

EAST AFR. PROT.

C. O.
19183

26 APR 15

OSTRICH PROTECTORS AMENDMENT OF ORDINANCE 1915

1915

29th March

Last serious Paper.

Surf
19032

Further as to reasons for request that Ordinance should be disallowed. A copy of letter has been sent to Governor.

See file
19032

Unit

0
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

see memo

35/40

H. J. R.

3/8/15

C.O
19183
29 APR 15

Sir.

Ostrich Amendment Ordinance, 1915.

I recently addressed a letter to you on the above subject dated the 9th inst. through His Excellency the Governor of this Protectorate, asking that the above Ordinance recently passed by the Legislative Council of this Protectorate should be disallowed and giving reasons therefor.

2. Since writing the above mentioned letter I have received a summary of the minutes of the proceedings of the Legislative Council during its first Session in 1915, which I enclose herewith.

On page 5 will be found the speech made by the Director of Agriculture in introducing the Ostrich Amendment Bill. From this it will be seen that I was correct in stating in the above mentioned letter that the sole object of the Ordinance is to protect the local industry of ostrich farming. It will also be seen that

29th March 1915

2.

the Director of Agriculture admits that ostrich farming in this country is not a paying one and is likely to be dropped unless the Government comes to its rescue.

3. I cannot agree with the reasons given by the Director for the failure of the ostrich farming industry, but would suggest that the real cause is the want of knowledge of the industry and want of capital and perseverance by the many persons who rushed into ostrich farming some years ago, when it was boomed here, as likely to be a quick and easy way of making money.

4. Neither the Ostrich Ordinance of 1907 nor the Amendment Ordinance now passed actually prevents the importation of feathers from South Africa, but it is stated and believed here that if the Amendment Ordinance is allowed the Director of Agriculture will only advise the granting of licenses for the sale of ostrich feathers to those ostrich farmers who are either in sympathy with the objects of the Amendment Ordinance or who give the Director an undertaking not to import feathers or to sell

B. G. ALLEN,
SOLICITOR.

NAIROBI

EAST AFRICA

29th March 1918

1918

5A

Feathers imported by other persons.

I am unable to send this letter through His Excellency the Governor as the mail to Europe is closing this morning, but I am sending him a copy of it to-day.

I have the honour to be,

Sir,

Your most obedient servant.



The Right Hon'ble The Secretary of State
for the Colonies.

London.

Minutes of the Proceedings of the of the Legislative Council, 1915

Held at Nairobi on the 18th, 19th, 21st, 22nd, and
23rd January, 1915.

The Council assembled on the 18th January at 10 a.m., HIS EXCELLENCY
THE GOVERNOR (SIR H. CONWAY BELFORD, K.C.M.G.) presiding.

Present:

THE HON. THE CHIEF SECRETARY (C. C. BOWRING, C.M.G.),
THE HON. THE TREASURER (H. A. SMALLWOOD),
THE HON. THE ATTORNEY GENERAL (H. W. BARTH),
THE HON. THE ACTING MANAGER OF THE UGANDA RAILWAY (B. EASTWOOD),
THE HON. A. C. MACDONALD,
THE HON. C. W. HOBLEY, C.M.G.,
THE HON. R. BARTON WRIGHT,
THE HON. J. AINSWORTH, C.M.G.,
THE HON. W. A. M. SIM.

Absent:

THE HON. F. W. MAJOR, I.C.O.

OATH OF ALLEGIANCE

THE PRESIDENT administered the Oath of Allegiance to the Hon. The Acting
Manager of the Uganda Railway (B. Eastwood).

THE PRESIDENT'S ADDRESS.

THE PRESIDENT delivered the following address:—

Honourable Members of the Legislative Council of British East Africa.

It appears to me to be desirable that I should preface the proceedings of this Session with a brief allusion to the exceptional conditions under which you are assembled, and by some intimation of the extent to which the business of the day is modified by the exigencies of the present situation. On the day following that on which the last Session of this Council was held, war broke out between England and Germany, and since that date the Continent of Europe has been the scene of a struggle the magnitude and intensity of which is probably without parallel in the history of the world. It is not my intention to dilate upon the progress of the war on the Continent. I only allude to the conflict in which the forces of the Empire are there engaged because the gravity of the crisis through which the British nation is now passing is the reason which has prompted me to submit to you the resolution, which will be moved by the Chief Secretary, expressive of the loyalty and devotion of this Council and of the community of the Protectorate to His Most Gracious Majesty the King Emperor in this time of grave national concern.

Here in East Africa it at once became necessary to take such steps as were possible to defend our territory against offensive operations by the enemy on the border. The Protectorate troops available for the defence of our principal centres and of the railway line were of themselves insufficient to do more than keep guard over some of the most vital points, and the situation might well have become precarious had it not been for the grand and prompt reply which was made to our call for volunteers. I cannot speak too highly of the patriotism, the enthusiasm, the energy, and the discipline of those who responded to this call. What was practically a moment's notice, they abandoned their business in a spirit of whole-hearted self-sacrifice, and voluntarily assembled to face hardship, danger, and the inconvenience of an indefinite term of active service, in response to the request for assistance.

and of all phases of the...
 have been...
 have some...
 steadfast...
 self-reliance...
 which...
 and gratification...
 services rendered by our Volunteers.

I have recently learnt that the General Officer Commanding desires to further increase the strength of our Volunteer force in anticipation of future military activity. Such a demand upon the community of the Protectorate amounts to a public recognition of the value and efficiency of our Volunteer units, and it will enhance the credit of our country and our people if it meets with a hearty response.

I desire also to avail myself of this opportunity to acknowledge with high appreciation the valuable service rendered by Colonel Ward at that critical period in the early days of the war when as Officer Commanding the Troop he was responsible for the disposition of an inadequate force to the best advantage. I would also offer the thanks of this Government to those gentlemen who have shown their assiduity and success upon the Committees of Supply and in the local defences. The prompt efficiency of the arrangements devised to meet all requirements is largely due to the goodwill which has pervaded all classes of the community of the state of war. Lastly, I would place on record the Government of India for having supplied our local forces with the command of General Stewart, and having thereby saved anxiety as to our power of holding our own against offensive action.

As is usual at this Session, a principal item of business for your consideration is the draft Budget for the ensuing financial year. I do not propose to anticipate the statement which will be submitted by the Hon. Treasurer, but I may observe that the Estimates have been framed upon unusual assumptions necessitated by the special expenditure which has been incurred on account of local defence and by the anticipation of a serious fall in revenue in consequence of the state of war. It is possible that some portion of this special expenditure may be recovered later on. It is also possible that our principal sources of revenue may be less seriously affected than has been anticipated, but the Estimates have been framed with the caution which the situation demands. The sanguine view of the prospects of the coming year would be justifiable only if the revenue has been reduced to the lowest limit which is compatible with the efficient administration of the country. That upon Public Works and other departments, where the expenditure is departmental charges will be found to have suffered reduction. It is to be regretted that some inconvenience to Government departments and to the public will result from such a check to our programme of progress, but I look with confidence to all concerned to bear with that inconvenience in the spirit in which we have hitherto borne the trouble occasioned by the war.

It is with a personal regret that I call to the minds of Hon. Members the fact that, on this last occasion on which the Hon. Treasurer will present our annual Budget, the Hon. Treasurer has been promoted to another sphere of activity. It is a most regrettable loss of infinite value to the country during his term of office, and his departure will leave me the poorer by the loss of an expert financial adviser and a loyal and considerate brother officer.

I am fully satisfied to be able to announce that the Secretary of State for the Colonies has approved the recommendation of the Hon. Treasurer that the Land Bill should be introduced in the next Session. The Bill is a most important one, and it is a matter of great importance to the country that it should be introduced. It is a Bill which will have a profound effect upon the country, and it is a matter of great importance to the country that it should be introduced. It is a Bill which will have a profound effect upon the country, and it is a matter of great importance to the country that it should be introduced.

of the planters on the Coast...
 the preservation of...
 restrict the tapping of...
 found it impossible to...
 plantation owners in...
 been...
 and to...
 coconut in other parts of the Empire.

In accordance with the terms of a recommendation made by the Commission, there will be presented for your consideration a Bill for the registration of natives. This measure has been founded upon the experience of Southern Rhodesia, and it is anticipated that it will prove acceptable to the community as a first step towards establishing a systematic registration movement.

The remaining bills which are listed upon the paper are self-explanatory and do not appear to need for special mention. Some are necessitated by the growing volume of traffic and trade, while others are the outcome of the existing legislation. If it pleases this Council to favourably consider the various proposals which will be submitted for approval, I believe that the consumption of the Statute Book will be of substantial assistance in improving the machinery of the Executive and sympathetic administration.

The Hon. The Chief Secretary will now move.

MOTIONS.

THE CHIEF SECRETARY moved the suspension of Standing Orders in order to propose the two motions which the President had referred to in his address.

THE TREASURER seconded.

The question was put and carried.

THE CHIEF SECRETARY proposed the following motion:—
 That on the first occasion of a meeting of the Legislative Council of the East Africa Protectorate since the outbreak of hostilities, the Government be invited to nominate a Secretary of State for the Colonies, for submission to His Majesty the King Emperor, as a humble expression of the loyalty and devotion of all His Majesty's subjects residing in the East Africa Protectorate, and of the warm sympathies of the community enjoying His Majesty's protection.

THE HON. W. A. M. SIM seconded.

The question was put and carried.

THE HON. CHIEF SECRETARY proposed the following motion:—
 That this Council record in its proceedings a recognition of the appreciation of the Government to all members of those forces for most valuable services rendered in the Protectorate.

THE HON. ATTORNEY GENERAL seconded.

The question was put and carried.

MINUTES OF

THE CHIEF SECRETARY moved the resolution that the Minutes of the meeting held on the 4th August, 1914, which had been presented to the Hon. Members, be taken as read, and be confirmed.

THE HON. TREASURER seconded.

The question was put and carried.

FINANCIAL

THE HON. CHIEF SECRETARY moved the resolution that the Minutes of the meeting held on the 4th August, 1914, which had been presented to the Hon. Members, be taken as read, and be confirmed.

CROWN LANDS BILL, 1913-14. WARDEN FOR 1913-14

The Hon. Chief Secretary... amendments which... Report of the... 1913-14.

QUEENSLAND

The Hon. W. A. M. SIM asked the Attorney General whether in view of the... returned from... Register... and paid up... registering... extra burden upon the party registering... for Registration would be raised at an earlier date as possible to a... commensurate with the service rendered.

The Hon. Attorney General... The matter... delay... by the absence of the Principal Registrar of Documents, on leave... there is reason to suppose that an amended scale which has already been... will shortly be published. The principle underlying the new scale is that a uniform fee shall be charged for registration... if the value of the property does not exceed Rs. 1,000 then an especially small fee is chargeable.

The Hon. W. A. M. SIM thanked the Hon. Attorney General for his answer to the question.

SUPPLEMENTARY ESTIMATE, 1913-14

The Hon. Treasurer proposed the following motion:-

Whereas it was found necessary to incur expenditure for which no provision was made in the approved estimates for the year 1913-14, amounting to Rs. 7,562 17s. 3d. during the period 1st January, 1914, to 31st March, 1914, as more particularly set forth in the Statement laid on the table, it is hereby resolved that this Council do approve such expenditure.

The Hon. A. C. MacDonald seconded.

The question was put and carried.

SUPPLEMENTARY ESTIMATE, 1914-15

The Hon. Treasurer proposed the following motion:-

Whereas it was found necessary to incur expenditure for which no provision was made in the approved estimates for the year 1914-15, amounting to Rs. 20,107 3s. 11d. during the period 1st April, 1914, to 30th June, 1914, as more particularly set forth in the Statement laid on the table, it is hereby resolved that this Council do approve such expenditure.

The Hon. A. C. MacDonald seconded.

The question was put and carried.

INDUSTRIAL WAGES AMENDMENT ORDINANCE, 1913

The Hon. Attorney General... introduced and moved the first reading of a Bill entitled "An Ordinance to Amend the Law Relating to Industrial Wages."

He said that the Bill was a common provision for the protection of labour to... others to supply their labour supply... years without... considered a breach...

a hardship to employees of labour, and the Bill... they themselves designed to amend the Master and Servants Ordinance, 1910, by providing that the term "labour agent" shall not apply to any messenger or account who procures or engages or conducts... his employer... business exclusively... obtained labour... did not do it as a business... included from the term "labour agent". So far as he was... actual had arisen from the practice.

