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THE OFFICIAL GAZETTE OF THE COLONY AND PROTECTORATE OF KENYA

Published under the Authority of His Excellency the Governor of the
Colony and Protectorate of Kenya

Vol. XL.—No. 19

NAIROBI, April 5, 1938

Price 50 Cents

Registered as a Newspaper at the G.P.O.

Published every Tuesday

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SUPPLEMENT

KENYA PROCLAMATIONS, RULES AND REGULATIONS
(No 14)

Instrument not
duly stamped
inadmissible in
evidence, etc

Paragraph (a) of the proviso to section 37 of the Principal Ordinance which it is proposed to substitute —

37 No instrument chargeable with duty shall be admitted in evidence for any purpose by any person having by law or consent of parties authority to receive evidence or shall be acted upon, registered or authenticated by any such person or by any public officer, unless such instrument is duly stamped

Provided that—

(a) Any such instrument not being an instrument chargeable with duty of ten cents or twenty cents only, or a bill of exchange or promissory note, shall, subject to all just exceptions, be admitted in evidence on payment of the duty with which the same is chargeable, or, in the case of an instrument insufficiently stamped, of the amount required to make up such duty, together with a penalty of one pound, or, when ten times the amount of the proper duty or deficient portion thereof exceeds one pound, of a sum equal to ten times such duty or portion

Section 2 of the Stamp (Amendment) Ordinance, 1937, which it is proposed to repeal —

Amendment of
section 37 of
the Principal
Ordinance

2 Section 37 of the Principal Ordinance is hereby amended by the addition of the following paragraph to the proviso thereto —

“(f) Notwithstanding anything to the contrary herein contained a bill of exchange (including a cheque) which

Colony and Protectorate of Kenya

GOVERNMENT NOTICE NO 246

HIS Excellency the Governor in Council has approved of the following Bill being introduced into the Legislative Council, in substitution for the Bill published under Government Notice No 125 of 1938

R W BAKER-BEALL,
Acting Clerk to the Legislative Council

A Bill to Amend the Stamp Ordinance

BE IT ENACTED by the Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof, as follows —

1 This Ordinance may be cited as the Stamp (Amendment) Ordinance, 1938, and shall be read as one with the Stamp Ordinance (Chapter 57 of the Revised Edition), hereinafter referred to as the Principal Ordinance

Short title

Cap 57

2 Section 37 of the Principal Ordinance is hereby amended by deleting therefrom paragraph (a) of the proviso thereto, and substituting therefor the following—

Amendment of
section 37 of
the Principal
Ordinance

“(a) any such instrument, not being an instrument chargeable with duty of ten cents or twenty cents only (other than a cheque) or a bill of exchange (other than a bill of exchange presented for acceptance, accepted or payable elsewhere than in the Colony) or a promissory note, shall, subject to all just exceptions, be admitted in evidence on payment of the duty with which the same is chargeable, or, in the case of an instrument insufficiently stamped, of the amount required to make up such duty, together with a penalty of one pound, or, when ten times the amount of the proper duty or deficient portion thereof exceeds one pound, of a sum equal to ten times such duty or portion,”

3 Section 2 of the Stamp (Amendment) Ordinance, 1937, is hereby repealed

Repeal of section
2 of Ordinance
No 6 of 1937

is presented for acceptance or accepted, or payable outside the Colony shall not be invalid by reason only that it is not stamped in accordance with the provisions of this Ordinance, and any such bill of exchange which is unstamped or not properly stamped may be received in evidence on payment of the proper duty and penalties prescribed under paragraph (a) of this section

Article 62 of the Schedule to the Principal Ordinance which it is proposed to amend —

STAMP DUTY ON INSTRUMENTS

<i>Description of Instrument</i>	<i>Proper Stamp-duty</i>
62 <i>Warrant for Goods</i> that is to say, any instrument evidencing the title of any person therein named, or his assigns, or the holder thereof, to the property in any goods lying in or upon any dock, ware house, or wharf, such instrument being signed or certified by or on behalf of the person in whose custody such goods may be	Fifty cents

4 The Schedule to the Principal Ordinance is hereby amended by substituting the words "twenty cents" for the words "fifty cents" which appear under the heading "Proper Stamp duty" opposite article 62 thereof

Amendment of
Schedule to the
Principal
Ordinance

OBJECTS AND REASONS

Section 2 of the Stamp (Amendment) Ordinance, 1937, purported to give effect to certain International Conventions regarding the admissibility in evidence of cheques and bills of exchange which were either unstamped or understamped

The Conventions, as adhered to by this Colony, required an amendment to the Stamp law making admissible, on payment of the duty and penalty, all such cheques and bills of exchange provided the latter were presented for acceptance, accepted, or payable outside the Colony

The amendment, however, as passed into law, by including cheques within the term "bill of exchange", excludes cheques payable in the Colony from the benefits of the Convention

It is, therefore, proposed to repeal section 2 of the Stamp (Amendment) Ordinance, 1937, and to amend the Principal Ordinance on the lines adopted in Tanganyika Territory

Clause 4 is designed to give effect to representations made by the Association of Chambers of Commerce of Eastern Africa that the stamp duty on warrants for goods should be reduced from fifty cents to twenty cents

No expenditure of public moneys will be involved if the provisions of this Bill become law

A small loss of revenue will be involved if the provisions of Clause 4 become law

GOVERNMENT NOTICE No 247

HIS Excellency the Governor in Council has approved of the following Bill being introduced into the Legislative Council

R W BAKER-BEALL,
Acting Clerk to the Legislative Council

A Bill to Amend the Immigration Restriction Ordinance

BE IT ENACTED by the Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof, as follows —

Short title

1 This Ordinance may be cited as the Immigration Restriction (Amendment) Ordinance, 1938, and shall be read as one with the Immigration Restriction Ordinance (Chapter 62 of the Revised Edition), hereinafter referred to as the Principal Ordinance

Cap 62

Amendment of the Principal Ordinance

2 The Principal Ordinance is hereby amended by the addition thereto after Part V thereof of the following Part, to be numbered as Part VI —

“ PART VI

IMMIGRANT LABOURERS

Interpretation

41 In this Part, unless the context otherwise requires—

‘immigrant labourer’ means any person whatsoever (other than a first or a second class passenger on any ship, or the personal servant of such passenger, or a person on the articles of a ship) travelling by sea or land from any port or place outside the Colony or the Uganda Protectorate or the Tanganyika Territory to a place of destination in the Colony for the purpose of exercising or performing any unskilled manual labour in agriculture, or in or upon mines, manufactures, roads, tunnels, railways, canals, water works, or otherwise, within the Colony

The burden of proving that any person is not an immigrant labourer within the meaning of this Part shall lie upon the person alleging that fact. Provided that when such person has proved that the alleged immigrant labourer has entered the Colony subsequent to the issue

of a proclamation under section 42 of this Ordinance and has since such entry been engaged in performing unskilled manual labour of the class or type specified in such proclamation, he shall be deemed to have established a presumption that such person is an immigrant labourer and the burden of rebutting such presumption shall lie upon such alleged immigrant labourer

42 (1) The Governor in Council may by proclamation in the Gazette prohibit the entry into the Colony of immigrant labourers or may restrict such entry in such manner and subject to such conditions or limitations as he may deem fit

Powers to
restrict
immigration
of labourers

(2) Without prejudice to the generality of the powers conferred by sub-section (1) of this section, the Governor in Council may in such proclamation—

- (a) limit the number of immigrant labourers that may, during a specified period of time, enter the Colony,
- (b) limit the number of immigrant labourers that may, during a specified period of time, be brought to the Colony on any ship, and such limitation may be based on registered tonnage or on any other basis whatsoever, and
- (c) specify the activities or occupations which shall be deemed to be unskilled manual labour

43 Any immigrant labourer found in the Colony in contravention of the provisions of any proclamation issued under the provisions of the last preceding section shall be deemed to be a prohibited immigrant, and may be dealt with accordingly

Immigrant
labourers to be
deemed
prohibited
immigrants

44 Any person aiding or abetting or taking any part in or arranging for or in any way assisting in the entering into the Colony of any person in contravention of the provisions of any proclamation issued under the provisions of section 42 of this Ordinance shall be guilty of an offence, and shall be liable to a fine not exceeding two hundred pounds

Penalty

45 (1) The Governor in Council may make rules for the following purposes—

Power to
make rules

- (a) for regulating the conduct and responsibility of the masters of ships carrying immigrant labourers,

- (b) for ensuring, so far as is possible, that no immigrant labourers shall be landed in the Colony in contravention of any proclamation issued under section 42 of this Ordinance,
 - (c) for laying down the reasons for which and the conditions under which a ship from which an immigrant labourer is suspected to have landed in contravention of the provisions of a proclamation issued under section 42 of this Ordinance may be detained and the conditions upon which the detention of such ship may be cancelled, and
 - (d) generally, for carrying out the provisions of this Part of this Ordinance
- (2) There may be annexed to the breach of any rule made under this section such penalty, not exceeding one hundred pounds or such term of imprisonment not exceeding six months or both such fine and such imprisonment, as the Governor in Council may think fit ”

OBJECTS AND REASONS

The object of this Bill is to make provision for controlling the importation into the Colony of unskilled manual labourers from territories outside the Colony, the Uganda Protectorate or the Tanganyika Territory

• No expenditure of public moneys will be involved if the provisions of this Bill become law

GOVERNMENT NOTICE No 248

His Excellency the Governor in Council has approved of the following Bill being introduced into the Legislative Council

