Any such party may appear before such Magistrate or Officer by Advocate, or if not in custody, in person, and may examine cross-examine, and re-examine (as the case may be) the said, witness
- Power of Subordinate Magistrate to apply for issue of commission 395 Whenever, in the course of an inquiry or a trial or any other proceeding under this Ordinance before any Magistrate, it appears that a commission ought to be issued for the examination of a witness whose evidence is necessary for the ends of justice, and that the attendance of such witness cannot be procured without an amount of delay, expense or inconvenience which, under the circumstances of the case, would be unreasonable, such Magistrate shall apply to the High Court, stating the reasons for the application, and the High Court may either issue a commission in the manner hereinbefore provided or reject the application

Record of
evidence when
offender un-
known

- (2) If it appears that an offence punishable with death or transportation has been committed by some person or persons unknown, the High Court may direct that any Magistrate empowered to hold a Subordinate Court of the first class shall hold an inquiry and examine any witnesses who give evidence concerning the offence. Any depositions so taken may be given in evidence against any person who is subsequently accused of the offence if the deponent is dead or incapable of giving evidence or beyond the limits of the Protectorate.

Chapter XXXV.

Provisions as to Bonds

Deposit instead
of recognizance

402 When any person is required by any Court or Officer to execute a bond, with or without sureties, such Court or Officer may, except in the case of a bond for good behaviour, permit him to deposit a sum of money or Government Currency Notes to such amount as the Court or Officer may fix, in lieu of executing such a bond.

Procedure on
forfeiture of
bond

- 403 (1) Whenever it is proved to the satisfaction of the Court by which a bond under this Ordinance has been taken, or when the bond is for appearance before a Court, to the satisfaction of such Court, that such bond has been forfeited, the Court shall record the grounds of such proof, and may call upon any person bound by such bond to pay the penalty thereof, or to show cause why it should not be paid.
- (2) If sufficient cause is not shown and the penalty is not paid, the Court may proceed to recover the same by issuing a warrant for the attachment and sale of the property belonging to such person or his estate if he be dead.
- (3) Such warrant may be executed within the local limits of the jurisdiction of the Court which issued it, and it shall authorise the distress and sale of any property belonging to such person without such limits, when endorsed by a Magistrate empowered to hold a subordinate court of the first class within the local limits of whose jurisdiction such property is found.
- (4) If such penalty is not paid and cannot be recovered by such attachment and sale, the person so bound shall be liable, by order of the Court which issued the warrant, to imprisonment as a Civil prisoner for a term which may extend to six months.
- (5) The Court may, at its discretion, remit any portion of the penalty mentioned and enforce payment in part only.
- (6) Where a surety to a bond dies before the bond is forfeited, his estate shall be discharged from all liability in respect of the bond, but the party who gave the bond may be required to find a new surety.

Appeal from,
and revision of
orders under
section 403

404 All orders passed under section 403 by any Magistrate shall be appealable to and may be revised by the High Court.

Power to direct
levy of amount
due on certain
recognizances

405 The High Court may direct any Magistrate to levy the amount due on a bond to appear and attend at such High Court.

Chapter XXXVI.

Of the Disposal of Property.

Order for
disposal of
property regard-
ing which
offence commit-
ted

- 406 (1) When an inquiry or a trial in any Criminal Court is concluded, the Court may make such order as it thinks fit for the disposal of any property or document produced before it or in its custody or regarding which any offence appears to have been committed, or which has been used for the commission of any offence.

- (2) In the case of every order passed under this section an appeal shall lie to the High Court

Power to sell
perishable prop-
erty

412 If the person entitled to the possession of such property is unknown or absent and the property is subject to speedy and natural decay, or the Magistrate to whom its seizure is reported, is of opinion that its sale would be for the benefit of the owner, the Magistrate may at any time direct it to be sold, and the provisions of section 410 and section 411 shall, as nearly as may be practicable, apply to the nett-proceeds of such sale

Chapter XXXVII.

Of Irregular Proceedings

Irregularities
which do not vit-
iate proceedings

413 If any Magistrate not empowered by law to do any of the following things namely —

- (a) to issue a search-warrant under section 81,
- (b) to order, under section 122, the Police to investigate an offence,
- (c) to hold an inquest under section 143,
- (d) to transfer a case under section 154,
- (e) to tender a pardon under section 274 or section 275,
- (f) to sell property under section 411 or section 412,

erroneously in good faith does that thing, his proceedings shall not be set aside merely on the ground of his not being so empowered

Irregularities
which vitiate
proceedings

414 If any Magistrate, not being empowered by law in this behalf, does any of the following things, namely —

- (a) attaches and sells property under section 71,
- (b) issues a search-warrant for a letter, parcel or other thing in the Post Office, or a telegram in the Telegraph Department,
- (c) demands security to keep the Peace,
- (d) demands security for good behaviour,
- (e) discharges a person lawfully bound to be of good behaviour,
- (f) cancels a bond to keep the Peace,
- (g) calls, under section 342, for proceedings,
- (h) tries an offender,
- (i) tries an offender summarily, or
- (j) decides an appeal, his proceedings shall be void

Proceedings in
wrong place

415 No finding, sentence or order of any Criminal Court shall be set aside merely on the ground that the inquiry, trial or other proceeding in the course of which it was arrived at or passed, took place in a wrong Province, District or other local area, unless it appears that such error has in fact occasioned a failure of justice

When irregular
commitments
may be validated

416 (1) If any Magistrate or other authority purporting to exercise powers duly conferred which were not so conferred, commits an accused person for trial before the High Court, the High Court may, after perusal of the proceedings, accept the commitment if it considers that the accused has not been injured thereby, unless, during the inquiry and before the order of commitment objection was made on behalf either of the accused or of the prosecution to the jurisdiction of such Magistrate or other authority

(2) If such Court considers that the accused was injured, or if such objection was so made, it shall quash the commitment and direct a fresh inquiry by a competent Magistrate

Non-compliance
with provisions
of section 131 or
293

417 (1) If any Court before which a confession or other statement of an accused person recorded or purporting to be recorded under section 131 or section 293 is tendered or has been received in evidence, finds that any of the provisions of either of such sections have not been complied with by the Magistrate recording the statement, it shall take evidence that such person duly made the statement recorded, and notwithstanding anything contained in the Indian Evidence Act, 1872, section 91, such statement shall be admitted, if the error has not injured the accused as to his defence on the merits

- (2) The Officer so in charge on receipt of such order, shall act in accordance therewith, and shall provide for the safe custody of the prisoner during his absence from the jail for the purpose aforesaid

Interpreter to be bound to interpret truthfully 426 When the services of an interpreter are required by any Criminal Court for the interpretation of any evidence or statement, he shall be bound to state the true interpretation of such evidence or statement

Expenses of complainants and witnesses 427 Subject to any rules made by the Governor, any Criminal Court may, if it thinks fit, order payment, on the part of Government, of the reasonable expenses of any complainant or witness attending for the purposes of any inquiry, trial or other proceeding before such Court under this Ordinance

Power of Court to pay expenses or compensation out of fine 428 (1) Whenever under any law in force for the time being a Criminal Court imposes a fine or confirms in appeal, revision or otherwise a sentence of fine, or a sentence of which fine forms a part, the Court may, when passing judgment, order the whole or any part of the fine recovered to be applied—

- (a) in defraying expenses properly incurred in the prosecution,
- (b) in compensation for the injury caused by the offence committed, where substantial compensation is, in the opinion of the Court, recoverable by civil suit

- (2) If the fine is imposed in a case which is subject to appeal no such payment shall be made before the period allowed for presenting the appeal has elapsed, or, if an appeal be presented, before the decision of the appeal

Payments to be taken into account in subsequent suit 429 At the time of awarding compensation in any subsequent civil suit relating to the same matter, the Court shall take into account any sum paid or recovered as compensation under section 428

Moneys ordered to be paid recoverable as fines 430 Any money payable by virtue of any order made under this Ordinance otherwise than as a fine shall be recoverable as if it were a fine

Copies of proceedings 431 If any person affected by a judgment or order passed by a Criminal Court desires to have a copy of the Judge's charge to the jury or of any order or deposition or other part of the record, he shall, on applying for such copy, be furnished therewith

Provided that he pays for the same, unless the Court, for some special reason, thinks fit to furnish it free of cost

Delivery to military authorities of persons liable to be tried by Court-martial 432 (1) The Governor may make rules, consistent with this Ordinance and the Army Act or any similar law for the time being in force as to the cases in which persons subject to military law shall be tried by a Court to which this Ordinance applies, or by Court-martial, and when any person is brought before a Magistrate and charged with an offence for which he is liable, under the Army Act, section 41, to be tried by a Court-martial, such Magistrate shall have regard to such rules, and shall in proper cases deliver him, together with a statement of the offence of which he is accused to the Commanding Officer of the regiment, corps or detachment to which he belongs, or to the Commanding Officer of the nearest military station, for the purpose of being tried by Court-martial

Apprehension of such persons (2) Every Magistrate shall, on receiving a written application for that purpose by the Commanding Officer of any body of troops stationed or employed at any such place, use his utmost endeavours to apprehend and secure any person accused of such offence

Powers to Police to seize property suspected to be stolen 433 Any Police-Officer may seize any property which may be alleged or suspected to have been stolen, or which may be found under circumstances which create suspicion of the commission of any offence. Such Police Officer, if subordinate to the Officer in charge of a police station, shall forthwith report the seizure to that Officer

Powers of superior Officers of Police 434 Police-Officers superior in rank to an Officer in charge of a police-station may exercise the same powers throughout the local area to which they are appointed, as may be exercised by such Officer within the limits of his station

Power to compel restoration of abducted females 435 Upon complaint made to a Magistrate empowered to hold a Subordinate Court of the first class on oath of the abduction or unlawful detention of a woman, or of a female child under the age of fourteen years, for any unlawful

- (2) An offender, when apprehended on any such warrant, shall be brought forthwith before the Court issuing the warrant, and such Court may either remand him in custody until the case is heard or admit him to bail with a sufficient surety conditioned on his appearing for sentence. Such Court may, after hearing the case, pass sentence.

Condition as to
abode of offender

445 The Court, before directing the release of an offender under section 443, shall be satisfied that the offender or his surety (if any) has a fixed place of abode or regular occupation in the place for which the Court acts or in which the offender is likely to live during the period named for the observance of the condition.

Previously Convicted Offenders

Order for
notifying address
of previously
convicted
offender

- 446 (1) When any person, having been convicted of any offence punishable under Chapter XII or Chapter XVII of the Penal Code with imprisonment for a term of three years or upwards, is again convicted of any offence punishable under either of those Chapters with imprisonment for a term of three years or upwards the Court or Magistrate may, if it or he thinks fit, at the time of passing sentence of transportation or imprisonment on such person, also order that his residence and any change of residence after release be notified, as hereinafter provided, for a term not exceeding five years from the date of the expiration of such sentence.
- (2) If such conviction is set aside on appeal or otherwise, such order shall become void.
- (3) The Governor may make rules to carry out the provisions of this section relating to the notification of residence by released convicts.
- (4) Any person refusing or neglecting to comply with any rule so made shall be punishable as if he had committed an offence under section 176 of the Penal Code.

Reference

Reference by
Magistrate
holding
Subordinate
Courts of the
First Class

447 Any Magistrate empowered to hold a Subordinate Court of the first class may, if he thinks fit, refer for the opinion of the High Court any question of law which arises in the hearing of any case pending before him, or may give judgment in any such case subject to the decision of the High Court on such reference and, pending such decision, may either commit the accused to jail, or release him on bail to appear for judgment when called upon.

Disposal of case
according to
decision of the
High Court

- 448 (1) When a question has been so referred, the High Court shall pass such order thereon as it thinks fit, and shall cause a copy of such order to be sent to the Magistrate by whom the reference was made, who shall dispose of the case conformably to the said order.
- (2) The High Court may order by whom the costs of such reference be paid.

Power to reserve
questions arising
in original
jurisdiction of
High Court

449. (1) When any person has, in a trial before a judge of the High Court, acting in the exercise of its original criminal jurisdiction, been convicted of an offence, the Judge, if he thinks fit, may reserve and refer for the decision of a Court consisting of two or more Judges of the High Court any question which has arisen in the course of the trial of such person, and the determination of which would affect the event of the trial.
- (2) If the Judge reserves any such question, the person convicted shall, pending the decision thereon, be remanded to jail, or, if the Judge thinks fit, be admitted to bail, and the High Court shall have power to review the case, or such part thereof as may be necessary, and finally determine such question, and thereupon to alter the sentence passed by the Court of original Jurisdiction, and to pass such Judgment or order as the High Court thinks fit.

SCHEDULE II.

Statement of Offences.

EXPLANATORY NOTE —The entries in the second and seventh columns of this Schedule, headed respectively "Offence" and "Punishment under the Indian Penal Code" are not intended as definitions of the offences and punishments described in the several corresponding sections of the Indian Penal Code or even as abstracts of those sections, but merely as references to the subject of the section, the number of which is given in the first column

Chapter V—Abetment

1	2	3	4	5	6	7	8
Section	Offence	Whether the police may arrest without warrant or not	Whether a warrant or a summons shall ordinarily issue in the first instance	Whether bailable or not	Whether compoundable or not	Punishment under the Indian Penal Code	By what Court triable
109	Abetment of any offence, if the act abetted is committed in consequence, and where no express provision is made for its punishment	May arrest without warrant if the offence abetted may be made without warrant, but not otherwise	According as a warrant or summons may issue for the offence abetted	According as the offence abetted is bailable or not	According as the offence abetted is compoundable or not	The same punishment as for the offence abetted	The Court by which the offence abetted is triable
110	Abetment of any offence, if the person abetted does the act with a different intention from that of the abettor	ditto	ditto	ditto	ditto	ditto	ditto
111	Abetment of any offence, when one act is abetted and a different act is done, subject to the proviso	ditto	ditto	ditto	ditto	The same punishment as for the offence intended to be abetted	ditto
113	Abetment of any offence, when an effect is caused by the act abetted different from that intended by the abettor	ditto	ditto	ditto	ditto	The same punishment as for the offence committed	ditto
114	Abetment of any offence, if abettor is present when offence is committed	ditto	ditto	ditto	ditto	ditto	ditto
115	Abetment of an offence punishable with death or transportation for life, if the offence be not committed in consequence of the abetment	ditto	ditto	Not bailable	ditto	Imprisonment of either description for seven years and fine	ditto
	If an act which causes harm be done in consequence of the abetment	ditto	ditto	ditto	ditto	Imprisonment of either description for fourteen years and fine	ditto

Chapter VI—Offences against the State.

1	2	3	4	5	6	7	8
Section	Offence	Whether the police may arrest without warrant or not	Whether a warrant or a summons shall ordinarily issue in the first instance	Whether bailable or not	Whether compoundable or not	Punishment under the Indian Penal Code	By what Court triable
121	Waging, or attempting to wage war, or abetting the waging of war, against the King	Shall not arrest without warrant	Warrant	Not bailable	Not Compoundable	Death or transportation for life, and forfeiture of property	High Court
121a	Conspiring to commit certain offences against the State	ditto	ditto	ditto	ditto	Transportation for life or any shorter term, or imprisonment of either description for 10 years	ditto
122	Collecting arms, etc., with the intention of waging war against the King	ditto	ditto	ditto	ditto	Transportation for life or imprisonment of either description for 10 years and forfeiture of property	ditto
123	Concealing with intent to facilitate a design to wage war	ditto	ditto	ditto	ditto	Imprisonment of either description for 10 years and fine	ditto
124	Assaulting Governor General, Governor, etc., with intent to compel or restrain the exercise of any lawful power	ditto	ditto	ditto	ditto	Imprisonment of either description for 7 years and fine	ditto
124a	Sedition	ditto	ditto	ditto	ditto	Transportation for life or for any term and fine, or imprisonment of either description for 3 years and fine, or fine	High Court or Subordinate Court of the first class specially empowered by the Governor in that behalf
125	Waging war against any Asiatic Power in alliance or at peace with the King, or abetting the waging of such war	ditto	ditto	ditto	ditto	Transportation for life and fine, or imprisonment of either description for 7 years and fine, or fine	High Court
126	Committing depredation on the territories of any power in alliance or at peace with the King	ditto	ditto	ditto	ditto	Imprisonment of either description for 7 years and fine, and forfeiture of certain property	ditto
127	Receiving property taken by war or depredation mentioned in sections 125 and 126	ditto	ditto	ditto	ditto	ditto	ditto
128	Public servant voluntarily allowing prisoner of State or war in his custody to escape	ditto	ditto	ditto	ditto	Transportation for life, or imprisonment of either description for 10 years and fine	ditto

Chapter VIII—Offences against the Public Tranquillity.

