

THE OFFICIAL GAZETTE

OF THE



EAST AFRICA

PROTECTORATE.

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EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 20 of 1909.

Title. An Ordinance to Regulate the Sale of Drugs and Poisons.

Date.

[10th June, 1910.]

BE it enacted by the Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof :—

Short Title.

1. This Ordinance may be cited as "The Drugs and Poisons Ordinance 1909" and shall come into operation on such date as the Governor by notification in the "Gazette" may determine.

Interpretation.

2. In this Ordinance unless the context otherwise requires the following terms shall have the meanings hereby assigned to them :—

"Drugs" includes medicine, compound medicine or medicinal preparations ;

"Gazette" means the "Official Gazette" ;

"Protectorate" means the East Africa Protectorate ;

"Schedule" means a Schedule to this Ordinance.

Articles named in Schedule A. to be deemed poisons within the meaning of this Ordinance.

3. The Several Articles named or described in Schedule "A" shall be deemed to be poisons within the meaning of this Ordinance. Provided that it shall be lawful for the Governor by notification in the "Gazette" to add to the Schedule the name of any article or articles which he may consider should be deemed a poison.

Governor may add to Schedule D.

4. It shall be lawful for the Governor to add to Schedule "D" any simple medical substances approved as such by the Principal Medical Officer.

Registration and licensing of druggists.

5. It shall be unlawful for any person to act as or carry on the business of a druggist or to mix, compound, prepare, sell, retail or dispense any drug or poison in the Protectorate unless such person shall be registered under this Ordinance and shall have obtained a licence so to do from the Principal Medical Officer in the form set out in Schedule "C" such licence shall be renewable on the first day of January in each year and every person who shall contravene the provisions herein contained shall be liable to a fine not exceeding seven hundred and fifty Rupees Provided that this section shall not apply to the dispensing of drugs or poisons by a duly qualified medical practitioner in the ordinary course of his practice as such.

Unqualified person not to assume title of chemist or druggist. Penalty.

6. It shall be unlawful for any person not duly registered and licensed as a druggist in accordance with the provisions of this Ordinance to assume or use the title of chemist or druggist or any name, title or sign implying that he is a person registered or licensed as a druggist under this Ordinance. Every person contravening any of the provisions of this section shall be liable to a fine not exceeding seven hundred and fifty Rupees.

7. Anything in the preceding sections to the contrary notwithstanding, Persons carrying any person who at the date of the coming into operation of this Ordinance is engaged on business lawfully employed in the Protectorate in the selling, compounding and dispensing of drugs or poisons in some house or shop kept by him for the purpose, may lawfully continue in such employment for the period of twelve months from the aforesaid date and shall be deemed to be licensed under this Ordinance for the said period, but, save as aforesaid, shall be subject to all the provisions of this Ordinance.

8. (1) It shall be lawful for the Governor to appoint a Board which shall consist of the Principal Medical Officer who shall be chairman thereof and such other persons, who shall be either a duly qualified Medical Practitioner or a Druggist licensed under this Ordinance, as the Governor may from time to time appoint to examine candidates for licences under this Ordinance. The Governor may revoke appointments to and fill vacancies in the Board. Every appointment made or revoked under this Section shall be notified in the "Gazette." In the absence of the Principal Medical Officer or for any other necessary or reasonable cause the Senior Government Medical Officer present shall preside at any meeting of the Board.

- The chairman together with two other members shall form a quorum.
- (2) Examinations shall be held at Nairobi in the months of January and July in each year and at such other places and times as the Principal Medical Officer shall direct.
- (3) The Board shall have power to examine all persons who shall present themselves under this Ordinance and it may grant or refuse to such persons certificates in the form set forth in Schedule "B," provided such examinations shall not include the theory and practice of medicine or surgery; provided also that a person holding the qualifications mentioned in Section 11 (a) of this Ordinance shall be exempt from such examination upon production to the Board of satisfactory evidence that he holds such qualification.

9. The Principal Medical Officer shall be the Registrar of licences and shall keep a register of all licences granted under this Ordinance in the form set forth in Schedule "E" and shall cause to be published in the "Gazette" a notification of every licence so granted.

10. No erasure shall be made in any register or certified copy or extract therefrom, but if any error shall occur then a line of red ink shall be drawn through any word improperly inserted so as to leave the original word legible and any word which may have been omitted shall either be interlined or written in the margin with red ink and the Registrar shall subscribe his name in the margin opposite such correction.

11. No licence to act as a druggist shall be granted by the Principal Medical Officer to any person unless such person shall satisfy the Board that he fulfills one of the following conditions that is to say:—

- (a) Is a duly qualified chemist and druggist in the United Kingdom of Great Britain and Ireland or holds a certificate or diploma of competency as a chemist or Druggist from any College, Society, Council or Board recognized by the Board under rules made by the Governor.
- (b) Produces to the Board a certificate that he has been employed in the compounding and dispensing of prescriptions in a Government Hospital in the Protectorate, or in any other British Protectorate, Colony, Dependency or possession for 4 years, passes a satisfactory examination before the Board and obtains a certificate in the form set forth in Schedule "B".
- (c) Produces to the Board a certificate that he has been employed in the compounding and dispensing of prescriptions as an assistant to a duly qualified medical practitioner, apothecary or chemist or druggist for a period of 4 years, passes a satisfactory examination before the Board and obtains a certificate as aforesaid.

(d) Produces to the Board satisfactory evidence that for a period of 3 years next preceding the commencement of this Ordinance he has been employed in the Protectorate in the selling, compounding and dispensing of prescriptions in some house or shop kept by him for the purpose and passes a satisfactory examination before the Board and obtains a certificate as aforesaid.

Board to keep a record of proceedings.

Fees payable.

Sale of Poisons Book to be kept.

Inspection of Poisons Book.

Regulations to be observed in the sale of poisons.

12. The Board shall keep a record of proceedings and every certificate granted by the Board shall have a counterfoil which together with the certificate shall bear a consecutive number.

13. The fees payable under Schedule "G" of this Ordinance shall be paid to the Registrar in respect of the acts therein set out and such fees shall form part of the general revenue of the Protectorate. The Registrar or the Board shall do no act of any kind in respect of any application for examination or registration until the prescribed fee or fees have been paid.

14. Every druggist shall keep a book called the "Sale of Poisons Book" which shall be kept in the form set out in Schedule "F."

15. The Principal Medical Officer, or any other Medical Officer in the service of the Government of the Protectorate, or any person authorised in writing signed by the Principal Medical Officer a Magistrate or a European Police Officer not below the rank of Inspector, may at any time between 6 a.m. and 6 p.m., inspect the "Sale of Poisons Book" kept by a druggist and any druggist refusing or failing to produce such book for inspection when demanded shall be liable to a fine not exceeding one hundred and fifty Rupees.

Any such authority in writing shall, if required, be produced by the person to whom it has been granted before such person shall be entitled to inspect the "Sale of Poisons Book".

16. It shall be unlawful for any druggist to dispense, sell or deliver any poison :—

- (a) to any person unknown to the seller unless such person is introduced by some person known to the seller.
- (b) unless before the delivery of any poison an entry is made in the "Sale of Poisons Book" by the seller and signed by him and by the person, if any, who introduces any person unknown to the seller and by the person for whom the poison is dispensed or to whom the poison is sold or delivered and such entry shall state the date of dispensing sale or delivery, the name and address of the person for whom the poison is dispensed and to whom the poison is sold or delivered, the name and quantity of the poison and the purpose for which it is required
- (c) unless the box, bottle, wrapper or cover in which such poison is contained is distinctly labelled with the name of the poison and the word "Poison" and with the name and address of the druggist selling, dispensing or delivering such poison.

Provided always that paragraphs (a) and (b) of this section shall apply only to the poisons mentioned or described in the first part of Schedule "A" and that nothing in the said paragraphs (a) and (b) shall apply to any medicine supplied by a duly qualified medical practitioner to his patients or to any medicine supplied by a druggist in pursuance of a written prescription of any duly qualified medical practitioner if at the time of selling or dispensing the same the druggist enters in a book to be kept for the purpose the prescription, the name of the duly qualified medical practitioner who has signed the prescription, and the person to whom, and the date at which the poison shall have been so sold dispensed or delivered.

Penalty for contravention of Section 16.

17. Whoever contravenes any of the provisions of the last preceding section shall be liable to a fine not exceeding three hundred Rupees or to be imprisoned with imprisonment of either kind for a term not exceeding 3 months or to both.

Court may suspend or forfeit licence.

The Court before which any person is so convicted shall have power to suspend the licence of such person on a first conviction for a period not exceeding 6 months, on a second conviction for a period not exceeding one year, and on any subsequent convictions to forfeit such licence altogether and in every case the Court shall require the production of the licence and shall endorse thereon the fact of such conviction and any order made by it as to the suspension or forfeiture of such licence.