R W BAKER-BEALL,
Acting Clerk to the Legislative Council

**A Bill to Control the Export and Production
of Sugar**

BE IT ENACTED by the Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof, as follows —

1 This Ordinance may be cited as the Sugar (Control) Ordinance, 1938 Short title

2 In this Ordinance, unless the context otherwise requires— Interpretation

“Director” means the Director of Agriculture and includes every officer of the Department of Agriculture authorized by the Director of Agriculture to act on his behalf,

“East African dependencies” means the Uganda Protectorate and the Tanganyika Territory,

“quota year” means the period from the first day of September to the 31st day of August next ensuing,

“sugar” means sugar in any of its commercial forms (including jaggery) except the product sold as final molasses,

“ton” means the long ton of 2,240 lb ,

“total stocks of sugar in the Colony” means all sugar in the Colony, whether in factories, refineries, warehouses or elsewhere or in course of transit, but does not include foreign bonded sugar or sugar intended to be used solely for distribution for consumption in the Colony or the East African dependencies

3 (1) The quantity of sugar (other than sugar exported to the East African dependencies for local consumption) that may be exported during any quota year from the Colony shall be such quantity (hereinafter referred to as “the quota”) as the Governor in Council may, with the approval of the Secretary of State, from time to time determine Fixing the amount of sugar that may be exported

(2) The Governor in Council shall, by notice in the Gazette, declare the quota determined for any quota year and may in like manner at any time substitute a new quota for the quota so declared

(3) The Governor in Council shall allocate the quota determined amongst the manufacturers of sugar and may at any time vary and adjust such allocation

(4) No person shall export sugar to a destination outside the East African dependencies except under a licence (hereinafter referred to as a "sugar export licence") issued by the Director. Such licence and application therefor shall be in the prescribed forms and, subject to the exercise of his discretion under sub-section (5) of section 7 of this Ordinance, the Director shall from time to time issue to the manufacturers amongst whom the quota has been allocated, sugar export licences in respect of such quantities of sugar as shall not in the aggregate exceed such allocation. The Director may attach to any such licence any conditions that he may deem necessary or that may be prescribed for the due carrying out of the purposes of this Ordinance

Power to fix
total stocks of
sugar in the
Colony

4 The Governor may, by notice in the Gazette, declare that the total stocks of sugar held in the Colony on a date or during such period as may be specified, shall not exceed an amount fixed by such notice and thereupon the Governor may prescribe means to ensure that such stocks shall not exceed the amount so specified and for such purpose may fix the maximum amount of sugar which may be held from time to time by any person

Governor may
require returns
relating to
sugar to be
submitted

5 (1) The Governor may require any person by order served on him or published in the Gazette to make and submit to the Director or the Commissioner of Customs, as the Governor may see fit, within such time as may be specified in the order, a return giving full and accurate particulars of all or any of the following matters, namely —

- (a) the sugar manufactured by him during any period specified in the order,
- (b) the stocks of sugar belonging to him or in his possession, power or control on any particular date or during any period specified in the order, the place of storage of the same, and, if such sugar was acquired by him, the person from whom he acquired the same.

(c) any other particulars required for the purposes of this Ordinance

(2) Any person who fails or neglects to comply with such order shall be guilty of an offence and on conviction shall be liable to a fine not exceeding twenty-five pounds

6 The Director or any officer duly authorized by him in writing may at any time enter upon any land or premises for the purposes of making any inspection or for any other purpose connected with or arising out of any of the matters provided by this Ordinance or the enforcement of any of its provisions

Power of entry
and inspection

7 (1) Any person exporting or attempting to export sugar in contravention of any of the provisions of this Ordinance or of any of the conditions of any sugar export licence shall be guilty of an offence and on conviction therefor shall be liable to a fine not exceeding five hundred pounds or to imprisonment for a term not exceeding twelve months

Offences

(2) Any person holding any stock of sugar in excess of the amount authorized by or under this Ordinance shall be guilty of an offence and on conviction therefor shall be liable to a fine not exceeding one hundred pounds

(3) Where a person is convicted under sub-section (1) or sub-section (2) of this section a court may, in addition to any other penalty, order that any sugar in regard to which the conviction is had shall be forfeited to the Crown

(4) Any person making a false declaration, statement or return in regard to any matter provided by this Ordinance shall be guilty of an offence and on conviction therefor shall be liable to a fine not exceeding fifty pounds

(5) Where any person is convicted of an offence under sub-section (1) of this section the Director in his discretion may revoke any sugar export licence granted to the person convicted and may refuse to grant any further licence to such person

Provided that any person aggrieved by the decision of the Director to revoke or refuse any such licence may appeal to the Governor whose decision shall be final

8 For the purposes of this Ordinance every person shall be liable for every act, omission, neglect or default of any manager, agent or servant employed by him and purporting to act within the scope of such employment as fully and

Liability for
acts of agent or
servant

effectually as if such act, omission, neglect or default were done or committed by such first-mentioned person but so that nothing in this section shall affect the liability of such manager, agent or servant

Saving of
Customs Laws
No 25 of 1926

9 The provisions of this Ordinance shall be in amplification of and not in derogation of the provisions of the Customs Management Ordinance, 1926, and any regulations made thereunder in so far as the same are not inconsistent with the provisions of this Ordinance

Power to make
rules

10 The Governor in Council may make rules prescribing forms, fixing the conditions upon which sugar export licences may be issued and generally for carrying out the provisions of this Ordinance

OBJECTS AND REASONS

This Bill is designed to give effect in Kenya to the International Sugar Agreement which was signed at London on the 6th day of May, 1937

No expenditure of public moneys will be involved if the provisions of this Bill become law

GOVERNMENT NOTICE No 249

ARRIVALS

Name	Rank	From Leave or on 1st Appointment	Date of Leaving England	Date of Embarkation	Date of Arrival at Mombasa
D D M McGoun J S Conev	Asst Superintendent of Police Chief Assistant to General Manager K U R & H	Leave	19th March, 1938	—	23rd March, 1938
P H Wontner I Lingwood	Senior Clerk K U R & H Senior Draughtsman, K U R & H	" " 1st Appointment	5th Nov, 1937 4th Feb, 1938 13th Mar, 1938 *	13th Mar, 1938 * " "	" " "

* Durban

DEPARTURE

Name	Rank	On Leave or Termination of Appointment	Date of Departure
A H Price	European Process Server, Judicial Dept	Leave	24th March, 1938

APPOINTMENTS

JOSEPH EDGAR HUGO LAMBERT to be District Officer, Fort Hall District, Central Province, with effect from the 17th March, 1938

CARRUTHERS MELVILL JOHNSTON to be District Officer, Narok, Masai District, with effect from the 13th March, 1938

EDWARD HENRY WINDLEY to be District Officer, Kajiado, Masai District, with effect from the 27th February, 1938

KENNETH WILLISON SIMMONDS to be District Officer (Cadet), South Nyeri District, Central Province, with effect from the 22nd March, 1938

FRANKLIN DEREK HOMAN to be District Officer (Cadet), Garissa, Northern Frontier District, with effect from the 17th March, 1938

EDGAR BRINLEY LLOYD to be Acting Recorder of Titles, Department of Local Government, Lands and Settlement, with effect from the 12th March, 1938

PROMOTIONS

PETER BERNARD DODD, Cadet, to be Junior Examining Officer, Customs Department, with effect from the 1st March, 1938

CHARLES ALBERT ALAN HIME to be District Surveyor, Department of Local Government, Lands and Settlement, with effect from the 9th December, 1937

CECIL WATSON HINDLE to be Staff Surveyor, Department of Local Government, Lands and Settlement, with effect from the 9th December, 1937

ROBERT JAMES BUTLER to be Staff Surveyor, Department of Local Government, Lands and Settlement, with effect from the 28th May, 1937

SIMON BLOOMBERG, Collector of Customs, to be Senior Collector of Customs, with effect from the 1st January, 1938

LAW EXAMINATION

HELD ON THE 10TH-12TH JANUARY 1938

THE following officers have passed the Law Examination held on the 10th to the 12th January, 1938 —

T G Askwith, Administration

G C M Dowson, Administration

F W Goodbody, Administration

G G Keir, Administration

The following officers obtained a pass in the papers set on the Penal Code, Criminal Procedure Code, Evidence Act and Local Ordinances only —

F D Homan, Administration

K W Simmonds, Administration

PRELIMINARY ORAL SWAHILI EXAMINATION
PASS

2/Asst Inspector J B W Breckenridge, Police Department

J G Ashier, Kenya and Uganda Railways and Harbours Administration

CORRIGENDUM

Reference Government Notice No 232, Official Gazette dated March 29, 1938, under Appointments, line 7—

for Engineer read Mechanician

and in line 10—

for 1938 read 1937

A DE V WADE,
Colonial Secretary

KENYA AND UGANDA RAILWAYS AND
HARBOURS

JAMES SHARPE CONEY returned from leave and assumed the duties of Chief Assistant to General Manager with effect from 28th March, 1938

CHARLES HENRY BLOOMFIELD Acting Chief Assistant to General Manager, reverted to his substantive rank of Administrative Assistant with effect from 28th March, 1938

JACK NORMAN, Acting Administrative Assistant, reverted to his substantive rank of Senior Clerk, Special Grade, with effect from 28th March, 1938

HARRY WOOD, Assistant Locomotive Superintendent, to be District Locomotive Superintendent, Class I, with effect from 5th January, 1938

GOVERNMENT NOTICE No 250

THE GAME ORDINANCE, 1937

AND

THE INTERPRETATION AND GENERAL
CLAUSES ORDINANCE*(Chapter 1 of the Revised Edition, section 13)*