1	2	3	4	5	6	7	8
Section	Offence	Whether the police may arrest without warrant or not	Whether a warrant or a summons shall ordinarily issue in the first instance	Whether bailable or not	Whether compoundable or not	Punishment under the Indian Penal Code	By what Court triable
143	Being member of an unlawful assembly	May arrest with out warrant	Summons	Bailable	Not Compoundable	Imprisonment of either description for 6 months, or fine, or both	ditto
144	Joining an unlawful assembly armed with any deadly weapon	ditto	Warrant	ditto	ditto	Imprisonment of either description for 2 years, or fine, or both	ditto
145	Joining or continuing in an unlawful assembly, knowing that it has been com manded to disperse	ditto	ditto	ditto	ditto	Imprisonment of either description for 2 years, or fine, or both	Any Magistrate
147	Rioting	ditto	ditto	ditto	ditto	ditto	ditto
148	Rioting, armed with a deadly weapon	ditto	ditto	ditto	ditto	Imprisonment of either description for 3 years, or fine, or both	High Court or Subor- dinate Court of the first class
149	If an offence be committed by any member of an unlawful assembly, every other member of such assembly shall be guilty of the offence	According as ar- rest may be made without warrant for the offence or not	According as a warrant or sum- mons may issue for the offence	According as the offence is bailable or not	ditto	The same as for the offence	The Court by which the offence is triable
150	Hiring, engaging or employing persons to take part in an unlawful assembly	May arrest with out warrant	According to the offence com- mitted by the person hired, engaged or em- ployed	ditto	ditto	The same as for a member of such assembly, and for any offence com- mitted by any member of such assembly	ditto
151	Knowingly joining or continuing in any assembly of five or more persons after it has been commanded to disperse	ditto	Summons	Bailable	ditto	Imprisonment of either description for 6 months, or fine, or both	Any Magistrate
152	Assaulting or obstructing public servant when repressing riot, etc	ditto	Warrant	ditto	ditto	Imprisonment of either description for 3 years, or fine, or both	High Court or Subor- dinate Court of the first class

1	2	3	4	5	6	7	8
Section	Offence	Whether the police may arrest without warrant or not	Whether a warrant or a summons shall ordinarily issue in the first instance	Whether bailable or not	Whether compoundable or not	Punishment under the Indian Penal Code	By what Court triable
164	Abetment by public servant of the offences defined in the last two preceding clauses with reference to himself	Shall not arrest without warrant	Summons	Bailable	Not Compoundable	Imprisonment of either description for 3 years, or fine, or both	High Court or Subordinate Court of the first class
165	Public servant obtaining any valuable thing, without consideration from a person concerned in any proceeding or business transacted by such public servant	ditto	ditto	ditto	ditto	Simple imprisonment for 2 years, or fine, or both	Subordinate Court of the first class
166	Public servant disobeying a direction of the law with intent to cause injury to any person	ditto	ditto	ditto	ditto	Simple imprisonment for 1 year, or fine, or both	ditto
167	Public servant framing an incorrect document with intent to cause injury	ditto	ditto	ditto	ditto	Imprisonment of either description for 3 years, or fine, or both	High Court or Subordinate Court of the first class
168	Public servant unlawfully engaging in trade	ditto	ditto	ditto	ditto	Simple imprisonment for 1 year, or fine, or both	Subordinate Court of the first class
169	Public servant unlawfully buying or bidding for property	ditto	ditto	ditto	ditto	Simple imprisonment for 2 years, or fine, or both and confiscation of property, if purchased	Subordinate Court of the first class
170	Personating a public servant	May arrest without warrant	Warrant	ditto	ditto	Imprisonment of either description for 2 years, or fine, or both	Any Magistrate
171	Wearing garb or carrying token used by public servant with fraudulent intent	ditto	Summons	ditto	ditto	Imprisonment of either description for 3 months, or fine of 200 rupees, or both	Any Magistrate

1	2	3	4	5	6	7	8
Section	Offence	Whether the police may arrest without warrant or not	Whether a warrant or a summons shall ordinarily issue in the first instance	Whether bailable or not	Whether compoundable or not	Punishment under the Indian Penal Code	By what Court triable
178	Refusing oath when duly required to take oath by a public servant	Shall not arrest without warrant	Summons	Bailable	Not Compoundable	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both	The Court in which the offence is committed, subject to the provisions of Chapter XXIX, or if not committed in a Court, a Subordinate Court of the first or second class
179	Being legally bound to state truth, and refusing to answer questions	ditto	ditto	ditto	ditto	ditto	ditto
180	Refusing to sign a statement made to a public servant when legally required to do so	ditto	ditto	ditto	ditto	Simple imprisonment for 3 months, or fine of 500 rupees, or both	ditto
181	Knowingly stating to a public servant on oath as true that which is false	ditto	Warrant	ditto	ditto	Imprisonment of either description for 3 years, and fine	High Court or Subordinate Court of the first class
182	Giving false information to a public servant in order to cause him to use his lawful power to the injury or annoyance of any person	ditto	Summons	ditto	ditto	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both	Subordinate Court of the first or second class
183	Resistance to the taking of property by the lawful authority of a public servant	ditto	ditto	ditto	ditto	ditto	ditto
184	Obstructing sale of property offered for sale by authority of a public servant	ditto	ditto	ditto	ditto	Imprisonment of either description for 1 month, or fine of 500 rupees, or both	ditto
185	Bidding by a person under a legal incapacity to purchase it, for property at a lawfully authorised sale, or bidding without intending to perform the obligation incurred thereby	ditto	ditto	ditto	ditto	Imprisonment of either description for 1 month, or fine of 200 rupees, or both	ditto

1	2	3	4	5	6	7	8
Section	Offence	Whether the police may arrest without warrant or not	Whether a warrant or a summons shall ordinarily issue in the first instance	Whether bailable or not	Whether compoundable or not	Punishment under the Indian Penal Code	By what Court triable
196	Using in a judicial proceeding evidence known to be false or fabricated	Shall not arrest without warrant	Warrant	According as the offence of giving such evidence is bailable or not	Not Compoundable	The same as for giving or fabricating false evidence	High Court or Subordinate Court of the first class
197	Knowingly issuing or signing a false certificate relating to any fact of which such certificate is by law admissible in evidence	ditto	ditto	Bailable	ditto	The same as for giving false evidence	ditto
198	Using as a true certificate one known to be false in a material point	ditto	ditto	ditto	ditto	ditto	ditto
199	False statement made in any declaration which is by law received as evidence	ditto	ditto	ditto	ditto	ditto	ditto
200	Using as true any such declaration known to be false	ditto	ditto	ditto	ditto	ditto	ditto
201	Causing disappearance of evidence of an offence committed, or giving false information touching it to screen the offender, if a capital offence	ditto	ditto	ditto	ditto	Imprisonment of either description for 7 years and fine	High Court
	If punishable with transportation for life or imprisonment for ten years	ditto	ditto	ditto	ditto	Imprisonment of either description for 3 years and fine	High Court or Subordinate Court of the first class
	If punishable with less than ten years' imprisonment	ditto	ditto	ditto	ditto	Imprisonment for a quarter of the longest term, and of the description provided for the offence, or fine, or both	Subordinate Court of the first class, or Court by which the offence is triable
202	Intentional omission to give information of an offence by a person legally bound to inform	ditto	Summons	ditto	ditto	Imprisonment of either description for 6 months, or fine, or both	Subordinate Court of the first or second class
203	Giving false information respecting an offence committed	ditto	Warrant	ditto	ditto	Imprisonment of either description for 2 years, or fine, or both	ditto
204	Secreting or destroying any document to prevent its production as evidence	ditto	ditto	ditto	ditto	Imprisonment of either description for 2 years, or fine, or both	Subordinate Court of the first class

1	2	3	4	5	6	7	8
Section	Offence	Whether the police may arrest without warrant or not	Whether a warrant or a summons shall ordinarily issue in the first instance	Whether bailable or not	Whether compoundable or not	Punishment under the Indian Penal Code	By what Court triable
213	Taking gift, etc., to screen an offender from punishment, if the offence be capital	Shall not arrest without warrant	Warrant	Bailable	Not Compoundable	Imprisonment of either description for 7 years and fine	High Court
	If punishable with transportation for life or with imprisonment of ten years	ditto	ditto	ditto	ditto	Imprisonment of either description for 3 years and fine	High Court or Subordinate Court of the first class
	If with imprisonment for less than ten years	ditto	ditto	ditto	ditto	Imprisonment for a quarter of the longest term, and of the description provided for the offence, or fine or both	Subordinate Court of the first class, or Court by which offence is triable
214	Offering gift or restoration of property in consideration of screening offender, if the offence be capital	ditto	ditto	ditto	ditto	Imprisonment of either description for 7 years and fine	High Court
	If punishable with transportation for life or with imprisonment for ten years	ditto	ditto	ditto	ditto	Imprisonment of either description for 3 years and fine	High Court or Subordinate Court of the first class
	If the imprisonment for less than ten years	ditto	ditto	ditto	ditto	Imprisonment for a quarter of the longest term, and of the description, provided for the offence, or fine, or both	Subordinate Court of the first class, or Court by which the offence is triable
215	Taking gift to help to recover moveable property of which a person has been deprived by an offence, without causing apprehension of offender	ditto	ditto	ditto	ditto	Imprisonment of either description for 2 years or fine, or both	Subordinate Court of the first class
216	Harbouring an offender who has escaped from custody, or whose apprehension has been ordered, if the offence be capital	May arrest without warrant	ditto	ditto	ditto	Imprisonment of either description for 7 years and fine	High Court or Subordinate Court of the first class
	If punishable with transportation for life, or with imprisonment for ten years	ditto	ditto	ditto	ditto	Imprisonment of either description for 3 years, with or without fine	ditto
	If with imprisonment for one year, and not for ten years	ditto	ditto	ditto	ditto	Imprisonment for a quarter of the longest term, and of the description, provided for the offence, or fine, or both	Subordinate Court of the first class, or Court by which the offence is triable
216a	Harbouring robbers or dacoits	ditto	ditto	ditto	ditto	Rigorous imprisonment for 7 years and fine	High Court or Subordinate Court of the first class

1	2	3	4	5	6	7	8
Section	Offence	Whether the police may arrest without warrant or not	Whether a warrant or a summons shall ordinarily issue in the first instance	Whether bailable or not	Whether compoundable or not	Punishment under the Indian Penal Code	By what Court triable
225	Resistance or obstruction to the lawful apprehension of another person or rescuing him from lawful custody	May arrest without warrant	Warrant	Not bailable	Not Compoundable	Imprisonment of either description for 2 years or fine, or both	Subordinate Court of the first or second class
	If charged with an offence punishable with transportation for life or imprisonment for ten years	ditto	ditto	Not bailable	ditto	Imprisonment of either description for 3 years and fine	High Court or Subordinate Court of the first class
	If charged with a capital offence	ditto	ditto	ditto	ditto	Imprisonment of either description for 7 years and fine	High Court
	If the person is sentenced to transportation for life, or to transportation, penal servitude or imprisonment for ten years or upwards	ditto	ditto	ditto	ditto	ditto	ditto
	If under sentence of death	ditto	ditto	ditto	ditto	Transportation for life, or imprisonment of either description for 10 years and fine	ditto
225a	Omission to apprehend, or suffering of escape, on part of public servant, in cases not otherwise provided for — (a) In case of intentional omission, or suffering	Shall not arrest without warrant	ditto	Bailable	ditto	Imprisonment of either description for 3 years, or fine, or both	High Court or Subordinate Court of the first class
	(b) in case of negligent omission or suffering	ditto	Summons	ditto	ditto	Simple imprisonment for 2 years or fine, or both	Subordinate Court of the first or second class
225b	Resistance or obstruction to lawful apprehension, or escape or rescue in cases not otherwise provided for	May arrest without warrant	Warrant	ditto	ditto	Imprisonment of either description for 6 months, or fine, or both	ditto
226	Unlawful return from transportation	ditto	ditto	Not bailable	ditto	Transportation for life, and fine and rigorous imprisonment for 3 years before transportation	High Court
227	Violation of condition of remission of punishment	Shall not arrest without warrant	Summons	ditto	ditto	Punishment of original sentence, or if part of the punishment has been undergone, the residue	The Court by which the original offence was triable

1	2	3	4	5	6	7	8
Section	Offence	Whether the police may arrest without warrant or not	Whether a warrant or a summons shall ordinarily issue in the first instance	Whether bailable or not	Whether compoundable or not	Punishment under the Indian Penal Code	By what Court triable
240	The same with respect to the Queen's coin	May arrest without warrant	Warrant	Not bailable	Not	Imprisonment of either description for 10 years and fine	High Court or Subordinate Court of the first class
241	Knowingly delivering to another any counterfeit coin as genuine which, when first possessed, the deliverer did not know to be counterfeit	ditto	ditto	ditto	Compoundable ditto	Imprisonment of either description for 2 years or fine of ten times the value of the coin counterfeited, or both	Subordinate Court of the first or second class
242	Possession of counterfeit coin by a person who knew it to be counterfeit when he became possessed thereof	ditto	ditto	ditto	ditto	Imprisonment of either description for 3 years and fine	High Court or Subordinate Court of the first class
243	Possession of Queen's coin by a person who knew it to be counterfeit when he became possessed thereof	ditto	ditto	ditto	ditto	Imprisonment of either description for 7 years and fine	High Court
244	Person employed in a Mint causing coin to be of a different weight or composition from that fixed by law	ditto	ditto	ditto	ditto	ditto	ditto
245	Unlawfully taking from a Mint any coming instrument	ditto	ditto	ditto	ditto	ditto	ditto
246	Fraudulently diminishing the weight or altering the composition of any coin	ditto	ditto	ditto	ditto	Imprisonment of either description for 3 years and fine	High Court or Subordinate Court of the first class
247	Fraudulently diminishing the weight or altering the composition of Queen's coin	ditto	ditto	ditto	ditto	Imprisonment of either description for 7 years and fine	ditto
248	Altering appearance of any coin with intent that it shall pass as a coin of a different description	ditto	ditto	ditto	ditto	Imprisonment of either description for 3 years and fine	ditto
249	Altering appearance of the Queen's coin with intent that it shall pass as a coin of a different description	ditto	ditto	ditto	ditto	Imprisonment of either description for 7 years and fine	ditto
250	Delivery to another of coin possessed with the knowledge that it is altered	ditto	ditto	ditto	ditto	Imprisonment of either description for 5 years and fine	ditto
251	Delivery of Queen's coin possessed with the knowledge that it is altered	ditto	ditto	ditto	ditto	Imprisonment of either description for 10 years and fine	ditto

Chapter XIII—Offences relating to Weights and Measures

1	2	3	4	5	6	7	8
Section	Offence	Whether the police may arrest without warrant or not	Whether a warrant or a summons shall ordinarily issue in the first instance	Whether bailable or not	Whether compoundable or not	Punishment under the Indian Penal Code	By what Court triable
264	Fraudulent use of false instrument for weighing	Shall not arrest without warrant	Summons	Bailable	Not Compoundable	Imprisonment of either description for 1 year, or fine, or both	Subordinate Court of the first or second class
265	Fraudulent use of false weight or measure	ditto	ditto	ditto	ditto	ditto	ditto
266	Being in possession of false weights or measures for fraudulent use	ditto	ditto	ditto	ditto	ditto	ditto
267	Making or selling false weights or measures for fraudulent use	ditto	ditto	ditto	ditto	ditto	ditto

Chapter XIV—Offences affecting the Public Health, Safety, Convenience, Decency and Morals

269	Negligently doing any act known to be likely to spread infection of any disease dangerous to life	May arrest without warrant	Summons	Bailable	Not Compoundable	Imprisonment of either description for 6 months, or fine, or both	Subordinate Court of the first or second class
270	Malignantly doing any act known to be likely to spread infection of any disease dangerous to life	ditto	ditto	ditto	ditto	Imprisonment of either description for 2 years, or fine or both	ditto
271	Knowingly disobeying any quarantine rule	Shall not arrest without warrant	ditto	ditto	ditto	Imprisonment of either description for 6 months, or fine, or both	ditto
272	Adulterating food or drink intended for sale, so as to make the same noxious	ditto	ditto	ditto	ditto	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both	ditto
273	Selling any food or drink as food and drink, knowing the same to be noxious	ditto	ditto	ditto	ditto	ditto	ditto
274	Adulterating any drug or medical preparation intended for sale so as to lessen its efficacy, or to change its operation, or to make it noxious	ditto	ditto	ditto	ditto	ditto	ditto

Of the Causing of Mis-carriage; of Injuries to Unborn Children; of the Exposure of Infants; and of the Concealment of Births