The Hon. Chief Secretary... and the Bill was read a first time. The Hon. Attorney General... gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE MOTOR TRAFFIC ORDINANCE, 1915

The Hon. Attorney General, in pursuance of notice given, introduced and moved the first reading of a Bill entitled "An Ordinance for the Control of Motor Traffic on Public Thoroughfares." He said that owing to the great increase in motor vehicles in the Protectorate it had been represented that some legislative control should be created in the interests of the public. The Bill before Council contained the general provisions to be found in most laws relating to motor traffic in other parts of the world. It provided for licences for cars, for identification marks, and for certificates of competency for drivers. It also gave the necessary powers for the imposition of speed limits, and provided other safeguards to the public. Power was taken to regulate motor traffic on roads and bridges in the interest of safety, and to guard against excessive wear and tear of roads. The Bill further provided that licences issued in Uganda should be available in the East Africa Protectorate.

The Hon. Chief Secretary seconded, and the Bill was read a first time. The Hon. Attorney General gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE OSTRICH AMENDMENT ORDINANCE, 1915

The Hon. A. C. MacDonald, in pursuance of notice given, introduced and moved the first reading of a Bill entitled "An Ordinance to amend the Ostrich Ordinance, 1907." He said that some seven years ago the prospects of developing the ostrich farming industry in the Protectorate appeared to be very bright, and the local market was exceedingly good for second grade feathers. High prices were obtainable for good feathers in the home markets. In consequence many farmers invested money in the industry. An expert from South Africa was appointed by the Government to advise farmers in the breeding and mating of birds, and in his report the expert stated that he considered the conditions were most favourable for the industry being established in East Africa. Owing, however, to numerous thefts of ostrich feathers by natives, illicit trading, and especially in the importation of inferior feathers from South Africa, the local market had been swamped, and ostrich farming was not at present a paying industry. Unless some steps were taken by Government the industry was dropping. This Bill was introduced to ensure that the local markets for as possible secured.

The Hon. Chief Secretary seconded, and the Bill was read a first time. The Hon. A. C. MacDonald gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE NATIVE REGISTRATION ORDINANCE, 1915

The Hon. Chief Secretary, in pursuance of notice given, introduced and moved the first reading of a Bill entitled "An Ordinance to provide for the Registration of Natives." He said that it had been felt for some considerable time in East Africa... to improve the form of registration and to include with... the different Reserves and... the... of legislation in existence at present... real utility. The present procedure had no... beyond the fact that... It was felt that the... themselves but the... It was... as... a passport system.

be identified, and, being identified by it, wherever he went in the Protectorate he would be known. It was felt that the introduction of the Bill would not only be of extreme benefit to the natives themselves in their own Reserve and of assistance to the District Administration, but it would also facilitate the freedom of the natives in moving about the Protectorate, and consequently would be the means of opening the minds of the natives to the advantages which were to be derived from being a citizen of the Protectorate generally. Therefore it was natural to allow that, with that result achieved, trade would benefit and there would be large movements from the various Reserves into the outside labour fields. The Bill provided for compulsory registration of all males above the age of 14. With registration there was included identification. The intention of the Bill was to allow as free passage as possible under the identification pass and to obviate the necessity for natives having to obtain a pass from place to place. One pass would be sufficient and would give the right to travel in any part of the Protectorate. It was felt that this must make for better control and also lead to a sense of more responsibility on the part of the natives concerned; with that will come a higher standard of native citizenship. The general effect of such legislation as was put forward in this Bill must be to improve the status of the natives and be a means of promoting confidence and amicable relations between Black and White in this country.

The Hon. Chief Secretary seconded, and the Bill was read a first time.

The Hon. J. AINSWORTH gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE BOILERS, PRIME MOVERS, AND MACHINERY ORDINANCE, 1915.

The Hon. Acting Manager, Uganda Railway, in pursuance of notice given, introduced and moved the first reading of a Bill intitled "An Ordinance to make Provision for the Safety and Inspection of Steam Boilers, Prime Movers, and Machinery." He said that it was a recognised fact all over the world that it was necessary to have legislation for safeguarding machinery and the prime movers in connection with it. It was recognised a good many years ago in the Protectorate, and an examination of boilers and machinery was instituted in 1908, but the legislation in connection with it was not completed. A Bill was drafted, but it was rather too ambitious for the state of the country at that time, and included provisions which came under the Factory Act, and which would not be applicable to the country for many years. The Bill therefore was dropped, with the intention of carrying it on at a later date. Lately, however, the necessity for it had arisen, and it had been shown by the fact that some users of machinery had asked for voluntary inspection. This Bill, therefore, had been drawn up in accordance with the English Factory and Boiler Act.

The Hon. Chief Secretary seconded.

The Hon. Acting Manager, Uganda Railway, gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE CUSTOMS AMENDMENT ORDINANCE, 1915.

The Hon. Treasurer, in the absence of the Chief of Customs, and in pursuance of notice given, introduced and moved the first reading of a Bill intitled "An Ordinance to Amend the Law Relating to Customs." He said that the definition of "goods" under the principal Ordinance meant any article whatever, and included animals; and exportation included the conveyance of goods across frontiers.

As Honourable Members would readily realise circumstances might arise, apart from those in which they now found themselves, when it might be desirable to prohibit certain articles being exported; and as a matter of fact in the Customs regulations of many Colonies power was very properly reserved to prohibit absolutely, or restrictedly the exportation of any article. During a state of war such power was insistently necessary, not only to ensure that the food resources of the country were not depleted, but also to prevent such goods falling into the hands of enemy ships or going to an enemy country. In other words, it was a means of increasing that economic pressure which the Government was proceeding to apply healthily and satisfactorily, as applied to Germany.

In our East Africa Customs legislation there was no general power to prohibit exports, although in certain Ordinances—such as the Game Ordinance—special articles were prohibited, and it was to remedy that deficiency that the Bill was introduced.

It was considered more feasible to give the power of prohibition or restriction with legislative sanction rather than to effect the object by proclamations under Martial Law, which, of course, so long as that state of affairs existed, were quite sufficient, but would cease on the withdrawal of Martial Law.

The penalty for contravention was imprisonment of either kind, not exceeding one year, or to a fine not exceeding £5,000, or to both.

He moved that the Bill be read a first time.

The Hon. Chief Secretary seconded, and the Bill was read a first time.

The Hon. Treasurer gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE COCONUT PRODUCTION ORDINANCE, 1915.

The Hon. A. C. MacDONALD, in pursuance of notice given, introduced and moved the first reading of a Bill intitled "An Ordinance for the Improvement and Regulation of the Coconut Planting Industry." He said that coconut cultivation had for many years been the main farming industry on the Coast. Of late, however, owing to the lack of cultivation and to the increase of insect pests in plantations, the industry had not advanced. Inspectors had been appointed by Government to endeavour to introduce a better management of plantations, but that had little practical result. Planters had visited the Coast belt, and felt highly satisfied with the favourable climatic conditions there. The Coconut Commission of 1914 strongly recommended compulsory registration for improvement of plantations, and the Bill was an outcome of that recommendation.

The Hon. C. W. HOLLEY seconded, and the Bill was read a first time.

The Hon. A. C. MacDONALD gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE COCONUT TRADE ORDINANCE, 1915.

The Hon. C. W. HOLLEY, in pursuance of notice given, introduced and moved the first reading of a Bill intitled "An Ordinance to Regulate the Trade in Coconuts, Copra, and other Products of the Coconut Tree." He said that the Bill was an outcome of the Coconut Commission of 1914, which had been appointed by His Excellency to investigate the whole question of the coconut industry, and in the spring of last year that Commission had spent the best part of three months in the enquiry, and had visited the various spots where coconuts flourished, from the German border to North of Lamu. The results of the enquiry were embodied in the printed report, which he expected Hon. Members had all seen. It was generally admitted that the greatest obstacle to coconut planting on the Coast was the systematic thieving which took place, and there was little doubt that coconut theft was the easiest and most profitable form of theft on the Coast. In Lamu, for instance, it was alleged that 70 per cent. of the crop was stolen. That was, it was believed, one of the main reasons why the industry was not progressing as it should have done. It was not assumed that the measures proposed in the Bill would entirely abolish that form of crime, but it was believed that if the system of registering plantations and registering the dealers was effectively carried out it would considerably alleviate the abuses above referred to. The general object of the provisions was to confine the movement of nuts, from the place of production, viz. the plantation, to the market, to a legitimate channel. The Bill was designed solely to assist the bona fide planter, and it would be necessary for the planter to assist and cooperate with the Government to make the proposed measures effective.

The Hon. A. C. MacDONALD seconded, and the Bill was read a first time.

The Hon. C. W. HOLLEY gave notice that he would move the second reading of the Bill at a later stage of the Session.

6

be identified, and, being identified by it, wherever he went in the Protectorate he would be known. It was felt that the introduction of the Bill would not only be of extreme benefit to the natives themselves, but also to the Reserve and of assistance to the District Administration, but it would also interfere with the freedom of the natives in moving about the Protectorate, and consequently would be the means of opening the minds of the natives to the advantages which were to be derived from being a citizen of the Protectorate generally. Therefore it was natural to allow that, with that result achieved, trade would benefit and there would be large movements from the various Reserves into the outside labour fields. The Bill provided for compulsory registration of all males above the age of 14. With registration there was included identification. The intention of the Bill was to allow as free passage as possible under the identification pass and to obviate the necessity for natives having to obtain a pass from place to place. One pass would be sufficient and would give the right to travel in any part of the Protectorate. It was felt that this must make for better control and also lead to a sense of more responsibility on the part of the natives concerned; with that will come a higher standard of native citizenship. The general effect of such legislation was put forward in this Bill must be to improve the status of the natives and be a means of promoting confidence and amicable relations between them and White in this country.

The HON. CHIEF SECRETARY seconded, and the Bill was read a first time.

The HON. J. AINSWORTH gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE BOILERS, PRIME MOVERS AND MACHINERY ORDINANCE, 1915.

The HON. ACTING MANAGER, CANTON RAILWAY, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to make Provision for the Safety and Inspection of Steam Boilers, Prime Movers, and Machinery." He said that it was a recognition of fact all over the world that it was necessary to have legislation for safeguarding machinery and the prime movers in connection with it. It was recognized a good many years ago in the Protectorate, and an examination of boilers and machinery was instituted in 1905, but the legislation in connection with it was not completed. A Bill was drafted then, it was rather too ambitious for the state of the country at that time, and included provisions which came under the Factory Act, and which would not be applied to the country for many years. The Bill then it was dropped, with the intention of carrying it on at a later date. Lately, however, the necessity for it had arisen, and it had been shown by the fact that some users of machinery had asked for voluntary inspection. This Bill, therefore, had been drawn up in accordance with the English Factory and Boiler Act.

The HON. CHIEF SECRETARY seconded.

The HON. ACTING MANAGER, CANTON RAILWAY, gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE CUSTOMS AMENDMENT ORDINANCE, 1915.

The HON. TREASURER, in the absence of the Chief of Customs, and in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to amend the Law Relating to Customs." He said that the definition of "goods" under the present Ordinance, and any article, wherever it was introduced, and exportation included the carriage of goods across frontiers.

An Honorable Member could readily realize circumstances might arise, apart from those in which they now found themselves, when it might be desirable to prohibit certain articles being exported, and it was a matter of fact in the Customs legislation of many Colonies power was very properly reserved to prohibit absolutely or restrictively the exportation of any article. During a state of war such a power was insistently necessary, not only to ensure that the food resources of the country were not depleted, but also to prevent such goods falling into the hands of enemy ships or going to an enemy country. In other words, it was a means of increasing the economic pressure which they were informed was proceeding "against the factories" as applied to Germany.

In our East Africa Customs legislation there was no general power to prohibit exports, although certain Ordinances, such as the Game Ordinance, special articles were prohibited, and it was to remedy that deficiency that the Bill was introduced.

It was considered more desirable to give the power of prohibition or restriction with legislative sanction rather than to effect the object by proclamations under Martial Law, which, of course, as long as that state of affairs existed, were quite sufficient, but would lapse on the withdrawal of Martial Law.

The penalty for contravention was imprisonment of either kind, not exceeding one year, or to a fine not exceeding Rs. 1,000, or both.

He moved that the Bill be read a first time.

The HON. CHIEF SECRETARY seconded, and the Bill was read a first time.

The HON. TREASURER gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE COCONUT PRESERVATION ORDINANCE, 1915.

The HON. A. C. MACDONALD, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance for the Improvement and Regulation of the Coconut Planting Industry." He said that coconut cultivation had for many years been the principal farming industry on the Coast. Of late, however, owing to the lack of cultivation and to the increase of insect pests in plantations, the industry had not advanced. Inspectors had been appointed by Government to endeavour to introduce a better management of plantations, but that had little practical result. Planters had visited the Coast belt, and felt highly satisfied with the favourable climate conditions there. The Coconut Commission of 1914 strongly recommended a compulsory registration for improvement of plantations, and the Bill was an outcome of their recommendation.

The HON. C. W. HOBLEY seconded, and the Bill was read a first time.