GOVERNMENT NOTICE No 98 OF 1938

APPOINTMENTS

IN EXERCISE of the powers thereunto enabling me,
I hereby appoint to be Honorary Game Wardens the
following —

Captain Keith Farquhar Townley Caldwell,
Major Robert Mackay Bradshaw,
Major Walter Arnold Conduitt,
Captain John Edward McDonogh,
Gilbert de Preville Colville, Esq.,
Major the Hon Robert Francis Carnegie,
Lieut-Col John Alsager Pollock,
Major Arthur Frederick Dudgeon,
Captain Oswald Dixon,
Major Sydney Armstrong,
Rudolf Mason Anderson, Esq.,
Captain Harold Chester Croker de la Poer,
Major Cyril Luxford,
William Case Klapprott, Esq.,
Herbert Wretford Smith, Esq.,
Dacre Ashe Shaw, Esq., D C M.,
William Henry Hoey, Esq.,
Major Charles Steele,
Major Patrick Garnet Walsh McMaster,
Kenneth Percy Collingwood McIvor, Esq.,
Thomas Penny Robeson, Esq.,
William Alexander Campbell-Gillies, Esq.,
Arnold Bradley, Esq.,
Ronald Rappard Merittens, Esq.,
Alexander Armstrong, Esq.,
Captain Joseph Raymond Holway Hewlett,
Colonel Marcuswell Maxwell,
Major Edward Hugh Ward,
Major Cyril Younghusband,
Major Allen Holford-Walker,
Major Stanley Charles Layzell,
David Laurie Anderson, Esq.,
Captain Claud Henry Philip O'Hagan,
Captain John Thomas Oulton,
Major Charles Thomas Cook Beecroft, D S O.,
Captain Richard Edward Dent,
Thomas Henry Brown, Esq.,
Andrew Fowle, Esq.,
John Norman Hopcraft, Esq.,
Robert Alston McCrae, Esq.,
Captain Percy Gethin,
Ernest Campbell, Esq.,
Mbarak Ali Hinawy, Esq.,
Basil George Smith, Esq.,
Captain Charles Robert Billyard-Leake,
Arthur Cecil Hoey, Esq.,
Horace Currey Dawson, Esq.,
Charles Patrick Connor, Esq.,
Lieut-Commander Grenville Mathias Temple, R N
(Retired),
Thomas Legerwood Hately, Esq.,
Cargay Curry Dawson, Esq.,
Brig-Gen Arthur Reginald Wainwright, C M G.,
Hugh Cecil Nightingale, Esq.,
Major Jack Kingdon,
George Edward Cunynghame Robertson, Esq.,
William Leonard Lewis, Esq.,
Ralph Towlerton Medcalf, Esq.,
Robert Wemyss Foster, Esq.,

Frederick Ray Hilton Green, Esq.,
Commander David Enderley Blunt, R N (Retired),
Thomas Roope Pomeroy Salmon, Esq.,
George Wilson Low, Esq.,
Captain Henry Laing Russell Watt,
David Derwent James Fawcus, Esq.,
Gilbert Cyriac Sauvage, Esq.,
Jall Sorabjee, Esq.,
Henry Arthur Walker, Esq.,
Douglas Franklyn Smith, Esq.,
Rex Higgins, Esq.,
Derek Chandos Sydney Fisher, Esq.,
Colonel Gilbert East-King, D S O.,
George Duncan Fletcher, Esq.,
Meivyn Hugh Cowie, Esq.,
Richard Frank Turner, Esq.,
Robert Derwent Paton Ker, Esq.,
Evelyn Wood Temple-Boreham, Esq.,
Captain George Alexander Heath

Nairobi,

This 25th day of March, 1938

F H CLARKE,
Acting Game Warden

GOVERNMENT NOTICE No 251

THE NATIVE AUTHORITY ORDINANCE, 1937

(Ordinance 2 of 1937, section 19)

AND

THE INTERPRETATION AND GENERAL
CLAUSES ORDINANCE*(Chapter 1 of the Revised Edition, section 13)*

GOVERNMENT NOTICE No 314 OF 1937

BARINGO LOCAL NATIVE COUNCIL

IN EXERCISE of the powers thereunto enabling me,
I hereby appoint the persons named in the Schedule
annexed hereto to be members of the Local Native
Council named therein

Government Notice No 186 of the 5th day of March,
1935, is hereby cancelled

Nakuru,

5th March, 1938

S O V HODGE,
*Acting Provincial Commissioner,
Rift Valley*

SCHEDULE

BARINGO LOCAL NATIVE COUNCIL

5TH MARCH, 1938

Cherono arap Chepkinyeng,
Changwain arap Kapkiai,
Cherono arap Kaino,
Chebiegon arap Sogelo,
Chesang arap Kipkurere,
Chepto arap Bonde,
Lesengei ole Letirian,
Keso ole Murtus,
Kipterer wero Koromoruk,
Angolei wero Loitamoruk,
Kawertoi wero Tiamaruk,
Ngimor wero Lokudole,
Kibomet wero Cholongomoi,
Chepkonga arap Kangwain,
Chebei arap Seguton,
Chebei arap Chelimo,
Kibondich arap Chepsoi,
Sumukwo arap Kibowen,
Ruto arap Argut,
Baruageti arap Toroitich

GOVERNMENT NOTICE No 252

THE COURTS ORDINANCE, 1931

NOTICE

IN EXERCISE of the powers conferred upon him by section 6 of the Courts Ordinance, 1931, and all other powers thereunto enabling him, His Excellency the Governor has been pleased to appoint, with effect from the 20th day of February, 1938, Richard Owen Hennings, to be a Magistrate of the Second Class, with powers to hold a Subordinate Court of the Second Class in the North Kavirondi District, Nyanza Province, whilst holding his present appointment as District Officer, North Kavirondo District, Nyanza Province

By Command of His Excellency the Governor

Nairobi,

This 25th day of March, 1938

A DE V WADE,
Colonial Secretary

GOVERNMENT NOTICE No 253

THE COURTS ORDINANCE, 1931

NOTICE

IN EXERCISE of the powers conferred upon him by section 6 of the Courts Ordinance, 1931, and all other powers thereunto enabling him, His Excellency the Governor has been pleased to appoint, with effect from the 17th day of March, 1938, Joseph Edgar Hugo Lambert, to be a Magistrate of the Second Class, with powers to hold a Subordinate Court of the Second Class in the Fort Hall District, Central Province, whilst holding his present appointment as District Officer, Fort Hall District, Central Province

By Command of His Excellency the Governor

Nairobi,

This 28th day of March, 1938

A DE V WADE,
Colonial Secretary

GOVERNMENT NOTICE No 254

THE TROUT PROTECTION ORDINANCE

(Section 3)

AND

THE INTERPRETATION AND GENERAL CLAUSES ORDINANCE

(Chapter 1 of the Revised Edition, section 13)

GOVERNMENT NOTICE No 692 OF 1928

RESIGNATION

IN EXERCISE of the powers thereunto enabling me I hereby accept the resignation of—

The Honourable Arthur Blackett Warwick Bampfylde from his appointment of Honorary Trout Warden

Nairobi,

This 30th day of March, 1938

F H CLARKE,
Acting Game Warden

GOVERNMENT NOTICE No 255

NOTICE

WITH reference to Government Notice No 149 in the Official Gazette of March 1, 1938, it is notified for information that the first examination will be held on 26th and 27th April, 1938. Applications in terms of paragraph 4 of the notice quoted should be made to the Director of Education as soon as possible. No application received after Friday, 15th April, will be considered

H L BRADSHAW,
for Acting Director of Education

GOVERNMENT NOTICE No 256

THE FARMERS ASSISTANCE ORDINANCE, 1936

INTERIM STAY ORDER

IN THE MATTER OF THE APPLICATION OF HUGH CECIL NIGHTINGALE L O Nos 1307/4, L R Nos 454/2/1 AND 454/2/2, "CARNELL", KINANGOP P O LONGONOT

PURSUANT to the provisions of the Farmers Assistance Ordinance, 1936, I hereby issue this Interim Stay Order in respect of the above-named applicant's estate as from the 26th day of March, 1938

Government Notice No 178 of the 1st day of March, 1938, is hereby cancelled

Dated at Nakuru this 26th day of March, 1938

E G St C TISDALL,
Chairman,
Nakuru Local Committee

GOVERNMENT NOTICE No 257

MOVEMENTS OF THE 4TH CRUISER SQUADRON

THE following dates of arrival at and departure from Mombasa are notified for general information —

H M S *Norfolk* will arrive Mombasa on Thursday the 23rd June and leave on Monday the 18th July, 1938

Nairobi,

This 1st day of April, 1938

A DE V WADE,
Colonial Secretary

GOVERNMENT NOTICE No 258

THE LIQUOR ORDINANCE

NOTICE

IN EXERCISE of the powers conferred upon him by section 11 of the Liquor Ordinance (No LXII of 1934) His Excellency the Governor has been pleased to appoint—

The District Commissioner, Machakos (Chairman),

Mr J F Manley,

Mr N B Larby,

Mr Hassanali Nathoo,

Mr Motibhai G Patel,

to be members of the Licensing Court of the Ukamba Licensing Area for the year 1938

By Command of His Excellency the Governor

Nairobi,

This 31st day of March, 1938

A DE V WADE,
Colonial Secretary

GOVERNMENT NOTICE No 259

THE LEGISLATIVE COUNCIL ORDINANCE, 1935

NOTICE

PURSUANT to the power vested in them by Rule 32 of Schedule III to the Legislative Council Ordinance, 1935 the Returning Officers for the Electoral Areas specified below have duly declared the following persons to be Elected Members of the Legislative Council of the Colony and Protectorate of Kenya