18. If any licensed druggist shall at any time wilfully and without satisfactory reason, excuse or justification refuse to compound, dispense or sell to any person whatsoever any drug or appliance or thing used in medical treatment and in his shop or premises contained or shall falsely or negligently compound, dispense or sell any drug or appliance or thing whatsoever directed by any prescription, signed with the name or with the initials in his own handwriting, of any qualified medical practitioner such person so offending shall be liable for a first offence to a fine not exceeding seventy-five Rupees and for a second offence to a fine not exceeding one hundred and fifty Rupees and for a third offence to forfeit his licence.

19. No druggist shall keep or sell any drugs or wares used by him in his business of a druggist that are not wholesome, fresh, true, and unadulterated and any member of the Board or any duly qualified medical practitioner authorised in writing by the President of the Board may, from time to time between the hours of 6 a.m. and 6 p.m. enter the shop or the place where any druggist carries on his business or stores, compounds, sells or dispenses any drugs and may search, survey, prove and determine if the drugs or wares used by him in his business of a druggist are wholesome, fresh, true and unadulterated and if he finds that such drugs or wares are not wholesome, fresh, true and unadulterated he shall seize such drugs or wares and cause them to be removed to some safe and convenient place and shall forthwith cause a summons to be issued against the druggist whose goods have been so seized.

Such druggist shall be liable to a fine not exceeding seventy five Rupees for the first offence, and to a fine not exceeding One hundred and fifty Rupees having im- for any subsequent offence and the Court shall, in case of a conviction, at the proper request of the member of the Board or other duly authorised medical practitioner who has inspected such drugs or wares found to be unwholesome, stale, untrue or adulterated order the same to be given up to such member of the Board or medical practitioner to be destroyed or otherwise dealt with as the Board may think fit.

20. No licensed druggist shall allow the sale of any poison or the dispensing of any drug to take place in his shop or store or that part thereof which may be kept for the sale and dispensing of drugs and poisons during his absence without leaving some person having a licence under this Ordinance in charge thereof and actually in attendance therein and any person offending against the provision of this section shall be liable to a fine not exceeding one hundred and fifty Rupees or to forfeiture of his licence or to both.

21. Dispensers, Assistant Surgeons, Hospital Assistants, Hospital Com- pounders and such other class or classes of persons in the Protectorate service etc., may be as the Governor by notice in the "Gazette" may specify, shall be exempt from the operation of this Ordinance during such time as the Governor may think fit.

22. No authority or licence under this Ordinance shall in any way enable any person to practise as a duly qualified medical practitioner or to hold himself to practice as out as such nor shall the powers of the holder of such authority or licence extend beyond the sale of drugs and poisons as herein set forth.

Any person holding a licence under this Ordinance and not being a duly qualified Medical Practitioner who shall practice medicine or hold himself out to be a duly qualified medical practitioner shall be liable to forfeiture of his licence in addition to any other penalties provided by law.

23. All prosecutions for offences under this Ordinance shall be instituted within twelve months after the offence shall have been committed and any prosecutions person may be at the discretion of the Court sentenced to imprisonment of either kind in default of payment of any fine levied under this Ordinance.

24. Any person who shall wilfully procure or attempt to procure himself to be licensed under this Ordinance, by making or producing or causing to be made or produced any false or fraudulent representation or declaration, either verbally or in writing, and any person aiding or assisting him therein, shall be deemed guilty of an offence and shall, on conviction, be liable to a fine not exceeding one thousand five hundred Rupees or to imprisonment of either description for a term not exceeding twelve months or to both, and every licence procured as aforesaid shall be forfeited.

25. If any person licensed under this Ordinance, shall, after due enquiry, at which he shall have an opportunity of being heard, be judged by the Board, to have been guilty of infamous conduct in any professional or other respect, the Principal Medical Officer may, on the recommendation of the Board, withdraw and cancel the licence of such person. Any person whose licence shall have been cancelled, may appeal to the High Court.

Exceptions.

26. Nothing hereinbefore shall be taken to extend or apply to :—

- (1) Any patent, proprietary, or homoeopathic medicines.
 - (a) if sold in a bottle, box, vessel or parcel in the same wrapper or cover in which it was imported into the Protectorate, or
 - (b) if prepared by any person acting as a druggist in the Protectorate and placed by him in some box, bottle, vessel or parcel.

Provided always that such box, bottle, vessel or parcel is properly secured and bears the seal, name, trademark, if any, and address of the proprietor, inventor or manufacturer thereof and that with each box, bottle, vessel or parcel directions for the use of the contents thereof are supplied.
- (2) Mineral or artificial waters or the salts or other material employed in their preparation.
- (3) Simple medical substances enumerated in Schedule "D."
- (4) Any herb, vegetable, gum, oil, or seed in its natural state, except poison, though the same may be employed in medicine.
- (5) Any herbal or native preparation, not being a poison, supplied by any person dealing only with herbal or other native preparations used as medicine in the Protectorate.
- (6) "The supply of poison or drugs for Agricultural, Horticultural or Veterinary purposes by the Agricultural or Veterinary Departments of the Government."
- (7) The business of any qualified Veterinary Surgeon.
- (8) The business of wholesale dealers in supplying poisons or drugs in the ordinary course of wholesale dealing.
- (9) Poisonous substances to be used exclusively in agriculture or horticulture for the destruction of insects, fungi, or bacteria or as sheep dip or weed killers which are poisonous by reason of their containing arsenic, tobacco, or alkaloids of tobacco, if the person selling or keeping open shop is duly licensed under rules made by the Governor on that behalf.
- (10) Opium if the person selling or keeping open shop is duly licensed under the Opium Regulations 1902 or under any Ordinance amending or substituted for the said Regulations.

Restrictions on the sale of certain poisonous substances.

27. (1) It shall not be lawful to sell any substance to which this section applies by retail, unless the box, bottle, vessel, wrapper or cover in which the substance is contained is distinctly labelled with the name and address of the seller of the substance, and unless such other regulations, as may be prescribed under this section by the Governor, are complied with; and, if any person sells any such substance otherwise than in accordance with the provisions of this section or of any regulations made thereunder, he shall, on conviction, be liable for each offence to a fine not exceeding seventy five Rupees.
- (2) The substances to which this section applies are sulphuric acid, nitric acid, hydrochloric acid, soluble salts of oxalic acid, and such other substances as may for the time being be prescribed by the Governor by notice in the "Gazette."

28. From and after a date to be proclaimed by the Governor in the Gazette, every patent proprietary or homoeopathic medicine, intended for human use and containing any poison, shall bear upon the bottle, case or other package immediately containing such medicine, a true and exact statement setting forth the fact that poison is contained, and the ordinary name of such poison, and any person selling or keeping for sale any such medicine not so labelled, shall be liable, upon conviction, to a penalty not exceeding seven hundred and fifty Rupees.

Power to make rules. 29. The Governor may from time to time make, revoke or alter rules for any of the purposes following :—

- (1) (a) The granting of licences for the sale of the poisonous substances mentioned in Section 26 (9) of this Ordinance;
- (b) The duration, renewal, revocation, suspension, extent and production of such licences;
- (c) The keeping inspection of registers of licences;
- (d) The fees to be charged for licences; and
- (e) The keeping, transporting and selling of poisonous substances to which such rules apply.
- (2) Regulating the importation, keeping and transporting of poisons.

(3) Generally for the purpose of carrying this Ordinance into effect.

30. The Governor may fix such penalties for the breach or non-observance Penalties for of any rule as he may think proper not exceeding a fine of three hundred Rupees breach of and in default of payment thereof imprisonment for a period not exceeding three months, and where no penalty is imposed by the rules the breach or non-observance of any rule shall be punished to the extent aforesaid.

31. The Opium Regulations 1902, shall not apply to the importation or Exemption sale of opium for purely medical purposes by a person authorised or permitted from the Opium to sell the same under the provisions of this Ordinance. Regulations.

32. The Poisons Regulations 1902, are hereby repealed.

Repeal.

Schedule A.

(SEE SECTION 3.)

PART I.

Arsenic, and its medicinal preparations.

Aconite, aconitine, and their preparations.

Alkaloids all poisonous vegetable alkaloids not specifically named in this Schedule, and their salts, and all poisonous derivatives of vegetable alkaloids.

Atropine, and its salts, and their preparations.

Belladonna, and all preparations or admixtures (except belladonna plasters) containing 0·1 or more per cent. of belladonna alkaloids.

Cantharides, and its poisonous derivatives.

Coca, any preparation or admixture of, containing 1 or more per cent, of coca alkaloids.

Corrosive sublimate.

Cyanide of potassium, and all poisonous cyanides and their preparations.

Emetic tartar, and all preparations or admixtures containing 1 or more per cent, of emetic tartar.

Ergot of rye, and preparations of ergots.

Nux vomica, and all preparations or admixtures containing 0·2 or more per cent, of strychnine.

Opium, and all preparations or admixtures containing 1 or more per cent of morphine.

Picrotoxin.

Prussic acid, and all preparations or admixtures containing 0·1 or more per cent of prussic acid.

Savin, and its oil, and all preparations or admixtures containing savin or its oil.

PART II.