1	2	3	4	5	6	7	8
Section	Offence	Whether the police may arrest without warrant or not	Whether a warrant or a summons shall ordinarily issue in the first instance	Whether bailable or not	Whether compoundable or not	Punishment under the Indian Penal Code	By what Court triable
312	Causing miscarriage If the woman be quick with child	Shall not arrest without warrant ditto	Warrant ditto	Bailable ditto	Not Compoundable ditto	Imprisonment of either description for 3 years or fine or both Imprisonment of either description for 7 years and fine	High Court ditto
313	Causing miscarriage without woman's consent	ditto	ditto	Not bailable	ditto	Transportation for life or imprisonment of either description for 10 years and fine	ditto
314	Death caused by an act done with intent to cause miscarriage If act done without woman's consent	ditto ditto	ditto ditto	ditto ditto	ditto ditto	Imprisonment of either description for 10 years and fine Transportation for life or as above	ditto ditto
315	Act done with intent to prevent a child being born alive or to cause it to die after its birth	ditto	ditto	ditto	ditto	Imprisonment of either description for 10 years, or fine, or both	ditto
316	Causing death of a quick unborn child by an act amounting to culpable homicide	ditto	ditto	ditto	ditto	Imprisonment of either description for 10 years and fine	ditto
317	Exposure of a child under 12 years of age by parent or person having care of it with intention of wholly abandoning it	May arrest without warrant	ditto	Bailable	ditto	Imprisonment of either description for 7 years, or fine, or both	ditto
318	Concealment of birth by secret disposal of dead body	ditto	ditto	ditto	ditto	Imprisonment of either description for 2 years, or fine, or both	High Court or Subordinate Court of the first or second class
Of Hurt							
323	Voluntarily causing hurt	Shall not arrest without warrant	Summons	Bailable	Compoundable	Imprisonment of either description for 1 year, or fine of 1,000 rupees or both	Any Magistrate
324	Voluntarily causing hurt by dangerous weapons or means	May arrest without warrant	ditto	ditto	Compoundable when permission is given by the Court before which a prosecution is pending	Imprisonment of either description for 3 years, or fine, or both	High Court or Subordinate Court of the first or second class

1	2	3	4	5	6	7	8
Section	Offence	Whether the police may arrest without warrant or not	Whether a warrant or a summons shall ordinarily issue in the first instance	Whether bailable or not	Whether compoundable or not	Punishment under the Indian Penal Code	By what Court triable
365	Kidnapping or abducting with intent secretly and wrongfully to confine a person	May arrest without warrant	warrant	Not bailable	Not Compoundable	Imprisonment of either description for 7 years and fine	High Court or Subordinate Court of the first class
366	Kidnapping or abducting a woman to compel her marriage or to cause her defilement, etc	ditto	ditto	ditto	ditto	Imprisonment of either description for 10 years and fine	High Court
367	Kidnapping or abducting in order to subject a person to grievous hurt, slavery, etc	ditto	ditto	ditto	ditto	ditto	ditto
368	Concealing or keeping in confinement a kidnapped person	ditto	ditto	ditto	ditto	Punishment for kidnapping or abduction	ditto
369	Kidnapping or abducting a child with intent to take property from the person of such child	ditto	ditto	ditto	ditto	Imprisonment of either description for 7 years and fine	High Court or Subordinate Court of the first class
370	Buying or disposing of any person as a slave	Shall not arrest without warrant	ditto	Bailable	ditto	ditto	High Court
371	Habitual dealing in slaves	May arrest without warrant	ditto	Not bailable	ditto	Transportation for life, or imprisonment of either description for 10 years and fine	ditto
372	Selling or letting to hire a minor for purposes of prostitution, etc	ditto	ditto	ditto	ditto	Imprisonment of either description for 10 years and fine	High Court or Subordinate Court of the first class
373	Buying or obtaining possession of a minor for the same purposes	ditto	ditto	ditto	ditto	ditto	ditto
374	Unlawful compulsory labour	ditto	ditto	Bailable	Compoundable	Imprisonment of either description for 1 year, or fine or both	Any Magistrate
Of Rape							
376	Rape —If the sexual intercourse was by a man with his own wife	Shall not arrest without warrant	Summons	ditto	Not Compoundable	Transportation for life or imprisonment of either description for 10 years and fine	High Court
	In any other case	May arrest without warrant	warrant	Not bailable	ditto	ditto	ditto

1	2	3	4	5	6	7	8
Section	Offence	Whether the police may arrest without warrant or not	Whether a warrant or a summons shall ordinarily issue in the first instance	Whether bailable or not	Whether compoundable or not	Punishment under the Indian Penal Code	By what Court triable
389	Putting a person in fear of accusation of offence punishable with death transportation for life, or with imprisonment for ten years, in order to commit extortion If the offence be an unnatural offence	Shall not arrest without warrant ditto	Warrant ditto	Not Bailable ditto	Not Compoundable ditto	Imprisonment of either description for 10 years and fine Transportation for life	High Court ditto
Of Robbery And Dacoity.							
392	Robbery	May arrest without warrant	ditto	ditto	ditto	Rigorous imprisonment for 10 years and fine	High Court or Subordinate Court of the first class
	If committed on the high way between sunset and sunrise	ditto	ditto	ditto	ditto	Rigorous imprisonment for 14 years and fine	ditto
393	Attempt to commit robbery	ditto	ditto	ditto	ditto	Rigorous imprisonment for 7 years and fine	ditto
394	Person voluntarily causing hurt in committing or attempting to commit robbery, or any other person jointly concerned in such robbery	ditto	ditto	ditto	ditto	Transportation for life, or rigorous imprisonment for 10 years and fine	ditto
395	Dacoity	ditto	ditto	ditto	ditto	ditto	High Court
396	Murder in dacoity	ditto	ditto	ditto	ditto	Death, transportation for life, or rigorous imprisonment for 10 years and fine	ditto
397	Robbery or dacoity, with attempt to cause death or grievous hurt	ditto	ditto	ditto	ditto	Rigorous imprisonment for not less than 7 years	ditto
398	Attempt to commit robbery or dacoity when armed with deadly weapon	ditto	ditto	ditto	ditto	ditto	ditto
399	Making preparation to commit dacoity	ditto	ditto	ditto	ditto	Rigorous imprisonment for 10 years and fine	ditto
400	Belonging to a gang of persons associated for the purpose of habitually committing dacoity	ditto	ditto	ditto	ditto	Transportation for life, or rigorous imprisonment for 10 years and fine	ditto

1	2	3	4	5	6	7	8
Section	Offence	Whether the police may arrest without warrant or not	Whether a warrant or a summons shall ordinarily issue in the first instance	Whether bailable or not	Whether compoundable or not	Punishment under the Indian Penal Code	By what Court triable
412	Dishonestly receiving stolen property, knowing that it was obtained by dacoity	May arrest without warrant	Warrant	Not bailable	Not compoundable	Transportation for life, or rigorous imprisonment for 10 years and fine	High Court
413	Habitually dealing in stolen property	ditto	ditto	ditto	ditto	Transportation for life, or imprisonment of either description for 10 years and fine	ditto
414	Assisting in concealment or disposal of stolen property knowing it to be stolen	ditto	ditto	ditto	ditto	Imprisonment of either description for 3 years, or fine, or both	High Court or Subordinate Court of the first or second class
Of Cheating.							
417	Cheating	Shall not arrest without warrant	ditto	Bailable	ditto	Imprisonment of either description for 1 year, or fine, or both	Subordinate Court of the first or second class
418	Cheating a person whose interest the offender was bound, either by law or by legal contract, to protect	ditto	ditto	ditto	ditto	Imprisonment of either description for 3 years, or fine, or both	High Court or Subordinate Court of the first or second class
419	Cheating by personation	May arrest without warrant	ditto	ditto	ditto	ditto	ditto
420	Cheating and thereby dishonestly inducing delivery of property, or the making alteration or destruction of a valuable security	ditto	ditto	ditto	ditto	Imprisonment of either description for 7 years and fine	High Court or Subordinate Court of the first class
Of Fraudulent Deeds and Dispositions of Property.							
421	Fraudulent removal or concealment of property, etc., to prevent distribution among creditors	Shall not arrest without warrant	ditto	ditto	ditto	Imprisonment of either description for 2 years, or fine, or both	Subordinate Court of the first or second class
422	Fraudulent preventing from being made available for his creditors a debt or demand due to the offender	ditto	ditto	ditto	ditto	ditto	ditto

1	2	3	4	5	6	7	8
Section	Offence	Whether the police may arrest without warrant or not	Whether a warrant or a summons shall ordinarily issue in the first instance	Whether bailable or not	Whether compoundable or not	Punishment under the Indian Penal Code	By what Court triable
475	Counterfeiting a device or mark used for authenticating documents described in section 467 of the Indian Penal Code, or possessing counterfeit marked material	Shall not arrest without warrant,	warrant	Bailable	Not Compoundable	Transportation for life or imprisonment of either description for 7 years and fine	High Court
476	Counterfeiting a device or mark used for authenticating documents other than those described in section 467 of the Indian Penal Code, or possessing counterfeit marked material	ditto	ditto	Not bailable	ditto	Imprisonment of either description for 7 years and fine	ditto
477	Fraudulently destroying or defacing or attempting to destroy or deface, or secreting a will, etc	ditto	ditto	ditto	ditto	Transportation for life, or imprisonment of either description for 7 years and fine	ditto
477a	Falsification of accounts	ditto	ditto	ditto	ditto	ditto	ditto
Of Trade and Property Marks.							
482	Using a false trade or property mark with intent to deceive or injure any person	ditto	ditto	Bailable	ditto	Imprisonment of either description for 1 year or fine, or both	Subordinate Court of the first or second class
483	Counterfeiting a trade or property mark used by another with intent to cause damage or injury	ditto	ditto	ditto	ditto	Imprisonment of either description for 2 years or fine, or both	ditto
484	Counterfeiting a property mark used by a public servant, or any mark used by him to denote the manufacture, quality, etc., of any property	ditto	Summons	ditto	ditto	Imprisonment of either description for 3 years and fine	High Court or Subordinate Court of the first class
485	Fraudulently making or having possession of any die, plate or other instrument for counterfeiting any public or private property or trade mark	ditto	ditto	ditto	ditto	Imprisonment of either description for 3 years or fine, or both	ditto
486	Knowingly selling goods marked with a counterfeit property or trade mark	ditto	ditto	ditto	ditto	Imprisonment of either description for 1 year, or fine, or both	Subordinate Court of the first or second class

1	2	3	4	5	6	7	8
Section	Offence	Whether the police may arrest without warrant or not	Whether a warrant or a summons shall ordinarily issue in the first instance	Whether bailable or not	Whether compoundable or not	Punishment under the Indian Penal Code	By what Court triable

Chapter XX—Offences relating to Marriage

496	A person with fraudulent intention going through the ceremony of being married, knowing that he is not thereby lawfully married	Shall not arrest without warrant,	warrant	Not bailable	Not Compoundable	Imprisonment of either description for seven years and fine	High Court
497	Adultery	ditto	ditto	Bailable	Compoundable	Imprisonment of either description for 5 years, or fine, or both	High Court or Subordinate Court of the first class
498	Enticing or taking away or detaining with a criminal intent a married woman	ditto	ditto	ditto	ditto	Imprisonment of either description for 2 years, or fine, or both	Subordinate Court of the first and second class

Chapter XXI—Defamation.

500	Defamation	ditto	ditto	ditto	ditto	Simple imprisonment for 2 years, or fine, or both	High Court or Subordinate Court of the first class
501	Printing or engraving matter knowing it to be defamatory	ditto	ditto	ditto	ditto	ditto	ditto
502	Sale of printed or engraved substance containing defamatory matter, knowing it to contain such matter	ditto	ditto	ditto	ditto	ditto	ditto

Chapter XXII—Criminal Intimidation, Insult and Annoyance

504	Insult intended to provoke a breach of the peace	ditto	ditto	ditto	ditto	Imprisonment of either description for 2 years, or fine, or both	Any Magistrate
505	False statement, rumour, etc., circulated with intent to cause mutiny or offence against the public peace	ditto	ditto	Not bailable	Not Compoundable	ditto	Subordinate Court of the first class
506	Criminal intimidation	ditto	ditto	Bailable	Compoundable	ditto	ditto
	If threat be to cause death or grievous hurt, etc	ditto	ditto	ditto	Not Compoundable	Imprisonment of either description for 7 years, or fine, or both	High Court or Subordinate Court of the first class

SCHEDULE IV.

ADDITIONAL POWERS WITH WHICH SUBORDINATE COURT OF THE FIRST CLASS MAY BE INVESTED.

- 1 Power to try summarily, Section 219
- 2 Power to try cases under Section 124a of the Indian Penal Code

POWERS WITH WHICH A SUBORDINATE COURT OF THE SECOND CLASS MAY BE INVESTED

Power to Whip, Section 15

POWERS WITH WHICH A SUBORDINATE COURT OF THE THIRD CLASS MAY BE INVESTED

Power to hold inquests, Section 141

A Bill

Intituled

An Ordinance to apply a Sum of Money for the Service of the year ending the 31st day of March, 1914.

1 The Public Revenue for the year 1913-14, and other funds of the East Africa Protectorate are hereby charged towards the service of the year ending the thirty-first day of March, one thousand nine hundred and fourteen, with a sum of

2 The money granted by this Ordinance shall be applied to the purposes and services expressed in the Schedule annexed hereto

3 The Treasurer of the Protectorate is hereby authorised and required, from time to time, upon the warrant or order of the Governor to pay out of the Revenue and other Funds of the Protectorate, for the several services specified in the Schedule, the said sum of

which will come in course of payment during the year ending on the thirty-first day of March, one thousand nine hundred and fourteen

4 This Ordinance may be cited as "The Appropriation Ordinance," 1913

Schedule

Division	Amount
	£
1 Rent and Interest to H H the Sultan	17,000
2 Pensions...	2,675
3 His Excellency the Governor	8,116
4 Secretariat	6,058
5 "Official Gazette" and Printing	4,450
6 Provincial Administration	103,612
6a do do Special Expenditure	2,263
7 Treasury	9,381
8 Customs Department	16,590
9 Port and Marine Department	5,278
9a do do Special Expenditure	2,535
10 Audit Department	4,061
11 Legal Departments	16,724
12 Police	49,209
13 Prisons	13,349
13a do Special Expenditure	2,385
14 Medical Departments	27,483
15 Hospitals and Dispensaries	17,253
16 Education	8,186
Carried forward	316,608

The term "Native" means a Native of Africa, not being of European or Asiatic race or origin, and includes a Somali,

The term "produce" means agricultural produce and also all skins, hides, horns of stock, wool, mohair and ostrich feathers,

The term "stock" means the male, female, or young, or cross of an animal of any of the following kinds —horse, ass, kine, sheep, goat, swine or domesticated ostrich, and the carcase or portion of the carcase of any slaughtered stock,

The term "sufficient fence" when applied to wire fences shall mean a fence of not fewer than four wires and not less than three feet six inches high, in other cases any fence, wall or hedge through which no stock could pass without breaking, or any natural boundary through or across which no sheep would ordinarily pass, and

The term "theft" includes every offence punishable under any of the sections following of the Indian Penal Code, and includes also an attempt to commit, and an abetment of any such offences —

Sections 379, 380, 381, 382, 384, 386, 387, 392, 394, 395, 396, 403, 406, 408, 411, 412, or 414

Minimum fine to be imposed on Natives convicted of theft of stock or produce

4 Whenever any Court shall convict any Native of the theft of stock or produce the Court shall, in addition to or in lieu of imposing any other punishment authorised by law, sentence the Native convicted to pay a fine which shall in no case be less than ten times the value of the stock or produce in respect of which the offence has been committed. Provided, however, when two or more Natives tried jointly are convicted of such offence as aforesaid, the Court shall sentence each Native convicted to pay a fine of such amount as the Court may deem proper, provided that the total fine payable by all the convicted Natives shall not be less than ten times the value of the stock or produce in respect of which the offence has been committed

Warrant for levy of fine imposed on Native convicted of theft of stock or produce

5 Whenever any Native shall be convicted of the theft of stock or produce and shall be sentenced to pay a fine the Court passing sentence shall, unless the amount of the fine shall be forthwith paid issue a warrant for the levy of the amount of the fine by distress and sale of any moveable property of the offender or of the offender's family, sub-tribe or tribe or of any member of the offender's family, sub-tribe or tribe

Where warrant may be executed

6 A warrant issued under the last preceding section may be executed within the local limits of the jurisdiction of such Court, and it shall authorise the distress and sale of any such property without such limits, when endorsed by a Magistrate within the local limits of whose jurisdiction such property is found

Effect of such warrant

7 Whenever a warrant shall have been issued under Section 5, and no or insufficient moveable property of the offender shall be found to satisfy the fine, the warrant shall be executed against the moveable property, (1) of any member or members of the offender's family (2) of any member or members of the sub-tribe to which the offender belongs, (3) of any member or members of the tribe to which the offender belongs, in the order set out above, until the amount of the fine is levied

Trespass on farm offence

8 (1) Any Native who shall be found within a farm or part of a farm enclosed on all sides with a sufficient fence, or within a stock boma, and who, when so found, was not proceeding along some road or thoroughfare traversing such farm or part of a farm, and who also was on such farm or part of a farm or in such cattle boma without the authority or consent of the owner or occupier or of some one who was entitled, or was by the person so found *bona fide* believed to be entitled to give such authority or consent may be found guilty by the Court by which he is tried, of criminal trespass, unless he shall satisfy the Court that he was not there with intent to commit theft in respect of any stock or produce

Intent

Onus of proof on accused

Penalty

Any Native found guilty of criminal trespass under this section shall be punished with imprisonment of either description for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both

(2) For the purposes of this section the term "Native" shall include a Swahili.

