

DESPATCH

EAST AFR PROT  
No 11628

11628  
RECEIVED APR 25

Stewart 1444

1905

13 March

Last previous Paper

505 & Co

(Subject)

Native Courts Amendment Ordinance  
No 14 1904

Two true signed & sealed copies of

(Minutes)

McCarthy

Mr. Brad

H.M. to State at the same form  
of disallowing & A.P. Ordinance which  
has of disallowing Chartered Ord.  
Accordingly though the F.O. has  
already approved this Ord. on  
dtd. I think with the usual  
& not of giving non-disallowance  
M.C. 11/4

No. The power of disallowance is vested in the Govt  
not in H.M. (S. Africa Ord. 1902 clause 16) and  
before the F.O. takes effect thereby with the  
non-disallowance we must surely take any further  
action as regards this Ord.

But I do not think the F.O. method of disallowing  
non-disallowance (i.e. approval of your action is provided)

Next subsequent Paper  
Green  
52, 51/100

is a model which in old papers is written  
 in old writing and the same printed of some...  
 for Africa as we have been saying for S. America  
 and N.E. America (Brazilian) but not "King's Republic"  
 which are subject to discussion by 1874 and were  
 recently for B.C. Africa

and also...  
 when...  
 5...  
 + to test the  
 Rhodians...  
 the first thing  
 they are...  
 under the...  
 with...  
 1874

J.R. 12/4  
 9 apic.  
 at one

Dr. Ellis }  
 Dr. ... } to note  
 S.R. (S. Africa) }  
 & J.R.  
 12/4

[One sealed copy to go to Library]

Mr. Rishley What is the formula

please. MDR 11/4

What kind of... S. Africa  
 what... of the...  
 J.R. 13/4

The question has been... and more fully  
 on 20/3/74... and it has been decided  
 to use the formula "the power of...  
 will not be exercised with respect to"  
 I have among 9/3 altered accordingly.  
 The delegation to the Sec. of State is not quite  
 a clear delegation & it may be...  
 signed and from...  
 C.H. 18/4

X  
 X  
 S.H. 18/4  
 with...  
 1874

11623

15

Commissioner of the East Africa

Mombasa,

March 13th 1905.

No. 14

Dear Sir,

I refer to the instructions contained in  
No. 14 of 1904. I have the  
honour to acknowledge the receipt of two copies of the East Africa  
No. 14 of 1904, duly  
made and signed.

Yours faithfully,

W. Stewart

Your obedient servant,

W. Stewart

W. Stewart

The

Marquis of Salisbury, P. M.

Acc. No. 1405

C. D.  
11623  
APR 05  
16

AN ORDINANCE

Enacted by His Majesty's Commissioner for the East Africa  
Protectorate.

*J. Stewart*  
H.M. Commissioner.

Mombasa, the 20th day of November, 1904.

No. 14 of 1904.

SPECIAL NATIVE COURTS.

It is hereby enacted as follows:-

- (1) This Ordinance may be cited as "The Native (Special) Courts' Amendment Ordinance 1904.
- (2) The High Court shall have in relation to any proceeding, sentence or order before imposed or made by a Special Court all the powers conferred upon a High Court by the Criminal Procedure Code 1898, (Indian Act No. V of 1898), as applied to the East Africa Protectorate.
- (3) Section 15 of East Africa Native Courts' Amendment Ordinance 1902 is hereby repealed.

*J. Stewart*  
H.M. Commissioner.

Mombasa, the 20th day of November, 1904.