Almonds, essential oil of (unless deprived of prussic acid.)

Antimonial wine.

Cantharides, tincture and all vesicating liquid preparations or admixtures of.

Carbolic acid, and liquid preparations of carbolic acid, and its homologues containing more than 3 per cent. of those substances except preparations for use as sheep wash or for any other purpose in connection with agriculture or horticulture, contained in a closed vessel distinctly labelled with the word "Poisonous," the name and address of the seller, and a notice of the special purposes for which the preparations are intended.

Chloral hydrate.

Chloroform, and all preparations or admixtures containing more than 20 per cent. of chloroform.

Coca, any preparation or admixture of containing more than 0·1 per cent. but less than 1 per cent. of coca alkaloids.

Digitalis.

Mercuric iodide.

Mercuric sulphocyanide.

Oxalic acid.

Poppies, all preparations of, excepting red poppy petals and syrup of red poppies (papaver rhaeas.)

Precipitate, red, and all oxides of mercury.

Precipitate, white.

Strophanthus.

Sulphonal.

All preparations or admixtures which are not included in Part 1. of this schedule, and contain a poison within the meaning of this Ordinance, except preparations or admixtures the exclusion of which from this Schedule is indicated by the words therein relating to carbolic acid, chloroform and coca, and except such substances as come within the provisions of Section 27 of this Ordinance.

Schedule B.

(SEE SECTION 8.)

No.....

CERTIFICATE OF EXAMINATION.East Africa
Protectorate.

This is to certify that in pursuance of "The Drugs and Poisons Ordinance 1909" we whose names are hereunto subscribed, members of the Board of Examiners for Druggists in the East Africa Protectorate, have carefully examined..... of..... touching his knowledge, skill and qualifications in the exercise of the business or calling of a druggist and we find him to be possessed of sufficient knowledge, skill and the necessary qualifications requisite for a druggist.

Given at Nairobi, this day of 19.....

A. B. Chairman.

C. D., etc.

Members of the Board of Examination

Fee for Certificate Rs. 75.

Schedule C.

(SEE SECTION 5.)

No.....

DRUGGIST'S LICENCE.

On the Certificate of the Board of Examiners for Druggists in the East Africa Protectorate this licence is hereby granted to..... of..... to dispense and sell drugs and poisons from the day of 19..... to the 31st day of December 19....., subject to the provisions of the "Drugs and Poisons Ordinance 1909."

Given at Nairobi, this day of 19.....

Principal Medical Officer.

Fee for Licence Rs. 30.

Schedule D.

(SEE SECTION 26.)

Asafoetida	Glauber Salts
Bark	Linseed Meal
Camphor	Nitre
Carbonate of Magnesia	Quinine
Castor Oil	Rhubarb
Epsom Salts	Senna.

Schedule E.
 (SEE SECTION 9.)
REGISTER OF LICENCES GRANTED.

Licence.		Board Certificate.		Name of Applicant.	Residence.	Fees received for					
No.	Date.	No.	Date.			Application.	Examination.	Licence.			
						Rs.	cts.	Rs.	cts.	Rs.	cts.

Schedule F.
 (SEE SECTION 14.)
SALE OF POISONS BOOK.

Date.	Name of Purchaser.	Name and quantity of Poison sold.	Purpose for which it is required.	Signature of the purchaser.	Signature of the person introducing purchaser.	Signature of Druggist.

Schedule G.
 (SEE SECTION 13.)

	Rs. cts.
On application	15 00
On certificate of examination.....	75 00
On licence.....	30 00
On Renewal of Licence	7 50

NOTICE.

His Excellency the Governor has been pleased to direct that the Drugs and Poisons Ordinance, 1909 (No. 20 of 1909) shall come into operation on September the 1st, 1910.

AN ORDINANCE

No. 14 of 1910.

An Ordinance to make better provision for the Management and Regulation of the Customs and Trade of the East Africa Protectorate.

[14th June, 1910.]

Be it enacted by the Governor of the East Africa Protectorate, by and with the advice and consent of the Legislative Council thereof, as follows :—

Preliminary.

1. This Ordinance may be cited as "The Customs Ordinance 1910," and ^{Short title.} shall come into operation on a date to be fixed by the Governor by notification in the "Official Gazette."

2. This Ordinance shall apply to the East Africa Protectorate and to the ^{Extent of application.} Protectorate waters.

3. For the purpose of this Ordinance, the following terms shall be understood as hereafter defined, unless there is something in the subject or context repugnant to such definitions ; that is to say :—

"Carriage" shall include every description of conveyance for the transport by land of human beings or property ;

"Chief of Customs" means the person authorised to exercise, subject to the Governor, the chief control in matters relating to Customs throughout the Jurisdiction;

"Customs Collector" means a person authorised to receive declarations and payments of Customs duty and to appraise goods;

"Customs Superintendent" and "Customs Master" include every officer of Customs for the time being in charge of a Custom House, or duly authorised to perform all, or any special duties of an officer so in charge;

"Customs Port" means any place declared to be a port, sub-port or place of entry under section 13 for the importing, exporting, shipment and landing of goods;

"Customs Yard" shall mean any place provided by the Government where-in goods may be temporarily placed until all duties and charges thereon be paid;

"Drawback" means the amount of duty to be refunded or remitted under the provisions of this Ordinance on the exportation to a foreign port of the goods whereon such duty has been paid;

"Exportation" or "exporting" shall include and mean the conveyance of goods across the frontier or shipment from a port in the Protectorate to a Foreign port;

"Exporter" shall mean the person who actually exports the goods, but shall also include any person who acts for or on behalf of such person;

"Foreign Port" means any place beyond the limits of the Protectorate or of the Uganda Protectorate;

"Gazette" means the "Official Gazette" of the Protectorate;

"Goods" shall mean any article whatever, including animals;

"Importation" or "Importing" shall include and mean the bringing of goods into or within the jurisdiction by sea or land;

"Importer" shall include any owner or other person for the time being possessed of or beneficially interested in any goods imported within the jurisdiction from the time of the importation thereof until they shall, on payment of the duties thereon or otherwise, be delivered or discharged from the custody or control of the Customs;

When any person is expressly or impliedly authorised by the owner of any goods to be his agent in respect of such goods for all or any of the purposes of this Ordinance, and such authorisation is approved by the Chief of Customs or other proper Officer of Customs at the Customs port, such person shall, for such purposes, be deemed to be the owner of such goods;

"Jurisdiction" shall mean the local limits to which this Ordinance extends, as defined in the last preceding section;

"Master" when used in relation to any ship, means any person, except a pilot or port officer, having command or charge of a ship;

"Port" includes sub-port and place of entry;

"Warehousing Port" means any port or place appointed a warehousing port;

"Protectorate" shall mean the East Africa Protectorate;

"Ship" shall include every description of vessel for the conveyance by water of human beings or property.

"Transit Agent" means the person in charge of goods declared for transit through the Protectorate whether such person be the owner thereof or his agent;

"Warehouse" shall mean any place provided for lodging goods therein for the security of the Customs and shall include a "King's Warehouse" and a "Licensed Warehouse".

"King's Warehouse" shall mean any place provided by the Government for lodging goods therein for the security of the Customs or entered to be warehoused;

"Licensed Warehouse" shall mean any warehouse duly licensed for the bonding of goods without payment of duty;

Appointment and Powers of Officers, &c.

4. Every person employed on any duty or service relating to the Customs, trade or navigation, by the orders or with the concurrence of the Governor (whether previously or subsequently expressed or implied) shall be deemed to be an officer of Customs, and all appointments granted to any officers of the Customs in force at the commencement of this Ordinance shall continue in force as if the same had been granted under the authority of this Ordinance, and every act required by any law to be done by or with any particular Officer nominated for such purpose, if done by or with any person appointed by the Governor to act for such particular Officer, shall be deemed to be done by or with such particular officer, and every act required by law to be done at any particular place, if done at any place appointed by the Governor for such purpose, shall be deemed to be done in the particular place so required by law.

Persons employed
on service of the
Customs to be
deemed officers for
such service.

Existing appoint-
ments to remain
in force.

5. Subject to the provisions of this Ordinance, the Chief of Customs shall have the general superintendence and control of the entire Customs Department of the Protectorate, with full power and authority at all times to carry into effect the laws relating to the Customs, and to trade and navigation, and the powers and authority of the Chief of Customs and of all his assistants and other persons acting under his order and authority, shall extend to and throughout all places within the limits of the jurisdiction.

6. Every Officer appointed Customs Superintendent or Customs Master shall act for such port and district as shall be assigned to him for that purpose by the Chief of Customs, and shall, in all matters connected with his duties as Customs Superintendent or Customs Master or otherwise in relation to Customs, correspond with and be subject to the orders and directions of the Chief of Customs. Provided always that the Governor may from time to time make and issue orders for the guidance and government of the Chief of Customs and the other Officers of Customs and may annul or disallow any order issued by the Chief of Customs or any other Officer of Customs.