The HON. A. C. MACDONALD gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE COCONUT TRADE ORDINANCE, 1915.

The HON. C. W. HOBLEY, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to Regulate the Trade in Coconuts, Copra, and other Products of the Coconut Tree." He said that the Bill was an outcome of the Coconut Commission of 1914, which had been appointed by His Excellency to investigate the whole question of the coconut industry, and in the spring of last year that Commission had spent the best part of three months in the enquiry, and had visited the various spots where coconuts flourished, from the German border to North of Lamu. The results of the enquiry were embodied in the printed report, which he expected Hon. Members had all seen. It was generally admitted that the greatest obstacle to coconut planting on the Coast was the systematic thieving which took place, and there was little doubt that coconut theft was the most and most odious form of theft on the Coast. In Lamu, for instance, it was alleged that 70 per cent of the crop was stolen. That was, it was felt, one of the main reasons why the industry was not progressing as it should have done. It was not assumed that the measures proposed in the Bill would entirely abolish that form of crime, but it was believed that if the system of coexisting plantations and restricting the dealers was effectively carried out it would considerably alleviate the abuses above referred to. The general object of the proposals was to confine the movement of nuts from the place of production, viz., the plantation, to the market, to a legitimate channel. The Bill was designed solely to assist the bona fide planter, and it would be necessary for the planter to assist and cooperate with the Government to make the proposed measures effective.

The HON. A. C. MACDONALD seconded, and the Bill was read a first time.

The HON. C. W. HOBLEY gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE NATIVE LIQUOR ORDINANCE, 1915.

THE HON. C. W. HOBLEY, in pursuance of notice given, introduced and moved the first reading of a Bill intitled "An Ordinance to Regulate the Sale of Native Manufactured Liquors." The Bill was to regulate the sale of native manufactured liquors. This Ordinance was an outcome of the recommendations of the Coconut Commission of 1914. Its provisions did not go so far as in some other countries—Zanzibar for instance—where the tapping of coconut palms for tembo had been entirely prohibited. After consideration of the conditions on this Coast it was considered that legislation eventually abolishing this practice was not likely to be affirmative without great expenditure, and that therefore it was better to attain the same object gradually, i.e., to make the tembo more expensive by taxing the source of supply, and it was submitted that as experience was gained a rate of taxation could eventually be imposed which would remedy the abuses dealt with at length in the report, and it was hoped that this policy would result in a material increase in the amount of copta exported from the Protectorate.

THE HON. A. C. MACDONALD seconded, and the Bill was read a first time.

THE HON. C. W. HOBLEY gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE SALE OF LAND BY WOMEN ORDINANCE, 1915.

THE HON. R. BARTON WRIGHT, in pursuance of notice given, introduced and moved the first reading of a Bill intitled "An Ordinance to Amend the Law Relating to the Sale of Land by Women." He said that the object of the Regulations dated 26th April, 1897, was to protect native women against unscrupulous persons seeking to acquire from them their land at inadequate prices, but the Registration Regulations drawn up in 1901 provided in Sections 13, 14, 15 and 21 for the Registrar to satisfy himself in the same way as certain specified officers in the previous regulations that the parties concerned were in agreement, and that the transaction was a reasonable one. That being so, it was considered desirable that the Registration Regulations of 1897 should be repealed, and likewise that part of Section 39 of the Regulations of 1901 relating to these transactions.

THE HON. CHIEF SECRETARY seconded, and the Bill was read a first time.

THE HON. R. BARTON WRIGHT gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE PRESS CENSORSHIP ORDINANCE, 1915.

THE HON. ATTORNEY GENERAL, in pursuance of notice given, introduced and moved the first reading of a Bill intitled "An Ordinance to Provide for Censorship of the Press in Times of Emergency." He said that the Bill had been introduced in order that the East Africa Protectorate might conform to the general policy laid down by the Imperial authorities responsible for overseas defence. He might say that the press had during the present war behaved in a most admirable manner, but there was no doubt that in the future the press in East Africa would be considerably larger than it was now, and then it would not be desirable to rely entirely on the personal feeling between the press and the Government in a time of emergency, and it would be necessary for Government to control the Press. This Ordinance provided that it should be brought into operation by the Governor-in-Council in the interests of public safety and tranquillity, or on the occurrence of a public emergency, power has also been given to the Governor-in-Council to suspend its operation. When the Ordinance was in operation any publication by a newspaper, magazine, pamphlet, etc., of any news relating to naval or military matters without leave would be an offence, and the Governor might further by proclamation order that no newspaper or other publication should be published until the contents had been censored.

THE HON. CHIEF SECRETARY seconded, and the Bill was read a first time.

THE HON. ATTORNEY GENERAL gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE SUPPLEMENTARY APPROPRIATION ORDINANCE, 1915.

THE HON. TREASURER, in pursuance of notice given, introduced and moved the first reading of a Bill intitled "An Ordinance to Supply a Further Sum of Money for the Service of the Year Ending the 31st of March, 1914." He said that the Bill was to sanction excesses or certain heads of expenditure of the last financial year. The Bill was in the usual form, and explanations of the excesses were given in the Financial Report. The balance of assets at the end of last financial year amounted to £316,480. Out of that sum £49,043 was owing to uncompleted works, and the approval of the Secretary of State to expend a portion of that amount during the current year had been asked.

THE HON. CHIEF SECRETARY seconded, and the Bill was read a first time.

THE HON. TREASURER moved the suspension of Standing Orders in order that the Bill might be passed through its further stages.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. TREASURER moved that the Bill be read a second time.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, His Excellency the Governor presiding.

In Committee.

The Bill was read clause by clause, and was adopted with the following amendment—

In Clause 4 substitute "1915" for "1914."

The Council resumed its Sitting.

THE HON. TREASURER moved that the Bill as amended be reported to Council.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. TREASURER moved that the Bill be read a third time.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried, and the Bill was read a third time and passed.

THE APPROPRIATION ORDINANCE, 1915.

THE HON. TREASURER, in pursuance of notice given, introduced and moved the first reading of a Bill intitled "An Ordinance to Apply a Sum of Money for the Service of the Year Ending the 31st day of March, 1915." He said that the Bill was in the usual form, and followed closely the lines of previous annual appropriation bills. On the last occasion when he presented the Budget for the current year he read the Budget Statement. It was not proposed to inflict that ordeal on Council this day. The statement had, however, been circulated with the Estimates and Honourable Members would see that, subject to any alterations that might be made at a later stage, the estimated revenue and expenditure for next year balance. That, however, had only been rendered possible by reducing expenditure considerably to meet the decrease in revenue that would be inevitable. Prophecy was at all times a dangerous thing to indulge in, and is especially reprehensible in matters connected with financial estimates. He believed that Hon. Members might look forward with a fair amount of confidence to the estimate of revenue being realised. It would of course be necessary to exercise the strictest economy in the matter of expenditure, and the financial provision for all services had been brought down to the lowest limit compatible with efficiency.

When the Bill goes into Committee, where as usual it would be left till next session, opportunity would be given to consider each vote, and explanation would be made of the more important changes.

THE HON. TREASURER moved that the Bill be read a first time.

THE HON. CHIEF SECRETARY seconded, and the Bill was read a first time.

THE HON. TREASURER gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE VOLUNTEER ORDINANCE, 1915.

The Hon. Attorney General, in pursuance of notice given, moved the first reading of a Bill intitled "An Ordinance to Make Provisions for the Formation of Volunteer Corps in the East Africa Protectorate and for Discipline." He said that since the beginning of the war various corps had been formed in the Protectorate of volunteer regiments and units. The Bill was designed to give the Governor legislative power to form such corps and units and to definitely place them under the discipline provided by the Army Act, 14 and 45 Victoria, chapter 58.

The Hon. A. C. MacDONALD seconded, and the Bill was read a first time.

The Hon. Attorney General gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE TRADING WITH THE ENEMY ORDINANCE, 1915.

The Hon. Attorney General, in pursuance of notice given, introduced and moved the first reading of a Bill intitled "An Ordinance to Make Provision with respect to Facilities for Trading with the Enemy and Other Purposes Connected Therewith." He said that this Bill followed the Act dealing with the same subject passed since the beginning of the war in England. It provided penalties for the offence of trading with the enemy, and it also provided for power to be given to the Governor to issue proclamations dealing with that subject. In suspected cases power was given to inspect books and documents, and in cases where an offence had been committed, or if it was otherwise desirable, the Chief Secretary could appoint a controller to manage the business of an enemy trading in East Africa.

The Hon. Chief Secretary seconded, and the Bill was read a first time.

The Hon. Attorney General gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE CUSTOMS (DUTY) AMENDMENT ORDINANCE, 1915.

The Hon. Treasurer, in pursuance of notice given, introduced and moved the first reading of a Bill intitled "An Ordinance to Amend the Customs (Duty) Ordinance, 1909." He said that the Bill was for the purpose of adding to the present exemptions from Import duties all goods imported as gifts to the troops and re-assigning to officers in command of such troops or to Government Departments. It might be within the personal knowledge of Hon. Members that a Committee had lately been formed at Home for the purpose of buying and forwarding gifts for the troops in West Africa and East Africa. These gifts consist mainly of articles liable to import duty - certainly in East Africa. It would be for a pecuniary gain for the generosity shown at Home if it was inquired upon these gifts should be paid in East Africa. The duty could fall either on the recipient or on those forwarding the gifts. In either case this should be avoided if possible. Those were mainly the reasons for introducing the Bill. The proposal was to exempt these gifts with the approval of the Secretary of State for the Colonies, who was of opinion that when goods were purchased by individuals or committees and sent out for the use of troops the goods should be exempt from duty. The Secretary of State did not object but that the large amount of East Africa would require to be taken care of, necessary provisions. It would and that he understood the Committee at home are only intended to send out consignments of goods in Christmas, but intended, if possible, to send out regular supplies. He thought that perhaps it would be possible to require importation, which could be described as commercial, to be the point for which the duty should be paid.

The Hon. Chief Secretary seconded, and the Bill was read a first time.

The Hon. Treasurer gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE DEATH DUTIES (KILLED IN WAR) ORDINANCE.

The Hon. Attorney General, in pursuance of notice given, introduced and moved the first reading of a Bill intitled "An Ordinance to Amend the Death Duties (Killed in War) Ordinance, 1914." He said that the purpose of the Bill was to provide that when any person died of a

infectious accident occurring in the case mentioned within twelve months before death, while the person was in the service, it will be possible to transfer of the property passing to the Government or to the dependents of the deceased. He said that the Bill was not intended to exceed £500,000, where the Government would be liable to supply then necessary. It was possible in respect of the Bill, his £100,000, but the duty will be payable. He gave notice that he would move the second reading of the Bill at a later stage of the Session.

The Hon. Chief Secretary seconded, and the Bill was read a first time.

The Hon. Attorney General gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE ELECTRICITY ORDINANCE, 1915.

The Hon. Attorney General introduced and read the Report of the Special Committee appointed to Enquire into and report on the provisions of the Bill intitled "An Ordinance to Make Further Provisions for the Construction and Regulation of the Supply and Use of Electrical Energy for Lighting and Other Purposes." The following is a summary of the Report:

REPORT OF THE SPECIAL COMMITTEE OF THE LEGISLATIVE COUNCIL, APPOINTED TO ENQUIRE INTO AND REPORT ON THE PROVISIONS OF THE BILL INTITLED "THE ELECTRICITY ORDINANCE, 1915."

The Special Committee sat at Mombasa on the 14th instant, and at Nairobi on the 15th instant, for the purpose of hearing the views of those interested in the electrical industry.

At Nairobi Mr. McBlain, the Government Engineer, Engineers, and Mr. Ross, the Director of Public Works, appeared.

Mr. McBlain pointed out that the Bill was framed on legislation passed in 1903, and that since that date great advances had been made in electrical science and its application.

Mr. McBlain was of opinion that legislation dealing with licenses for the supply of energy to the public should be modelled on the legislation now in force in England.

The Special Committee, after the consideration of the evidence submitted by Mr. McBlain and Mr. Ross, and of the English Law, are of opinion that the Bill now before the Council should be withdrawn, and that a Bill should be drafted by the Council, so far as they may be satisfied, of the legislation in force in the United Kingdom dealing with the supply of electric energy vide the Electric Lighting Acts, 1882-1909.

Witnessed at Mombasa this 16th day of December, 1915.

(Signed) J. W. BARTH, CHAIRMAN.

He moved in pursuance of this Report that the Bill be withdrawn.

The Hon. Acting Manager, Uganda Railway, seconded.

The question was put and carried, and the Bill was withdrawn.

THE CROWN LANDS ORDINANCE, 1915.