Commissioners' power for regulating proceedings

9 The Commissioner acting under this Ordinance may make such rules for their own guidance, and the conduct and management of proceedings before them, and the hours and times and places for their sittings, not inconsistent with their Commission, as they may from time to time think fit, and may from time to time adjourn for such time and to such place as they may think fit, subject only to the terms of their Commission

Power to summon and examine witnesses and privilege of Commissioner from suit

10 Commissioners acting under this Ordinance shall have the powers of the High Court to summon witnesses, and to call for the production of books, plans, documents and to examine witnesses and parties concerned on oath and no Commissioner shall be liable to any action or suit for any matter or thing done by him as such Commissioner. All summonses for the attendance of witnesses, or other persons, or the production of documents, may be in the form given in the Schedule to this Ordinance, and shall be signed by one of the Commissioners, and oaths may be administered by one of the Commissioners or by their Secretary

Giving of affidavit and this evidence

11 An inquiry under this Ordinance shall be deemed to be a judicial proceeding for the purposes of Section 193 of the Indian Penal Code

Duty of witnesses summoned

12 All persons summoned to attend and give evidence, or to produce books, plans, or documents at any sitting of any such Commission, shall be bound to obey the summons served upon them as fully in all respects as witnesses are bound to obey a summons issued from the High Court, and shall be entitled to like expenses as if they had been summoned to attend at such Court on a criminal trial, if the same shall be allowed by the Commissioners, but the Commissioners may disallow the whole or any part of such expenses in any case if they think fit. Orders for the payment of such witnesses shall be made as nearly as may be as orders are made for the payment of witnesses in the High Court, and shall be paid in such manner as the Governor may direct

Punalty for contumacy insult or interruption of proceeding

Every person refusing or omitting, without sufficient cause, to attend at the time and place mentioned in the summons served on him, and every person attending, but leaving the Commission without the permission of the Commissioners, or refusing without sufficient cause to answer, or to answer fully and satisfactorily, to the best of his knowledge and belief all questions put to him by or with the concurrence of the Commissioners, or refusing or omitting without sufficient cause to produce any books, plans or documents in his possession or under his control, and mentioned or referred to in the summons served on him, and every person who shall at any sitting of the Commission wilfully insult any Commissioner, or the Secretary, or wilfully interrupt the proceedings of the Commission, shall be liable to a fine not exceeding 750 rupees

Indemnity to witnesses

Provided always, that no person giving evidence before the Commission shall be compellable to criminate himself, and every such person shall, in respect of any evidence given by him before the Commission, be entitled to all the privileges to which a witness giving evidence before the High Court is entitled in respect of evidence given by him before such Court

Appearance of Advocate

13 Any person whose conduct is the subject of inquiry under this Ordinance, or who is in any way implicated or concerned in the matter under inquiry, shall be entitled to be represented by Advocate at the whole of the inquiry, and any other person who may consider it desirable that he should be so represented may, by leave of the Commission, be represented in manner aforesaid

Constables detailed to attend Commissioners their duties

14 The Governor may direct the Commissioner of Police to detail police officers to attend upon any such Commissioners, to preserve order during the proceedings of the Commission, and to serve summonses on witnesses, and to perform such ministerial duties as such Commissioners shall direct

Remuneration to Commissioners, &c

15 Commissioners appointed under this Ordinance shall not be entitled to any remuneration, unless such remuneration shall be specially voted by the Legislative Council, beyond the actual expenses incurred in holding the inquiry, but the Governor may direct what remuneration, if any, shall be paid to the Secretary, and to any other persons employed in or about any such Commission, and may direct payment of any other expenses attendant upon the carrying out of any such Commission, or upon any proceedings for any penalty under this Ordinance. Such sums, so directed to be paid, shall be paid out of the general revenues of the Protectorate, as the case requires, on the warrant of the Governor

PROCLAMATION

Under the East Africa Townships Ordinance, 1903

In exercise of the powers conferred upon me by the East Africa Townships Ordinance, 1903, I hereby declare Eldoret within the limits hereinafter set forth to be a Township for the purposes of the aforesaid Ordinance

Eldoret:—Commencing at a point in the Eldare River and the South Easterly corner of Farm 97 thence bounded on the West by Farm 97 bearing $18^{\circ} 56' 30''$ for 20740 feet On the North by Farm 62 bearing $320^{\circ} 29'$ for 82141 feet On the East by Farm 63 bearing $198^{\circ} 34' 30''$ for 15450 feet to the Eldare River On the South by the Eldare River down stream to the point of commencement

Nairobi,

Dated this 14th day of November, 1912

C C BOWRING,

Deputy Governor

RULES

Under the East Africa Townships Ordinance, 1903

Rules issued by His Excellency the Governor under the East Africa Townships Ordinance, 1903

Nairobi,

Dated this 14th day of November, 1912

C C BOWRING,

Deputy Governor

1 The following Rules shall be applied to the Township of Eldoret —

- (1) The Township Rules 1904, except Rules 157, 167, 174 and 175
- (2) The Rules dated 7th June, 1906
- (3) The Rules dated 27th November, 1906
- (4) The Rules dated 23rd August, 1907
- (5) The Rules dated 25th June, 1910
- (6) The Rules dated 23rd August, 1910, except (a) Rules 45, 48, and Camping Ground Fees in Schedule I,
(b) Schedule II

2 In the application of the aforementioned Rules to Eldoret, wherever the term "Medical Officer of Health" occurs in any of the said Rules there shall be substituted therefor the term "District Commissioner"

RULE.

The East Africa Volunteer Reserve Ordinance, 1910

Rule issued by His Excellency the Governor under the powers conferred by the above Ordinance

Nairobi,

Dated this 29th day of October, 1912

H C BELFIELD,

Governor

Whenever a member of the Volunteer Reserve shall import a military rifle of the pattern issued by the Government to members of the Volunteer Reserve and shall produce to the Chief of Customs or other proper officer of Customs a certificate under the hand of the President of the Volunteer Reserve that such rifle is to be used by the importer for the purposes of the Volunteer Reserve, such rifle may be imported free of import duty

ORDER.

The Vaccination Ordinance, 1912

APPLICATION TO THE TOWNSHIPS OF NAIROBI, NAKURU, ELDOMA RAVINE, MACHAKOS,
KITUI AND KYAMBU AND TO CERTAIN AREAS AT MAKINDU AND KIBWEZI

In pursuance of the powers conferred upon me by Section 3 (1) of the above Ordinance, I hereby direct that from the fifteenth day of November, 1912, and until further order all adults and children in the Townships of Nairobi, Nakuru, Naivasha, Eldoma Ravine, Machakos, Kitui, Kyambu and in the area situated within one mile of the Station Master's house at Makindu and Kibwezi Railway Stations who have not been previously inoculated or vaccinated successfully or already had Small-pox shall be vaccinated

Nairobi,

Dated this 15th day of November, 1912

C C BOWRING,

Deputy Governor

(BACK)

Father's name

Father's name

Nationality

Nationality

Caste

Caste

Age (apparent)

Age (apparent)

General description of
payee including any
special marks, scars,
etc }General description of
payee including any
special marks, scars,
etc }

Occupation

Occupation

NOTE —This receipt must be produced when demanded
by any District Officer

RULE.**The Land Titles Ordinance, 1908**

Rule issued by His Excellency the Governor under the powers conferred by Section 52 of the Land Titles Ordinance, 1908

Nairobi,

C C BOWRING,

Dated this 12th day of November, 1912

Deputy Governor

- 1 The following fee shall be leviable in the Land Registration Court —
For taking an Affidavit .

Re 1

RULES

Issued by His Excellency the Governor of the East Africa Protectorate under the provisions of the East Africa Townships Ordinance, 1903

Nairobi,

C C BOWRING,

Dated this 12th day of November, 1912

Deputy Governor

1 No person shall on any road or street crack any whip which including stock and lash exceeds 14 feet in length all whips exceeding 14 feet in length shall be looped while being carried within the township

2 Any person who shall contravene any of the provisions of the foregoing Rule shall be liable on conviction to a fine not exceeding Rs 50/- and in default of payment thereof to imprisonment for a term not exceeding 14 days

3 Offences against these Rules shall be cognisable by the Police

4 These Rules shall apply to the township of Nairobi and shall come into force on 1st January 1913

RULE**Under the Diseases of Animals Ordinance, 1906**

A permit must be obtained from an authorised Issuer of Permits for the movement of sheep or goats from district to district

C. C BOWRING,

Dated this 15th day of November, 1912

Deputy Governor

NOTICE.

Notice is hereby given that the Licensing Court will sit on Monday the 9th December, at the Provincial Commissioner's Office, Nyeri, at 10 o'clock in the forenoon to consider the following application —

Mr A Allidina Visram, Wine Merchants and Grocer's Liquor Licence for his premises in Nyeri Indian Bazaar

Nyeri,
25th October, 1912

C R W LANE,
Provincial Commissioner

NOTICE.**Under the Liquor Ordinance, 1909**

Notice is hereby given that the Licensing Court will sit on Monday the 9th December, 1912, at the District Native Court Nairobi at 10 o'clock in the forenoon

Nairobi,
November 13th, 1912

S L HINDE,
Provincial Commissioner

NOTICE**Under the Liquor Ordinance, 1909**

The following applications have been made for licences under the above Ordinance in the Naivasha Province

A A Ortlepp of farm 80 adjoining Eldoret applies for —

- (1) A General Retail Liquor Licence
- (11) An Hotel Liquor Licence

Messrs T H Drake and N E F Gibbs' application for transfer of (1) General Retail Liquor Licence with midnight privileges (11) An Hotel Liquor Licence held in respect of the Nakuru Hotel premises to Mr T H Drake for the same premises

Messrs Smith Mundell & Co's application for confirmation and renewal of temporary transfer granted under Section 34 of the Ordinance for transfer of Wine Merchants and Grocer's Liquor Licence from the Sergoit Stores, Sergoi, Uasin Gishu Plateau

Naivasha,
November 4th, 1912

W PICKFORD,
for Provincial Commissioner

NOTICE.**Auction of Opium Licences at Mombasa.**

Under instructions from His Excellency the Governor two licences to deal in Opium, Ganja, Bhang, Churus, Poppy-heads, Chandoo and Nation will be auctioned at the District Commissioner's Office, Mombasa, on Wednesday 18th December, 1912, at 2 p m

The licences will be operative during six months dating from 1st day of January, 1913, and will be confined to the Island of Mombasa

The highest or any other bid will not necessarily be accepted

Mombasa,
November 8th, 1912

H R TATE,
for Provincial Commissioner

NOTICE.

It having been reported to me that the landing of cargo ex S S "Clan Menzies" of the 15th October, 1912, was not completed until the 30th October, 1912, I hereby give notice that under the powers given me by law I have granted an extension of time for free storage of goods ex above-named steamer from 8 days to 15 days

Mombasa,
November 1st, 1912

F W. MAJOR,
Chief of Customs

PROBATE AND ADMINISTRATION

CAUSE No 79 OF 1912

IN THE MATTER OF ALEXANDER McMILLAN, DECEASED

To all to whom it may concern

Take notice that all persons having any claims against the estate of the above-named ALEXANDER McMILLAN, who died at Kisumu on the 16th day of October 1912, are required to prove such claims before me the undersigned on or before the 15th day of January, 1913, after which date the claims so proved will be paid, and the estate distributed according to law

Mombasa,
8th November, 1912

J W H PARKINSON,
Administrator General

PROBATE AND ADMINISTRATION

CAUSE No 84 OF 1912

IN THE MATTER OF GOPAL DIAL, DECEASED

Take notice that on or after the 30th day of November, 1912, I intend to apply to the High Court of East Africa at Mombasa for an order to administer the estate of the above-named GOPAL DIAL who died at Nairobi on the 21st day of September 1912

Mombasa,
7th November, 1912

J W H PARKINSON,
Administrator General

IN H M HIGH COURT OF EAST AFRICA AT MOMBASA

PROBATE AND ADMINISTRATION

CAUSE No 96 OF 1912

NOTICE OF APPLICATION FOR PROBATE OF THE WILL OF SALEH MOHAMED
LAKHA LATE OF MOMBASA AND ZANZIBAR, DECEASED

Take notice, that application having been made in this Court by Abdul Rasool Mohamed Lakha of Zanzibar for probate of the Will of SALEH MOHAMED LAKHA, late of Mombasa and Zanzibar, who died at Zanzibar on the 4th day of September, 1912, this Court will proceed to make a decree in the same unless cause be shown to the contrary and appearance in this respect entered on or before the 7th day of December, 1912

Mombasa,
8th November, 1912

A T B CARTER,
Judge

NOTE—The Will above named is now deposited and open to inspection at the Court

IN THE TOWN MAGISTRATE'S COURT AT KISUMU

PROBATE AND ADMINISTRATION

CAUSE No 2 OF 1912

RE THE ESTATE OF VASANJI SOMJI, DECEASED

To all to whom it may concern

Pursuant to an order of the above Court granting probate of Will of the late Vasanti Somji, deceased, who died at Maragoli near Kisumu on the 10th day of June, 1912, all creditors and others having claims upon the estate of the above-named deceased are required to send in writing the particulars of their debts, claims or demands to Makanji Ratanji Soni of Kisumu the constituted attorney of Nandoobai, Widow of Vasanti Somji on or before 31st day of December, 1912, after which date the claims so received will be paid and the estate distributed according to law

Kisumu,
November 9th, 1912

MAKANJI RATANJI SONI,
Constituted attorney of Nandoobai, executrix

 IN THE DISTRICT DELEGATES COURT AT NAKURU

 PROBATE AND ADMINISTRATION

 CAUSE No 3 OF 1912

Re THE ESTATE OF GEORGE ALGENY HOWSEN SCROOBY, DECEASED

Pursuant to an order of the above Court granting probate of Will of the late GEORGE ALGENY HOWSEN SCROOBY, deceased, who died at Nakuru on the 1st day of March, 1912, all creditors and others having claims upon the estate of the above-named deceased are required to send in writing the particulars of their debts, claims, or demands, to Emma Louisa Scrooby the executrix named in the Will on or before the 15th day of December, 1912

Nakuru,
11th November, 1912

EMMA LOUISA SCROOBY,
Executrix

 PROBATE AND ADMINISTRATION

IN THE MATTER OF THOMAS BEGBIE, DECEASED

To all to whom it may concern.

Take notice that on or after the 30th day of November, 1912, I intend to apply to the High Court of East Africa at Mombasa for an order to administer the estate of the above-named THOMAS BEGBIE who died at Nairobi on the 27th day of October, 1912

Mombasa,
11th November, 1912

J W H PARKINSON,
Administrator General

NOTICE TO CREDITORS.
J. H. Wolfe late of Nairobi, Agent, Deceased.

All persons claiming to be creditors or otherwise having claims against the estate of the above-named deceased are required to send in writing particulars of their debts, claims, or demands, to the under-mentioned Administrator of deceased's estate on or before the 15th day of December next, after which date the claims so received will be dealt with and the estate distributed according to law

Sixth Avenue, Nairobi,
November 6th, 1912

P A RAPHAEL,

 HIS MAJESTY'S COURT OF APPEAL FOR EASTERN AFRICA.

The next Session of His Majesty's Court of Appeal for Eastern Africa has been fixed to be holden at Mombasa and to commence on Monday, the 18th day of November, 1912, at 10 a m or as soon thereafter as cases can be heard

All appeal papers should be forwarded to the Registrar, His Majesty's Court of Appeal for Eastern Africa at Mombasa not later than the 25th day of October, 1912.

ARRIVALS.

