

20815

Recd Aug.

5 July 1912

Police (Investigation) Oct 22 1911

Two copies with legal report.

~~to Thompson~~

~~to Butler~~

Notice of July 8

This is all right.

Sanctioned

All

26/7

CI 26/7

~~with lead~~

Tab

July 29

at me.

C. O.

GOVERNMENT HOUSE,  
NAIROBI,  
BRITISH EAST AFRICA.

EAST AFRICA PROTECTORATE.

June 7th 1912.

No. 387


With reference to your despatches No. 18 and No. 125 of January 1912 and March 1912 respectively, I have the honour to transmit herewith two authenticated and ten printed copies of an Ordinance to amend the East Africa Police Ordinance 1911 (No. IX of 1912) as passed by the Legislative Council on the 27th ultimo, together with an explanatory Memorandum by the Attorney General.

2. I have assented to the Ordinance in the name of His Majesty.

I have the honour to be,

Sir,

Your humble, obedient servant,



ACTING GOVERNOR.

THE RIGHT HONOURABLE

LEWIS HARCOURT, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON, S.W.

In Despatch No. 387 of 27<sup>th</sup> 1912

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## THE EAST AFRICA POLICE (AMENDMENT) ORDINANCE, 1912.

LEGAL REPORT.

1. This Ordinance has been passed on the instructions of the Secretary of State and amends the East Africa Police Ordinance 1911 in the manner and to the extent requested by the Secretary of State in the Colonial Office despatches No. 18 of January 12th 1912 and No. 123 of March 4th 1912.

2. With regard to paragraph 4 of the first of these despatches, the word 'Province' was inserted in Section 8 (2) as it was considered advisable to expressly provide that it is the duty of Police Officers in charge of the police in any Province to carry out the instructions of the Provincial Commissioner as to the distribution of the police throughout the Province.

It has not been considered that it is necessary that the word "Province" should be inserted in the other Sections referred to. In each District to which no Superior Police Officer is appointed the District Commissioner takes charge of the Police and will, without any express provision in the Ordinance, carry out the instructions of His Provincial Commissioner in regard to the distribution of the police and the other matters mentioned in the last part of Section 8 (2). It is not intended

that a Provincial Commissioner shall be in charge of the Police throughout his Province in the sense in which the word "charge" is used in Section 8 (2). He must, however, have such control over the Police in his Province as is necessary to enable him to fulfil his duties as the principal Magistrate in his Province. Under the Ordinance, as it now stands, he will exercise that control through either the Superior Police Officer or the Magistrate subordinate to himself who may be in charge of any Police.

3. The Ordinance may, in my opinion, be assented to by His Excellency and published forthwith.

MISSISSIPPI,

May, 1912.

CHIEF ADVOCATE.