The Hon. Chief Secretary, in pursuance of notice given, moved that the Bill intitled "An Ordinance to Make Further and Better Provision for Regulating the Leasing and other Disposal of Crown Lands and for other Purposes" which had been held over from the last Session, be read a second time. He said that before the Session he had intended to move the Bill, but he had to review the evidence which had been submitted to him by the various interested parties. He said that he had now reviewed the evidence and he was of opinion that the Bill should be read a second time. He gave notice that he would move the second reading of the Bill at a later stage of the Session.

Place in August, 1915.

in detail the provisions of the Bill with a Joint Committee of the Landholders' Association and the Convention of Associations, who had been invited by Government to criticise the Bill and forward their views. As a result of that discussion, the Special Committee of the Convention reported that they found themselves substantially in agreement with the Joint Committee of those two bodies. In fact, every matter of importance which came before the Special Committee during the interval between the last Session of the Convention and the meeting of the Governor's Council in constant communication with the Secretary of State on the subject. The Hon. Member has been able strongly to support the proposals of the Special Committee, which, as he (the Hon. Member) has already said, he has already recommended to those of the Joint Committee of the two important bodies mentioned to the Secretary of State. He now signified his willingness to support the proposals laid before him, although those proposals differed very widely in many of the important principle from the policy which the Secretary of State has previously given them to understand must be observed in enacting the Land Legislation in East Africa. The result, he (the Hon. Member) thought he might safely say, was that after eleven years of attempt to reform the land laws—that was from the date of the appointment of the 1904 Commission by the late Sir Donald Friar— they were now able to pass into law an enactment which would be favourably received by the whole of the community and put an end to that uncertainty and discontent which had undoubtedly existed in the past, and which had been a severe handicap to the development of the resources of the Protectorate. Hon. Members would be aware that in the Bill as it now stood, that is to say the form in which it was introduced, the Secretary of State had already given way on many matters of principle. He had agreed to the abandonment of the graduated land tax, to the grant of leases instead of occupation licences, and the inclusion of livestock amongst those improvements which would count as development under the development condition clauses. The three features which remained in the Bill to which the greatest objections had been raised were the limitation of periods of agricultural leases to 99 years, the insistence on stringent occupation conditions, and the power given to the Governor to veto any transaction in land. It would be convenient, perhaps, to tabulate the provision on those three points—firstly, as they at present appeared in the Bill; secondly, as recommended by the Joint Committee of the Convention of Associations and the Landholders' Association; and thirdly, as it was proposed to amend them in Committee. The Bill before Council at present provided for a 99 years' lease of agricultural land. The Joint Committee recommended a perpetual lease. The Special Committee of Council recommended what was practically the same thing, a 999 years' lease. The Bill provided for the Governor's power of veto of all transactions relating to grants of land. The Joint Committee of the Landholders' Association made no definite suggestion, but drew attention to the very unsatisfactory state of the proposed legislation, which placed at the caprice of any Governor the power to take away a man's security as a means of raising money for the development of his land. The Special Committee of Council had provided as an alternative that the Governor's veto should be exercisable only in those cases where the parties to the transaction were of different race. "Race" would be defined in the Ordinance as amended as a person of European, Asiatic, and African origin respectively. The object of this restricted veto was twofold: firstly, to enable the Governor to exercise control over any segregation of races which might be considered necessary, both in farm areas and in townships; and secondly, to provide means whereby Government could protect an ignorant native from entering into an improvident transaction with an unscrupulous person of the superior races. The Bill provided certain very stringent conditions of personal occupation, and provided further that such occupation should be a condition extending throughout the whole of the lease. The Joint Committee recommended the deletion of that provision, and the Special Committee of Council agreed, and he would presently move for the abolition of those clauses and the insertion of a clause which would prohibit land to be leased to Europeans, or occupied by persons of any other race, without the consent of the Governor in Council. In addition to the amendments of the Special Committee, he would presently move for the following additional amendments:—

1. It was proposed to add to Section 44 a clause prohibiting the Governor from granting any lease of land to any person of any race other than the African race. The word "race" would be defined as in the Ordinance of the Convention of Associations and the Landholders' Association, which would be amended to read as follows:—

1. It was proposed to make an addition to Section 54 which would make it a condition of any lease that the person to whom the land is granted should be a member of the tribe which the land reserved for the use of that tribe should remain for the use of that tribe, and not benefit any individual.

2. It was proposed to amend Section 54, based on the Ordinance of 1907, so as to read as follows:—

3. It was necessary further to amend Section 34 by safeguarding non-African persons, which had already been registered in other languages, and to amend Section 112, and would then require to be re-registered when the part of the Bill came into force.

Lastly, Schedule 2 would be amended so as to include "Kaolia".

The Hon. ATTORNEY GENERAL seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, His Excellency the Governor presiding.

In Committee.

The Bill was being read and considered clause by clause when the Council adjourned till 10 a.m. on the 19th January, 1915.

SECOND DAY.

The Council assembled on the 19th January, at 10 a.m., HIS EXCELLENCY THE GOVERNOR (SIR H. CONWAY BELFIELD, K.C.M.G.) presiding.

Present:—

- THE HON. THE CHIEF SECRETARY (C. C. BOWRING, C.M.G.),
- THE HON. THE TREASURER (H. A. SMALLWOOD),
- THE HON. THE ATTORNEY GENERAL (J. W. BARTH),
- THE HON. THE ACTING MANAGER OF THE UGANDA RAILWAY (B. EASTWOOD),
- THE HON. A. C. MACDONALD,
- THE HON. C. W. HOBLEY, C.M.G.,
- THE HON. J. AINSWORTH, C.M.G.,
- THE HON. R. BARTON WRIGHT,
- THE HON. W. A. M. SIM.

Absent:—

THE HON. F. W. MAJOR, I.S.O.

THE UGANDA LANDS ORDINANCE, 1915.

In Committee.

The Hon. Member read the following clause:—

1. It was proposed to add to Section 44 a clause prohibiting the Governor from granting any lease of land to any person of any race other than the African race. The word "race" would be defined as in the Ordinance of the Convention of Associations and the Landholders' Association, which would be amended to read as follows:—

14
Amendments to Crown Lands Bill

- Section 1.** For "1918" substitute "1915".
- Section 2.** Part IV (3) For "the Ordinance" read "this Ordinance".
Part IX (4) For "covenants" read "covenants".
Part XII (1) For "the" read "subject to the Governor's veto".
- Section 3.** Part XI (2) Delete "rights" and substitute "conveyances".
Insert " (1) " before "The" in first line and delete " (1) " in second line of section.
- Section 4.** The provisions of Section 4 in the Bill shall be included in Section 3.
Printer's error in Clause iii of Sub-section 1 for "relating" substitute "relation".
In Clause V of Sub-section 1 after the word "reservations" delete the word "dedications".
In Sub-section 2 after the word "subdivisions" insert "of sub-section 1."
- The following new Section 4 shall be inserted :—
4. The Crown Lands (Access to Roads) Ordinance 1914 is hereby repealed.
- Section 5.** The following definitions shall be added to Section 5 :—
After the definition of "Government", "licensed Surveyor" shall mean a surveyor licensed under rules issued under Section 158 (1) (2) of this Ordinance.
"Live Stock" shall include horses, cattle, sheep, goats, swine, camels, mules, donkeys, ostriches, and poultry.
After the definition of "Principal Registrar"—
"Race" shall mean persons of European, Asiatic or African origin as the case may be.
The following definition shall be deleted :—
"Constantly reside and constant residence."
In the definition of "Crown Land" delete the words "or dedicated to."

Section 6. Clause 5 add the following proviso :—
"and that such surrender shall have been made within 12 months from the date on which this Ordinance shall come into operation and provided that the provisions of this Clause shall not apply to land granted under the East Africa Land Regulations 1897 for special purposes or leased under the Crown Ordinance Lands 1902 for special purposes."

Section 7. Printer's error, "at" and "be" in second line to be transposed.

Section 10. In the eighth line for "41" substitute "89."

Section 11. In the sixth line delete the word "in."

15
Section 13. For the words "during the day time" substitute the words "between sunrise and sunset."

Section 15. Delete the words "or as the Governor may direct."

Section 19. In the proviso to Section 19 before the words "any plot" insert the words "the lease of."
After Clause (8) insert :—
(c) the amount of survey fees and the cost of the deeds for each plot.
For (c) read (d).
For (d) read (e).

Section 20. Printer's error for "auctioner" read "auctioneer."

Section 21. In the first line between the words "for" and "each" insert the words "the lease of."
In line 2 after "offer" insert "the lease of."
In line 4 after "deposit" insert "the lease of."

Section 22 (1). Add the following proviso :—
"Provided that the balance of the purchase money shall not be payable within the time stated or thereafter unless and until the Land Officer can present to the purchaser the lease of the plot duly executed."

Section 23. Prefix "subject to the proviso contained in Section 22 (1)."

Section 27. Line two for "in" read "into."
To Clause (a) Add :
"and the time when and place where the plan of each farm may be seen."
(c) Before the word "farms" insert "the lease of."
(f) After the word "fees" insert "and the cost of the deeds."

Section 28. Delete Section 28 and substitute :—
28. (1) In the case of sales under this Part the auctioneer shall, before the commencement of the sale, read the terms and conditions of the sale and all persons bidding at the sale shall be bound by the terms and conditions so read.
(2) The highest bid for the lease of each farm together with the name of the purchaser shall be announced by the auctioneer before proceeding to offer the lease of the next farm and the purchaser shall thereupon pay one-tenth of the purchase money. In default of payment of the deposit the lease of the farm may be offered for sale immediately and any subsequent bid by the person who had made default may be ignored or refused."

Section 29 (3). (1) For "public holiday" read "Public Holiday".
Insert and substitute the word "mid" for "ten". Delete the remainder of the Sub-section after the word "sale" in the fourth line and substitute :—
"There shall be included in the covenants of the lease a covenant expressing the amount of each instalment due and the date on which each such instalment is due."

Unless each such instalment is paid on the date on which it falls due the amount of each such instalment shall be deemed to be added to the annual rent reserved by the lease and shall be payable and recoverable as rent."

(4) For "instalment" read "instalments."

Line one for "this" read "the."

Line two for "the" read "this."

Sub-division
heading after
Section 31
and 32.

Section 33.

After "February 12th 1913" add "or May 6th 1914."
After "may" in the 4th line delete the words "if he shall have complied with the conditions of the licence."

At the end of the Section insert:

"Provided that such surrender shall have been made within twelve months from the date on which this Ordinance shall come into operation."

Section 36.

For "99" substitute "999."

In the fourth line after the words "case of" insert "a."

Section 34.

For "99" substitute "999."

Section 35.

Delete and substitute:—

"For the purpose of the rent to be reserved under a lease under this Part the term of the lease shall be divided into periods, the first period to expire on December 31st 1945, the second period to expire on December 31st, 1975, the third period to expire on December 31st, 2005 and each period thereafter to expire on December 31st of every thirtieth year following to the end of the term."

Section 36.

Delete and substitute:—

"The annual rent payable under a lease under this Part shall be payable in advance on the first day of January in each year and shall be for the first period at the rate of 10 cents per acre or part of an acre, for the second period at the rate of 1 per cent on the unimproved value of the land in the year 1945, for the third period at the rate of 2 per cent on the unimproved value of the land in the year 1975, and for each subsequent period of thirty years at the rate of 3 per cent on the unimproved value of the land assessed every thirty years."

Section 37.

Delete and substitute:—

"The Land Officer shall, during the years 1945 and 1975 and after 1975 in every thirtieth year until the expiration of the term cause the land the subject of a lease under this Part to be valued for the purpose of determining the rent which shall be payable for the land for the second or third period or for each subsequent period of such lease whichever shall be the next following the period in which such valuation is made."

Section 38 (1).

Delete first two lines and substitute:—

"After each valuation provided for in the preceding section shall have been made and before the expiration of the year in which such valuation was made."

Sub-division
heading after
Section 38.

For "covenants" read "covenant."

Sections 39-41
inclusive.

Delete and substitute:—

39. There shall by virtue of this Ordinance be implied in every lease granted under this Part to a European a covenant that he shall not without the consent of the Governor in Council appoint or allow a Non-European to be manager or otherwise to occupy or be in control of the land leased."

Section 32.

Becomes Section 40.

Section 43.

Becomes Section 41.

In Sub-section 2 in the first line after "expiration of" insert "the."

Section 44.

Becomes Section 42.

To this Section add:—

"and not without the consent of the Governor in Council to divide the land leased and sublet any portion thereof."

Section 45.

Becomes Section 43.

In Sub-section 1 after the word "Governor" add the words "in Council."

In Sub-section 2 (b) printer's error for "parcel" read "parcel."

In Sub-section 2 delete from "(a) the parcel" to "attach" and delete "(b)"

Section 46.

Becomes Section 44.

In Sub-section 1 after the word "Governor" add the words "in Council."

In the last line of Sub-section 1 delete the word "have" and substitute "approve" for "approved."