Name	Rank	From leave or on 1st Appointment	Date of leaving England	Date of Embarkation	Date of arrival at Mombasa or Kilindini,
C H Chalk	Chief Clerk Survey C B	Leave	Sept 28th 1912	Sept 28th 1912	Nov 2nd 1912
L Brown	Chief Engineer Lake Steamers	do	Oct 9th do	Oct 11th do	Oct 29th do
T E Jones	European Clerk, Customs	1st Appoint	do 10th do	do 11th do	do 29th do
W H Calder	Bridge Foreman P W D	do	do 10th do	do 11th do	do 29th do
J W Johnson	Typist & Sten Veterinary	do	do 10th do	do 11th do	do 29th do
J H Milton	Inspector Police	Leave	do 3rd do	do 3rd do	do 29th do
G W Knapman	Office Supdt Secretariat	do	do 4th do	do 4th do	do 29th do
P E Wolffe	Clerk, Land Office	do	do 10th do	do 11th do	do 29th do
J S Robertson	Storekeeper Medical Dept,	do	do 3rd do	do 3rd do	do 29th do
C E Taylor	Asst Junior Staff Surveyor	do	do 4th do	do 4th do	do 29th do
N E Lower	European Clerk, Customs	1st Appoint	do 10th do	do 11th do	do 29th do
G W Wintersgill	Overseer, P W D	do	do 10th do	do 11th do	do 29th do
J H Williams	Chief Computer Survey Dept	Leave	do 10th do	do 11th do	do 29th do
J W H Parkinson	Administrator General	do	do 4th do	do 4th do	do 29th do
C M Dobbs	District Commissioner	do	do 10th do	do 11th do	do 29th do
Miss A M Maiston	Nursing Sister	do	do 10th do	do 11th do	do 29th do
Miss K E Stollard	Matron	do	do 10th do	do 11th do	do 29th do
H A Young	Assistant Attorney General	do	do 10th do	do 11th do	do 29th do
W H Tanner	Deputy Director, P W D	do	do 10th do	do 11th do	do 29th do
R Edmondson	Veterinary Officer	do	do 10th do	do 11th do	do 29th do
R W Hamilton	Chief Justice	do	do 10th do	do 11th do	do 29th do
Lieut C G Phillips	Subaltern 1st K A R	1st Appoint	do 10th do	do 11th do	do 29th do
Lieut J C Tilly	Subaltern 1st K A R	do	do 10th do	do 11th do	do 29th do
R M Ewart	Superintendent Police	Leave	do 3rd do	do 3rd do	do 29th do
W A F Platts	Asst District Commissioner	do	do 3rd do	do 3rd do	do 29th do
J W Newton	Asst Conservator of Forest	1st Appoint	do 10th do	do 11th do	do 29th do
J E Alexander	Land Ranger	do	do 10th do	do 11th do	do 29th do

DEPARTURES.

Name	Rank	On leave or termination of appointment	Date of Departure
Lieut Col G R Breeding D S O (1)	Officer Commanding 3rd K A R	Leave	November 5th 1912
F M Lamb	Assistant District Commissioner	do	do 5th do
S, R, Hill	1st Grade, Gaoler	do	do 5th do
R F Ransford	Inspector Police	do	do 5th do
M A Black	Chief Telegraph Inspector	do	do 5th do
R E Montgomery	Veterinary Pathologist	do	do 5th do

(1) Leave prior to his reversion to his British Regiment Proceeded via the Cape

Subscription to the East Africa Gazette.

All Applications or Remittances should be sent to the Editor
The rates of subscription are as follows

	One year	Six months	Three months	Single Copy
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„ one year old	1 50

EAST AFRICA PROTECTORATE

Comparative Statement of the EXPENDITURE of the East Africa Protectorate,
for the period ended 31st July, 1912

Heads of Expenditure	Estimates 1912-13	Actual Expenditure to 31-7-1912	Expenditure for same period of preceding year	Increase	Decrease
	£	£	£	£	£
Rent and Interest to H H the Sultan	17,000	8,500	8,500		
Pensions	2,593	936	989		53
His Excellency the Governor	7,204	1,924	3,195		1,271
Secretariat	6,200	1,726	1,513	213	
"Official Gazette" and Printing	3,807	955	1,073		118
Provincial Administration	91,265	28,028	22,690	5,338	
Ditto Special Expenditure	200	522	212	310	
Treasury	9,203	3,067	2,500	567	
Customs Department	15,455	4,551	4,224	327	
Port and Marine Departments	4,745	1,401	1,660		259
Ditto Special Expenditure	3,490	213	12	201	
Audit Department	3,859	872	817	55	
Legal Departments	15,167	4,814	4,020	794	
Police	47,431	13,913	13,416	497	
Prisons	11,590	4,460	4,337	123	
Ditto Special Expenditure	1,586	444		444	
Medical Departments	18,129	5,269	4,155	1,114	
Ditto Special Expenditure	1,177	291	571		280
Hospitals and Dispensaries	14,538	3,898	3,751	147	
Education	7,775	1,035	1,028	7	
Transport	2,961	791	856		65
Military Expenditure	54,287	17,191	16,350	841	
Ditto Special Expenditure	150	2,345	571	1,774	
Miscellaneous Services	5,762	1,749	1,447	302	
Bombay Agency	851	113	113		
Post Office and Telegraphs	35,477	11,134	9,853	1,281	
Ditto Special Expenditure	5,570	693	43	650	
Railway Department	282,132	76,768	68,474	8,294	
Ditto Special Expenditure	43,883	4,124	631	3,493	
Agricultural Department	24,214	6,722	5,578	1,144	
Ditto Special Expenditure	2,184	1,014	1,490		476
Forest Department	9,217	2,721	3,732		1,011
Ditto Special Expenditure			82		82
Game Department	3,490	1,110		1,110	
Immigration Department	440	167	87	80	
Survey Department	24,504	7,317	4,936	2,381	
Land Office	6,653	2,002	1,635	367	
Public Works Department	20,217	4,817	5,631		814
" " Recurrent	24,250	9,528	8,550	978	
" " Extraordinary	46,814	6,461	6,762		301
Abolition of Slavery	1,010	1,260	1,889		629
Coast Land Settlement	10,804	2,160	1,016	1,144	
Loan Charges	2,115				
Special Expenditure for Magadi	68,500	27,385		27,385	
Total	£ 957,899	274,391	218,389	61,361	5,359
Expenditure out of Loans	£ Nil	Nil			

Nairobi,
November 1st, 1912H A SMALLWOOD,
Treasurer.

NOTICE*(Continued from last Gazette)*

In pursuance of the East Africa and Uganda (Currency) Order-in-Council, 1905, Regulations par 6 (2) The Currency Commissioners hereby give notice that the following Currency Notes of the undermentioned denominations have been cancelled —

Rupees 5/-	Rupees 5/-	Rupees 5/-	Rupees 5/-	Rupees 5/-	Rupees 5/-
No $\frac{A}{1}$ 14915	No $\frac{A}{1}$ 15453	No $\frac{A}{1}$ 15956	No $\frac{A}{1}$ 16433	No $\frac{A}{1}$ 16942	No $\frac{A}{1}$ 17471
14939	15460	15970	16434	16944	17483
14975	15461	15981	16437	16948	17488
14990	15474	16006	16438	16949	17491
14992	15485	16007	16441	16951	17506
14995	15488	16019	16444	16964	17508
14998	15489	16022	16463	16970	17509
15012	15491	16029	16465	16972	17521
15018	15496	16037	16489	16993	17532
15028	15497	16041	16494	16994	17533
15033	15513	16043	16495	16995	17541
15036	15516	16060	16497	16997	17544
15046	15532	16061	16505	16999	17546
15049	15537	16067	16506	17001	17548
15052	15544	16078	16507	17003	17560
15058	15550	16080	16510	17006	17566
15064	15552	16087	16516	17011	17571
15066	15557	16096	16524	17018	17592
15087	15567	16098	16537	17039	17598
15095	15568	16100	16538	17046	17602
15105	15573	16102	16539	17063	17604
15119	15575	16123	16540	17066	17613
15122	15583	16124	16558	17071	17615
15123	15603	16140	16576	17096	17617
15135	15608	16143	16588	17103	17623
15136	15610	16158	16591	17132	17639
15140	15615	16167	16594	17135	17647
15146	15634	16168	16595	17137	17648
15147	15650	16169	16599	17152	17655
15148	15671	16172	16604	17167	17656
15153	15683	16181	16605	17171	17659
15170	15685	16185	16606	17176	17660
15175	15687	16205	16607	17182	17662
15183	15698	16218	16621	17197	17666
15184	15703	16229	16639	17199	17671
15186	15707	16230	16644	17203	17695
15188	15714	16238	16647	17205	17699
15206	15717	16244	16649	17209	17709
15209	15733	16246	16678	17219	17719
15213	15740	16265	16681	17229	17723
15218	15742	16270	16694	17267	17736
15221	15743	16272	16696	17275	17739
15229	15754	16288	16703	17276	17741
15232	15758	16289	16711	17283	17749
15236	15764	16291	16726	17284	17762
15261	15769	16292	16730	17291	17765
15262	15770	16293	16736	17296	17778
15268	15771	16295	16751	17304	17782
15279	15777	16309	16759	17306	17786
15280	15785	16326	16762	17310	17788
15282	15788	16327	16772	17318	17808
15290	15796	16328	16777	17326	17809
15296	15802	16329	16781	17330	17814
15304	15823	16331	16792	17331	17819
15305	15827	16332	16793	17332	17822
15313	15829	16335	16806	17334	17827
15324	15835	16337	16814	17337	17857
15336	15840	16344	16816	17348	17858
15338	15844	16346	16817	17349	17863
15341	15855	16350	16818	17357	17864
15345	15865	16351	16821	17363	17867
15351	15867	16353	16828	17371	17877
15363	15868	16362	16829	17376	17880
15368	15872	16366	16844	17386	17881
15373	15890	16367	16851	17394	17886
15378	15899	16369	16857	17399	17887
15410	15901	16371	16859	17402	17900
15419	15906	16379	16861	17405	17902
15421	15911	16385	16871	17415	17912
15424	15926	16386	16876	17419	17920
15429	15929	16409	16881	17422	17921
15430	15933	16415	16900	17434	17938
15432	15936	16423	16905	17444	17955
15433	15942	16429	16915	17445	17959
15449	15944	16432	16929	17458	17962

Rupees 5/-	Rupees 5/-	Rupees 5/-	Rupees 5/-	Rupees 5/-	Rupees 5/-
No $\frac{A}{1}$ 21092	No $\frac{A}{1}$ 21633	No $\frac{A}{1}$ 22236	No $\frac{A}{1}$ 22830	No $\frac{A}{1}$ 23400	No $\frac{A}{1}$ 23954
21093	21642	22237	22835	23403	23956
21102	21643	22244	22849	23406	23964
21106	21647	22254	22857	23409	23968
21132	21648	22262	22858	23422	23970
21145	21652	22264	22866	23427	23972
21148	21654	22266	22873	23434	23973
21156	21658	22267	22875	23435	23981
21164	21659	22274	22881	23438	23994
21174	21664	22275	22885	23451	23999
21177	21666	22280	22891	23455	24005
21187	21691	22313	22898	23463	24007
21190	21701	22314	22905	23468	24032
21195	21705	22327	22906	23473	24034
21199	21714	22335	22918	23482	24037
21211	21720	22342	22922	23488	24046
21223	21724	22347	22926	23498	24048
21224	21732	22349	22929	23500	24055
11226	21744	22367	22950	23508	24069
21229	21747	22376	22960	23510	24074
21255	21760	22380	22962	23513	24075
21266	21764	22382	22966	23516	24382
21271	21767	22387	22970	23517	24085
21277	21769	22399	22982	23528	24089
21291	21770	22410	22996	23529	24104
21312	21774	22437	23010	23533	24115
21314	21785	22443	23032	23540	24116
21318	21807	22448	23036	23553	24117
21320	21808	22450	23041	23554	24132
21323	21818	22454	23049	23555	24136
21335	21841	22457	23081	23562	24138
21341	21852	22464	23083	23574	24143
21342	21868	22475	23084	23577	24149
21343	21872	22495	23088	23589	24150
24344	21883	22510	23095	23599	24151
21347	21903	22516	23099	23610	24154
21371	21909	22525	23100	23626	24172
21373	21910	22526	23101	23627	24176
21378	21914	22544	23105	23638	24186
21393	21922	22545	23108	23654	24190
21400	21944	22546	23117	23657	24202
21409	21957	22548	23118	23673	24204
21412	21962	22549	23120	23674	24211
21414	21969	22556	23122	23680	24215
21419	21991	22557	23126	23691	24217
21425	21992	22563	23129	23699	24220
21428	21997	22569	23144	23700	24222
21443	21998	22587	23150	23709	24223
21466	22004	22594	23153	23715	24229
21468	22017	22600	23160	23717	24230
21473	22020	22608	23161	23719	24239
21486	22024	22610	23165	23721	24241
21492	22031	22622	23166	23740	24249
21494	22035	22640	23184	23743	24250
21495	22049	22646	23193	23764	24260
21499	22080	22653	23207	23782	24262
21508	22082	22659	23223	23786	24270
21519	22087	22660	23237	23798	24285
21524	22105	22666	23242	23799	24288
21535	22108	22680	23248	23801	24297
21539	22114	22708	23255	23807	24300
21541	22129	22715	23265	23811	24304
21548	22136	22721	23266	23824	24319
21552	22143	22725	23270	23833	24321
21555	22147	22729	23272	23851	24325
21559	22164	22730	23277	23853	24326
21566	22168	22732	23279	23857	24329
21568	22169	22737	23286	23863	24332
21569	22170	22751	23289	23878	24333
21572	22171	22752	23292	23882	24337
21579	22186	22760	23308	23890	24341
21589	22195	22775	23312	23893	24348
21590	22200	22778	23316	23902	24352
21608	22205	22780	23317	23904	24359
21609	22207	22789	23326	23908	24365
21611	22213	22791	23341	23917	24367
21612	22221	22797	23352	23922	24412
21622	22226	22803	23365	23926	24416
21625	22230	22808	23387	23929	24418
21626	22232	22813	23394	23944	24434

(To be continued next Gazette)

EAST AFRICA PROTECTORATE.

General Imports into the Port of Mombasa during September, 1912

Articles	Total quantities imported	Value in Rupees	Duty in Rupees
Ale and beer	Galls 1,750	4,099	
Alcohol, Methylic	" 60	137	
Ammunition	Number 65,227	6,309	
Animals, living —			
Horses and mules	" 10	6,200	
Other live-stock imported for breeding purposes	" 155	12,086	
Other sorts, unenumerated	" 8	440	
Arms	" 124	13,655	
Bacon and ham	Cwts 10	806	
Bags and sacks for industrial and agricultural purposes		76,280	
Bags and sacks, other sorts			
Beads	Lbs 52,616	22,469	
Books		1,384	
Building materials, unenumerated		78	
Butter	Lbs 4,000	3,090	
Articles necessary for maintaining telegraphic communication			
Consular goods			
Cups, medals or other trophies imported for presentation or presented as prizes, etc, etc			
Candles of all sorts	Cwts 18	463	
Canvas	Yards 1,817	1,688	
Cement	Cwts 8,370	19,405	
Cheese	Lbs 1,439	948	
Chemicals and chemical manufactures, unenumerated		4,174	
Cigarettes	Lbs 4,324	7,494	
Cigars	" 1,963	4,588	
Coal	Tons 450	10,946	
Coal products		213	
Com admitted to circulation in the Protectorate			
Condensed milk	Cwts 179	5,802	
Cotton yarn	Lbs 1,430	890	
Cotton piece goods, bleached	Yards 194,877	55,016	
" " " unbleached	" 2,326,418	419,497	
" " " printed	" 65,161	15,488	
" " " dyed	" 145,400	54,250	
" blankets	Number 68,249	51,980	
Cotton manufactures, unenumerated		28,962	
Cutlery		6,833	
Drinks, unenumerated		2,083	
Drugs and medicines for sheep and cattle		2,130	
" and medicines, other sorts		5,102	
Electric apparatus		2,425	
Explosives, other sorts			
Fencing materials		7,422	
Food stuffs for animals			
Food stuffs, other sorts, unenumerated		44,277	
Fruit, raw		826	
Furniture		6,652	
Glass plates		5,235	
" manufactures, unenumerated		3,581	
Gold bullion	Ounces 240	15,386	
Goods manufactured, unenumerated		60,723	
Goods unmanufactured, unenumerated		19,030	
Gram —			
Rice	Cwts 4,204	39,522	
Flour and wheat meal	" 7,260	58,813	
Wheat	" 650	4,873	
Dhall	" 471	3,425	
Maize and maize meal	"		
Other sorts	" 1,099	6,826	
Gunpowder	"		
Haberdashery	"	1,321	
Hardware	"	16,349	
Implements, agricultural	"	33,482	
Carried forward		1,175,153	

EAST AFRICA PROTECTORATE

Statement showing number of trade packages and value in Rupees of trade goods re-exported from Mombasa to different countries during September, 1912

Articles	Total quantities re-exported	German East Africa	U King dom	Zan zibar	Italian East Africa	India	United States of America	Portu guese Posses sions	South African Union	Italy	Mau- ritius
Ammunition	Nos 3,600	Rs	Rs 409	Rs 130	Rs 15	Rs	Rs	Rs			
Arms	" 8		1,250					100			
Bags and sacks for industrial and agricultural purposes		75									
Beads	Lbs 9,692	2,488		2,358							
Coal products				26							
Condensed milk	Cwt 2	70									
Cotton yarn	Lbs 114	57									
Cotton piece goods, bleached	Yds 8,118	4,059									
" " " unbleached	" 680,544	113,424									
" " " printed	" 17,352	4,976									
" " " dyed (plain shades)	" 64,788	31,687		707							
" blankets	Nos 5,060	5,060									
" manufactures, unenumerated		390									
Food stuffs, other sorts, unenumerated		414		26	30						
Glass manufactures, unenumerated		178		76	10	250		275			
Goods manufactured, unenumerated		3,129	2,000	450	480		440	200			
Haberdashery		471									
Hardware		399						100			
Implements, agricultural		3,130		1,400							
" other sorts		270									
Instruments, scientific, other sorts			300								
Leather unwrought						100					
" wrought, saddlery and harness manufactures, unenumerated			25			300					
Machinery and parts thereof, other sorts			690		95						
Matches	Gross boxes 50	46									
Metals,—brass and copper manufactures, other sorts		582				335					
" brass and copper wire	Cwt 153	8,592									
" iron and steel manufactures other sorts		683									
" galvanised iron sheets and plates	Cwt 495	4,581									
" Metals manufactured unenumerated		132	450								
Mineral and aerated waters	Doz bots 72			333							
Photographs, engravings, pictures & maps		300									
Porcelain, china and earthenware		238	300								
Railway, tramway and road material					50						
Ships boats launches lighters and parts				500							
Spirits—whisky	Gall 22							280			
Gin	" 2							25			
Soap	Cwt 35	778									
Sugar	" 144	1,604									
Tea	Lbs 291	291									
Tobacco, manufactured	" 1,310	839		176							
Toys and games			700								
Wearing apparel		3,971									
Wooden manufactures, unenumerated				786							
Total Rs		192,914	6,124	6,968	680	985	440	980			

Total value of re-exported goods Rs 209,091

F. W MAJOR,
Chief of Customs.

UGANDA RAILWAY.