<i>Electoral Area</i>	<i>Person Elected</i>
NAIROBI SOUTH MOMBASA	Marcuswell Maxwell, Esq William George Drummond Hay Nicoll, Esq
COAST NYANZA TRANS NZOIA	Shuley Victor Cooke, Esq Lady Sidney Farrar Lieut Colonel James George Kirkwood, C M G D S O ,
UASIN GISHU ABERDARE KIAMBU	Stanley George Gherrie, Esq Ernest Hay Wright, Esq Rt Hon Josslyn Victor Hay, Earl of Erroll
CENTRAL INDIAN	Isher Dass, Esq Shamsud Deen, Esq
EASTERN INDIAN	Jagannath Bhavanishanker Pandya, Esq Ambalal Bhailalbhai Patel, Esq
WESTERN INDIAN	Rahemtulla Kassim, Esq

Nairobi,
2nd April, 1938

R W BAKER-BEALL,
for Colonial Secretary

GOVERNMENT NOTICE No 260

THE MINING ORDINANCE, 1933

NOTICE is hereby given in accordance with the Mining Regulation 32, that the following claims have been abandoned

Mining Location No	Class	Cause of Abandonment	Date from which Location or part thereof shall be deemed to be Abandoned	Name of Registered Holder
Kakamega 2899/1-10, 2900/1-3, 2926/1-10, 2936/1-10, 2937/1-3	Alluvial	Voluntary	3rd March, 1938	D H Stanley
2202/1-10, 2203/4-8, 2211/1-5 and 10, 2212/1-6, 2214/1, 2217/7	Lode	Voluntary	3rd March, 1938	Lisulu Mining Syndi- cate
No 2 Area 963/1-10, 964/1-10, 997/1-10, 998/1-10, 999/1-10	Lode	Voluntary	12th March, 1938	Asembo Mines, Ltd
39/1-6	Lode	Voluntary	24th March, 1938	F B D Edmunds

Nairobi,
This 29th day of March, 1938

H IZARD,
Acting Commissioner of Mines

GOVERNMENT NOTICE No 261

THE KENYA POLICE

AWARD OF THE IMPERIAL SERVICE MEDAL

HIS MAJESTY the King has been graciously pleased to award this decoration to the undermentioned African Subordinate Police Officer of the Kenya Police for faithful and meritorious service marked by exemplary conduct, zeal and ability —

No 28 1/Sgt Omar Mohamed

GENERAL NOTICE No 459

ELDORET MUNICIPALITY

VOTERS ROLL

Notice

IN ACCORDANCE with Rules Nos 8 and 9 of the European Councillois Election Rules, 1929, notice is hereby given that the Voters Roll for 1938 is now completed and is deposited at the Municipal Offices, Eldoret, and is open for inspection by the public

All objections and claims to be enrolled will be heard at the Resident Magistrate's Court, Eldoret, at 10 a m on Thursday the 21st April, 1938, when the Resident Magistrate will hear and determine all claims and objections

Eldoret,

31st March, 1938

G M JACK,
Registering Officer

GENERAL NOTICE No 460

NYANZA DISTRICT COUNCIL

BY-ELECTION

Member for the Songhor West Ward

NOTICE is hereby given that, in consequence of a vacancy that will occur on the 1st May, in respect of the Songhor West Ward of the Nyanza District Council owing to the resignation of Mr Godfrey Mordaunt, an election will be held by me to fill such vacancy

This election will take place on Friday the 15th April, 1938, and nominations of candidates for this vacancy will be received by me at the Nyanza District Council's Depot, at Songhor, from ten o'clock in the forenoon till one o'clock in the afternoon of that day

A candidate shall be proposed and seconded and shall be supported by not less than three persons other than the proposer and seconder. The proposer, seconder and supporters shall only be persons whose names appear on the District Councils Voters Roll for the Songhor West Ward prior to the date of this notice. The signatures of the proposer and seconder must be witnessed by a magistrate, justice of the peace or a notary-public

Every nomination paper, subscribed and witnessed as aforesaid, shall be delivered to me personally by the hand of the candidate or by that of his proposer or seconder at the time and place hereby specified and any nomination paper not so delivered shall be rejected

Nomination papers and information regarding the voters roll can be obtained from me on application

Offices of the Nyanza District Council,

Koru,

1st April, 1938

EISDELL COOPER,
Returning Officer

GENERAL NOTICE No 461

POSTS AND TELEGRAPHS DEPARTMENT

NEW POSTAGE STAMP ISSUE

IT is notified for information that the 5 cent denomination of the new issue of stamps for use in Kenya, Uganda and Tanganyika Territory will be placed on sale at all post offices in the three territories on the 11th April next, and that the present issue of 5 cent stamps will be withdrawn from sale at the close of business on the 10th April

All other denominations of the new stamp issue and stationery will be placed on sale at all post offices in the three territories on the 2nd May next and those of the present issue withdrawn from sale at the close of business on the 1st May

Although the present issue will be withdrawn from sale on the dates specified, it may continue to be used after the above dates for the prepayment of postage and other purposes

General Post Office,
Nairobi,

26th March, 1938

G B HEBDEN,
Postmaster General,
Kenya Uganda and Tanganyika

GENERAL NOTICE No 462

THE LAND AND AGRICULTURAL BANK
(AMENDMENT) ORDINANCE, 1934 & 1936

NOTIFICATION

NOTICE is hereby given that the Board of the Land and Agricultural Bank of Kenya have approved temporary advances in terms of section 3 of the Land and Agricultural Bank (Amendment) Ordinance, 1934, as amended by Ordinance XIV of 1936

Names	Amounts
Williams & Robinson	£150
Lunn, H A	£100

S THORNTON,
Secretary

GENERAL NOTICE No 463

THE COMPANIES ORDINANCE, 1933

PURSUANT to section 284, subsection 3 of the above Ordinance, it is hereby notified that at the expiration of three months from date hereof, the name of the undermentioned Company will, unless cause be shown to the contrary, be struck off the Register of Companies, and the Company will be dissolved

Naivasha Butchery, Limited

Nairobi,

5th April, 1938

W B CUMMING,
Registrar of Companies

GENERAL NOTICE No 464

THE COMPANIES ORDINANCE, 1933

PURSUANT to section 284, subsection 5 of the above Ordinance, it is hereby notified that the undermentioned Company has this day been struck off the Register of Companies and the Company is dissolved —

The Trading and Contracting Company, Limited

Nairobi,

29th March, 1938

W B CUMMING,
Registrar of Companies

GENERAL NOTICE No 465

TRANSPORT LICENSING ORDINANCE, 1937

AND

THE VEHICLES LICENSING REGULATIONS, 1938

The statement set out in the Schedule hereto, which explains the procedure to be followed by applicants for licences under the above Ordinance, is published for general information

Nairobi,

This 1st day of April, 1938

H E STACEY,
Secretary,
Transport Licensing Board

SCHEDULE

THE TRANSPORT LICENSING ORDINANCE, 1937

LICENCES

Section 4 of the above Ordinance will come into force on the 1st day of July, 1938, so that after that date it will be an offence for any person—

(a) to use a motor vehicle on a road for the carriage of goods for hire or reward or for or in connexion with any trade or business carried on by such person,

(b) for hire or reward to convey any person by means of any motor vehicle designed to carry more than six persons exclusive of the driver of the vehicle,

unless he is in possession of a licence issued to him by the Transport Licensing Board

The licences which the Board may issue for motor vehicles are of four kinds, as follows —

A public carrier's "A" licence

This licence entitles the holder to use the vehicle for the carriage of goods for hire or reward for or in connexion with his business *as a carrier of goods* but *not* for or in connexion with any other trade or business carried on by him, except such storage or warehousing of goods as may be incidental to his business as a carrier, unless the Licensing Authority otherwise determines

A limited carrier's "B" licence

This licence entitles the holder to use the vehicle for the carriage of goods for or in connexion with any trade or business carried on by him *and*, to such extent as may be limited by the conditions attached to the licence, for the carriage of goods for hire or reward

A private carrier's "C" licence

This licence entitles the holder to use the vehicle for the carriage of goods for or in connexion with any trade or business carried on by him and for the carriage of goods for hire or reward in cases where such goods are sold and delivered by the licensee under a contract of sale in which a charge is made for the delivery of such goods

Road Service Vehicle licence

A road service vehicle licence entitles the holder thereof to carry passengers for hire or reward, but such a licence is only necessary where the vehicle is designed to carry more than six persons and the driver of the vehicle

Where the vehicle is constructed or adapted for the carriage of both passengers and goods, the road service licence may authorize the holder to carry for hire or reward both goods and passengers

All the above licences will, unless previously revoked, remain in force until the 31st day of December of the year in which they are issued, but section 6 (2) of the Transport Licensing Ordinance, 1937, authorizes the grant of a short-term licence, of any of the above classes, for a period not exceeding three months, for the purpose of a seasonal business, or for the execution of a particular piece of work, or for any other purpose of limited duration

2 The Vehicles Licensing Regulations, 1938, which came into force on the first day of April, 1938, prescribe the procedure to be followed for obtaining a licence. So far as vehicles now in use are concerned applications, which must be on the prescribed form, must reach the Licensing Authority, P O Box 112, Nairobi, before the 14th day of May, 1938, and the application forms for the various types of licences may be obtained either from the Licensing Authority, the Central Revenue Officer, P O Box 520, Nairobi, or from any one of the following Licensing Officers —