In Sub-section 2 delete Clauses (a) and (b).

Clause (c) becomes Clause (a).

Clause (d) becomes Clause (b).

In Clause (a) (formerly (c)):

For "43" read "41"

In Sub-section 3:—

For "45" read "43"

Section 47.

Becomes Section 45.

Insert "in Council" after "Governor" in two places.

At end of section delete "less than 200 acres," and substitute "200 acres in area or less."

Section 48.

Becomes Section 46.

Section 49.

Becomes Section 47.

Section 50.

Becomes Section 48.

Section 51.

Becomes Section 49.

Section 52.

Becomes Section 50.

Section 53.

Becomes Section 51.

Section 54.

Becomes Section 52.

Section 55.

Becomes Section 53.

In this Section for "55" read "51."

- Section 56.** Becomes Section 54.
In this Section delete the word "aboriginal."
Add to this Section:—
"Such reservation shall not confer on any tribe or member of any tribe any right to alienate the land so reserved or any part thereof."
- Section 57.** Becomes Section 55.
- Section 58.** Becomes Section 56.
- Section 59.** Becomes Section 57.
In line 2 for "56" read "54."
Delete Clause 1 of this Section and re-number remaining clauses accordingly.
In para. 4 (new 3) correct printer's error i.e. "places" for "places."
Add to this Section the following proviso:—
"Provided that if it shall appear to the Governor in Council that the exercise of any power given under this Section to exclude land from lands reserved under Section 54 has reduced the area of such reserved land below the area required for the use or support of the members of the tribe for whom it has been reserved then the Governor in Council shall from contiguous unalienated and unreserved Crown Land, if any, add to such reserved land an area equivalent to the area of the land excluded."
- Section 60.** Delete.
- Section 61.** Delete.
- Section 62.** Delete.
- Section 63.** Becomes Section 58.
In line 3 delete "or dedicated to."
- Section 64.** Delete.
- Section 65.** Becomes Section 59.
- Section 66.** Becomes Section 60.
- Section 67.** Becomes Section 61.
In this Section delete the first 8 words.
In line two before "special" insert, "any." And for "provisions" substitute "provision."
In line 8 for "one month" read "three months."
- Section 68.** Becomes Section 62.
In Sub-section 1 in the last line for "lease or license" read "lessee or licensee."
- Section 69.** Becomes Section 63.

- Section 70.** Becomes Section 64 (1).
Insert:—
(2) If the rent or any principal instalment, equality or other payment payable under any agreement, lease or licence under this Ordinance or under any Ordinance repealed by this Ordinance shall at any time be unpaid for a space of 90 days after the same became due and a notice shall have been served under Sub-section 1 there shall be payable in addition by way of penalty a sum equivalent to 5 per centum of the sum due. If such rent or other sum shall at any time be unpaid for a space exceeding 120 days after the same became due and a notice shall have been served under Sub-section 1 there shall be payable in addition by way of penalty a sum equivalent to 10 per centum of the sum due.
- Section 71.** Becomes Section 65.
In the fifth line after "fee" add "or penalty"
- Section 72.** Becomes Section 66.
In this Section in line 2 for "21" read "30"
- Section 73.** Becomes Section 67.
In this Section in line 3 for "21" read "30."
- Section 74.** Becomes Section 68.
- Section 75.** Becomes Section 69.
- PART VIII.
- From the title to this Part delete "subject to Governor's veto."
- Section 76.** Becomes Section 70.
In this Section in clause (b) omit the words "or granted" and after the word "sold" insert the words "leased or otherwise disposed of."
- Section 77.** Becomes Section 71.
Delete this Section and substitute:—
"Whenever any land to which this Part applies is sold, transferred, mortgaged, assigned, leased or sub-leased whether by or under the orders of a Court or otherwise howsoever if the person or persons or any of them to whom such land is sold, transferred, mortgaged, assigned, leased or sub-leased is or are of a different race to the person by whom such land is sold, transferred, mortgaged, assigned, leased or sub-leased then it shall be the duty of the purchaser, transferee, mortgagee, assignee, lessee or sub-lessee to notify the Land Officer in writing of the transaction within one month of the completion thereof and to furnish the Land Officer in the form and manner prescribed with full particulars of the nature of the transaction of the land affected and as to the parties to the transaction or interested therein."

Section 78. Becomes Section 72.
In line 9 after "however" insert "that."

Section 79. Becomes Section 73.
Delete Sub-section 1 and substitute:

"It shall be lawful for the Governor in Council to sell, lease, transfer, mortgage, assignment, lease or sub-leases to which the provisions of Section 71 of this Ordinance apply. Provided that the consent of the Governor to such sale, transfer, mortgage, assignment, lease or sub-lease has not previously been given and provided further that whenever notice of such sale, transfer, mortgage, assignment, lease or sub-lease has been given and the required particulars furnished as in this Part provided the right of veto shall not be exercised except within three months of the receipt by the Land Officer of the notice and particulars of the transaction.

Sub-section (2), lines 2 and 5.

After "mortgage" add "assignment." Delete the word "or," and after the word "lease" add "or sub-lease."

Section 80. Becomes Section 74.
In this Section substitute "71" for "77."

Section 81. Becomes Section 75.
In this Section in line 2 after the words "of any" and before the word "river" insert the word "spring."

Section 82. Becomes Section 76.

Section 83. Becomes Section 77.

In Sub-section 2 add the following:—

"provided that the Governor-in-Council may make rules providing for compensation to be payable or relief to be given to the grantee, purchaser, lessee or occupier under a licence of such land for any damage done to buildings, roads, or crops or otherwise and for any interference with the rights of occupancy of such land"

In Sub-section 3 after "Crown Lands Ordinance, 1902" add "or under the East Africa Land Regulations 1897."

Section 84. Becomes Section 78.

Section 85. Becomes Section 79.

After "1902" insert "or the East Africa Land Regulations 1897."

Section 86. Delete and substitute:

80. "80 (a) Every purchaser, holder, lessee or licensee of Crown Lands under this Ordinance, the Crown Lands Ordinance 1902, or the East Africa Land Regulations 1897, shall, if there is no direct road of access to the land held by him by means of a reserved or proclaimed road, be entitled to a cart road of access and also to free ingress and egress thereby to and from the land held or occupied by him to a reserved or proclaimed road through and over any

Crown Land whether such land is under lease, licence or not and through and over any land which has been purchased or is otherwise held under the provisions of this Ordinance or the Crown Lands Ordinance 1902 or the East Africa Land Regulations 1897. Such road of access shall not interfere with any building used for residential, farming or industrial purposes or with any garden or stock yard and shall in every case follow such a direction and be so marked as to occasion as little damage or inconvenience to the purchaser, holder, lessee or licensee of the land traversed as may be possible."

(b) In the case of a road of access being constructed over Crown Land which has not been sold and is not under lease or licence the Land Officer shall determine the direction and marking of such road."

(c) In the case of any dispute as to the direction and marking of such a road of access any party to such a dispute may refer the matter to the Land Officer whose decision thereon shall be final and binding on all parties to such dispute."

81. (New Section).

"(1) The person requiring a road of access shall pay to the purchaser, holder, lessee or licensee of the Crown Land which such road traverses compensation in respect of any growing crops or permanent improvements damaged or destroyed by the construction of such road."

(2) In the event of any dispute arising between the person requiring a road of access and the holder of the land to be traversed as to the amount of compensation to be paid under Sub-section 1 the matter shall be referred to the Land Officer whose decision thereon shall be final and binding on both parties."

82. (New Section).

"After the direction and marking of a road of access have been determined by the consent of the person requiring such road and the purchaser, holder, lessee or licensee, as the case may be, of the land which such road is to traverse or in the cases provided by Section 80 (b) and (c) by the decision of the Land Officer, it shall be lawful for the person requiring such road forthwith to use the same as a road of access and to enter upon the land which such road is to traverse with all necessary workmen, tools and materials and to construct such road. Provided that as little damage or inconvenience as may be possible shall be caused by such entry and construction to the purchaser, holder, lessee or licensee of the land traversed. And provided that the purchaser, holder, lessee or licensee of the land to be traversed by such road shall, if an agreement be made with the person requiring such road as to its cost, have the option of constructing such road himself at the cost of the person requiring such road."

83. (New Section).

"The width of a road of access constructed under the provisions of this Ordinance shall not exceed twenty feet."

Section 76. Becomes Section 74.

In this Section substitute "71" for "77."

Section 77. Becomes Section 75.

Delete Sub-section 1 and substitute:—
“(1) It shall be lawful for the Governor in Council to veto any sale, transfer, mortgage, assignment, lease or sub-lease to which the provisions of Section 71 of this Ordinance apply. Provided that the consent of the Governor to such sale, transfer, mortgage, assignment, lease or sub-lease has not previously been given and provided further that whenever notice of such sale, transfer, mortgage, assignment, lease or sub-lease has been given and the required particulars, furnished as in this Part provided the right of veto shall not be exercised except within three months of the receipt by the Land Officer of the notice and particulars of the transaction.”

Sub-section (2), lines 3 and 5.

After "mortgage" add "assignment." Delete the word "or," and after the word "lease" add "or sub-lease."

Section 80. Becomes Section 74.

In this Section substitute "71" for "77."

Section 81. Becomes Section 75.

In this Section in line 2 after the words "of any" and before the word "river" insert the word "spring."

Section 82. Becomes Section 76.

Section 83. Becomes Section 77.

In Sub-section 2 add the following:—
"provided that the Governor-in-Council may make rules providing for compensation to be payable or relief to be given to the grantee, purchaser, lessee or occupier under a licence of such land for any damage done to buildings, roads, or crops or otherwise and for any interference with the rights of occupancy of such land".
In Sub-section 3 after "Crown Lands Ordinance, 1902" add "or under the East Africa Land Regulations 1897."

Section 84. Becomes Section 78.

Section 85. Becomes Section 79.

After "1902" insert "of the East Africa Land Regulations 1897."

Section 86. Delete and substitute:

"(1) Where a purchaser, holder, lessee or licensee of Crown Land under the Ordinance, the Crown Lands Ordinance 1902, or the East Africa Land Regulations 1897 shall, if there is no direct road of access to the land, cause to be made by him by means of a reserve or other road, a cart road or other road, and a fee shall be charged therefor from the person requiring such road, and a fee shall also be charged from the person requiring such road, if the land is a reserve or other road, the fee to be charged shall be as follows:—

Land whether such land is under lease, licence or otherwise and after any land which has been sold or is otherwise held under the provisions of the Crown Lands Ordinance 1902 or the East Africa Land Regulations 1897, such road shall not interfere with any building used for agricultural, farming or industrial purposes or with any garden or stock yard and shall in every case follow such a direction and be so marked as to occasion as little damage or inconvenience to the purchaser, holder, lessee or licensee of the land traversed as may be possible.

(b) In the case of a road of access being constructed over Crown Land which has not been sold and is not under lease or licence the Land Officer shall determine the direction and marking of such road.

(c) In the case of any dispute as to the direction and marking of such a road of access any party to such a dispute may refer the matter to the Land Officer whose decision thereon shall be final and binding on all parties to such dispute."

81. (New Section).

"(1) The person requiring a road of access shall pay to the purchaser, holder, lessee or licensee of the Crown Land which such road traverses compensation in respect of any growing crops or permanent improvements damaged or destroyed by the construction of such road."

(2) In the event of any dispute arising between the person requiring a road of access and the holder of the land to be traversed as to the amount of compensation to be paid under Sub-section 1 the matter shall be referred to the Land Officer whose decision thereon shall be final and binding on both parties."

82. (New Section).

"After the direction and marking of a road of access have been determined by the consent of the person requiring such road and the purchaser, holder, lessee or licensee, as the case may be, of the land which such road is to traverse or in the cases provided by Section 80 (b) and (c) by the decision of the Land Officer, it shall be lawful for the person requiring such road forthwith to use the same as a road of access and to enter upon the land which such road is to traverse with all necessary workmen, tools and materials and to construct such road. Provided that as little damage or inconvenience as may be possible shall be caused by such entry and construction to the purchaser, holder, lessee or licensee of the land traversed. And provided that the purchaser, holder, lessee or licensee of the land to be traversed by such road shall, if an agreement is made with the person requiring such road as to its cost, have the option of constructing such road himself at the cost of the person requiring such road."

83. (New Section).

"The width of a road of access under this Ordinance shall be—

84. (New Section.)
"The person requiring a road of access shall maintain such road in a good and efficient state of repair."

85. (New Section.)
"The persons requiring a road of access shall not be required to fence such road when constructed."