Tenders are required for the following articles for one year from January 1st, 1913, in quantities shown below —

Flour fine about 1439 lbs per month
 Rice Daudkahana about 1161 lbs per month
 „ Table about 266 lbs per month

Conditions of contract may be obtained from the undersigned

Sealed Tenders to be clearly marked “Flour and Rice Tenders” should be sent to reach the undersigned not later than 16th November, 1912

A WILLIAM REID,
Chief Storekeeper

UGANDA RAILWAY.

**Approximate Statement of Public Coaching and Goods Traffic
 for the month of October, 1912**

Coaching Traffic	.	Rs	121,008
Goods Traffic	..	„	512,162
		Total Rs	<u>633,170</u>

Corresponding month of previous year:—

Coaching Traffic	..	Rs	97,431
Goods Traffic	„	„	315,597
		Total Rs.	<u>413,028</u>
		Increase Rs	<u>220,142</u>
		Decrease Rs	<u>Nil</u>

Nairobi,
 7th November, 1912.

H E GOODSHIP,
Acting Chief Accountant.

UGANDA MARINE.

TIME TABLE No. 1.

Notice of Sailings, Lake Victoria Service.

PUBLIC notice is hereby given that the present running of this Service will be continued according to the approximate Time Table given below —

ENTEBBE	PORT BELL	JINJA		BUKAKATA	SANGO BAY		MJANJI		JINJA		PORT BELL	BUKAKATA	ENTEBBE
Departure	Arr & Dep	Arr	Dep	Arr & Dep	Arr	Dep	Arr	Dep	Arr	Dep	Arr & Dep	Arr & Dep	Arr
1912 Wednesday 1 Nov mbr Friday 15 do Wednesday 20 do do 27 do Friday 29 do Wednesday 4 December	Wed 13 Nov Wed 20 do do 27 do Wed 4 Dec	Wed 13 Nov do 20 do do 27 do do 4 Dec	Thur 14 Nov do 21 do do 28 do do 5 Dec	Fri 15 Nov do 29 do	Fri 15 Nov do 29 do	Sun 17 Nov Sun 1 Dec	Thur 21 Nov 	Fri 22 Nov 	Fri 22 Nov 	Sat 23 Nov 	Thur 14 Nov Sat 23 do Thur 28 do Thur 5 Dec	Sun 17 Nov Sun 1 Dec	Thur 14 Nov Sun 17 do Sat 23 do Thur 28 do Sun 1 Dec Thur 5 do

N. B.—Sailings on Wednesdays from Entebbe are in connection with Steamers on Lake Kioga
Sailings from Entebbe and Jinja are at 4 a.m. unless special notice is given
First class accommodation on the steamer is limited and berths can only be reserved if available

TIME TABLE No. 2.

Notice of Sailings, Lake Kioga and Nile Service.

KAKINDU	MASINDI FORT	MAKOMA	LAKE KWANIA	BULULU & BUGONDO	SAMBWE	LALI & KALI	KAKINDU
Departure	Arr & Dep	Arr & Dep	Arr & Dep	Arr & Dep	Arr & Dep	Arr & Dep	Arrival
Thursday 14 November do 21 do (a) Monday 25 do Thursday 28 do do 5 December (a) do 9 do	Friday 15 November Friday 29 do	(b) Friday 15 November	(b) Friday 29 November	Friday 22 November Tuesday 26 do Sunday 1 December Friday 6 do Tuesday 10 do	Saturday 23 November	Friday 6 December	Monday 18 November Sunday 24 do Wednesday 27 do Monday 2 December Sunday 8 do Wednesday 11 do

(a) Sails only when sufficient cargo inducements offer
(b) Steamers run through to these ports only when inducements offer and due notice is given

N. B.—Arrangements will be made to call at all intermediate ports when cargo offers and due notice is given to Marine Office, Kakindu
Sailings from Kakindu on Thursdays are about 3 p.m. or on the arrival of the passenger train from Jinja
First class accommodation on the Steamers is limited and berths can only be reserved if available

Uganda Marine Office,
Entebbe, 25th October, 1912

H HUTCHINSON,
Commander, R.N.R.,
Superintendent of Marine

EAST AFRICA PROTECTORATE.

NOTICE.

The Registration of Trade Marks Ordinance, 1912.

Notice is hereby given that His Excellency the Governor has directed that the Registration of Trade Marks Ordinance, 1912, shall come into operation on the 1st day of January, 1913

RULES

The Registration of Trade Marks Ordinance, 1912

Rules issued by His Excellency the Governor under Section 54 of the Registration of Trade Marks Ordinance, 1912

Nairobi,

Dated this 23rd day of November, 1912

H C BELFIELD,

Governor.

1 These Rules shall be read with and shall be in addition to the Rules and the provisions in the Schedule to the Registration of Trade Marks Ordinance, 1912

2 The Registrar may refuse to accept any application upon which the following appear —

(a) The words "Patent," "Patented," or "By Royal Letters Patent," "Registered," "Registered Design," "Copyright," "Entered at Stationers' Hall," "To counterfeit this is forgery," or words to like effect

(b) Representations of Their Majesties or of any member of the Royal Family

3 Representations of the Royal Arms or Royal crests, or arms or crests so nearly resembling them so as to lead to mistake, or of British Royal crowns, or of the British national flags, or the word Royal or any other words, letters, or devices calculated to lead persons to think that the applicant has Royal patronage or authorisation, may not appear on trade marks the registration of which is applied for. Provided always that nothing contained in this rule shall preclude the Registrar from allowing the registration of any trade mark which is registered in the United Kingdom

4 Where representations of the arms of a foreign State or place appear on a mark the Registrar may call for such justification as he may deem necessary for their use

5 Where a representation of the arms or emblems of any city, borough, town, place, society, body corporate, or institution appears on a mark, the applicant shall, if so required, furnish the Registrar with a consent from such official as the Registrar may consider entitled to give consent to the use of such arms or emblems

6 Where the names or representations of living persons appear on a trade mark, the Registrar shall, if he so require, be furnished with consents from such persons before proceeding to register the mark. In the case of persons recently dead the Registrar may call for consents from their legal representatives before proceeding with registration of a trade mark on which their names or representations appear

7 Where the name or a description of any goods appears on a trade mark the Registrar may refuse to register such mark in respect of any goods other than the goods so named or described

Where the name or description of any goods appears on a trade mark which name or description in use varies the Registrar may permit the registration of the mark with the name or description upon it for goods other than those named or described, the applicant stating in his application that the name or description varies

8 The fees set forth in the First Schedule hereto shall be paid in connection with the applications, registrations and other matters mentioned in the said Schedule. All fees prescribed for the purposes of the Ordinance must in all cases be paid before or at the time of the doing of the matter in respect of which they are to be paid

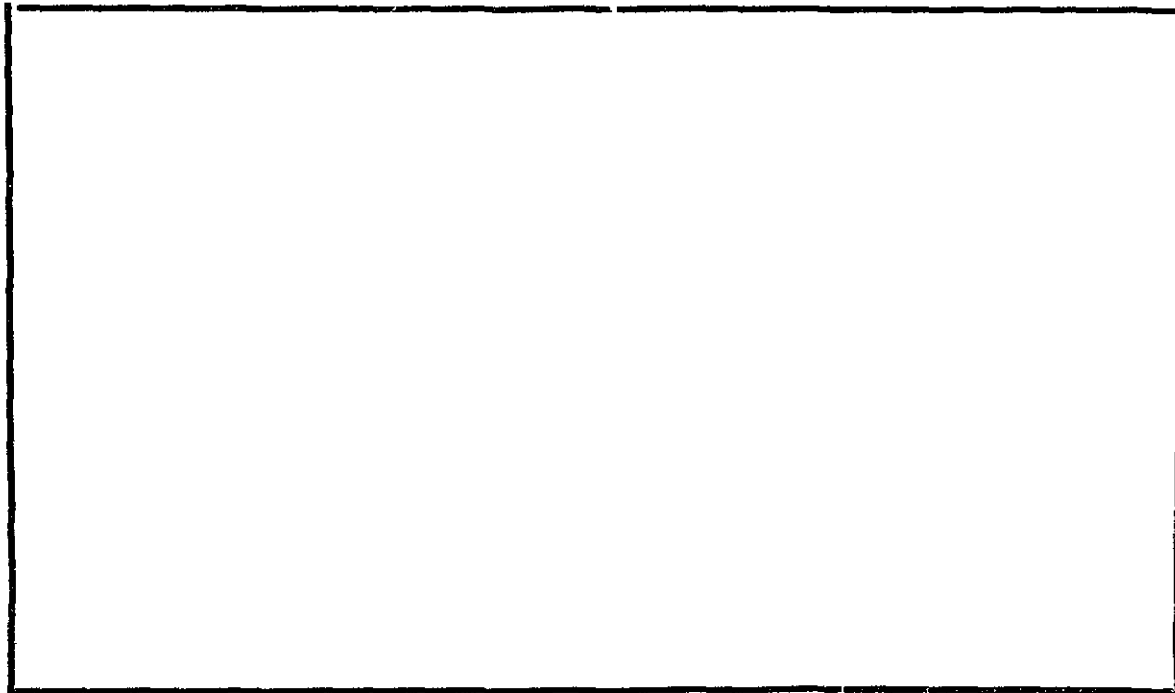
9 The forms in the Second Schedule hereto shall be used in all cases to which they are applicable, and shall be modified as directed by the Registrar to meet other cases. The form of application for registration of a Trade Mark in Part IV of the Schedule to the Ordinance is hereby cancelled.

FROM T M No 2

EAST AFRICA PROTECTORATE

The Registration of Trade Marks Ordinance, 1912.

APPLICATION FOR REGISTRATION OF TRADE MARK



One representation to be fixed within this square and four others to be sent on separate Forms T M No 3

Representations of a larger size may be folded, but must then be mounted upon linen and affixed hereto

(a) Only goods contained in one and the same Mark in Class , in respect of (a)

Application is hereby made for Registration of the accompanying Trade Mark in Class , in the name of (b) .. of (address and description)

(b) Here insert legibly the trading as full name, address and description of the individual, firm or company who claims to be the proprietor thereof (c)

do not claim the registration of this Trade Mark under the special provisions of paragraph 5 of Section 7 of the Registration of Trade Marks Ordinance, 1912, in regard to names, signatures, or words

(c) Alter to "claim to be the proprietors thereof" in the case of a firm or company

(Signed)

Dated the day of 191

To

The Secretary,

Inventions and Designs,

High Court,

MOMBASA.

FORM T M No 6

EAST AFRICA PROTECTORATE

The Registration of Trade Marks Ordinance, 1912.

NOTICE OF OPPOSITION TO APPLICATION FOR REGISTRATION

(To be accompanied by an unstamped duplicate)

In the matter of an application

No by

of

Here state full
name and
address

I,

hereby give notice of my intention to oppose the Registration of the Trade
Mark advertised under the above number for Class in the Official
Gazette of the, . day of, 191 , No .
page ..

The grounds of opposition are as follows —

.
.
.

(Signed)

Dated the . day of . , 191 .

Address for Service —

To
The Secretary,
Inventions & Designs,
High Court,
MOMBASA

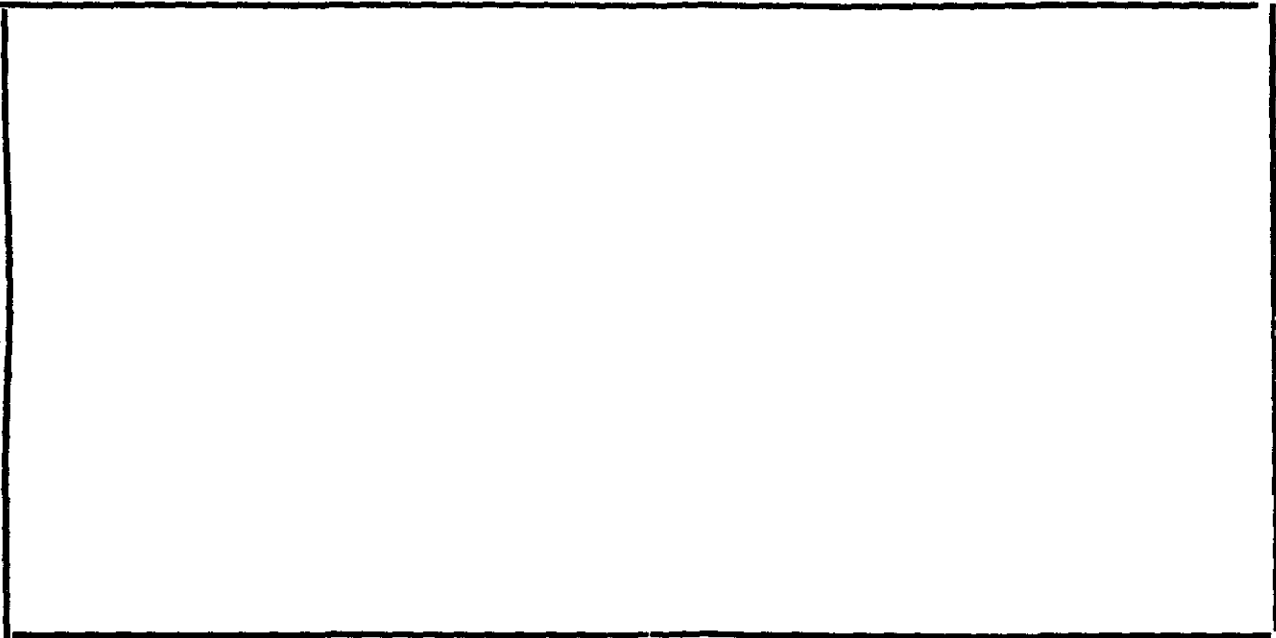
FORM T. M No 4

EAST AFRICA PROTECTORATE

The Registration of Trade Marks Ordinance, 1912

SPECIAL APPLICATION FOR REGISTRATION OF TRADE MARK
UNDER PARAGRAPH 5 OF SECTION 7

One representa-
tion to be fixed
within this
square, and four
others to be sent
on separate
Forms T M
No 3



Application is hereby made for registration of the accompanying Trade

(a) Only goods Mark in Class . , in respect of (a)
contained in one
and the same
class should be
set out here
A separate
Application
Form is required .
for each
separate class

(b) Here insert in the name of (b) of
legibly the full
name, address
and description (address and description)
of the individual,
firm, or company
Add trading
style (if any)

(c) Alter to trading as
“claim to be the
proprietors
thereof” in the who claims to be the proprietor thereof (c) and desires an order of the Court
case of a firm or
company
directing registration of the same

(Signed)

Dated the . day of . .. 191 .

To
The Secretary,
Invention & Designs,
High Court,
MOMBASA.

FORM T M No 7

EAST AFRICA PROTECTORATE

The Registration of Trade Marks Ordinance, 1912

REQUEST TO ENTER DISCLAIMER OR MEMORANDUM RELATING TO A TRADE MARK

I .. of

hereby request that you will enter in the Register in connection with Trade
Mark No in Class the following
namely—

Signature

Dated this .. day of. 191.

To
The Secretary,
Inventions & Designs,
High Court,
MOMBASA.

FORM T M No 9

EAST AFRICA PROTECTORATE

The Registration of Trade Marks Ordinance, 1912

FORM OF REQUEST FOR CORRECTION OF CLERICAL ERROR OR FOR
PERMISSION TO AMEND APPLICATION UNDER SECTION 33

Sir,

I hereby request that

Signature

Dated this day of , 191 .

To

The Secretary,

Inventions & Designs,

High Court,

MOMBASA

FORM T M No 11

EAST AFRICA PROTECTORATE

The Registration of Trade Marks Ordinance, 1912

Section 34.

REQUEST TO ENTER CHANGE OF NAME OF REGISTERED PROPRIETOR
OF TRADE MARK UPON THE REGISTER

(a) OI We I, (a)

Here insert
name, address
and description .

(b) My or On hereby request that you will enter (b) . .

