

DESPATCH

EAST AFRIC PROT
52110

C. O.
4548
REC
REL 8 FEB 09

No. 676

(Subject.)

1908

Order 15 1908

31 Dec

Removal of Refuges

Last previous 7 apr.

30
3 Oct 08

Abstract

Proceedings to London

(Minutes.)

1002/8, 1077

~~Refugees~~
~~The Ref.~~

The law has been waiting for 10/1000 years
which is waiting
The Old Ordinance is based on the
Honour of Nature - Special District
Ordinance 1904 which is now repealed.
It differs a good deal in form from the
Old Ordinance but the only difference of
substance appears to be that in 1904
Old Order the wording is not as apparently
to provide officers other than political officers
and that it is intended to show the removal
of the word "the Commission" and to
insert in "the Commission" and to
insert "and"

It is thought we might have the removal
of the removal of, and the removal
was political grounds, all are part of the
State to be the "the Commission" and
case, a that they "the Commission" and

Handwritten notes on the left margin, including "Case No. 573" and other illegible scribbles.

WEST AFRICA PROTECTORATE.

No. 626.

(1891.E.)

My Lord,

I have the honour to transmit herewith two authenticated and ten printed copies of the Removal of Natives Ordinance as passed by the Legislative Council, to which I have assented in the name of His Majesty.

An explanatory memorandum by the Crown Advocate is also enclosed.

I have the honour to be,

With the highest respect,

Your Majesty's most obedient,

Humble servant,

(In absence of H.M. the Governor).

INCLOSURE

M. D. ...

Recd 8 FEB 07

THE REMOVAL OF NATIVES ORDINANCE

The Native Courts Regulations 1897 by section 77 empowered the Governor to remove from one place in the Protectorate to another political offenders. The Removal of Natives in Special Districts Ordinance 1900 gave to the Governor the same powers with regard to political offenders residing in special districts. The Native Courts Regulations 1897 were repealed last year by the Courts Ordinance 1903.

The removal of Natives in Special Districts Ordinance is not clearly defined but it is necessary that the provisions of that Ordinance should be extended to the whole Protectorate and not limited only to Special Districts as defined in that Ordinance.

The Commission also considered the scope of the Special Districts Ordinance and proposed its provisions should be extended to the whole Protectorate. It is the Commission's recommendation that the provisions of the Ordinance should be extended to the whole Protectorate and not limited only to Special Districts as defined in that Ordinance.

Commissioner

THE REMOVAL OF NATIVES ORDINANCE 1904.

- Section 1. Definition. Section 1 of the Removal of Natives in Special Districts Ordinance 1904.

- Section 2. Removal. Section 77 of the Native Courts Regulations 1897.

- Section 3. Governor to report to the Secretary of State. Section 3 of the Removal of Natives etc Ordinance 1904.

- Section 4. Power of Governor to vary or revoke order. Section 4 of above.

- Section 5. Penalty. Section 5 of above.

- Section 6. Governor's order to be sufficient authority for removal and detention. Section 6 of above.

- Section 7. Rules. A new provision.

- Section 8. Repeal.

- Section 9. Short title.

4540

JWS

5th 09

188

Sir,

I have the honor to
ack the recd of your resp
to 626 of the 31st of Dec
1908, forwarding copies of
the Removal of Natives
Ord^r 1908, ~~for my~~
~~attention or direct response~~

to be my resp. to 514 of
the 15th of Oct 1908 last.

I expressed the opinion that
the Ord^r that would be better
to adapt the

of such provisions of
Articles 25 & 27 of the
C. Africa Order in Council
1902 was suggested
appropriate rather than
to amend 27 of the
Native Ord^r 1897
but I observe that
the Removal of

1901

188

General District Court
1875

3.
The Court
has
considered
the
petition
of
the
said
party
and
has
ordered
that
the
said
party
be
allowed
to
take
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deposition
of
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deposition
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party
and
that
the
said
deposition
be
taken
before
the
said
party

4. With such an
alteration I consider that
the Ugand Ord will
be suitable for admission
in the CAD.

1875

gr
45/10/89
CAP

msa 30/3/91

DRAFT

CAP. No 573

gr
Gironard

30 Sept 109

MINUTE. 23/9

- Mr. Noall 27/9
- Mr. Butler 28/9
- Mr. Fiddes.
- Mr. Just.
- Mr. Cox.
- Sir C. Lucas.
- Mr. P. Hopwood.
- Mr. Seely.
- Lord Crew.

Sir,

With refer to my despatch
No 188 of the 5th of April,
I have the honour to enquire
what steps have been taken to
replace
repeal the Removal of Waters
Order No. 100 of 1909
and an order
to that which is in operation
in Uganda.