Every such Customs Superintendent or Customs Master shall carry out any instructions not being inconsistent with the provisions of this Ordinance, which he may receive from the Administrative Officer of the district in which he is located. Provided always that such instructions shall be subject to confirmation or annulment by the Chief of Customs.

7. Any Officer of Customs shall be liable to be transferred from one place to any other place within the Protectorate and shall act for such ports or districts as shall be assigned to him for that purpose by the Chief of Customs and shall perform such duties as may be required of him by the senior Customs Officer at any particular port or place at which any such officer of Customs may be stationed.

8. The Chief of Customs, with the approval of the Governor, may appoint the hours of general and special attendance of the Customs Officers in the Custom House and of all other Officers and persons in the service of the Customs at their offices and places of employment.

9. If any officer, clerk, or other person acting in any office or employment in or belonging to the Customs shall take or receive any fee, perquisite, or reward, whether pecuniary or otherwise, directly or indirectly, from any person (not being a person duly appointed to some office in the Customs) on account of anything done or omitted to be done by him in, or in any way relating to, his said office or employment, except such as he shall receive under any law, or by permission of the Governor, such officer, clerk, or other person so offending shall, on proof thereof to the satisfaction of the Governor, be dismissed from his office.

10. Every person who shall be appointed to any office or employment in the Customs shall, on his admission thereto, in addition to any oath which may be required by law to be taken by him, make the following declaration before a Magistrate.

"I. A. B., do declare that I will be true and faithful in the execution to the best of my knowledge and power, of the trust committed to my charge and inspection, in the service of the Customs of the East Africa Protectorate and that I will not require, take, or receive any fee, perquisite, gratuity, or reward, whether pecuniary or of any sort or description whatever, either directly, or indirectly, for any service, act, duty, matter, or thing done or performed, or to be done or performed, in the execution or discharge of any of the duties of my office or employment on any account whatever, other than my salary, and what is or shall be allowed me by law or by any special order of the Governor."

11. If the consignee of any vessel discharging or lading cargo, or the importer or exporter of any goods shall require the services of any Officer of Customs at an earlier or later hour, or on any other day than is appointed for the general attendance of such officer at his office or place of employment, it shall be the duty of such officer on the order of the Chief or other proper officer of Customs to render the services required and the proper officer of Customs shall demand and receive from the person so requiring such services the fees payable under the next succeeding section, which shall be paid by him into the public treasury for subsequent payment to the officer employed as aforesaid.

Provided that when the services of any officer are so required as aforesaid on account of more than one consignee, importer or exporter during the same period of time, the said fees for such period shall be paid *pro rata* by each consignee, importer, or exporter; and provided also that no officer shall be entitled to any fee for services rendered between the hours of 6 a.m. and 6 p.m.; on any day other than Sundays and Public Holidays.

Rules as to overtime fees.

12. The Governor may, from time to time, make and when made vary and revoke rules to determine the fees payable under the preceding section in respect of the services of officers and persons in the service of the Customs for attendance on days and at hours other than those appointed for general attendance and until rules under this section have been made, the fees now leviable in respect of the services and duties herein mentioned shall continue to be levied as if the same had been determined by rules made under this Ordinance.

Appointment of Ports, Warehouses, Wharves, Custom Houses, Boarding and Landing Stations.

The Governor may appoint ports, quays and alter or annul the same.

Existing ports, &c., to continue.

13. The Governor may, by notice in the "Gazette" from time to time appoint ports, sub-ports and places of entry within the jurisdiction, and declare the limits of such ports, sub-ports and places of entry, and appoint proper places within the same to be legal quays or places for the importing, exporting, lading and unlading of goods, and declare the bounds and extent of any such quays or places, or annul the limits of any port, sub-port, place of entry or legal quay or place already appointed, or to be hereafter set out and appointed, and declare the same to be no longer a port, sub-port, place of entry or legal quay or place, or alter or vary the names, bounds, and limits thereof; and all ports, sub-ports, and places of entry and the respective limits thereof, and all legal quays or places appointed, set out, and existing as such at the commencement of this Ordinance, shall continue to be such ports, sub-ports, places of entry, legal quays and places until annulled, varied, or altered; and any port, sub-port, place of entry, legal quay or place, or the limits thereof now annulled or altered, shall continue so annulled or altered until otherwise varied or altered as aforesaid.

Until altered or added to, the places described in the Third Schedule to this Ordinance shall be ports, sub-ports and places of entry within the meaning of this section.

The Governor may declare what foreign ports shall be regarded as Customs ports for certain purposes.

The Governor may appoint stations and sufferance wharves, and regulate discharge of cargo.

14. The Governor may from time to time direct, by notice in the "Gazette," that all goods or any specified class of goods imported from, or exported to any Foreign port to or from a Customs port shall, with such limitations and on such conditions (if any) as he thinks fit, be treated for any of the purposes of this Ordinance as imported from or exported to a Customs port as the case may be.

15. The Governor may from time to time appoint stations or places for ships arriving at or departing from any Customs port to bring to for the boarding or landing of officers of Customs, and may also appoint places to be sufferance wharves for the lading and unlading of goods by sufferance in such cases, under such restrictions, and in such manner as the Governor shall see fit, and may also direct at what particular part or parts of any roadstead, harbour, dock, quay, or other place in any Customs port, ships laden with any particular cargo shall moor and discharge such cargo, and the Chief of Customs or other chief officer of Customs of any Customs port may station officers on board any ship while within the jurisdiction.

The Governor may appoint warehousing ports.

16. The Governor may, by notice in the "Gazette" from time to time, appoint any Customs port or other place to be a warehousing port for the purposes of this Ordinance, and such Customs port or other place shall thereafter have and possess all the rights and privileges of a warehousing port until the appointment thereof be annulled by the Governor, and all appointments of warehousing ports existing at the commencement of this Ordinance shall continue in force until so annulled.

Until altered or added to, the places mentioned in the Fourth Schedule to this Ordinance shall be warehousing ports within the meaning of this section.

17. (1) Subject to the directions of the Governor, the Chief of Customs may from time to time approve and appoint warehouses at any warehousing port for the warehousing and securing of goods without payment of duty upon the first entry thereof, and may in such appointment direct whether such warehouses shall be used for the purposes of storing goods imported for home consumption only, or for home consumption and exportation only, and all goods to be stored in such warehouses shall be stored in such manner as the Chief or other proper officer of Customs shall direct; and the warehouses shall be locked and secured in such manner, and shall be opened and visited at such times only and in presence of such officers and under such rules and regulations as the Chief of Customs, subject to the approval of the Governor, shall direct, and all such goods after being landed on importation, shall be carried to the warehouse or shall, after being taken out of the warehouse for exportation, be carried or waterborne to be shipped under such rules and regulations as the Chief of Customs, subject to the approval of the Governor, shall direct.
- (2) No kerosine oil or inflammable oil shall be stored in any warehouse, other than storage tanks sanctioned by the Chief of Customs for the storage of such oil in bond, in any port without duty having been first paid thereon, or in any warehouse, other than a storage tank sanctioned by the Chief of Customs for the storage of such oil in bond, not specially provided or approved for the purpose by the Government.
- Storage of Kerosine oil, &c.
18. (1) The Governor may, by notice in the "Gazette" fix from time to time the rates of rent which shall be payable in respect of any goods deposited in a King's warehouse.
- Rates of rent for goods deposited in a King's warehouse.
- (2) The Governor may in like manner determine the period during which goods imported or intended for export may be on Customs premises (other than a King's warehouse) free of charge, and the charge which shall be made in respect of goods which are not removed from the Customs premises as aforesaid within such period.
- Charge in respect of goods left on Customs premises.
- (3) It shall be lawful for the Chief or other officers of Customs to detain the goods of any person who shall omit or refuse to pay the rent or charge prescribed by the Governor under this section.
- Goods may be detained until rent or charges paid.
19. It shall be lawful for the Chief of Customs to license any private building within or near any Customs port or other place and to grant a renewal of such license upon application being made before the expiration of such licence for the warehousing and securing therein of goods in bond and also in such licence to declare what sort of goods may be warehoused and also by notice in writing to revoke or alter such licence at any time.
- Power to license private warehouses.
20. There shall be payable in respect of each such licence the sum of four hundred and fifty Rupees per annum and each such licence shall be renewable on January 1st in each year.
- Fee for private warehouse licensee.
21. A notification of every licence granted under the last two preceding sections shall be published in the "Gazette."
- Private warehouse licence to be published in the Gazette.
22. The proprietor or occupier of every warehouse licensed under the provisions of section 19 or someone on his behalf shall give or procure to be given security by bond with one or more sufficient sureties or such other security as the Chief of Customs, subject to the direction of the Governor, may approve for the payment of the full duties of importation or exportation on all such goods as shall from time to time be warehoused therein and no goods shall be warehoused in any such warehouse until such security shall have been given.
- Proprietor or warehouse keeper to give general security.

Occupier of licensed warehouse to receive all goods on requisition of Chief of Customs.