D C , Machakos
 D C , Rumuruti
 D C , Nyeri
 D C , Kisumu
 D C , Lamu
 D C , Kericho
 D C , Mombasa
 D C , Kisii
 D C , Nakuru
 D C , Isiolo
 D C , Eldoret
 D C , Kitale

3 The following fees for licences have been prescribed by Regulation 12 of the Vehicles Licensing Regulations —

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| (a) For an "A" Licence, per vehicle | Sh 20 |
| (b) For a "B" Licence, per vehicle | Sh 20 |
| (c) For a "C" Licence, per vehicle | Sh 2/50 |
| (d) For a Road Service Licence, per vehicle | Sh 20 |
| (e) For a Short Term Licence, in respect of a goods vehicle or passenger-carrying vehicle, issued under section 6 (2) of the Ordinance, per vehicle — | |

Twenty-five per centum of the fee payable for an annual Goods Vehicle, or Road Service Licence, of the class required

The fee should not be sent to the Licensing Authority with the application for the licence. If an application is approved a licence will be sent to the applicant by the

Licensing Authority in respect of the approved vehicles and this licence will indicate thereon the amount of the fees to be paid and the Licensing Officer to whom the fees are to be paid. This will either be the Central Revenue Officer, Nairobi, or one of the District Commissioners referred to above. Upon production of the licence received from the Licensing Authority, and upon payment of the fees, the Licensing Officer will issue to the licensee an Identity Certificate in respect of each vehicle shown on the licence and the receipt for the fee paid in respect of each vehicle will be acknowledged on the Certificate. This Certificate, which will be similar in form to an ordinary traffic licence, will certify that the vehicle described therein is an authorized vehicle under the licence. Such Certificate must, in accordance with the requirements of Regulation 10 (2) of the Vehicles Licensing Regulations, 1938, be carried on the vehicle and maintained in a clean and legible condition. In order to inconvenience the applicant as little as possible each applicant for a licence is requested to indicate on his application form the Licensing Officer to whom it will be most convenient for him to pay the fees.

4 Special provision is made, in section 12 of the Ordinance, with regard to the protection of existing interests so far as A or B licences are concerned. That section, in short, provides that if the Licensing Authority is satisfied that any applicant has, during a period of twelve months preceding a date to be fixed by the Governor in Council carried on either wholly or mainly the business of a carrier, the Licensing Authority shall, unless it is satisfied that the applicant is not a fit person to receive a licence, grant a licence in respect of the vehicles regularly employed by him in such business during the twelve months preceding such date.

The Governor in Council has fixed the 14th day of May, 1938, for the purposes of this section, and Regulation No. 6 (5) of the Vehicles Licensing Regulations, 1938, requires the applicant to state, when he submits his application, which of the vehicles have been, or will have been, so regularly employed by him during the aforesaid twelve months.

5 Notice of applications for all licences, other than those relating to "C" licences, will be published at intervals in the Gazette, and any person who wishes to object to the grant of a licence may obtain a prescribed form from the Licensing Authority or from one of the officers referred to in paragraph 2 *supra* and then submit it to the Licensing Authority.

Notice of applications for licences granted and licences refused will also be published periodically in the Gazette.

6 If a licensee, during the currency of the licence, wishes to have his licence varied either by the addition of vehicles thereto, or the deletion of vehicles therefrom, or the substitution of other vehicles for those authorized, he must obtain from the Licensing Authority or from one of the officers referred to in paragraph 2 *supra* a form of application for a variation of a licence which must be filled in and then submitted to the Licensing Authority.

7 If any further details are required application should be made to the Licensing Authority, P.O. Box 112, Nairobi, or the Central Revenue Officer, P.O. Box 520, Nairobi or any District Commissioner.

GENERAL NOTICE No 466

KENYA AND UGANDA RAILWAYS AND HARBOURS

TENDERS FOR LOCAL FOODSTUFFS

TENDERS are invited for the items detailed below and for the periods shown against each —

Fresh provisions—

(Bread, meat, butter, bacon, cheese, eggs, fresh fish, fowls, fruit, potatoes and vegetables) 1 year from 1st July, 1938

Choroko 6 months from 1st July, 1938

Jogree 6 months from 1st July, 1938

Beans, K 2 standard (Canadian Wonder and/or Rose Coco) 6 months from 1st July, 1938

Maize, crushed 6 months from 1st July, 1938

2 Official forms of tender, which also contain conditions governing contracts and approximate quantities, may be obtained on application to the Stores Superintendent, P O Box 40, Nairobi, to whom also all inquiries must be addressed. Only tenders submitted on official forms will be considered by the Administration

3 Sealed tenders endorsed "Tenders for Local Foodstuffs" should be addressed to the Chairman, Railway Tender Board, Post Box No 570, Nairobi, and be received before noon on the 7th May, 1938. Tenders received after that date will not be considered

4 The lowest or any tender will not necessarily be accepted

Nairobi,

29th March, 1938

G D RHODES,

General Manager,

Kenya and Uganda Railways and Harbours

GENERAL NOTICE No 467

KENYA AND UGANDA RAILWAYS AND HARBOURS

SALE OF SCRAP METALS

TENDERS are invited for the purchase of the following quantities of scrap metals —

White metal ingots approximately 9 tons

Brass turnings approximately 45 tons

2 The material can be viewed on application to the Stores Superintendent, Kenya and Uganda Railways and Harbours, Nairobi, and samples are available for intending tenderers

3 Representative samples of the white metal ingots have been analysed with the following result —

Tin	45.89 per cent
Lead	38.44 per cent
Antimony	13.97 per cent
Copper	1.70 per cent

but no guarantee can be given that the aggregate conforms strictly to this analysis

4 The brass turnings are packed in double bags containing 200 lb and no alteration can be made in the method of packing. The white metal ingots will be delivered unpacked

5 Tenderers should quote prices per ton delivered f o b Mombasa

6 The successful tenderer will be required to pay the purchase price before delivery of the materials is given and the materials must be removed within two months of the acceptance of tender

7 At the option of the General Manager the successful tenderer may be required to deposit the sum of Sh 2,000 as security against the due completion of the contract

8 Sealed tenders marked "Tenders for Scrap Metals" should be addressed to Chairman of Railway Tender Board, P O Box 570, Nairobi, on or before noon of the 31st May, 1938

9 The highest or any tender will not necessarily be accepted

Nairobi,

29th March, 1938

G D RHODES,

General Manager,

Kenya and Uganda Railways and Harbours

GENERAL NOTICE No 468

UASIN GISHU DISTRICT COUNCIL ELECTION

NOMINATION OF CANDIDATE TO FILL CASUAL VACANCY
The Local Government (District Councils) Ordinance, 1928

NOTICE is hereby given in terms of section 26 of the Local Government (District Councils) Ordinance, 1928, that an election will be held to fill the vacancy that has occurred on the Council for the No III South Plateau Ward

The election will take place on Tuesday the 19th April, 1938, and nominations of candidates will be received by the undersigned at the Council Offices, Eldoret, between the hours of ten o'clock in the forenoon and one o'clock in the afternoon

Every candidate for election must be proposed and seconded and supported by not less than three persons other than the proposer and seconder. The proposer, seconder and supporters must be persons whose names appear on the voters roll for the South Plateau No III Ward

Every nomination paper shall be in the form prescribed by the District Councils Election Rules, 1929 (Form 3) and the signature of the proposer and seconder must be witnessed by a magistrate, justice of the peace or notary public

Any nomination paper not delivered at the time and place appointed will be rejected

The member elected to fill the vacancy shall hold office until the 30th April, 1939

Nomination papers can be obtained at the District Council office

Eldoret,

5th April, 1938

G EAST KING,

Returning Officer

GENERAL NOTICE No 469

NOTICE

IT is notified for general information that until further notice all correspondence for the Officer in Charge, Masai District, and the District Commissioner, Kajiado, should be addressed to Ngong. Correspondence on matters of immediate concern to the Kajiado Area can also be sent to the District Officer at Kajiado

Nairobi

This 28th day of March, 1938

A DE V WADE,

Colonial Secretary

GENERAL NOTICE No 404

THE CROWN LANDS ORDINANCE

(Chapter 140 of the Revised Edition)

KITALE TOWNSHIP PLOTS

Notice

NOTICE is hereby given that grants in respect of the plots at Kitale specified in the Schedule hereto, will be sold by auction in the office of the District Commissioner, Kitale, on Wednesday the 20th April, 1938, commencing at 10 a.m.

A plan of the plots may be seen at the Public Map Office attached to the Survey Office, Nairobi, and at the office of the District Commissioner, Kitale, or may be had on application to the Director of Surveys, Box 89, Nairobi, on payment of Sh 3, post free.

The right to withdraw any plot from the auction is reserved to the Commissioner of Lands.

In the following general and special conditions of sale, the term "Authority" means the District Commissioner, Kitale, or such other Municipal Authority as may be hereafter established by law.

CONDITIONS OF SALE

(a) Auction

- 1 Each plot will be auctioned separately.
- 2 The amount of the advance of each bid will be regulated by the auctioneer, and no bidding shall be retracted.
- 3 The highest bidder will be the purchaser, but if any dispute arise as to any bid, the plot will be reoffered at the last undisputed bid.
- 4 Each purchaser shall pay to the auctioneer immediately on the fall of the hammer, a deposit of 25 per cent of the purchase money. In default of such payment, the plot may be immediately reoffered for sale, and any subsequent bid by the person who has made default may be ignored or refused.
- 5 Each purchaser shall on paying the deposit inform the auctioneer of the name or names of the person or persons on whose behalf the plot is purchased, the grant will be issued in accordance with this information.
- 6 The balance of the purchase money, together with the rent due to the 31st December, 1938, shall be paid to the Provincial Commissioner, Nakuru.