(c) OI names name (c) in the Register of Trade Marks as
proprietor of the Trade Mark No ..(d) I am or We in Class (d) entitled to the
are said Trade Mark and to the goodwill of the business concerned in the goods
with respect to which the said Trade Mark is registered

There has been no change in the actual proprietorship of the said Trade

(e) Here state Mark, but (e)
the circum-
stances under
which the
change of name
took place .

x Signature

x

Dated this day of , 191

To

The Secretary,

Inventions and Designs,

High Court,

MOMBASA

FORM T M No 12a

EAST AFRICA PROTECTORATE

The Registration of Trade Marks Ordinance, 1912

Section 34

REQUEST TO STRIKE OUT GOODS FROM THOSE FOR WHICH A TRADE MARK IS REGISTERED

I, . . .

of . . .

hereby request that you will strike out . . .

... from the goods for which the Trade Mark

No . . . is registered in Class

x Signature X

Dated this . . . day of 191

To
The Secretary,
Inventions & Designs,
High Court,
MOMBASA

FORM T M No 14

EAST AFRICA PROTECTORATE

The Registration of Trade Marks Ordinance, 1912.

REQUEST FOR CERTIFICATE OF REFUSAL TO REGISTER A TRADE MARK

In the matter of an application for registration
of a Trade Mark No in Class

Sir,

I,

of

the Applicant in the above matter, hereby request you to furnish me with your
Certificate of Refusal to register the said Trade Mark

x Signature of
applicant

x

.

Dated this .. . day of . . 191

To
The Secretary,
Inventions & Designs,
High Court,
MOMBASA

FORM T. M No 16

EAST AFRICA PROTECTORATE

The Registration of Trade Marks Ordinance, 1912

REQUEST BY ASSIGNEE OR SUBSEQUENT PROPRIETOR FOR REGISTRATION
OF TRADE MARKS IN HIS NAME.

(a) Name of Assignee, etc I, (a)

(b) Address of of (b)

(c) Name of Assignee hereby request, under Section 15 that the name of (c) .

(d) Trade or Business of Assignee , carrying on business as (d) .

(e) Address of Assignee , at (e) , may

be entered in the Register of Trade Marks as proprietor of the Trade Mark

No in Class . .

That I am now the proprietor thereof as shown in my Affidavit filed

herewith

(f) Signature of Assignee, etc (t) . .

Dated this day of . 191

To

The Secretary,

Inventions & Designs,

High Court,

MOMBASA

FORM T M No 18

EAST AFRICA PROTECTORATE

The Registration of Trade Marks Ordinance, 1912

REQUEST FOR GENERAL CERTIFICATE OF REGISTRAR (OTHER THAN
CERTIFICATE FOR USE IN LEGAL PROCEEDINGS)

In the matter of the Trade Mark No

in Class

Sir,

I,

of

(a) Here set out the particulars which the Registrar is requested to certify hereby request you to furnish me with your Certificate (a)

(b) Signature

(b)

Dated this

day of

, 191

To

The Secretary,

Inventions & Designs,

High Court,

MOMBASA

RULES.

The Non-Native Poll Tax Ordinance, 1912

Rules issued by His Excellency the Governor under Section 17 of the Non-Native Poll Tax Ordinance, 1912

Nairobi,
Dated this 26th day of November, 1912

H C BELFIELD,
Governor

- 1 A District Officer shall give to every person paying the tax to him a receipt in the form in the Schedule hereto
- 2 A District Officer may, if he shall consider it necessary for the purpose of the identification of a taxpayer, require the taxpayer to sign his name in the spaces allotted both in the receipt and in the counterfoil, or if the taxpayer is unable to sign his name in the characters of some European language, to impress in the spaces allotted the prints of both his right and left thumbs.
- Any person refusing or neglecting to sign his name or to impress his thumb marks when required by a District Officer, shall be liable to a fine not exceeding thirty rupees
- 3 The rules dated the 13th day of November, 1912, under the Non-Native Poll Tax Ordinance, 1912, are hereby cancelled

Schedule

Non-Native Poll Tax.

No

Date

Station

Name of taxpayer

Residence

Amount paid

Signature of taxpayer

No

Date

Station

Received of

Residing at

The sum of Fifteen Rupees, in payment of the Non-Native Poll Tax for the year ending December 31st, 19

Rs

District Commissioner

Left Thumb Mark :

Right Thumb Mark:

Signature of taxpayer

Left Thumb Mark: Right Thumb Mark:

- NOTE —(1) The signature or thumb marks of the taxpayer may be omitted at the discretion of the District Commissioner
- (2) The thumb marks are only required if the taxpayer is unable to sign his name in the characters of some European language
- (3) If the taxpayer is a Non-European, the particulars on back must be filled in both in receipt and counterfoil

RULE**The East Africa Townships Ordinance, 1903.**

Rule issued by His Excellency the Governor of the East Africa Protectorate under the East Africa Townships Ordinance, 1903

Nairobi,

Dated this 22nd day of November, 1912

H C BELFIELD,

Governor

Mombasa Boat Regulations.

Rule 17 of the Rules dated May 13th, 1912, issued under the East Africa Townships Ordinance, 1903, shall be and is hereby amended by the deletion of the words "Police Station" and the substitution thereof of the words "Custom House"

RULES**His Majesty's High Court of East Africa**

Rules issued by the High Court with the approval of the Governor under the East Africa Order-in-Council, 1902 Article 22, and the East Africa Order-in-Council, 1906, Article 2

Rules of Court No 2 of 1912

ADMISSION OF COLONIAL SOLICITORS AS LEGAL PRACTITIONERS

- (1) These Rules may be cited as Rules of Court (Legal Practitioners Rules, 1911, Amendment) No 2 of 1912
- (2) Rule 2 of the Legal Practitioners Rules No 2 of 1911 is hereby amended by the addition after sub-section (c) of the following sub-section —
 - (d) Solicitors, Attorneys, or Law Agents of a Superior Court in a British Possession to which the Colonial Solicitors Act, 1900, is applied by Order in Council and who by virtue of the said Act and of any Order-in-Council thereunder may be admitted as Solicitors of the Supreme Court in England, Scotland, or Ireland, without examination and without service of articles of Clerkship

R. W HAMILTON,

Chief Justice

Approved,

C C BOWRING,

Deputy Governor

11th November, 1912

A T B CARTER,

Puisne Judge

NOTICE**Auction of Opium Licence at Nairobi**

Under instructions from His Excellency the Governor one Licence to deal in Opium, Ganja, Bhang, Churns, Poppy Heads and Chandoo will be auctioned at the Provincial Commissioner's Office, Nairobi, on Friday, the 20th December, 1912, at 2-30 p m

The Licence will be operative during 6 months dating from 1st day of January, 1913, and will be confined to the Township of Nairobi only

The highest or any other bid will not necessarily be accepted

Nairobi,

28th November, 1912

S L HINDE,

Provincial Commissioner.

NOTICE.

Nyanza Province

The following persons are hereby appointed Headmen under the Village Headmen Ordinance, 1902

Name	Rank	Location	District	Remarks
Arap Sogor	Headman	Location No 1	Lumbwa	In place of Arap Korus deceased.
Arap Toimession	do	do	do	Additional headman under the Laibon to live at Kiptere

Kisumu,
26th November, 1912

H HASTINGS HORNE,
for Provincial Commissioner

NOTICE

It having been reported to me that the landing of cargo ex S S "Warrior" of 30th October, 1912, and S S "Avristan" of 5th November, 1912, was not completed until the 12th and 17th November, 1912, respectively, I hereby give notice that under the powers given me by law I have granted an extension of time for free storage of goods *ex* above-named steamers from 8 days to 15 days

Custom House, Mombasa,
23rd November, 1912

F W MAJOR,
Chief of Customs

TENDERS.

Public Works Department

MOMBASA WATER SUPPLY

Tenders are invited for the execution of the following works —

1 The transport of steel pipes and other material by water from Kilindini to places on the Mteza and Mwache estuaries at the head of Port Reitz

2 The cartage of steel pipes and other material by road from the jetty on the Mtezi River to various places on the pipe alignment

Specification, plan of the locality, conditions of contract, and forms of tender may be seen at the offices of—

- | | |
|----------------------------------|---------|
| (a) the Director of Public Works | Nairobi |
| (b) the Executive Engineer | Mombasa |
| (c) the Resident Engineer | Mreji |

Sealed tenders will be received by the undersigned up to December 30th, 1912
The undersigned does not bind himself to accept the lowest or any tender

W McGREGOR ROSS,
Director of Public Works

IN THE TOWN MAGISTRATE'S COURT AT KISUMU

PROBATE AND ADMINISTRATION

CAUSE No 1 OF 1911

Re F LAWRENCE, DECEASED

To all to whom it may concern

Take notice that the account of the estate of the above-named F LAWRENCE, deceased, has been lodged with the District Delegate, Kisumu, by L F Lawrence, Administrator of the estate of the deceased, and that the said District Delegate has appointed the 18th day of December, 1912, at 10 o'clock in the forenoon for passing of such account

Kisumu,
23rd November, 1912

G BOULDERSON,
for District Delegate

IN THE TOWN MAGISTRATE'S COURT AT NAIROBI

PROBATE AND ADMINISTRATION

CAUSE No 9 OF 1912

NOTICE OF APPLICATION FOR PROBATE OF THE WILL OF MANGAJEE MOTI,
LATE OF NAIROBI, DECEASED

Take notice, that application having been made in this Court by Ravjee Khusaramjee of Nairobi, for probate of the Will of MANGAJEE MOTI, late of Nairobi, who died at Nairobi on the 30th day of October, 1912, this Court will proceed to make a decree in the same unless cause be shown to the contrary and appearance in this respect entered on or before the 15th day of December, 1912

Nairobi,
28th November, 1912

E R LOGAN,
District Delegate.

NOTE — The Will above named is now deposited and open to inspection at the Court

PROBATE AND ADMINISTRATION

IN THE TOWN MAGISTRATE'S COURT AT NAIROBI,

CAUSE No 10 OF 1912

IN THE MATTER OF AHMED WARFA, SOMALI, DECEASED

Notice is hereby given that on the 15th day of December, 1912, I purpose to appoint Edward Keene Figgis to be the Wasil of the estate of the late AHMED WARFA, SOMALI

If any person objects to the proposed appointment he must give me notice of his objection before the expiration of this notice

Nairobi,
29th November, 1912

E R LOGAN,
District Delegate

IN THE TOWN MAGISTRATE'S COURT AT NAIROBI.

PROBATE AND ADMINISTRATION

CAUSE No 11 OF 1912

NOTICE OF APPLICATION FOR PROBATE OF THE WILL OF DONALD SUTHERLAND
GARVIE, LATE OF NAIROBI, DECEASED

Take notice, that application having been made in this Court by Cornelia Gertrude Garvie, of Nairobi, for probate of the Will of DONALD SUTHERLAND GARVIE, late of Nairobi, who died at Nairobi on the 22nd day of October, 1912, this Court will proceed to make a decree in the same unless cause be shown to the contrary and appearance in this respect entered on or before the 15th day of December, 1912

Nairobi,
29th November, 1912

E R LOGAN,
District Delegate

NOTE — The Will above named is now deposited and open to inspection at the Court

IN THE TOWN MAGISTRATE'S COURT AT NAKURU

PROBATE AND ADMINISTRATION

CAUSE No 4 OF 1912

Re THE ESTATE OF ROBERT PRESCOTT FULLER-MAITLAND, DECEASED

Pursuant to an order of the above Court granting Letters of Administration of the late ROBERT PRESCOTT FULLER-MAITLAND, deceased, who died at Njemps on the 21st day of June, 1912, all creditors and others having claims upon the estate of the above-named deceased are required to send in writing the particulars of their debts, claims or demands to John Martin, of Tugernon Hill, Lumbwa, on or before the 25th day of December, 1912, after which date the claims so received will be paid and the estate distributed according to law

JOHN MARTIN

IN THE TOWN MAGISTRATE'S COURT AT KISUMU

INSOLVENCY JURISDICTION

CAUSE No 1 OF 1912

Re KERMAJI s/o MULJI

Whereas the above-named KERMAJI s/o MULJI has filed a petition in this Court that he be adjudged an insolvent Notice is hereby given that the hearing of the said petition has been be fixed for the 18th day of December, 1912, at 10 o'clock in the forenoon or so soon thereafter as it can be heard at the Town Magistrate's Court at Kisumu

Kisumu
23rd November, 1912

G BOULDERSON,
for Town Magistrate

Subscription to the East Africa Gazette.

All Applications or Remittances should be sent to the Editor

The rates of subscription are as follows

	One year		Six months		Three months		Single Copy	
	Rs	Cents	Rs	Cents	Rs	Cents	Rs	Cents
Subscription (Including Postage)	5	50	2	75	1	25	0	25
„ (Exclusive of Postage)	4		2		1		0	20

Price of one Copy one month old	0	37
„ six months old	0	75
„ one year old	0	15

No	Description	Date
67	The Bystander	September 25th
68	Daily Despatch (East London)	September 11th
69	Belfast Weekly News	September 26th
70	Crosse & Blackwells Price Lists	
71	The Aibioath Guide	September 21st
72	The Aberdeen Peoples Journal	September 21st
73	The Spectator, Tatler, and Scots Pictorial in one bundle	
74	The Naval and Military Record	August 7th
75	The Weekly Despatch	September 8th
76	Birmingham Weekly Post	August 24th
77	The Weekly Scotsman	September 7th
78	E & T Pink	Catalogue
79	Monice's African Catalogue	
80	Liverpool Echo	September 18th
81	The Morning Post	September 3rd
82	Official Organ Congo Reform	August
83	Sunday Times (Johannesburg)	September 22nd
84	Post Card Album	
85	Daily Express	September 19th
86	Revue Theologique	
87	The Engineer	October 4th
88	The Autocar	August 10th
89	The Bystander	August 7th
90	Lady's Companion	July 20th
91	Punch (two)	August 7
92	Peace Establishments (Official)	
93	Army Act	
94	Territorial Force	
95	Daily Mail (Oversea)	September 14th
96	South Wales Weekly	August 17th
97	Scottish Weekly Record	August 10th
98	Catalogue Rawle and Son	
99	„ T W Stanton & Co	
100	„ Harolds	
101	Daily Sketch	3 Copies
102	Voz da Madena	
103	The Morning Post	October 15th
104	The Midland News (S A)	October 17th
105	The Indian Voice (E A)	October 23rd
106	The Review of Reviews	October
107	The East African Standard	October 12th
108	The Sun	October 2nd
109	Lloyds Weekly	October 13th
110	The Tablet	October 5th
111	The Sketch	October 2nd
112	The Echo	October 12th
113	Fanplay	October 3rd
114	The Winning Post	October 19th
115	The Yorkshire Post	October 14th
116	One Packet Lesson Cards	

Owners of the above should make early application to this Office, together with proof of ownership

Mombasa,
1st November, 1912

RALPH HART,
Postmaster.

NOTICE TO CREDITORS.

The business of Farmers and Traders carried on at Katura and elsewhere in British East Africa by Alec Gerald Lindsay and Alan MacLeod Little under the style of Lindsay & Little is about to be dissolved

All persons having claims against the firm are requested to send the same duly vouched to the undersigned not later than 31st December, 1912, after which date no claim will be entertained.

All persons indebted to the said firm are requested to make payment to the undersigned within the like period

Nairobi,
26th November, 1912

A F MACRAE,
Advocate

EAST AFRICA PROTECTORATE.

Comparative Statement of the REVENUE of the East Africa Protectorate
for the period ended 31st August, 1912

Heads of Revenue	Estimates 1912-13	Actual Revenue to 31-8-1912	Revenue for same period of preceding year	Increase	Decrease
	£	£	£	£	£
Customs	95,300	46,896	40,407	6,489	
Port, Harbour, &c	1,100	471	571		100
Licences Excise, &c	173,040	109,405	58,895	50,510	
Fees of Court or Office, &c	19,873	8,880	7,336	1,544	
Re-imbursements by other Governments	11,644	3,725	4,972		1,247
Post and Telegraphs	27,630	12,860	12,992		132
Government Railways	416,800	176,344	140,839	35,505	
Rents	21,405	5,287	5,067	220	
Interest	1,450	2,741	1,192	1,549	
Miscellaneous Receipts	5,400	1,986	1,088	898	
Sale of Government Property	3,750	702	843		141
Land Sales	3,292	2,455	4,514		2,059
Total	£ 780,684	371,752	278,716	96,715	3,679
Loan Receipts	£ Nil	Nil			

Nairobi,

November 26th, 1912

H. A. SMALLWOOD,

Treasurer

EAST AFRICA PROTECTORATE

Statement of Assets and Liabilities as at 31st August, 1912.