23. The proprietor or occupier of every licensed warehouse shall, on the requisition of the Chief of Customs or other Chief Officer of Customs at the Customs port or other place where such licensed warehouse is situate, receive all goods to whomsoever belonging which may be offered for warehousing so far as the extent of the building will admit, and such proprietor or occupier shall be entitled to receive from the owners of any goods deposited or secured in such licensed warehouse rent in respect of such goods at a rate not exceeding that which may hereafter be fixed from time to time by the Governor and published in the "Gazette," and the Chief of Customs or other Officer of Customs shall at the request of such proprietor or occupier detain the goods of any person who may omit or refuse to pay any money due for such rent.

Penalty for continuing private warehouse without licence.

24. The proprietor or occupier of any warehouse licensed under the provisions of section 19 hereof who fails to renew the licence and continues to warehouse goods thereunder after the expiration of such licence shall be liable to a fine of seventy-five Rupees for every day or part of a day during which he shall continue to so warehouse goods without licence.

Locking and securing of private warehouses.

25. All licensed warehouses shall be locked and secured in such manner and shall be opened and visited at such times only and in the presence of such officer and under such rules and regulations as the Chief of Customs, subject to the approval of the Governor, shall direct.

Wrecked or stranded goods may be deposited in temporary warehouse.

26. Whenever any goods liable to duty are wrecked or stranded, and are brought to any port or sub-port other than a warehousing port or sub-port, it shall be lawful for the proper officer of the Customs at such port or sub-port to permit the goods so wrecked or stranded to be landed and stored in any suitable building to be by him approved; and all buildings so approved and used as temporary warehouses, and all goods stored and secured therein, shall be subject to such rules and regulations as may from time to time be made by the Chief of Customs, subject to the directions of the Governor; and the provisions of this Ordinance requiring security for the payment of the full duties of importation or for the due exportation of goods warehoused at a warehousing port or sub-port, shall equally apply to the said wrecked or stranded goods; and any wrecked or stranded goods shall be subject to all the regulations prescribed by this Ordinance so far as the same are applicable, for the landing, warehousing, and shipment of goods, and also to all charges of revenue to which warehoused goods are now or may hereafter be liable under the authority of any Ordinance, unless specially exempted therefrom.

Subject to regulations and charges of revenue.

Management and collection of Custom duties.

Goods dutiable.

27. Customs duties shall be levied at such rates as may be prescribed under any law for the time being in force, on goods imported or exported by sea or land into or from any Customs port from or to any Foreign port.

Goods imported for transmission to Uganda to be deemed goods imported for home consumption.

28. Goods imported and intended for transmission to the Uganda Protectorate shall be deemed to be goods imported for consumption within the Protectorate and shall be liable to the like duties, restrictions, and conditions as provided by this or any other law relating to Customs.

Power of making Rules and Regulations.

29. It shall be lawful for the Governor, by and with the advice and consent of the Legislative Council, from time to time whenever necessary, to make all needful rules and regulations for the collection and protection of the revenue and the better carrying into effect the provisions of this Ordinance, and to annex and appoint a penalty which may extend to seven hundred and fifty Rupees in respect of the breach of any such rule or regulation and the forfeiture of any goods by or in respect of which such breach may have been committed or have taken place, and also as occasion may require to alter, amend, or revoke all or, any of such rules and regulations; and all such rules and regulations, penalties and forfeitures and alterations, amendments and revocations thereof shall, when published in the "Gazette," have the same force and effect for all purposes as if the same had been made by Ordinance and shall in like manner come into immediate operation, or on such day as shall be provided in such rules, subject to disallowance by His Majesty.

30. Except for Articles imported or exported by parcel post, import or export duty shall be collected and paid at the Customs port in the Protectorate where the goods are first imported or exported as the case may be. Provided, however, the Chief of Customs may in special cases and subject to such conditions as he may think necessary authorise the payment and collection of such duties at some other Port.

31. The Chief of Customs may, with the consent of the Governor, from time to time by notification in the "Gazette," fix, for the purpose of levying duties, tariff values of any goods exported or imported by sea or land on which Customs duties are leviable.

32. Whenever it shall be proved to the satisfaction of the Chief or other proper Officer of Customs that any goods imported were produced or manufactured in the Protectorate, such goods may be admitted without payment of duty.

33. If the goods on which import duty shall have been paid in the Protectorate shall be reimported into the Protectorate and it is proved to the satisfaction of the Chief or other proper Officer of Customs that no drawback in respect of such goods was allowed on the exportation, such goods shall be admitted free of duty.

34. Full duty shall be levied on all goods which have undergone any process of manufacture after exportation from the Protectorate when such goods are re-imported into the Protectorate.

35. All goods derelict, jetsam, flotsam and wreck brought or coming into any place in the Protectorate, shall be subject to the same duties, if any, to which goods of the like kind are for the time being subject on importation at any Customs port, and shall in other respects be dealt with, as if they were imported from a Foreign port, unless it be shown to the satisfaction of the Customs Collector that import duty has already been paid on such goods or that such goods are the produce or manufacture of any place from which they are entitled to be admitted free of duty.

36. In all cases where any new duties of Customs or other duties are or may be imposed by any Ordinance in lieu of any former duties payable at the time of the passing of such Ordinance, such former duties shall be and continue payable until such new duties imposed in lieu thereof shall become chargeable, save and except where the Ordinance imposing such new duties shall otherwise provide; and all moneys arising from any duties of Customs or any arrears thereof on account of any goods whatever imported into or exported from any place within the limits of the jurisdiction under any former Ordinance, although computed under such former Ordinance, and whether secured by bond or otherwise, shall be levied and appropriated in the same manner as if the same had been made payable by this Ordinance or any other Ordinance in force for the time being; and all drawbacks or allowances payable under any former Ordinance shall be paid or allowed under this or such other Ordinance as may be in force for the time being.

37. All goods whatsoever which now are or may hereafter be deposited in any warehouse or place of security under any Ordinance passed or to be passed for the warehousing of goods without payment of duty upon the first importation thereof or which may be imported and be on board of any ship shall, upon being entered for home consumption, be subject to such and the like duties as may at the time of passing such entry be due and payable on the like sort of goods under any Ordinance passed for imposing any duty or duties of Customs which shall or may be in force at the time of passing such entry, save and except in cases where special provisions shall be made in any such Ordinance to the contrary.

38. Whenever any person shall make application to any officer of the Customs to transact any business on behalf of any other person, such officer

Agent to produce authority if required.

may require of the person so applying to produce a written authority from the person on whose behalf such application shall be made, and in default of the production of such authority refuse to transact such business: Provided that nothing herein contained shall be construed to render documentary evidence necessary for establishing in any legal proceeding the character of agency in cases where by law such evidence would not otherwise be necessary.

Complaints, &c.

Complaints and Disputes between Merchants and others and the Officers of Customs, the Public Investigation thereof, and Inquiries touching matters relating to the Customs and the Conduct of Officers or others concerned therein.

Disputes and inquiries.

39. If any question shall arise between any masters or owners of ships merchants, importers, consigners, shippers, or exporters of goods, or their agents, and any officer of Customs, with reference to the seizure or detention of any ship or goods, or to any apparently accidental omission, inadvertence, or non-compliance with the laws or regulations relating to the Customs, it shall be lawful for the Chief of Customs to dispose of or determine such dispute, in such manner as he may deem just.

Power to remit or mitigate penalties

40. If upon consideration of the facts and circumstances out of which such question shall have arisen, the Chief of Customs shall be of opinion that any penalty or forfeiture has been incurred by any such master, owner, merchant, importer, consignee, shipper, exporter, or agent, he may, in case he shall be of opinion that the penalty ought to be remitted, remit and forego the same accordingly, or in case he shall be of opinion that a mitigated penalty shall be imposed and enforced, mitigate any such penalty or forfeiture to such amount as he may deem a sufficient satisfaction for the breach of law or regulation complained of.

Chief of Customs may require a deposit pending decision.

41. For the purpose of carrying out the provisions of the foregoing section the Chief of Customs shall have power to require the deposit in the hands of the proper Officer of Customs of such sum not exceeding seven hundred and fifty rupees as he may think right pending his ultimate decision and in default of any such deposit, the Chief of Customs may detain any ships or goods which shall be liable to forfeiture under this or any other Ordinance relating to Customs.

Complaints against officers of Customs.

42. In case any such master, owner, merchant, importer, consignee, shipper, exporter or agent shall feel himself aggrieved by the determination of the Chief of Customs in any of the cases aforesaid, or have any ground of complaint against any officer of the Customs in respect of anything done or omitted to be done by such officer in or about the execution of his duty, the party so feeling himself aggrieved shall, upon an application in writing to the Governor, which application shall state the substance of his complaint, or the reasons of his dissatisfaction with such determination, be entitled to have the facts and circumstances of such complaint or determination inquired into in the manner following.

How public inquiry is to be conducted.