The survey fees (Sh 70), the fees payable for the preparation and registration of the grant (Sh 120) and the stamp duty payable in respect of the grant (approximately 2 per cent on the purchase price and on the rent), and all other expenses, if any, shall be paid to the Director of Surveys, Nairobi.

All these amounts shall be paid within seven days of a demand being made therefor.

Upon such payments being duly made, the purchaser shall, subject to the provisions of the Crown Lands Ordinance (Chapter 140, Revised Edition), and to the Conditions of Sale having been complied with, be entitled to a grant of the plot, which grant shall be presented to him duly executed as soon as conveniently may be.

Provided that the balance of the purchase money shall not be payable within the time stated or thereafter, unless and until the Commissioner for Local Government, Lands and Settlement can present to the purchaser the grant duly executed.

- 7 Subject to the proviso contained in Condition No 6, if the amounts therein mentioned are not paid as

therein laid down within seven days of a demand being made therefor, the Commissioner of Lands may order the deposit made by the grantee to be forfeited, and the grantee shall have no further claim to the grant of the plot.

(b) General

1 The Government or such person or authority as may be appointed for the purpose, shall have the right to enter upon any plot, and lay and have access to water mains, service pipes, telegraph or telephone wires, and electric mains of all descriptions, whether overhead or underground, and the grantee shall not erect any building in such a way as to cover or interfere with any existing routes, main or service pipes, or the telegraph or telephone wires and electric mains aforementioned.

2 No building shall be erected on any plot unless plans (including block plans showing the position of the buildings), drawings, elevations and specifications thereof shall have been previously approved by the authority, and by the Commissioner of Lands or such other person as he may appoint. Such plans, etc., shall be submitted in triplicate to the District Commissioner, Kitale, for necessary action.

3 The grants will be made under the Crown Lands Ordinance (Cap 140) and titles will be issued under the Registration of Titles Ordinance (Chapter 142 of the Revised Edition). The term of the grant will be for 99 years from the 1st May, 1938.

4 The grantee may at any time during the currency of the grant redeem up to three-quarters of the rent of the plot on the basis of twenty years purchase.

5 The grantee shall not at any time subdivide the plot or assign, sublet or otherwise dispose of any portion of the plot without the previous written consent of the Governor.

6 Any building erected shall conform to a building line decided upon by the authority.

(c) Special

1 The plots and the buildings erected shall be used for business purposes only and at no time during the term of the grant shall any building erected on the plots be used for residential purposes.

2 The grantee shall not at any time during the term of the grant erect any building or buildings so as to cover more than 90 per cent of the area of the plot.

3 In no case shall the area of the plot required to remain unbuilt on be less than 300 square feet or 10 per cent of the area, whichever shall be the greater, and the said area shall be free from any erection thereon above the level of the ground except latrine accommodation constructed in accordance with all laws and by-laws in force relating thereto, and in accordance with a design approved by the authority.

Such open space shall be at the rear of the building, and shall extend along the entire width of the building, or for a distance of not less than 30 feet, whichever shall be the less, and the distance across such open space from every part of the building to the rear boundary of the plot shall be not less than 10 feet.

4 The purchaser shall erect within two years of the commencement of his grant a building of approved design constructed of stone, burnt brick or concrete on proper foundations.

5 At no time during the term of the grant shall the plot or any portion thereof, or any building erected on

the plot be used for the purpose of carrying on any trade or business which has been or may be declared to be dangerous or offensive by notice in the Official Gazette

6 Verandas may be erected within a road reserve with the previous consent of the authority, and must conform to a building line decided upon by such Authority

SCHEDULE

P	No	Section No	Area (Approx)	Upset Price	Rent per annum	Proportionate rent from 1 5 '88 to 31 12 38	Survey Fees
			<i>sq ft</i>	<i>Sh</i>	<i>Sh</i>	<i>Sh</i>	<i>Sh</i>
	33	IV	5,000	682	90	60	70
	34	IV	5,000	764	102	68	70
	35	IV	5,000	764	102	68	70
	36	IV	5,000	682	90	60	70
	37	IV	5,000	682	90	60	70
	38	IV	5,000	682	90	60	70

Nairobi,
17th March, 1938

C E MORTIMER,
*Acting Commussioner for Local Government,
Lands and Settlement*

GENERAL NOTICE No 470

PLATEAU LIQUOR LICENSING COURT
(Ordinance No 62 of 1934)

The following applications have been received for the consideration of the Plateau Liquor Licensing Court which will sit at the Office of the District Commissioner, Eldoret, on Monday the 9th May, 1938, at 10 a m

Names of Applicants	Nature of Licence	Premises	Remarks
Manibhai Vaghjibhai Patel	Wine Merchants' & Grocers' Liquor Licence	Kipkabus	New application
Chhotabhai Nathabhai Patel	ditto	Plot No 19 sec 9 Uganda Road, Eldoret	ditto
Harilal Sunderji Lakhan	ditto	Plot No 13 Sec XVII Eldoret	ditto

Eldoret
28th March, 1938

K G LINDSAY,
*Chairman,
Plateau Liquor Licensing Court*

GENERAL NOTICE No 471

NOTICE

The following new applications for liquor licences to be considered by the Ukamba Liq or Licensing Court to be held at the office of the District Commissioner, Machakos, on Monday the 9th of May, 1938, at 10 a m

Name of Applicant	Nature of Licence	Premises
Athi River Provision Store	Wine Merchants' and Grocers' Liquor Licence	Plot No 2 Athi River
Hans Raj Sharma	ditto	Plot No 4 Athi River

Machakos,
25th March, 1938

H G GREGORY SMITH,
for Chairman Ukamba Liquor Licensing Court

GENERAL NOTICE No 287

HIS MAJESTY'S COURT OF APPEAL FOR EASTERN AFRICA

The next Sessions of His Majesty's Court of Appeal for Eastern Africa have been fixed to be holden at Kampala to commence on Wednesday the 20th day of April, 1938, at 10 a.m. or as soon thereafter as cases can be heard

To ensure appeals being set down for hearing at these Sessions, memoranda of appeal should be filed with the Registrar, H M Supreme Court of Kenya, Nairobi, on

with the District Registrar, H M Supreme Court of Kenya, Mombasa, not later than 21st day of March, 1938

Nairobi,
25th February, 1938

E J O'FARRELL,
Registrar,
H M Court of Appeal for E A

CAUSE LIST

FOR HEARING ON THE 20TH DAY OF APRIL, 1938, AT KAMPALA

Appeal No	Civil or Criminal	Appellant	Respondent	Original No of Case	Appeal from
17 of 1938	Criminal	Sira Makwonyoro	Rex	Cr Case No 223/37	H M High Court of Uganda at Gulu
18 of 1938	"	Danieri Santimo	Rex	ditto	ditto
19 of 1938	"	Suluman Kolo	Rex	ditto	ditto
20 of 1938	"	Lakane Okec	Rex	ditto	ditto
21 of 1938	"	Alipayo Otor	Rex	ditto	ditto
22 of 1938	"	Piyapulo Kamten	Rex	ditto	ditto
23 of 1938	"	Akwilimo Okot	Rex	ditto	ditto
24 of 1938	"	Obadia Olum	Rex	ditto	ditto
27 of 1938	"	Manywile alias Shirya bin Mansholi	Rex	Cr Case No 354/37	H M High Court of Tanganyika at Tanga
28 of 1938	"	Shauritanga alias Suwa bin Mansholi	Rex	ditto	ditto
29 of 1938	"	Mwangi s/o Chege	Rex	Cr Case No 14/38	H M Supreme Court of Kenya at Nairobi
30 of 1938	"	Mwangi wa Njeroge	Rex	Cr Case No 11/38	ditto
31 of 1938	"	Bogasi bin Msiwanga	Rex	Cr Case No 249/37	H M High Court of Tanganyika at Morogoro
32 of 1938	"	Mkanganungwa bin Singaya	Rex	Cr Case No 233/37	H M High Court of Tanganyika at Iringa
33 of 1938	"	Idi s/o Mohamed	Rex	Cr Case No 310/37	ditto
34 of 1938	"	Shitebo bin Igongoni	Rex	Cr Case No 268/37	H M High Court of Tanganyika at Mwanza
35 of 1938	"	De s/o Gwandu	Rex	Cr Case No 348/37	H M High Court of Tanganyika at Arusha
36 of 1938	"	Juma bin Kivuruga	Rex	Cr Case No 321/37	H M High Court of Tanganyika at Moshi
37 of 1938	"	Msenge s/o Mada	Rex	Cr Case No 295/37	H M High Court of Tanganyika at Arusha
38 of 1938	"	Naganagwa binti Kamasoliga	Rex	Cr Case No 311/37	H M High Court of Tanganyika at Mwanza
39 of 1938	"	A J Simpson	District Council of Nakuru	Cr Appeal No 101/37 (Stated Case)	H M Supreme Court of Kenya at Nairobi (Application)
40 of 1938	"	Chuma bin Kizobi	Rex	Cr Case No 394/37	H M High Court of Tanganyika at Morogoro
41 of 1938	"	Katigi d/o Tunduru	Rex	Cr Case No 183/37	H M High Court of Uganda at Masindi
42 of 1938	"	Kakwa or Kagwa s/o Yozefu	Rex	Cr Case No 239/37	H M High Court of Uganda at Kampala
43 of 1938	"	Boyel wero Lockwongor	Rex	Cr Case No 145/37	H M Supreme Court of Kenya at Nakuru
44 of 1938	"	Mahati bin Ruadiba	Rex	Cr Case No 262/37	H M High Court of Tanganyika at Bukoba
45 of 1938	"	Rwakabala s/o Bugusyo	Rex	Cr Case No 16/38	ditto
46 of 1938	"	Juma Kirya s/o Munda	Rex	Cr Case No 159/37	H M High Court of Uganda at Jinja (Application)
47 of 1938	"	Besweri Damba s/o Zekia Mwavu	Rex	Cr Case No 243/37	H M High Court of Uganda at Kampala

CAUSE LIST—(Contd.)