86. (New Section.)
(1) The Conservator of Forests shall, where there is a reserved or proclaimed road of access to any Forest Area, Damaged Forest or Forest Reserve by means of a reserved or proclaimed road, be entitled to a cart road of access and also to free ingress and egress thereby to and from any Forest Area, Damaged Forest or Forest Reserve to a reserved or proclaimed road through and over any Crown land whether such land is under lease or licence or not and through and over any land which has been purchased or is otherwise held under the provisions of this Ordinance or the Crown Lands Ordinance, 1902 or the East Africa Land Regulations, 1897. Such road of access shall not interfere with any buildings used for residential, farming or industrial purposes or with any garden or stockyard and shall in every case follow such a direction and be so marked as to occasion as little damage or inconvenience to the purchaser, holder, lessee or licensee of the land traversed as may be possible.
(2) The provisions of Section 80 to 86 of this Ordinance shall apply in all respects as if the Conservator of Forests requiring a road of access under this Section were a purchaser, holder, lessee or licensee of Crown lands requiring a road of access under this Ordinance."

Section 87. After "Governor" add "in Council."

Section 88. After "Governor" add "in Council."

Section 89. In this Section after the word "Governor" insert "in Council."
In the 4th line after the word "channels" insert "to geometrical stations."
In the 10th line for "such excess" read "exceed" and "such compensation shall not exceed."

Section 90. In this Section after the word "is" in the first line insert the words "200 acres in area or."
After the word "less" in the first line delete the words "than 200 acres."
After the word "Governor" insert "in Council."

Section 91. After the word "Governor" insert "in Council."

Section 92. After the word "Governor" insert "in Council."
(3) Line 4 before "purchaser" insert "occupier."

Section 93. Add the following proviso to Sub-section 2 of this Section:—
"Provided that the Provincial Commissioner for the time being of the Province in which such land is situated shall certify that the natives have consented to such land of their own will and accord and without any coercion on the part of the lessee."
For "lessee" in line 2 of Sub-section 2 substitute "lessee."

Section 95. Sub-sections should begin "may" instead of "May."

Section 96. In line 6 after "or" insert "or for the purpose of any Deed or any other instrument."
In last line delete "12 months" and after "description" insert "of a term not exceeding two months."

Section 98. In Sub-section 1 in 2nd line delete "granted."
In Sub-section 1 in 4th line delete "grant."
To this Sub-section add the words "or on the plan or map referred to in the conveyance, lease or licence."
In Sub-section 2 in 1st line delete "granted."
In Sub-section 2 in 2nd line delete "grant."
In Sub-section 3 in 1st line delete "granted."
In Sub-section 3 in 2nd line delete "grant."
In this Sub-section delete the words "the sum of Rupees 500" and substitute therefor the words "a sum not exceeding Rs. 500 or such smaller sum as may be sufficient to cover the cost of the enquiry."
In Sub-section 4 in line 6 delete "granted."
In Sub-section 5 in line 3 delete "grant."
In Sub-section 6 in line 3 delete "grantee."
In Sub-section 6 in line 5 delete "grant."
In Sub-section 6 in line 7 delete "grant."
In Sub-section 5 delete "as the Land Officer may determine" and substitute "as shall be sufficient to cover the cost of such enquiry."

Section 99. In line 1 delete "grantee."
In line 3 delete "granted" and "grantee."
In line 8 delete "grantees."

Section 100. For "to or from" read "to and from."

Section 101. In line 2 delete "grant."

Section 102. In this Section for "effect" in first line read "affect."

Section 103. After the word "established" insert "under the control of the Lands Officer."
After the word "Native" insert "and at such other places as the Governor-in-Council may prescribe."
For "grants" read "concessions."

Subdivision heading between Sections 103 and 104.

Section 104. In line 3 delete "grant."

Section 105. In line 1 delete "grant."
In line 5 delete "grantee."

Section 106. In this Section for "book" wherever it occurs insert "register."
In line 2 delete "grant."
In line 3 delete "grant."
In line 4 delete "grant."

Section 107. In this Section in line 1 delete "affected" and insert "affected" and "insert."

Section 111. Clause (e) for "itself" read "itself."
Substitute semi-colons for full stops after Clauses (d) and (e).

Section 112. Sub-section (1) for "times" read "time."
In Sub-section 2 in line 2 such Sub-section after "commencement of" substitute "this" for "the."

Section 119. In the first proviso to this Section after the word "case" delete "the registration of the document shall take effect as from the time when it was first presented for registration" and substitute "the document shall be deemed to have been registered at the time of its entry in the day book."

Section 120. Delete "book" and "grant."

Section 122. Add new Sub-section:—
(2) If the Principal Registrar acting as a registrar shall refuse to register any document any person dissatisfied with the order refusing to register such document may appeal against the same to the High Court within 30 days of the date of such order. The Principal Registrar acting as a Registrar shall in the terms of the decision of the High Court on appeal register or refuse to register such document.

Section 124. In this Section delete the words from "unless" to the end of the Section. Insert the following proviso:—
"Provided that the Registrar shall register any document not written in English presented for registration under the provisions of Section 112."

Section 125. Delete the words "or Memorandum" wherever they occur.

Section 128. In this Section after the word "within" in the third line insert the words "the proviso to" For "129" insert "124."

Delete the words "or memorandum" wherever they occur.

Section 129. Delete the words "or memorandum" wherever they occur.

Section 130. Delete "grant."

Section 135. In this Section delete "bona fide" and insert in the third line after the word "done" the words "in good faith."

Section 136. Delete "book" in two places.
For "certificate" read "certified."

Section 139. Line 3 for "Cands" read "land."

Section 141. For "lands" read "land" in 3 places.
For "lands" read "land" and for "are" read "is" in line 2.

Section 144. Delete the words "dedication or grant of a."

Section 152. In 3 places insert "Spring" before "river."

Section 153. For "to forthwith summarily remove" read "forthwith summarily to remove."

Section 155. (1) Insert "spring" before "river."
(2) for "kind" read "description."

Section 158. Sub-section 1. In line 2 of this Sub-section inverted commas should be given to the word "prescribed." In lines 3 and 5 insert "in Council" after "Governor."
In clause 1 of this Sub-section for "certificates" substitute "licenses."
To clause II after the word "surveys" insert "or for computing the work of licensed surveyors." Line 1 for "charge" read "charges."

After "or" in the first line of such clause insert the word "for"
Delete clause viii of this Sub-section
Renumber clause ix as clause viii.
To renumbered clause viii after "1902" insert "or the East Africa Land Regulations 1897."
After the word "Ordinance" where it occurs in lines 4 and 5 of such clause insert "or Regulations."

First Schedule. For "swamp" read "swamps."

Second Schedule. For "Section 88" substitute "Section 77."
Delete "the Crown Lands Ordinance, 1913" and substitute "this Ordinance."
After the word "clay" insert "other than Kaolin."

Third Schedule. For "Section 88" substitute "Section 77."

THE HON. CHIEF SECRETARY suggested that the Bill as amended be left in Committee. He said that it was hoped by next session of Council, which he presumed would be held in March, to have the Bill completely reprinted, it would then be further considered in Committee and reported to Council as amended for the third reading.
This was agreed to.
The Council resumed its sitting.

THE MASTER AND SERVANTS AMENDMENT ORDINANCE, 1913

THE HON. ATTORNEY GENERAL moved that the Bill intitled "An Ordinance to Amend the Law Relating to Master and Servants" be read a second time.
THE HON. CHIEF SECRETARY seconded.
The question was put and carried.
The Council resolved itself into a Committee of the whole Council: His Excellency the Governor presiding.

In Committee

The Bill was read clause by clause, and was adopted without amendment.

The Council resumed its Sitting.

THE HON. ATTORNEY GENERAL moved that the Bill, without amendment, be reported to Council.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. ATTORNEY GENERAL gave notice that he would move the third reading of the Bill at a later stage of the Session.

THE MOTOR TRAFFIC ORDINANCE, 1915.

THE HON. ATTORNEY GENERAL moved that the Bill intitled "An Ordinance for the Control of Motor Traffic on Public Thoroughfares" be read a second time.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

The following Special Committee was appointed to enquire into and report on the provisions of the Bill:—

HON. ATTORNEY GENERAL (Chairman),

HON. C. W. HOBLEY,

HON. W. A. M. SIM.

THE OSTRICH AMENDMENT ORDINANCE, 1915.

THE HON. A. C. MACDONALD moved that the Bill intitled "An Ordinance to Amend The Ostrich Ordinance, 1907," be read a second time.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council. His Excellency the Governor presiding.

In Committee.

The Bill was read clause by clause, and was adopted without amendment.

The Council resumed its Sitting.

THE HON. A. C. MACDONALD moved that the Bill, without amendment, be reported to Council.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. A. C. MACDONALD gave notice that he would move the third reading of the Bill at a later stage of the Session.

THE NATIVE REGISTRATION ORDINANCE, 1915.

THE HON. J. AINSWORTH moved that the Bill intitled "An Ordinance to Provide for the Registration of Natives" be read a second time.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

The following Special Committee was appointed to enquire into and report on the provisions of the Bill:—

HON. J. AINSWORTH (Chairman),

HON. CHIEF SECRETARY,

HON. ATTORNEY GENERAL,

HON. C. W. HOBLEY,

HON. W. A. M. SIM.

THE BOILERS, CRANE MOVERS, AND MACHINERY ORDINANCE, 1915.

THE HON. ACTING MANAGER, UGANDA RAILWAY, moved that the Bill intitled "An Ordinance to make Provision for the Safety and Inspection of Steam Boilers, Crane Movers and Machinery" be read a second time.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

The following Special Committee was appointed to enquire into and report on the provisions of the Bill:—

HON. ACTING MANAGER, UGANDA RAILWAY (Chairman),

HON. ATTORNEY GENERAL,

HON. W. A. M. SIM.

THE CUSTOMS AMENDMENT ORDINANCE, 1915.

THE HON. TREASURER moved that the Bill intitled "An Ordinance to Amend the Law Relating to Customs" be read a second time.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, His Excellency the Governor presiding.

In Committee.

The Bill was read clause by clause, and was adopted with the following amendments:—

Clause 1.—Add at end, "This Ordinance shall be read as one with the Customs Ordinance, 1910."

Clause 3.—Line 1, after "exports" insert, "or attempts to export"; line 4, delete "kind not exceeding one year" and substitute "description for a term not exceeding twelve months."

Add at end of clause: "and all goods so exported or attempted to be exported shall be liable to seizure and confiscation, and if so seized and confiscated shall be sold and the proceeds, after deduction of all necessary expenses, carried to General Revenue."

Add New Clause 4.—"Any Proclamation promulgated after the 4th day of August, 1914, before the enactment of this Ordinance, restricting or prohibiting the exportation out of the Protectorate of any goods or class of goods shall be deemed to have as full force and effect as if such proclamation had been promulgated under the provisions of this Ordinance."

The Council resumed its Sitting.

THE HON. TREASURER moved that the Bill as amended be reported to Council.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. TREASURER gave notice that he would move the third reading of the Bill at a later stage of the Session.

THE COCONUT PRESERVATION ORDINANCE, 1915.

THE HON. A. C. MACDONALD moved that the Bill intitled "An Ordinance for the Improvement and Regulation of the Coconut Planting Industry" be read a second time.

THE HON. ATTORNEY GENERAL seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, His Excellency the Governor presiding.

In Committee.

The Bill was read clause by clause, and was adopted with the following amendments:—

Clause 4.—Delete from the beginning to "such insect" in line 10, and substitute the following: "The owner or person in charge of every coconut tree which is dead or dying or is attacked by any insect shall forthwith uproot such tree and either consume it with fire or shall dispose of it in such other manner as the Governor may by rules prescribe, or in the absence of such rules as an Inspector may direct."

Clause 6.—Line 6, delete "seven" and substitute "fourteen."

The Council resumed its Sitting.

THE HON. A. C. MACDONALD moved that the Bill as amended be reported to Council.

THE HON. ATTORNEY GENERAL seconded.

The question was put and carried.

THE HON. A. C. MACDONALD gave notice that he would move the third reading of the Bill at a later stage of the Session.

THE COCONUT TRADE ORDINANCE, 1915.

THE HON. C. W. HOBLEY moved that the Bill intitled "An Ordinance to Regulate the Trade in Coconuts, Copra, and other Products of the Coconut Tree" be read a second time.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, His Excellency the Governor presiding.

In Committee.

The Bill was read clause by clause, and was adopted with the following amendments:—

Clause 7.—Line 7, after "tree" insert "other than palm wine (tembo tamu and tembo kali). Line 11, after "tree" insert "other than palm wine (tembo tamu and tembo kali)."

Clause 13.—Delete "or to three months imprisonment of either description or to both" and substitute "or to imprisonment of either description for a term not exceeding three months or to both."

The Council resumed its Sitting.

THE HON. C. W. HOBLEY moved that the Bill as amended be reported to Council.

THE HON. A. C. MACDONALD seconded.

The question was put and carried.

THE HON. C. W. HOBLEY gave notice that he would move the third reading of the Bill at a later stage of the Session.