43. Upon such application being made as aforesaid, the Governor shall appoint a Commissioner or Commissioners to inquire into the subject-matter of such application, for which purpose a suitable apartment shall be provided, to which the parties complaining and the parties complained against, and their agents and witnesses, and all other persons interested, or desirous of attending, shall have free access, and the Commissioner or Commissioners so appointed shall receive the statement of the complainant or his agent, and hear any reasons which he may advance in support of his complaint, and shall take, or cause to be taken, any evidence on oath which the said complainant may offer and adduce in support of his complaint, and write down, or cause to be written down, and report the substance of such evidence, and his or their opinion thereon, and on the arguments, if any, adduced on the hearing of the case, for the information of the Governor, and in like manner shall take and write down, or cause to be taken and written down and report, for the information of the Governor, any evidence which may be offered in support of such determination of the Chief of Customs, or in case of complaint against an officer, such exculpatory evidence as the officer complained against may offer or adduce, and the course of proceeding with respect to the taking of such evidence, and the conduct of such inquiry shall be in as close conformity as the nature of such inquiry will admit, with the practice adopted on inquiries had before the Court.

44. The Governor, upon the evidence so reported to him, shall either direct a prosecution, if he deem it a proper case for prosecution, or decide the case upon such evidence, and make his order thereon accordingly, which order shall be communicated by one of the said Commissioners in open Court, either on the same day, or on a future day to be appointed by the Commissioner or Commissioners for that purpose, and every order of the Governor made upon consideration of the facts, circumstances, and evidence so reported by the Commissioner or Commissioners by whom such inquiry shall have been holden, shall, in case any penalty or mitigated penalty or forfeiture shall be adjudged by such order to be paid or enforced, and subject as after-mentioned, be of equal force, validity, and effect, as any conviction for penalties which any Court is empowered by law to make. And upon the production of any such order, under the hand of the Governor, to any Court of the Protectorate, it shall be lawful for such Court to enforce such order in the same manner, and by the like authority as such Court is empowered to enforce orders under and by virtue of the law of Criminal Procedure, unless the party against whom such order shall have been made shall, within one week after the same shall have been communicated as aforesaid, give notice in writing to the Governor that he refuses to abide by such order, in which case the Governor may direct such proceedings to be taken in respect of the subject-matter of such order as he may see fit, or the party against whom such order shall have been made shall have the same remedy by action in any Court having jurisdiction as if no such hearing or order had been made: Provided that if any such master, owner, importer, shipper, exporter, or agent (not wishing to resort to any such appeal as hereinbefore provided) be desirous of stating his case personally to the Chief of Customs, he shall be at liberty to do so, on attending at such time as the Chief of Customs may, on his application appoint for that purpose.

45. The Commissioner or Commissioners so appointed to inquire, as Power to keep order aforesaid, shall have and exercise, while engaged in the conduct of such enquiry, and to as full an extent as the same is exercised by any Court, all necessary powers and authority to enforce order and propriety of conduct.

46. In any of the foregoing cases, or whenever it shall be necessary to institute any inquiry to ascertain the truth of facts with respect to any complaint or matter relating to any business under the management or control of the Customs Department or incident thereto, or the conduct of officers or persons employed therein, such inquiries shall and may be made or conducted by such person or persons as the Governor shall direct and appoint for that purpose and when upon any such inquiry proof on oath shall be required by the person conducting the same, such person shall and may administer such oath to any person attending before him, as aforesaid, and if any person so examined before such person, either upon oath or affirmation shall be convicted of giving false evidence on such examination, every such person so convicted shall be deemed guilty of giving false evidence in a judicial proceeding, and shall be liable to the pains and penalties thereof.

47. Upon any such inquiry or examination it shall be lawful for the person or persons appointed to conduct such inquiry or examination, or any one or more of them, to summon any person required as a witness to appear before him or them at the time and place to be specified in such summons, to give evidence upon oath or affirmation of the truth of any facts appertaining to such inquiry, or any other matter touching or relating thereto, and every person so summoned who shall neglect or refuse to appear according to the exigency thereof, or who, having so appeared, shall refuse to give evidence or to answer according to the best of his knowledge and belief any question when thereunto required shall, for every such default or offence, forfeit the sum of three hundred rupees.

48. The Governor shall from time to time make such rules and orders for the proper conduct of such inquiries as aforesaid as may be expedient, and as in his judgment shall be necessary or proper, and such rules or orders shall be observed on the conduct of such inquiries until annulled or varied by the authority of the Governor.

Importation and Warehousing.

Importation or Prohibition, Entry, Examination, Landing and Warehousing of Goods.

49. It shall be lawful to import into any Customs port appointed as here-inbefore provided, any goods which are not by this or any Ordinance, or by any

Prosecution may
be directed or
Governor may
decide upon facts,

Order may be
enforced.

Persons by whom
inquiries may be
conducted,

False evidence
Perjury.

Power to summon
witnesses and
penalty for not
giving evidence.

Rules for conducting
inquiry.

Importation and
prohibition.

Proclamation, Rule or Order having the force of law in force at the time of importation thereof prohibited to be so imported, and to warehouse, under the laws in force for the warehousing of goods, except as hereinafter provided, in warehouses duly approved for the warehousing of goods without payment of duty on the first entry thereof, any goods subject to duties of Customs, the importation and warehousing whereof is not prohibited by any law in force at the time of such importation : Provided always that the duties on such goods as the Governor may from time to time direct shall be paid on the first importation thereof and such goods shall not be warehoused either for home consumption or exportation.

Time of importation
of goods and time
of arrival of ships
defined.

50. If upon the first levying or repealing of any duty, or the first permitting or prohibiting of any importation, or at any other time or for any of the purposes of this or any Ordinance relating to the Customs, it shall become necessary to determine the precise time at which an importation of any goods shall be deemed to have had effect, such time shall be deemed to be the time at which the ship importing such goods had actually come within the limits of the port at which such ship shall, in due course, be reported, and such goods be discharged : Provided that where part of the cargo of the importing ship shall not be discharged at any port at which such ship shall arrive or be, but shall be afterwards discharged at some other port or ports within the jurisdiction, the goods which are discharged at each successive port shall be deemed to be imported at the time of the arrival of the importing ship within the port at which the same are actually so discharged, and provided that where an importing ship shall depart from the jurisdiction having a portion of the inward cargo remaining on board undischarged, the goods so remaining and carried beyond the jurisdiction shall not be deemed to have been imported : And if any question shall arise upon the arrival of any ship in respect of any charge or allowance upon such ship exclusive of cargo, the time of such arrival shall be deemed to be the time at which the report of such ship shall have been or ought to have been made.

Direct importation.

51. No goods shall be deemed to be imported from any particular place unless they be imported direct from such place, and in the case of goods imported from parts beyond the seas shall have been there laden on board the importing ship, either as the first shipment of such goods or after the same shall have been actually landed at such place.

Officer of Post
Office may detain
package liable to
duty.

52. The officer in charge of any Post Office may detain any letter package or other postal matter arriving in the Protectorate by post from abroad which in his opinion may contain or consist of goods liable to duties, giving notice of such detention forthwith to the person to whom such postal matter is addressed in order that such postal matter may be examined by such person or his agent in the presence of an officer of the Post Office or Customs ; and in case any dutiable goods are found, such goods shall not be delivered by the officer in charge of the Post Office until the Chief or other officer of Customs on payment of the duties authorises their delivery.

Prohibited goods
when imported how
dealt with.

53. If any goods enumerated or described in the following table of Prohibitions shall be imported or brought within the jurisdiction, then, and in every case, such goods shall be forfeited, and shall be destroyed or otherwise disposed of as the Governor may direct.

A Table of Prohibitions.

Goods absolutely prohibited to be imported :

Prohibition.

False money or counterfeit sterling or counterfeit Protectorate currency.
Silver coins, current in the Protectorate, or any money purporting to be such not being of the established standard in weight or fineness.

Indecent or obscene prints, paintings, books, cards, lithographic or other engravings or any other indecent or obscene articles.

Manufactured articles bearing the name, address or trade mark of any manufacturer or dealer, or the name of any place in the United Kingdom or any British possession, calculated to impart to them a special character of British Manufacture, and not of such manufacture.

Matches in the manufacture of which white phosphorous has been employed.

And any other article or articles which the Governor by Proclamation in the "Gazette" may prescribe.

54. If any ship arriving within the limits of any port shall not come as vessels inwards to quickly up to a place of mooring or unlading as the nature of the port will admit, without touching at any other place, and in proceeding to such place, shall not bring to at the stations appointed by the Governor for the boarding of ships by the officers of Customs, or if after arrival at such place such ship shall remove from such place, except directly to some other place of mooring or unlading, and with the knowledge of the proper officer of the Customs, or if the Master of any ship on board of which any officer of the Customs is stationed neglect or refuse to provide every such officer sufficient room under the deck in some part of the cabin, forecastle, or steerage for his bed or hammock, and when the Chief or other proper officer of Customs shall so require, with proper and sufficient food, the master of such ship shall forfeit the sum of seven hundred and fifty Rupees.