FOR HEARING ON THE 20TH DAY OF APRIL, 1938, AT KAMPALA—(Contd.)

Appeal No	Civil or Criminal	Appellant	Respondent	Original No of Case	Appeal from
48 of 1938	Criminal	Julius alias Kaponda	Rex	Cr Case No 5/38	H M High Court of Nysaland at Blantyre
49 of 1938	„	H K A Uberle	Rex	Cr Case No 160/37	H M High Court of Tanganyika at Dar es salaam
50 of 1938	„	Kiza s/o Banyanga	Rex	Cr Case No 2/38	ditto
51 of 1938	„	Charles Kar oki s/o Ma charia	Rex	Cr Case No 13/38	H M Supreme Court of Kenya at Nairobi
52 of 1938	„	Paulo Nyanungi	Rex	Cr Case No 25/38	H M High Court of Uganda at Kampala
17 of 1937	Civil	H D Hasmani	Banque du Congo Belge	Civil Case No 8/37	H M High Court of Tanganyika at Dar es salaam (Application for leave to appeal to the Privy Council from the judgment of the Court of Appeal)
18 of 1937	„	Zabatasi Kuka	Abdul Karim bin Mohame l	Civil Case No 69/34	H M High Court of Uganda at Kampala (Application for leave to appeal out of time)
23 of 1937	„	Hortencia F de Souza by her attorney J M Nazereth	J S de Souza	Divorce Cause No 7/37	H M Supreme Court of Kenya at Nairobi (Application for leave to appeal to the Privy Council from the judgment of the Court of Appeal)

GENERAL NOTICE No 955

SESSIONS of His Majesty's Supreme Court of Kenya will be held on the dates and at the places hereunder set out during the year 1938 —

SUPREME COURT SESSIONS AT NAKURU, 28-2-38

Civil Appeal No 3/38 Issa Mohamed vs E J A Grimbeck

Divorce Cause No 22/37 Norah Constance Newton vs Bryan Mostyn Newton

In Chambers—

D R C C No 42/31 Kamau wa Kinyua vs Ndirangu wa Ngamau

D R C C No 3/36 Sohan Singh vs T A K Turton

D R Nakuru C C No 13/37 In the matter of the Indian Lunacy (District Courts) Act, 1858, and in the matter of the Lunacy Ordinance (Chapter 122 of the Revised Edition of the Laws of Kenya) and in the matter of John Alexander a person of unsound mind (so found residing outside the jurisdiction of this Honourable Court)

For Hearing—

D R C C No 9/37 G North & Son, Ltd, vs Will Evans

D R C C No 12/37 Thomas R Thomas vs H M Harries

D R C C No 14/37 I N K Tomlinson vs V J Lakhani

D R C C No 15/37 E C Cairns vs J L Randall

D R C C No 2/38 Waganjo s/o Wangechu vs Machuki Kibata

SUPREME COURT SESSIONS AT NYERI, 5-4-38

Cr C No 12/38 Rex vs Nguru s/o Kabogo

Cr C No 26/38 Rex vs M'Amanja M Limunyi

SUPREME COURT SESSIONS AT NAIROBI, 7-4-38

Cr C No 34/38 Rex vs Munyua wa Muchai

SUPREME COURT SESSIONS AT THIKA, 8-4-38

Cr C No 30/38 Rex vs Muthama s/o Mutua

Cr C No 32/38 Rex vs Mwaura s/o Kimani

CRIMINAL SESSIONS AT MOMBASA, 2-5-38

Cr C No 85/35 Rex vs Gulam Ali s/o Nur-Mohamed

C C No 160/37 The Commissioner of Lands vs Ramji Kurji and Karson Kurji

Cr C No 22/38 Rex vs Abadula wa Guyo

SUPREME COURT SESSIONS AT NAKURU, 27-6-38

SUPREME COURT SESSIONS AT ELDORET, 4-7-38

SUPREME COURT SESSIONS AT KISUMU, 11-7-38

SUPREME COURT SESSIONS AT NAKURU 29-8-38

SUPREME COURT SESSIONS AT NAKURU 28-11-38

THE last three Sessions at Nakuru to be followed in each case by Sessions at Eldoret, Kisumu and such other places as may be notified

EDWARD J O'FARRELL,
Registrar,
Supreme Court of Kenya

GENERAL NOTICE No 472

THE TRADE MARKS ORDINANCE, 1930
UNPAID RENEWAL FEES

Trade Mark Number	Advertised in the Official Gazette	Name of Applicant	Class
1020	9 4 1924	Robin & Houston, Ltd	1
1021	16 4 1924	ditto	2

Nairobi, W B CUMMING,
29th March, 1938 *Registrar of Trade Marks*

GENERAL NOTICE No 422

THE WATER ORDINANCE, 1929

NOTICE OF APPLICATION FOR WATER RIGHT

IN terms of section 27 of the Water Ordinance, 1929, notice is hereby given that Gilbert Walker, Esq., of Nakuru has filed an application, which was registered by the Water Board on 28th February, 1938, for a Sanction to divert from an unnamed stream in the Forest Reserve 4,000, 4,000 and 11,000 gallons per day, for the purposes of domestic use, minor irrigation of nursery, and use in distillery respectively, on L R No 6573/1

The proposed works will consist of a weir and pipe line

A plan of the proposed works may be seen at the office of the Director of Public Works, Nairobi, and at the office of the Nakuru District Council

The application will subsequently be considered for a Water Right

Any objections to the grant of the Water Right and/or Sanction applied for should be filed, in duplicate, with the Water Board, P O Box 662, Nairobi, within sixty days from the date of the first publication of this notice, and a copy of the objection must be served by the objector on the undersigned at the address given below

GILBERT WALKER,
Applicant or Lawfully Authorized Agent,
Dawani, Nakuru

GENERAL NOTICE No 399

TRANS NZOIA DISTRICT COUNCIL

IMPOSITION OF HOSPITAL RATE FOR 1938

NOTICE is hereby given that at a meeting of the full Council held on the 23rd February, 1938, it was resolved that the following resolution be moved at a meeting of the Council, to be held at the Council Offices, Kitale, at 10 30 a m on Wednesday, 11th May, 1938 —

That this Council hereby imposes a rate of shillings fifteen on every male person of wholly European origin or descent, of the age of twenty-one years or over, residing within the Trans Nzoia District or Kitale Township, for the year 1938, for the purpose of providing additional funds towards the maintenance and upkeep of the Trans Nzoia European Cottage Hospital

This rate shall become due and payable at the Offices of the District Council, Kitale, on the 17th day of June, 1938

Kitale, H J BELL,
16th March, 1938 *Engineer-Clerk to the Council.*

GENERAL NOTICE No 458

THE WATER ORDINANCE, 1929

NOTICE OF APPLICATION FOR WATER RIGHT

IN terms of section 27 of the Water Ordinance, 1929, notice is hereby given that C M Patel of Nanyuki, has filed an application which has been registered by the Water Board for a Sanction to divert from the Nanyuki River at a point on Plot No 22, 1,000 gallons per day for the purpose of domestic use on Plot No 12, Nanyuki Township

The proposed works will consist of a pump and pipe line

A plan of the proposed works may be seen at the office of the Director of Public Works, Nairobi, and at the P W D Office, Nyeri

The application will subsequently be considered for a Water Right

Any objections to the grant of the Water Right and/or Sanction applied for should be filed, in duplicate, with the Water Board, P O Box 662, Nairobi, within sixty days from the date of the first publication of this notice, and a copy of the objection must be served by the objector on the undersigned at the address given below

C M PATEL,
Applicant or Lawfully Authorized Agent,
Settlers Store,
Nanyuki

GENERAL NOTICE No 473

THE BANKRUPTCY ORDINANCE

FIRST MEETING OF CREDITORS AND PUBLIC EXAMINATION

Debtor's name—Allen Gordon Nourse, trading as
A G Nourse & Co

Address—Nairobi

Description—Carrying on business at Nairobi

Court—H M Supreme Court, Nairobi

Number of matter—4 of 1938

Date of first meeting of creditors—21st April, 1938

Hour—2 15 p m

Place—The Committee Room No 54, Law Courts, Nairobi

Date of public examination—22nd April, 1938

Hour—10 30 a m

Place—Law Courts

Nairobi,
1st April, 1938

W B CUMMING,
Official Receiver

GENERAL NOTICE No 474

THE BANKRUPTCY ORDINANCE, 1930

ORDER MADE ON APPLICATION FOR DISCHARGE

Debtor's name—Balwant Singh s/o Mehar Singh

Address—Contractor, Duke Street Nairobi

Description—Contractor

Court—H M Supreme Court of Kenya at Nairobi

Number—21 of 1928

Date of order—1st day of April, 1938

Nature of order made—Discharge suspended for six months and that the bankrupt be and he is hereby discharged as from the 1st day of October, 1938

EDWARD J O'FARRELL,
Registrar,
Supreme Court of Kenya.