THE NATIVE LIQUOR ORDINANCE, 1915.

THE HON. C. W. HOBLEY moved that the Bill intitled "An Ordinance to Regulate the Sale of Native Intoxicating Liquors" be read a second time.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

The following Special Committee was appointed to enquire into and report on the provisions of the Bill:—

HON. C. W. HOBLEY (Chairman),

HON. ATTORNEY GENERAL,

HON. A. C. MACDONALD,

HON. J. AINSWORTH,

HON. W. A. M. SIM.

THE SALE OF LAND BY WOMEN ORDINANCE, 1915.

THE HON. R. BARTON WRIGHT moved that the Bill intitled "An Ordinance to Amend the Law Relating to the Sale of Land by Women" be read a second time.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, His Excellency the Governor presiding.

In Committee.

The Bill was read clause by clause, and was adopted without amendment.

The Council resumed its Sitting.

THE HON. R. BARTON WRIGHT moved that the Bill without amendment be reported to Council.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. R. BARTON WRIGHT gave notice that he would move the third reading of the Bill at a later stage of the Session.

THE PRESS CENSORSHIP ORDINANCE, 1915.

THE HON. ATTORNEY GENERAL moved that the Bill intitled "An Ordinance to Provide for Censorship of the Press in Times of Emergency" be read a second time.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, His Excellency the Governor presiding.

In Committee.

The Bill was read clause by clause, and was adopted with the following amendments:—

Clause 8 becomes Clause 2, other Clauses re-numbered accordingly.

Clause 6 (1), line 2, after "such" add "person or"; line 3, add "a press censor or" before "press censors."

The Council resumed its Sitting.

THE HON. ATTORNEY GENERAL moved that the Bill, as amended, be reported to Council.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. ATTORNEY GENERAL gave notice that he would move the third reading of the Bill at a later stage of the Session.

THE APPROPRIATION ORDINANCE, 1915.

THE HON. TREASURER moved that the Bill intitled "An Ordinance to Apply a Sum of Money for the Service of the Year Ending the 31st day of March, 1916" be read a second time.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, His Excellency the Governor presiding.

In Committee.

The draft Estimates were considered, and the Hon. Treasurer gave the necessary explanations.

THE PRESIDENT, in reply to a question put by the Hon. W. A. M. SIM regarding the probable date of completion of the Mandasa water supply, said that he was not in a position to answer, and that it would have been more desirable if the Hon. Member had given notice of the question, but he (the President) had no objection to obtaining the information, if it were possible to do so, from the Director of Public Works before the close of the Session.

The Bill was left in Committee.

The Council resumed its Sitting.

THE VOLUNTEER ORDINANCE, 1915.

THE HON. ATTORNEY GENERAL moved that the Bill intitled "An Ordinance to Make Provision for the Formation of Volunteer Corps in the East Africa Protectorate and for their Discipline" be read a second time.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, His Excellency the Governor presiding.

In Committee.

The Bill was read clause by clause, and was adopted with the following amendment:—

Clause 8, line 3, after "King" add, "in the form set forth in the schedule hereto."

Add at end of Bill:—

" SCHEDULE.

" I, do hereby swear that I will be faithful and bear true allegiance to His Majesty King George the Fifth his heirs and successors according to law."

" So HELP ME GOD."

The Council resumed its Sitting.

THE HON. ATTORNEY GENERAL moved that the Bill as amended be reported to Council.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. ATTORNEY GENERAL gave notice that he would move the third reading of the Bill at a later stage of the Session.

THE TRADING WITH THE ENEMY ORDINANCE, 1915.

THE HON. ATTORNEY GENERAL moved that the Bill intitled "An Ordinance to Make Provision with respect to Penalties for Trading with the Enemy and other Purposes Connected Therewith" be read a second time.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, His Excellency the Governor presiding.

In Committee.

The Bill was read clause by clause and was adopted without amendment.

The Council resumed its Sitting.

THE HON. ATTORNEY GENERAL reported the Bill without amendment to Council and said that he understood that the Trading with the Enemy Amendment Act had been introduced at home, and if it had been received by the mail which had just arrived it might be necessary to make amendments to the Bill.

THE CUSTOMS TARIFF AMENDMENT ORDINANCE, 1915.

THE HON. TREASURER moved that the Bill intitled "An Ordinance to Amend the Customs Tariff Ordinance, 1909," be read a second time.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, His Excellency the Governor presiding.

In Committee.

The Bill was read clause by clause, and was adopted with the following amendment:—

" This exemption shall cease to have effect immediately on the cessation of the present war; provided, however, that if, on the date of such cessation any goods have been already shipped or despatched, such goods shall be exempt notwithstanding they arrive in the Protectorate after the cessation of the present war."

The Council resumed its Sitting.

THE HON. TREASURER moved that the Bill as amended be reported to Council.
THE HON. CHIEF SECRETARY seconded.
The question was put and carried.
THE HON. TREASURER gave notice that he would move the third reading of the Bill at a later stage of the Session.

THE DEATH DUTIES (KILLED IN WAR) ORDINANCE, 1915.

THE HON. ATTORNEY GENERAL moved that the Bill intitled "An Ordinance to Provide Relief from Fees Payable on the Estates of Persons Dying from Wounds Inflicted, Accident Occurring, or Disease Contracted on Active Service against an Enemy" be read a second time.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, His Excellency the Governor presiding.

In Committee.

The Bill was read clause by clause, and was adopted without amendment.

The Council resumed its Sitting.

THE HON. ATTORNEY GENERAL moved that the Bill, without amendment, be reported to Council.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. ATTORNEY GENERAL gave notice that he would move the third reading of the Bill at a later stage of the Session.

THE COURTS (EMERGENCY POWERS) ORDINANCE, 1915.

THE HON. ATTORNEY GENERAL said that a Certificate of Urgency had been put in for the suspension of Standing Orders in order that a Bill intitled "An Ordinance to Give in Connection with the Present War Further Powers to Courts" be passed through all its stages at that Session. The purpose of the Bill was to give relief to those traders who, owing either directly or indirectly to the War, were unable to meet their obligations. The fact that a great many traders had a very good deal of their property locked up in German East Africa placed them in an awkward position. The Bill had been drafted with the view of assisting those traders so as to delay proceedings, and to obviate the necessity for them to petition the Court in insolvency and to allow them eventually to meet their undertakings. The Bill was based on a similar enactment passed by the Home Parliament. Shortly, it gave the Court power to make rules and power to defer proceedings in execution or otherwise in enforcement of a judgment. He moved that the Bill be read a first time.

THE HON. CHIEF SECRETARY seconded, and the Bill was read a first time.

THE HON. ATTORNEY GENERAL gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE MASTER AND SERVANTS AMENDMENT ORDINANCE, 1915.

THE HON. ATTORNEY GENERAL moved that the Bill intitled "An Ordinance to Amend the Law Relating to Master and Servants" be read a third time.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried, and the Bill was read a third time and passed.

THE OSTRIKH AMENDMENT ORDINANCE, 1915.

THE HON. A. C. MACDONALD moved that the Bill intituled "An Ordinance to Amend the Ostrikh Ordinance, 1907" be read a third time.
THE HON. CHIEF SECRETARY seconded.
The question was put and carried, and the Bill was read a third time and passed.

THE CUSTOMS AMENDMENT ORDINANCE, 1915.

THE HON. TREASURER moved that the Bill intituled "An Ordinance to amend the Law Relating to Customs" be read a third time.
THE HON. CHIEF SECRETARY seconded.
The question was put and carried, and the Bill was read a third time and passed.

THE COCONUT PRESERVATION ORDINANCE, 1915.

THE HON. A. C. MACDONALD moved that the Bill intituled "An Ordinance for the Improvement and Regulation of the Coconut Planting Industry" be read a third time.
THE HON. CHIEF SECRETARY seconded.
The question was put and carried, and the Bill was read a third time and passed.

THE COCONUT TRADE ORDINANCE, 1915.

THE HON. C. W. HOBLEY moved that the Bill intituled "An Ordinance to Regulate the Trade in Coconuts, Copra, and other Products of the Coconut Tree" be read a third time.
THE HON. CHIEF SECRETARY seconded.
The question was put and carried, and the Bill was read a third time and passed.

THE SALE OF LAND BY WOMEN ORDINANCE, 1915.

THE HON. R. BARTON WRIGHT moved that the Bill intituled "An Ordinance to Amend the Law Relating to the Sale of Land by Women" be read a third time.
THE HON. CHIEF SECRETARY seconded.
The question was put and carried, and the Bill was read a third time and passed.

THE PRESS CENSORSHIP ORDINANCE, 1915.

THE HON. ATTORNEY GENERAL moved that the Bill intituled "An Ordinance to Amend the Law Relating to the Censorship of the Press in Times of Emergency" be read a third time.
THE HON. CHIEF SECRETARY seconded.
The question was put and carried, and the Bill was read a third time and passed.

THE FOUNDATION ORDINANCE

THE HON. ATTORNEY GENERAL moved that the Bill intituled "An Ordinance to Amend the Law Relating to the Foundation of Voluntary Societies" be read a third time.
THE HON. CHIEF SECRETARY seconded.
The question was put and carried, and the Bill was read a third time and passed.

THE CUSTOMS TARIFF AMENDMENT ORDINANCE, 1915.

THE HON. TREASURER moved that the Bill intituled "An Ordinance to Amend the Customs Tariff Ordinance, 1909" be read a third time.
THE HON. CHIEF SECRETARY seconded.
The question was put and carried, and the Bill was read a third time and passed.

THE DEATH DUTIES (KILLED IN WAR) ORDINANCE, 1915.

THE HON. ATTORNEY GENERAL moved that the Bill intituled "An Ordinance to Provide Relief from Fees Payable on the Estates of Persons Dying from Wounds Inflicted, Accident Occurring, or Disease Contracted on Active Service against an Enemy" be read a third time.
THE HON. CHIEF SECRETARY seconded.
The question was put and carried, and the Bill was read a third time and passed.

MOMBASA WATER SUPPLY

THE PRESIDENT, in reply to the question put by the Hon. W. A. M. SIM, said that the information before him was to the effect that the laying of the pipe line on the mainland—26 miles long—would be completed at the end of the month, with the exception of the crossing of one creek, where temporary arrangements for the transmission of a limited supply of water had already been made. The supply of water to Mombasa depended on the arrival of certain material, which was expected within two months, and, if delivery of the material was made then, water would be available in Mombasa in July.
The Council adjourned till 10 a.m. on the 21st January, 1915.

THIRD DAY.

The Council assembled on the 21st January, at 10 a.m., HIS EXCELLENCY THE GOVERNOR (SIR H. CONWAY BELFIELD, K.C.M.G.) presiding.

Present:—

- THE HON. THE CHIEF SECRETARY (C. C. BOWING, C.M.G.),
- THE HON. THE ATTORNEY GENERAL (J. W. BARTH),
- THE HON. THE ACTING MANAGER OF THE UGANDA RAILWAY (B. EASTWOOD),
- THE HON. A. C. MACDONALD,
- THE HON. C. W. HOBLEY, C.M.G.,
- THE HON. J. AINSWORTH, C.M.G.,
- THE HON. R. BARTON WRIGHT,
- THE HON. W. A. M. SIM.

Absent:—

- THE HON. THE TREASURER (H. A. SMALLWOOD),
- THE HON. F. W. MURPHY, I.S.O.

THE TRADING WITH THE ENEMY ORDINANCE, 1915.

THE HON. ATTORNEY GENERAL moved that the Bill intituled "An Ordinance to Amend the Law Relating to Trading with the Enemy and other Provisions" be read a third time.
THE HON. CHIEF SECRETARY seconded.
The question was put and carried, and the Bill was read a third time and passed.

THE HON. CHIEF SECRETARY seconded.
The question was put and carried.
The following Special Committee was appointed to enquire into and report on the provisions of the Bill:—
THE HON. ATTORNEY GENERAL (Chairman),
THE HON. CHIEF SECRETARY,
THE HON. TREASURER,
THE HON. W. A. M. SIM.

THE NATIVE LIQUOR ORDINANCE, 1915.

THE HON. C. W. HOBLEY submitted the following Report of the Special Committee appointed to enquire into and report on the provisions of the Bill intitled "An Ordinance to Regulate the Sale of Native Intoxicating Liquors."

REPORT OF SPECIAL COMMITTEE ON THE BILL INTITLED "AN ORDINANCE TO REGULATE THE SALE OF NATIVE INTOXICATING LIQUORS."

YOUR EXCELLENCY,

I beg leave to report to Council regarding the above Bill.

The Special Committee has made no amendments which affect the principles of the Bill, but have submitted a number of small alterations and additions which it is believed will make the operation of the Ordinance more effective.