55. Any officer of the Customs may board any ship arriving at any port, sub-port or place within the limits of the jurisdiction, and freely stay on board until all the goods laden therein shall have been duly delivered from the same, or the clearance of the said ship shall have been obtained and she shall have departed from the said limits; and every such officer shall have free access to every part of the ship with power to fasten down hatchways or entrances to the hold, and to mark any goods before landing, and to lock up, seal, mark, or otherwise secure any goods on board such ship; and if any place or any box or chest be locked, and the keys be withheld, every such officer, may open any such place, box, or chest, in the best manner in his power; and if any officer shall place any lock, mark or seal upon any goods on board and such lock, mark or seal be wilfully opened, altered, or broken before due delivery of such goods, or if any such goods be secretly conveyed away, or if the hatch-ways or entrances to the hold after having been fastened down by the officer be opened, the Master of such ship shall forfeit the sum of fifteen hundred Rupees; and if any officer of the Customs shall place any lock, mark, or seal upon any stores on board any ship arriving at any port or sub-port within the jurisdiction, and such lock, mark or seal be wilfully opened, altered, or broken, or if such stores be secretly conveyed away, either while the ship remains in the port or sub-port at which she shall have so arrived, or before she shall have arrived at any other port or sub-port within the jurisdiction to which she may then be about to proceed, the Master of such ship shall forfeit the sum of three hundred Rupees.

56. Any officer of the Customs may be placed on board of any ship arriving at any port or place within the jurisdiction before the health officer of the port or place has visited such vessel; but in such case the officer so placed on board shall not subsequently quit the vessel until she shall have been admitted to an entry, or the permission of such health officer or the health officer of some other port shall have been obtained for the officer leaving such ship: Provided that the operation of this section may be suspended by the Governor at any time upon the recommendation of the chief medical officer of the Protectorate.

57. No goods shall be unshipped from any ship arriving from ports beyond the seas, or be landed or put on shore on Sundays, or on holidays without the permission in writing of the proper officer of Customs, at the port where the same are so landed, nor shall they be so unshipped, landed or put on shore on any other days except between the hours of 6 a.m. and 6 p.m. or during such extra hours as the proper officer of Customs at such port may appoint; nor shall any goods be unshipped or landed except in the presence or with the authority of the proper officer of the Customs, nor shall they be so landed except at some legal quay, wharf or other place duly appointed for the landing of goods, nor shall any such goods after having been unshipped, or put into any boat or craft to be landed be transhipped or removed into any other boat or craft previously to their being landed without the permission of the proper officer of Customs; and if any such goods shall be unshipped, landed, transhipped, or removed contrary hereto, the same shall be forfeited, and if any goods be unshipped, or removed from any importing ship, for the purpose of being landed after due entry thereof, such goods shall be forthwith removed to, and landed at the wharf, quay, or other place at which the same are intended to be landed; and if such goods are not so removed and landed, the same shall be forfeited, together with the barge, lighter, boat, or other vessel employed in removing the same.

Provided, however, anything in this section to the contrary notwithstanding it shall be unlawful for any goods to be landed between the hours of 6 a.m. and 8 a.m., 12 midday and 2 p.m. and 4 p.m. and 6 p.m. unless notice in writing of such landing shall have been previously given to the proper Officer of Customs by the Ship's Agent or if there be no such agent at the port then by the Master of the Ship. If any goods shall be landed in breach of this provision the Ship's Agent or the Master as the case may be shall forfeit a sum of seventy five Rupees, and the goods shall be forfeited.

Report of Cargo of Merchant Ship.

Master to report within twenty four hours after arrival.

58. The Master of every ship or his agent whether the ship be laden or in ballast, shall within twenty four hours after arrival from parts beyond the seas at any port within the jurisdiction or within such further time as the Chief or other proper officer of Customs at such port may, under special circumstances, permit, make due report of such ship in the Form A in the First Schedule hereto or to the same effect and containing the several particulars indicated or required thereby.

Except with the special permission of the Chief of Customs, bulk shall not be broken and no goods shall be landed from any ship of less than 300 tons burden before the report as aforesaid has been made.

Penalty on Failure.

59. If such Master or his Agent shall wilfully fail to make such report according to the particulars required, so far as the same are applicable to such ship, cargo, and voyage, or if the particulars, or any of them, contained in such report be false or if bulk be broken or goods landed contrary to the provisions of the preceding Section such master shall forfeit the sum of fifteen hundred rupees.

Masters to report and enter wrecked and other goods as nearly like regular importations as possible.

60. The master of every coasting or other ship which shall come to, or arrive at, any port or place within the jurisdiction with goods on board, stranded wrecked, derelict, or unladen from any other ship at sea, with intention to land, or dispose thereof, whether such goods were got and taken up within or without the limits of the jurisdiction, shall report and enter the quantity and particulars of the said goods and commodities in like manner, and as nearly as can be ascertained, as goods regularly imported, and no goods shall, on any pretence whatsoever, be landed within the jurisdiction from any such vessel until such report and entry shall have been made, and a permit for that purpose granted by the proper officer of the Customs, on pain of forfeiting the said ship, and all the share, part and proportion of the said goods which shall or ought to belong to the person or persons concerned in such landing without such report, entry, and permit as aforesaid: Provided, however, that no forfeiture of the said ship shall take place where it can be satisfactorily established that the owner of such ship was in no way implicated in such landing as aforesaid, or cognizant of, or privy to the same; and in the event of there being more than one owner of such vessel, then and in such case the part only of the owner concerned in such fraudulent landing as aforesaid, shall be liable to forfeiture.

Proviso.

Masters may be ordered to anchor ships in close proximity to one another.

61. Upon the arrival at any port within the limits of the jurisdiction of ships having on board wrecked, stranded, or derelict property, it shall be lawful for the proper officer of the Customs at such port to order the several masters or other persons in command or having the charge of such ships, to anchor their respective ships in as close proximity to one another as the safety of such ships will admit, and as near as practicable to the wharf or place where the property aforesaid is to be landed, and any master or other person in command or charge as aforesaid refusing or neglecting to obey such order, shall for every such refusal or neglect forfeit and pay a penalty not exceeding three hundred rupees.

Penalty for going on board ship laden with wrecked property until cargo shall have been discharged.

62. It shall not be lawful for any person other than the master, crew, owner or agent of any ship lying in any port or place within the limits of the jurisdiction, and laden with wrecked, stranded, or derelict property, or the owner or agent having the care of such property, or the consignee thereof, or the clerk or other employee, of such owner, master, agent, or consignee, or other duly authorized person, to repair to, or remain on board of such ship while, so lying in such port or place and laden as aforesaid until she shall have entirely discharged such wrecked, derelict, or stranded goods without the permission of the Chief or other proper officer of the Customs previously obtained for the purpose, under a penalty of seventy five rupees, or in default of payment, ten days imprisonment.

Entry of Dutiable goods to be delivered for Home consumption on the landing thereof from the Importing ship.

63. The Importer of any goods liable to Customs duties and intended to be delivered for home consumption on the introduction by land or on the landing thereof from the importing ship, or his agent shall make perfect entry of such goods by delivering to the proper officer of the Customs a bill of entry thereof in the Form B in the First Schedule hereto, or to the same effect, and containing the several particulars indicated in or required thereby.

And the particulars in such entry shall correspond with the particulars given of the same goods and packages in the report of the ship, and in any certificate of origin or other document where any such is required, by which the importation or entry of such goods is authorised, and the particulars in the entry shall describe the goods in the way provided for in section 114 of this Ordinance; provided always that all bills of Entry for goods in transit only shall have across the face of them in red ink the words "In Transit."

64. The Importer or his agent shall, immediately upon the entry of any such goods entered by him pay down any duties which may be payable upon the goods mentioned in such bill of entry to the proper officer of the Customs authorised to receive the same, and such bill of entry when signed by the proper Officer of the Customs shall be transmitted to the examining officer of the Customs and will be his warrant for the landing and delivery of such goods.

65. Whenever any articles are entered at any Customs office within the jurisdiction, the officer taking the inward entry may and shall, whenever he shall see fit, require the party making the entry, whether the articles shall be entered as goods free of duty, or to be warehoused or for consumption to produce the original invoices, bills of lading, bills of parcels, or other such documents, showing the cost of the articles at the place at which they were purchased together with the freight, insurance and other charges on the same; and such articles shall not be admitted to entry until such invoices or other documents so required are produced and submitted for the inspection of the officer requiring the same, or satisfactory proof be made by the importer accounting for the non-production of the invoices or other documents, and showing the true value of the articles; and it shall be lawful for such officer when and as often as he shall deem expedient, to have any articles as aforesaid or packages containing such articles, opened and examined, and the value of the articles at the place of entry ascertained by the appraisement of two disinterested and competent persons, one to be appointed by the officer and one by the importer or in case of the refusal or neglect of the importer to name an appraiser, by two persons to be appointed by the officer alone, with power in either case for such appraisers, in the event of disagreement as to the value, to appoint an umpire and the persons so appointed shall declare before the said officer what in their judgment is the value of the goods for the purposes of Customs duty at the port or place of entry and if the value declared by the appraisers or umpire shall exceed the invoiced value, it shall be lawful for the Chief or other proper officer of the Customs to assess the duty upon the amount so declared by such appraisers or umpire to be the value of such goods with the addition of twenty per cent upon such appraised value; and if any person shall produce an invoice in which the value of any articles offered for entry is wilfully stated at an untrue or fictitious value, or shall otherwise fraudulently attempt to get any such articles entered at a lower value than the true one, he shall be liable to a penalty of seven hundred and fifty Rupees, to be recovered in the usual manner: Provided always, that nothing in this section requiring the production of invoices or other documents shall apply to articles brought into any port from wrecked or stranded ships, or in ships which may have put into any port in distress, and without having cargo on board consigned to such port.