LIABILITIES				ASSETS			
Amount				Amount			
	£	s	d		£	s	d
Subsidiary Silver Coinage	6,433	0	0	Advances	12,122	0	0
„ Nickel & Aluminium Coinage	8,322	0	0	General Unallocated Stores	30,146	0	0
General Post Office, London	3,889	0	0	„ „ Trade Goods	1,141	0	0
„ „ „ Union of South Africa	174	0	0	Suspense	339	0	0
Deposits	59,236	0	0	Copper Coinage	7,988	0	0
Excess of Assets over Liabilities	313,330	0	0	Drafts and Remittances	37,755	0	0
				Investments	83,693	0	0
				Cash	217,907	0	0
				Imprests	23	0	0
Total	£ 391,384	0	0	Total	£ 391,384	0	0

Nairobi,

November 26th, 1912

H. A. SMALLWOOD,

Treasurer

Rupees 5/-	Rupees 5/-	Rupees 5/-	Rupees 5/-	Rupees 5/-	Rupees 5/-
No. $\frac{A}{1}$	No. $\frac{A}{1}$	No. $\frac{A}{1}$	No. $\frac{A}{1}$	No. $\frac{A}{1}$	No. $\frac{A}{1}$
27902	28502	29089	29721	32409	33104
27908	28520	29093	29729	32411	33125
27912	28523	29096	29740	32422	33141
27914	28527	29119	29773	32432	33149
27925	28528	29130	29774	32465	33151
27927	28539	29134	29775	32471	33153
27935	28540	29145	29792	32478	33156
27939	28547	29150	29796	32479	33160
27943	28551	29172	29807	32501	33174
27945	28554	29174	29823	32505	33181
27955	28556	29192	29838	32506	33191
27956	28557	29194	29840	32511	33196
27961	28571	29197	29858	32527	33209
27963	28577	29214	29863	32529	33212
27978	28580	29226	29871	32530	33235
27981	28594	29228	29888	32538	33240
27993	28610	29234	29891	32549	33246
27999	28616	29249	29922	32553	33261
28022	28632	29265	29928	32556	33275
28026	28633	29270	29934	32560	33283
28032	28636	29290	29941	32568	33290
28033	28645	29294	29951	32609	33297
28035	28648	29299	29952	32616	33323
28038	28650	29303	29962	32619	33334
28042	28651	29316	29968	32624	33339
28062	28657	29318	29970	32629	33341
28065	28668	29319	29972	32634	33354
28067	28669	29326	29977	32655	33372
28082	28671	29346	29984	32676	33382
28091	28679	29357	29987	32677	33388
28093	28687	29360	30448	32687	33398
28100	28688	29375	32016	32690	33403
28106	28692	29378	32018	32692	33408
28115	28700	29390	32036	32702	33424
28125	28701	29402	32038	32704	33431
28135	28709	29410	32059	32706	33432
28142	28711	29411	32061	32709	33441
28148	28713	29420	32068	32727	33445
28152	28715	29427	32072	32736	33480
28163	28727	29429	32092	32740	33481
28169	28735	29431	32119	32753	33492
28174	28738	29440	32123	32777	33502
28180	28743	29444	32125	32785	33504
28187	28755	29456	32134	32814	33507
28189	28771	29462	32156	32819	33508
28194	28777	29469	32157	32830	33530
28202	28779	29470	32168	32840	33538
28203	28789	29482	32169	32845	33514
28213	28796	29486	32170	32851	33554
28214	28813	29498	32171	32860	33561
28216	28815	29504	32182	32876	33565
28241	28830	29506	32194	32877	33579
28262	28837	29520	32204	32882	33580
28267	28838	29521	32213	32891	33586
28270	28854	29524	32230	32897	33593
28278	28861	29529	32235	32902	33600
28301	28866	29533	32252	32918	33606
28315	28889	29534	32268	32929	33607
28328	28894	29537	32270	32945	33612
28330	28906	29554	32272	32983	33617
28348	28908	29558	32273	32986	33619
28361	28913	29565	32275	32988	33623
28364	28942	29572	32282	32999	33639
28366	28950	29575	32283	33000	33657
28368	28954	29593	32285	33008	33656
28370	28961	29597	32292	33009	33667
28373	28966	29599	32295	33010	33670
28377	28968	29610	32313	33012	33701
28382	28969	29633	32317	33013	33710
28386	28982	29649	32338	33019	33716
28397	28983	29655	32339	33025	33731
28412	29014	29658	32341	33038	33737
28418	29023	29659	32343	33041	33753
28422	29044	29675	32358	33046	33769
28449	29051	29677	32361	33048	33770
28453	29053	29678	32376	33052	33789
28466	29061	29683	32377	33061	33790
28482	29072	29687	32383	33089	33791
28493	29079	29696	32390	33090	33814
28498	29085	29709	32408	33095	33816

Rupees 5/-	Rupees 5/-	Rupees 5/-	Rupees 5/-	Rupees 5/-	Rupees 5/-
No $\frac{A}{1}$ 3728	No $\frac{A}{1}$ 43362	No $\frac{A}{1}$ 45100	No $\frac{A}{1}$ 45786	No $\frac{A}{1}$ 46414	No $\frac{A}{1}$ 00054
38735	43380	45103	45802	46418	00058
38748	43400	45104	45803	46425	00060
38756	43408	45128	45804	46431	00063
38762	43420	45136	45805	46432	00069
38768	43425	45157	45835	46439	00075
38779	43427	45160	45844	46451	00080
38781	43433	45163	45850	46454	00104
38801	43444	45172	45861	46459	00107
38803	43460	45173	45868	46475	00146
38808	43464	45199	45875	46479	00159
38812	43490	45200	45879	46486	00162
38816	43505	45203	45885	46487	00163
38835	43522	45204	45888	46495	00165
38851	43523	45206	45892	46501	00166
38853	43535	45209	45896	46508	00167
38854	43543	45231	45898	46513	00173
38864	43556	45266	45900	46523	00174
38867	43572	45271	45909	46545	00179
38868	43586	45287	45910	46546	00196
38871	43589	45302	45915	46547	00200
38872	43611	45312	45917	46552	00210
38879	43612	45316	45926	46578	00215
38883	43614	45338	45945	46590	00228
38894	43629	45350	45946	46591	00232
38896	43654	45355	45951	46602	00247
38902	43659	45357	45955	46608	00249
38903	43660	45360	45964	46609	00250
38907	43667	45367	45971	46626	00262
38919	43669	45369	45978	46628	00264
38940	43685	45390	45982	46629	00286
38948	43686	45424	46012	46634	00288
38949	43695	45437	46013	46643	00290
38955	43698	45440	46025	46647	00308
38962	43704	45450	46026	46652	00310
38966	43709	45451	46029	46653	00332
38970	43717	45462	46042	46662	00333
38973	43718	45466	46046	46672	00336
38974	43720	45470	46049	46689	00339
38991	43733	45473	46055	46697	00348
38992	43740	45480	46065	46701	00353
38996	43743	45487	46080	46706	00357
39037	43745	45512	46099	46724	00373
39043	43754	45514	46113	46743	00384
39047	43759	45523	46117	46751	00389
39057	43764	45532	46129	46759	00395
39086	43797	45537	46133	46764	00396
43010	43803	45541	46152	46792	00405
43024	43819	45554	46168	46818	00408
43032	43830	45570	46176	46823	00413
43039	43832	45571	46177	46832	00417
43053	43857	45599	46178	46833	00420
43056	43872	45600	46186	46834	00421
43059	43876	45604	46191	46846	00425
43079	43879	45608	46197	46849	00450
43098	43888	45610	46202	46853	00462
43109	43899	45621	46215	46866	00465
43130	43915	45626	46218	46869	00496
43134	43916	45636	46241	46890	00500
43156	43933	45645	46247	46896	00507
43159	43951	45658	46261	46897	00512
43171	43954	45671	46264	46899	00517
43172	43972	45673	46265	46915	00523
43173	43986	45681	46279	46926	00527
43199	43988	45693	46289	46935	00532
43210	45019	45698	46311	46942	00536
43218	45023	45703	46344	46953	00552
43219	45027	45704	46347	46986	00557
43230	45030	45706	46353	46988	00580
43231	45040	45727	46358	00003	00584
43239	45046	45728	46378	00004	00590
43251	45049	45731	46385	00005	00609
43253	45055	45732	46391	00009	00615
43266	45067	45742	46392	00013	00621
43290	45068	45759	46395	00014	00632
43318	45072	45760	46396	00020	00643
43344	45074	45763	46397	00021	00644
43350	45081	45767	46401	00022	00650
43351	45088	45768	46409	00040	00651
43357	45093	45778	46412	00052	00658

(To be continued next Gazette)

Licences and Permits issued at Tana River for the quarter ended 30th September, 1912

To whom issued	Date of issue	Residence	Remarks
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PUBLIC OFFICER'S LICENCES

Capt W Rigby	July 20th, 1912	Lamu	For 14 days only
T Rule	Aug 6th, „	Belozoni	
Capt W Rigby	„ 10th, „	Lamu	

RESIDENT'S LICENCES

Mrs E M Cristford	July 20th, 1912	Kipini	14 days only
J E Gosling	Aug 21st, „	Belozoni	

SPECIAL ELEPHANT LICENCES

Capt W Rigby	July 20th, 1912	Lamu	To shoot two elephants, for 14 days only
Mrs E M Cristford	„ 1st, „	Kipini	To shoot two elephants
T Rule	Aug 6th, „	Belozoni	To shoot one elephant only
Capt W Rigby	„ 10th, „	Lamu	do
J E Gosling	„ 21st, „	Belozoni	To shoot two elephants

BIRD LICENCES

T Poppinga	Aug 27th, 1912	Ngao	
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GUN TAX

T Poppinga	Aug 27th, 1912	Ngao	B L H No 130
Mohomed Kombo	Sept 2nd, „	Kipini	B L H No 123

September 30th, 1912

G N CRISFORD,
Acting District Commissioner

Firearms registered at Malindi for the quarter ended September, 1912

To whom issued	Date of issue	Firearms	Residence	Remarks
Mohamed bin Ali F Dillon	July 11th, 1912 Aug 27th, „	303 rifle 12 shot gun	Malindi „	Bird Licence Holder Transferred

Licences issued at Malindi for the quarter ended September, 1912

To whom issued	Date of issue	Date of expiry
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BIRD LICENCE

W E F de Lacy	August 8th, 1912	August 7th, 1913
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ORDINARY BROKER'S LICENCE.

Abud bin Said	August 23rd, 1912	August 22nd, 1913
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Malindi,
September 30th, 1912R SKENE,
District Commissioner

Licences issued at Gobwen, during the quarter ending 30th September, 1912

No	To whom issued	Date of issue	Place of abode
ORDINARY BROKER'S LICENCES			
393	Sheikh Omar Ali	August 16th, 1912	Zunguni
394	Hussein Mukoma	September, 28th "	Sheikh Meijan

Gobwen,
September 30th, 1912

F M LAMB,
Assistant District Commissioner

Permits for Ammunition issued at Uasin Gishu during the quarter ending 30th September, 1912

No	To whom issued	Date of issue	Residence	Kind of ammunition
14050	R Fenwick	July 5th, 1912	Farm 30	100 rounds 7 m/m
14051	M W Joubert	" 5th "	" 18	50 " M H
14052	C J Stieger	" 5th "	" 46A	250 " 9 m/m
14053	A P Stieger	" 5th "	" 46A	250 " 9 m/m
14054	J N Smith	" 8th "	" 135	100 " M H
14055	J M Bezuidenhout	" 8th "	" 73	250 " 7 m/m
				250 " 88
14056	P W Jordaan	" 10th "	" 207	300 " 303
14057	C M Duploov	" 12th "	" 24	800 " 7 m/m
				200 " M H
14058	N D Punsloo	" 15th "	" 194	50 " 303
14059	G J Baker	" 17th "	" 56	50 " M H
14060	I Lewison	" 18th "	Uasin Gishu	100 " M H
				100 " shot gun
14061	J C Smith	" 20th "	Farm 209	50 " 303
14062	P S I A Steinkemp	" 20th "	" 141	200 " 303
14063	L Chivell	" 20th "	" 78	1000 " miniature
14064	H W Smith	" 22nd "	" 64	200 " 303
14065	J C Theunissen	" 23rd "	Uasin Gishu	100 " 8 m/m
14066	H Phol	" 23rd "	Farm 195	500 " 303
14067	E Rendall	" 23rd "	" 204	50 " 303
14068	J J Potgieter	" 27th "	" 27	200 " 303
14069	N W Smith	" 27th "	" 136	500 " 65
14070	L Chivell	" 27th "	" 78	500 " 303
14071	A H Erasmus	" 27th "	" 24	50 " 7 m/m
14072	M W Welmans	" 27th "	" 139	50 " 303
14073	W E Barker	" 29th "	" 905	100 " 303
				100 " shot gun
14074	J H Dicken	" 31st "	" 160	21 " shot gun
14075	H Engelbrecht	Aug 3rd "	" 140	50 " M H
14076	H F Vanver Merwe	" 5th "	" 41	50 " 303
14077	H Ghemann	" 5th "	" 89	300 " 12 bore shot gun
				500 " 22
				300 " 303
14078	P C T Duplessis	" 5th "	" 144	50 " shot gun
14079	J Chaw	" 5th "	" 64	100 " 256
				100 " shot gun
14080	J J Engelbrecht	" 7th "	" 140	50 " M H
				50 " 303
14081	C B Enslin	" 7th "	" 142	50 " 303
14082	I A Van Niekerk	" 9th "	" 82	50 " M H
14083	Z Enslin	" 10th "	" 142	50 " 79
14084	J E H Engelbrecht	" 12th "	" 160	200 " shot gun
14085	P W Jordaan	" 12th "	" 207	300 " 8 m/m
				100 " shot gun
				100 " 303
14086	G S Baker	" 12th "	" 64	100 " 256
14087	D G Botha	" 12th "	" 109	100 " 303
14088	J Van der Burg	" 14th "	" 51	500 " 5856 mailin
14089	S Wiliam	" 17th "	" 158	300 " 9 m/m

UGANDA RAILWAY.**Catering Department****TENDERS FOR THE SUPPLY OF FRESH PROVISIONS**

Tenders are invited for the supply of Fresh Bread, Butter, Eggs (from Imported and Native Stock) Fruit, Meat, Live Sheep, Milk, Potatoes, (Table, Ration or Smalls, and Sweet) Assorted Vegetables and Onions, for the Refreshment Rooms for a period of six months from the 1st January, 1913

All deliveries to be made to the nearest Railway Station at such times, and in such quantities, as may be required by the Catering Manager

Forms of Contract can be obtained on application to the undersigned who will receive Tenders up to 4 o'clock p.m. on Friday, the 6th December, 1912

All tenders should be submitted in sealed envelopes marked "Catering"

The lowest or any Tender will not necessarily be accepted

Nairobi,

November 4th, 1912

G. A. STANLEY,

Traffic Manager

UGANDA RAILWAY**Christmas Holidays, 1912****EXCURSION FARES**

1 EXCURSION TICKETS will be issued as under in connection with the above Holidays —

(a) First, Second, and Intermediate Class Tickets, between Railway Stations, at Single Fare for the double journey, subject to the following minimum charge—
First Class Rs 6, Second Class Rs 4-50, and Intermediate Class Rs 3

(b) First and Second Class Tickets between Uganda Lake Ports only, and in through Bookings between Railway Stations and Uganda Lake Ports at Single Fare for the double journey, subject to the following minimum Charge—
First Class Rs 9, Second Class Rs 4-50

2 PERIOD OF ISSUE AND AVAILABILITY —

(a) Between Railway Stations tickets will be issued during the period 18th December, 1912 to 2nd January, 1913, both dates inclusive, the return journey to be completed not later than the 9th January, 1913

(b) Between Uganda Lake Ports and in through Bookings between Railway Stations and Uganda Lake Ports tickets will be issued during the period 13th December 1912 to 2nd January 1913, both dates inclusive, the return journey to be completed not later than the 9th January 1913

3 ROUND THE LAKE —By the round trip Steamer booked to leave Kisumu on the 20th December, 1912, via Southern Ports, First and Second Class Tickets will be issued for the round trip only, i.e., Kisumu to Kisumu, at half the ordinary fare. Passengers for this trip may also be booked through from any Railway Station by the train connecting with the Steamer, returning by the connecting train on arrival at Kisumu

4 INTENDING PASSENGERS should give the Station Master at starting Station twelve hours' clear notice of their intention to travel so that the necessary accommodation may be arranged. Passengers are also advised to book their luggage well in advance of the starting time of the train by which they travel

5 The First and Second Class accommodation on the Lake Steamers is limited, and bookings can only be arranged if berths are available

6 ADDITIONAL TRAINS will be run during these holidays if the traffic offering warrants same

Nairobi,

November 4th, 1912

G. A. STANLEY,

Traffic Manager

UGANDA RAILWAY.**Tenders**

Tenders are invited for the following —

100 Tons	Maize Flour
3 „	Crushed Maize

Delivery to be made in such quantities and at such times as may be required

Quotations must include bags and cost of delivery at Railway Stores, Nairobi

Sealed Tenders to be marked "Tenders for Maize" should reach the undersigned by 6th January, 1913.

Nairobi,

November 21st, 1912.

A. WILLIAM REID,

Chief Storekeeper