GENERAL NOTICE No 475

THE BANKRUPTCY ORDINANCE, 1930
ORDER MADE ON APPLICATION FOR DISCHARGE
Debtor's name—Mohamed Din Buta
Address—Contractor, Nairobi
Description—Contractor
Court—H M Supreme Court of Kenya at Nairobi
Number—74 of 1931
Date of order—24th March, 1938
Nature of order made—Discharge suspended for three years and that the bankrupt be and he is hereby discharged as from the 15th day of February, 1941

EDWARD J O'FARRELL,
Registrar,
Supreme Court of Kenya

GENERAL NOTICE No 476

IN HIS MAJESTY'S SUPREME COURT OF KENYA
 AT NAKURU

PROBATE AND ADMINISTRATION

CAUSE No 1 OF 1938

IN THE MATTER OF COUNT CARLO ALBERTO MARTINA DI CORNEGLIANO, DECEASED

PURSUANT to an order of His Majesty's Supreme Court at Nakuru date the 2nd day of February, 1938, whereby the letters of administration with certified copy of the will of the above-named deceased were granted to Algernon John Price as attorney for Leone Martina di Cornegliano the lawful brother of and the universal heir appointed by the said will of the deceased

Take notice that all persons having any claims against the estate of the above-named deceased, who died at Rome on the 27th day of December, 1936, are required to lodge and prove such claims with the undersigned on or before the 15th day of April, 1938, after which date the claims which have been so proved will be paid and the estate distributed according to law

Dated at Nakuru this 29th day of March, 1938

CRESSWELL & LEAN,
Advocates for the Administrator above named,
Burlington House, Nakuru

GENERAL NOTICE No 477

PROBATE AND ADMINISTRATION

PUBLIC TRUSTEE'S CAUSE No 19 OF 1938

IN THE MATTER OF MAJAIKUI S/O MUNENGE, DECEASED
 To all whom it may concern

TAKE NOTICE that all persons having any claims against the estate of the above-named Majaikui s/o Munenge who died at Voi on the 11th day of March, 1938, are required to prove such claims before me the undersigned on or before the 5th day of June, 1938, after which date the claims so proved will be paid, and the estate distributed according to law

Nairobi,
 29th March, 1938

W B CUMMING,
Public Trustee

M. T. Cumming

GENERAL NOTICE No 478

PROBATE AND ADMINISTRATION

PUBLIC TRUSTEE'S CAUSE No 19 OF 1938

IN THE MATTER OF MAJAIKUI MUNENGE, DECEASED
 To all whom it may concern

TAKE NOTICE that on or after the 20th day of April, 1938, I intend to apply to H M Supreme Court of Kenya at Nairobi for letters of administration with will annexed to the estate of the above-named Majaikui Munenge who died at Voi on the 11th day of March, 1938

Nairobi,
 29th March, 1938

W B CUMMING,
Public Trustee.

GENERAL NOTICE No 479

PROBATE AND ADMINISTRATION

PUBLIC TRUSTEE'S CAUSE No 22 OF 1938

IN THE MATTER OF HARRY TILLET, DECEASED
 To all whom it may concern

TAKE NOTICE that all persons having any claims against the estate of the above-named Harry Tillett who died at Nairobi on the 25th day of March, 1938, are required to prove such claims before me the undersigned on or before the 5th day of June, 1938, after which date the claims so proved will be paid, and the estate distributed according to law

Nairobi,
 30th March, 1938

W B CUMMING,
Public Trustee

GENERAL NOTICE No 480

PROBATE AND ADMINISTRATION

PUBLIC TRUSTEE'S CAUSE No 22 OF 1938

IN THE MATTER OF HARRY TILLET, DECEASED
 To all whom it may concern

TAKE NOTICE that on or after the 20th day of April, 1938, I intend to apply to H M Supreme Court of Kenya at Nairobi for letters of administration with will annexed to the estate of the above-named Harry Tillett who died at Nairobi on the 25th day of March, 1938

Nairobi,
 30th March, 1938

W B CUMMING,
Public Trustee

GENERAL NOTICE No 481

PROBATE AND ADMINISTRATION

PUBLIC TRUSTEE'S CAUSE No 23 OF 1938

IN THE MATTER OF CEDRIC FREDERICK AYRE FLETCHER, DECEASED

To all whom it may concern

TAKE NOTICE that all persons having any claims against the estate of the above-named Cedric Frederick Ayre Fletcher who died at Musoma, Tanganyika Territory, on the 4th day of October, 1937, are required to prove such claims before me the undersigned on or before the 6th day of June, 1938, after which date the claims so proved will be paid, and the estate distributed according to law

Nairobi,
 1st April, 1938

W B CUMMING,
Public Trustee.

GENERAL NOTICE No 482

IN HIS MAJESTY'S SUPREME COURT OF KENYA
AT NAIROBI

PROBATE AND ADMINISTRATION

CAUSE No 46 OF 1938

NOTICE OF APPLICATION FOR PROBATE OF THE WILL OF
CHARLES GORDON FINDLAY, LATE OF NAIROBI
DECEASED

TAKE NOTICE that application having been made in this Court by Isabella Donaldson Findlay of Nairobi for probate of the will of Charles Gordon Findlay, late of Nairobi, Kenya Colony, who died at Nairobi on the 27th day of February, 1938, this Court will proceed to issue the same unless cause be shown to the contrary and appearance in this respect entered on or before the 19th day of April, 1938

Nairobi,

29th March, 1938

EDWARD J O'FARRELL,

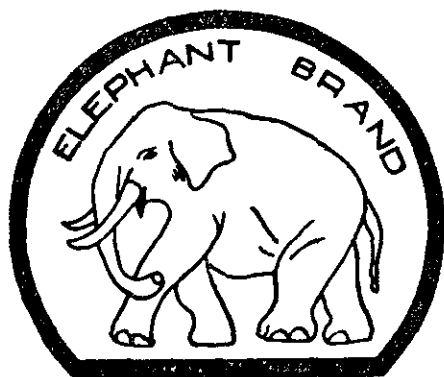
*Registrar,
Supreme Court of Kenya*

Note—The will above named is now deposited and open to inspection at the Court

GENERAL NOTICE No 483

THE TRADE MARKS ORDINANCE, 1930

APPLICATION No 2475



TAKE NOTICE that an application for the registration of the trade mark shown above in Class 39 in respect of over-issued newspapers and periodicals and waste-paper has been lodged by William Soanes, Ltd, of 93 Temple Chambers, Temple Avenue, London, E C, England, waste-paper dealers, merchants and exporters, whose address for service in the Colony is c/o Messrs Atkinson, Bown, Morrison & Ainslie, advocates, P O Box 29, Mombasa

The said trade mark will be registered after the expiration of ninety days from the date of this Gazette, provided no notice of opposition is received

(To be associated with No 1652)

Nairobi,

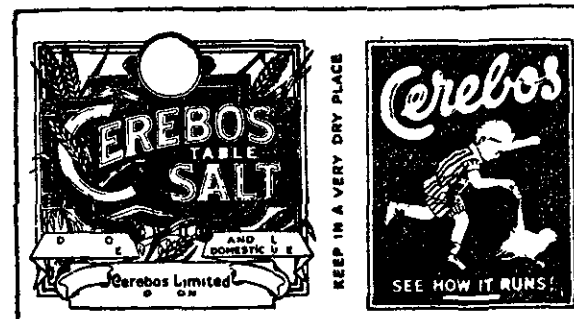
31st March, 1938

W B CUMMING,
Registrar of Trade Marks

GENERAL NOTICE No 484

THE TRADE MARKS ORDINANCE, 1930

APPLICATION No 2476



TAKE NOTICE that an application for the registration of the trade mark shown above in Class 42 in respect of salt has been lodged by Cerebos, Limited, of Cerebos House, Victoria Road, Willesden, London, N W, England, manufacturers and refiners, whose address for service in the Colony is c/o Messrs Atkinson, Bown, Morrison & Ainslie, advocates, P O Box 29, Mombasa

The said trade mark will be registered after the expiration of ninety days from the date of this Gazette, provided no notice of opposition is received

Nairobi,

1st April, 1938

W B CUMMING,
Registrar of Trade Marks

GENERAL NOTICE No 485

DISSOLUTION OF PARTNERSHIP

NOTICE is hereby given that the partnership heretofore subsisting between Omar Abdulla and Haji Ibrahim Haji Ishaq carrying on business as Lorry Agents at Mombasa under the name or style of "Omar Abdulla and Co" has been dissolved by mutual consent as from the 28th day of February, 1938, and the said firm of Omar Abdulla & Co has ceased to carry on business

All debts due to and owing by the late partnership will be received and paid by the said Omar Abdulla and the said Haji Ibrahim Haji Ishaq

Dated at Mombasa this 3rd day of March, 1938

OMAR ABDULLA

HAJI EBRAHIM HAJI ISHAQ

GENERAL NOTICE No 486

LAMU LIQUOR LICENSING COURT

(Ordinance No 62 of 1934)

NOTICE is hereby given that the next meeting of the Lamu Liquor Licensing Court will be held at the office of the District Commissioner, Lamu, on Monday the 9th May, 1938, at 10 o'clock in the forenoon

All new and confirmation of transfer applications must reach this office on or before the 14th day of April, 1938, together with Sh 10 stamp fee on each application

Lamu,

28th March, 1938

C A CORNELL,
*Chairman,
Liquor Licensing Court,
Lamu*