Section 3, which authorises barter, has been deleted, as it appears to conflict with Section 25 (old numbering). It is further considered that it is better for all transactions of this nature to be carried out by means of cash.

Section 5 (now 4).—It is proposed to specify that licences shall only be granted to males, and further that only males should be employed to sell liquor, as it is considered that it is unlikely that women can carry out the provisions of the Ordinance.

Section 7 is amended to admit of licences being granted to persons of Arab extraction who may come under the old Ordinance have had liquor licence.

Section 8.—It is considered that if licensed houses for natives open at 10 a.m. it will be quite early enough.

Section 12.—Transfer of a licence. A clause is being inserted making the transfer subject to the approval of the District Commissioner.

Section 17.—An addition is made so that in the larger township the Medical Officer of Health's approval is necessary.

Section 19 a sub-section is added specifying that persons bearing dangerous weapons shall not be admitted to a licensed house. This is to minimise the possibility of a serious result in the case of brawls.

Section 21.—According to draft only Police Officers had the power to inspect. As it is considered advisable that inspection should be as frequent as possible, power to inspect is given to Magistrates or any other person authorised by the Provincial Commissioner. This will enable Liwalis and Mudiris at the coast to inspect, and enable any other responsible person to be authorised.

Section 25 (2).—Strong representations have been received from Lamu recommending that the hours of tapping may be specified, as much so-called tapping at night is really coconut theft. The proposed amendment enables the District Commissioner to specify on the licence the hours of legal tapping.

Section 25 (4).—Powers of Police Officer to demand and inspect tapping licence. A clause is added making failure to produce the same cognisable to the police. This will enable the Police Officer to arrest an offender, which is very necessary.

Section 26.—The Committee is of opinion that the maximum fee of Rs. 20 is unnecessarily high, and suggest Rs. 15.

Section 28.—Records of purchase of liquor from the producer to be opened to inspection by the District Commissioner or Police Officer. It is considered advisable to add that inspection may be made by any other person authorised by the Provincial Commissioner. This will enable coast inspectors or other responsible people to be authorised to inspect.

Section 32 is added with the effect of inserting in Native Reserves the same provisions of this Ordinance and the Native Authority Ordinance, 1912.

January 21, 1915.

(Signed) C. W. HOBLEY.

The Council resolved itself into a Committee of the whole Council, His Excellency the Governor presiding.

In Committee.

The Bill was read clause by clause, and was adopted with the following amendments:—

Section 1.—Delete 1914, substitute 1916.

Section 3 to be deleted.

Section 4 becomes Section 3 and so on throughout the Bill.

Section 4 (Licences) (1).—After "District Commissioner" add, "No such licence shall be issued to a female."

Section 4 (4) (New sub-section) to read as follows:—"No licence holder shall employ any female on the licensed premises."

Section 6, lines 3-5 becomes 4 to agree with new numbering.

Section 7.—In second line, after the word "extraction" insert "or of Arabian extraction born in Africa."

Section 8, line 2.—The figures "8.30" to be deleted and "10.0" inserted.

Section 12, line 5.—After the word "Rupees" add "The District Commissioner may refuse such consent."

Section 17, lines 5 and 6.—Delete "such other officer as the Governor may appoint" and substitute "the Medical Officer of Health, if any, otherwise, to the satisfaction of the District Commissioner."

Section 19.—After number add "(1)" making it a sub-section. Line 2, delete "may" and substitute "shall"; also in line 3. After "disorderly" add the words "and if therein." Insert a new sub-section numbered "(2)" as follows:—"And shall refuse to admit to licensed premises any person carrying a dangerous weapon"

Section 21.—After the word "Any" insert the words "Magistrate or"; after "Sub-Inspector" (line 2) insert "or any other person authorised by the Provincial Commissioner in that behalf."

Section 22, line 8.—After the word "therein" add "who shall be deemed to have committed an offence under this Ordinance."

Section 25, sub-section (2).—After word "licence" in line 3 add "and during such hours as the District Commissioner shall prescribe and specify on the licence."

Section 25, sub-section (4).—After word "offence" in last line add "Such offence shall be cognisable to the Police."

Section 25 (4), line 1.—After the word "any" add "Magistrate or" and in line 4, after "by such" add "Magistrate or."

Section 26, sub-section (1), lines 2 and 3.—Delete "Rs. 20/-" and insert "Rs. 15/-"

Section 26, sub-section (2), line 2.—After the word "behalf" insert the words "by the Provincial Commissioner."

Section 27, line 1.—Section "26" becomes "25." Line 2, Section "27" becomes "20," and line 3, Section "5" becomes "4."

Section 28, line 3.—Section "5" becomes "4"; similarly in line 4. Line 8 (p. 4), after the words "Police Officer" insert "or any other person authorised by the Provincial Commissioner in that behalf."

Section 32.—At the end of line 5 a sentence has been omitted by the printer. Insert as follows: "which shall during the interval between the coming into."

Add new Section 31 as follows:—

"This Ordinance shall not be deemed to limit the application of the provisions of the Native Authority Ordinance, 1912."

The Council resumed its Sitting.

THE HON. C. W. HOBLEY moved that the Bill as amended be reported to Council.

THE HON. A. C. MACDONALD seconded.

The question was put and carried.

THE HON. C. W. HOBLEY gave notice that he would move the third reading of the Bill at a later stage of the Session.

THE COURTS (EMERGENCY POWERS) ORDINANCE, 1915.

THE HON. ATTORNEY GENERAL moved that the Bill intituled "An Ordinance to Give in Connection with the present War Further Powers to Courts" be read a second time.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, His Excellency the Governor presiding.

In Committee.

The Bill was read clause by clause, and was adopted with the following amendments:—
 Clause 2; sub-section (1) (b), lines 16 and 21, for "August 4th" read "August 5th."

The Council resumed its Sitting.

THE HON. ATTORNEY GENERAL moved that the Bill as amended be reported to Council.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. ATTORNEY GENERAL moved that the Bill be read a third time.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried, and the Bill was read a third time and passed.

The Council adjourned till 10 a.m. on the 22nd January, 1915.

FOURTH DAY.

The Council assembled on the 22nd January at 10 a.m., HIS EXCELLENCY THE GOVERNOR (SIR H. CONWAY BELFIELD, K.C.M.G.) presiding.

Present:—

THE HON. THE CHIEF SECRETARY (C. C. BOWRING, C.M.G.),
 THE HON. THE TREASURER (H. A. SMALLWOOD),
 THE HON. THE ATTORNEY GENERAL (J. W. BARTH),
 THE HON. THE ACTING MANAGER OF THE UGANDA RAILWAY (B. EASTWOOD),
 THE HON. A. C. MACDONALD,
 THE HON. C. W. HOBLEY, C.M.G.,
 THE HON. J. AINSWORTH, C.M.G.,
 THE HON. R. BARTON WRIGHT,
 THE HON. W. A. M. SIM.

Absent:—

THE HON. F. W. MAJOR, I.S.O.

THE NATIVE LIQUOR ORDINANCE, 1915.

THE HON. C. W. HOBLEY moved that the Bill intituled "An Ordinance to Regulate the Sale of Native Intoxicating Liquors" be read a third time.

THE HON. A. C. MACDONALD seconded.

The question was put and carried, and the Bill was read a third time and passed.

The Council adjourned till 10.30 a.m. on the 23rd January, 1915.

FIFTH DAY.

The Council assembled on the 23rd January at 10.30 a.m., HIS EXCELLENCY THE GOVERNOR (SIR H. CONWAY BELFIELD, K.C.M.G.) presiding.

Present:—

THE HON. THE CHIEF SECRETARY (C. C. BOWRING, C.M.G.),
 THE HON. THE TREASURER (H. A. SMALLWOOD),
 THE HON. THE ATTORNEY GENERAL (J. W. BARTH),
 THE HON. THE ACTING MANAGER OF THE UGANDA RAILWAY (B. EASTWOOD),
 THE HON. A. C. MACDONALD,
 THE HON. C. W. HOBLEY, C.M.G.,
 THE HON. R. BARTON WRIGHT,
 THE HON. W. A. M. SIM.

Absent:—

THE HON. F. W. MAJOR, I.S.O.,
 THE HON. J. AINSWORTH, C.M.G.

THE TRADING WITH THE ENEMY ORDINANCE, 1914.

THE HON. ATTORNEY GENERAL submitted the following Report of the Special Committee appointed to enquire into and report on the provisions of the Bill intituled "An Ordinance to Make Provision with Respect to Penalties for Trading with the Enemy and other Purposes Connected Therewith."

REPORT OF THE SPECIAL COMMITTEE APPOINTED TO CONSIDER THE PROVISIONS OF THE BILL INTITULED "AN ORDINANCE TO MAKE PROVISION WITH RESPECT TO PENALTIES FOR TRADING WITH THE ENEMY AND OTHER PURPOSES CONNECTED THEREWITH."

The Committee is of opinion that the provisions of the Trading with the Enemy Amendment Act, 1914, should be included in the Bill before the Council, and a draft including such provisions has accordingly been prepared, and is submitted with this Report.

2. The main provisions of the Amending Act deal with the appointment of a Custodian of enemy property and for the payment to such Custodian of dividends, share of profits, etc., which would have been payable to the benefit of an enemy if a state of war did not exist. Such provisions also include compulsory notification to the Custodian of property which in any way is held in trust on behalf of an enemy. The amendments comprise power given to the High Court to vest enemy property in the Custodian on the application of a creditor or of a person entitled to recover damages against an enemy or interested in any property belonging to or managed on behalf of an enemy. Among the other matters dealt with by the proposed amendments are provisions for dealing with enemy property in the hands of the Custodian, provisions for invalidating assignments made without leave, of debts, rights of action, delivery of securities transferable by delivery or other obligations by or on behalf of an enemy and provisions for legalising the payment into Court of sums due on coupons or other securities transferable on delivery suspected of being enemy property. The amendments further provide the transfer of shares by or on behalf of an enemy. The incorporation of new companies is subject to a condition that the Registrar of Joint Stock Companies is satisfied that the company is not formed for the purpose of acquiring a business the books of which are liable to inspection under Section 2 (2) of the Bill. The amendments are so numerous that the better way of dealing with the Bill is in the Committee's opinion to withdraw the Bill now before the Council and substitute the Bill accompanying this report as a new measure.

3. The Committee is, after full consideration, of opinion that the powers of the Board of Trade under the English Act should be exercised under the local Ordinance by the Governor.

Nairobi, (Signed) J. W. BARTH, CHAIRMAN.

Dated this 23rd day of January, 1915.

In accordance with the recommendation of the Special Committee he moved that the Bill be withdrawn.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried, and the Bill was withdrawn.

THE HON. ATTORNEY GENERAL moved the suspension of Standing Orders in order that a new Bill intituled "An Ordinance to Make Provision with Respect to Penalties for Trading with the Enemy and other Purposes connected Therewith"

might be passed through all its stages at that Session of Council. He said that the necessary Certificate of Urgency had been put in.

~~THE HON. CHIEF SECRETARY~~ seconded.

The question was put and carried.

~~THE HON. ATTORNEY GENERAL~~ moved that the Bill be read a first time. He said that it had been introduced for the same purposes as those of the Bill which had been withdrawn.

~~THE HON. CHIEF SECRETARY~~ seconded, and the Bill was read a first time.

~~THE HON. ATTORNEY GENERAL~~ moved that the Bill be read a second time.

~~THE HON. CHIEF SECRETARY~~ seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, His Excellency the Governor presiding.

In Committee.

The Bill was read clause by clause, and was adopted with the following amendment:—

Clause 9.—Add new sub-section (5) "The accounts of the Custodian shall be subject to audit at such times and in such manner as may be directed by the Governor.

Old sub-section (5) becomes sub-section (6).

Clause 14.—Add " (1) Administrator General means the Administrator General appointed by or under the Administrator General's Ordinance, 1909."

The Council resumed its Sitting.

~~THE HON. ATTORNEY GENERAL~~ moved that the Bill as amended be reported to Council.

~~THE HON. CHIEF SECRETARY~~ seconded.

The question was put and carried.

~~THE HON. ATTORNEY GENERAL~~ moved that the Bill be read a third time.

~~THE HON. CHIEF SECRETARY~~ seconded.

The question was put and carried, and the Bill was read a third time and passed.

THE WAR IN EAST AFRICA.

~~THE PRESIDENT~~ said that he would like to inform Hon. Members that in a despatch dated December 16th, 1914, the Secretary of State for the Colonies had expressed his desire to communicate to all concerned his cordial congratulations upon the successful conduct of the defensive operations which had taken place in the Protectorate. He (the Secretary of State) considered that the able and energetic manner in which the various attempts of the enemy at invasion had been repulsed was deserving of the highest commendation.

ADJOURNMENT.

The Council adjourned until the third Monday in March, or such other date as might be hereafter notified.