*Entry of Goods intended to be Warehoused without Payment of Duty on
First Entry thereof.*

Entry for warehouse

66. The importer of any goods intended to be warehoused without payment of duty on the first entry thereof, or his agent, shall deliver to the proper officer of the Customs a bill of entry in the Form C in the First Schedule hereto: and such bill of entry, when signed by the proper officer of the Customs, shall be transmitted to the examining or other proper officer of the Customs, and be the warrant for the due landing and warehousing of such goods.

Wrecked goods may be landed without complete entry,

Wrecked goods may be kept for certain periods without complete entry.

Entry for warehouse for consumption.

Goods entered to be warehoused may upon further entry be delivered for home use or exportation.

Particulars of entry of free goods.

Warrant for delivery.

Provisional entry.

Bill of sight entry, when goods not known.

Warrant for landing.

Perfect entry within three days.

Goods entered by bill of sight not to be delivered unless duty is paid or deposited.

67. All goods brought into any warehousing port as wrecked, stranded or derelict, or in any other manner not being by regular importation, shall, at the option of the owner, consignee or other person having the lawful charge thereof, be landed without a complete entry thereof being first made as required by this Ordinance, and shall be thereupon lodged for safe custody in some one or other of the warehouses appointed under the authority of this or any other Ordinance regulating the warehousing of goods; and it shall be lawful for the owner, consignee or other person as aforesaid, having the lawful charge of any such goods, as aforesaid, to keep the same in any such warehouse, as aforesaid for the space of ten days, or for such further time as may in any particular case be for that purpose sanctioned by order of the Chief of Customs or other proper officer of the Customs without completing the entry thereof as aforesaid; and it shall also be lawful for such owner, consignee or other person having the lawful charge, as aforesaid, of any such goods which have been lodged for safe custody in any warehouse, as aforesaid, at any time before the expiration of the said term of ten days from the date of such goods being lodged in such warehouse, as aforesaid, or at any time before the expiration of such further time as may in any particular case be for that purpose allowed, as aforesaid, to complete the entry thereof, either for the purpose of warehousing such goods under the provisions of this Ordinance, or of taking the same out of such warehouse for consumption; and it shall be in all such cases, as aforesaid, lawful to enter such goods to be warehoused, notwithstanding such goods may have been previously sold or exposed for sale, while so in the warehouse for safe custody, as aforesaid, on the terms of the duties due thereon having been paid, or on any other terms whatsoever.

68. If, after any goods shall have been duly entered and landed to be warehoused, though not actually deposited in the warehouse, the importer shall further duly enter the same, or any part thereof, for home use or for exportation, the same may be delivered and taken for home use or exportation as the case may be.

Entry of Goods Free of Duty.

69. The Importer of any goods, not subject to duties of Customs, shall deliver to the proper officer of the Customs a bill of entry of such goods in the Form E in the First Schedule hereto, and such bill of entry when signed by the proper officer of Customs, shall be transmitted to the examining or other proper officer, and be his warrant for the delivery of the Goods mentioned therein.

Entry of Goods landed for Examination by provisional Bill of Entry and perfecting Entry thereof.

70. The importer of any goods, if unable for want of full information to make a perfect entry of such goods, on making and subscribing a declaration to that effect before the proper officer of the Customs, may make a provisional entry for the packages or parcels, of such goods in the Form F in the First Schedule hereto, or to the same effect, and containing the several particulars indicated or required thereby.

71. Such entry being delivered to the proper officer of the Customs, and signed by him, shall be the warrant for such goods to be examined by such importer in the presence of the proper officer, and the importer shall, within three days after the landing thereof, or within such further period as the proper officer of the Customs shall direct, and before such goods shall be delivered, make full and perfect entry thereof by indorsing upon such provisional bill of entry such particulars of such goods as are hereinbefore required on making perfect entry of goods, whether for payment of duty or for warehousing, or for delivery free of duty, as the case may be, and to such indorsement he shall affix the date thereof, together with his signature and place of abode, and such indorsement when signed by the proper officer of the Customs, shall be taken as the perfect entry for such goods.

72. Where an entry for the landing and examination of goods for delivery on payment of duty shall be made by provisional bill of entry, such goods shall not be delivered until perfect entry thereof shall have been made, and the duties due thereon paid, unless the importer or his agent shall have deposited with the proper officer of the Customs a sum of money sufficient in amount to cover the duties payable thereon, and if the sum deposited on a provisional bill of entry shall not be equal in amount to the duties payable upon all the goods contained

in any single package landed or examined thereby, no part shall be delivered until a perfect entry or entries is or are made, and the duties paid or deposited for the whole of the goods contained in such package: Provided that when goods are landed by provisional bill of entry and delivered before perfect entry hereof upon deposit of a sum of money deemed sufficient to cover the duties thereon, unless such perfect entry is made within three months from the time of such delivery, or within such further period as the Chief of Customs shall direct, then such deposit shall be forfeited and the same shall be applied as if it had been originally paid and received as the duty due and payable upon such goods.

73. If a sum of money, sufficient in amount to cover the duties payable on any goods landed by provisional bill of entry, as aforesaid, shall not have been deposited as required by the preceding section, such goods shall be detained by the proper officer of the Customs in a warehouse, or other proper place of security; and if the importer shall not, within one month after such landing, or within such further period as the Chief of Customs shall direct, make perfect entry or entries of such goods, and pay the duties thereon, or on such parts as can be entered for home use, together with other charges of removal and warehouse rent, such goods shall be sold for the payment of such duties and charges (or for exportation; if they be such as cannot be entered for home use, or shall not be worth the duties), and the overplus, if any after payment of such duties and charges, or the charges, if sold for exportation, shall be paid to the importer or proprietor thereof, upon application in writing being made thereof by such importer or proprietor within twelve months from the date of such sale but on the expiration of that time without such application having been made such surplus shall be forfeited and the same shall be applied as if it had been originally paid and received as the duty due and payable upon such goods; If a sufficient sum is not deposited goods may be detained for a month and sold. Provided always that, when entry is at any time made as and for a full and perfect entry for any goods landed by provisional bill of entry or deposited in a warehouse, or other place of security, as aforesaid, if such entry shall not be made in manner herein required for the due landing of the goods, the same shall be deemed to be goods landed without entry, and shall be forfeited.

*Time within which Goods shall be Entered and Landed after the Arrival
of the Importing ship.*

Time of entry.

74. If the importer of any goods shall not within 21 days (exclusive of Sundays and holidays) after the importation of the same, make perfect entry, or entry by provisional bill of entry of such goods, or if having made such entry he shall not remove such goods within such 21 days, or within such further period as the Chief or other proper officer of the Customs shall direct, the officer of the Customs may cause such goods to be conveyed to a King's warehouse, and whenever the cargo of any ship shall have been discharged, with the exception only of a small quantity of goods, the proper officer of the Customs at the port at which such goods are intended to be landed, may forthwith convey such remaining goods to a King's warehouse; and also at any time after the arrival of the importing ship at such port, may convey any small packages or parcels of goods therein to a King's warehouse, or other secure place at the port at which such packages or parcels are intended to be landed, there to remain for due entry during the remainder of such 21 days, and if the duties due upon any goods so conveyed to a King's warehouse, or other secure place shall not be paid within four months afterwards, or within such further period as the Chief or other proper officer of the Customs may direct, together with all charges of removal and warehouse rent, such goods maybe sold and the proceeds thereof applied, first to the payment of freight and charges, next of duties, and the overplus, if any, shall be paid to the proprietor of the goods, on his application in writing for the same within twelve months from the date of such sale, but on the expiration of that time without such application having been made such overplus shall be forfeited, and the same shall be applied as if it has been originally paid and received as the duty due and payable upon such goods; but if such goods or any of them shall be of a perishable nature, the Chief or other proper officer of the Customs may forthwith direct the sale thereof, and apply the proceeds in like manner: Provided always, that for this purpose if the importing ship and goods be liable to the performance of quarantine, the time for entry and landing of the goods shall be computed from the time at which such ship and goods shall have been released from quarantine.

*Days allowed for
entering and
landing goods.*

*Small packages may
be conveyed to a
warehouse.*

*Time allowed before
goods may be sold
to pay duties, &c.*

Ship may be detained for expenses of guarding.

75. Whenever any goods intended to be landed at any port shall remain on board any importing ship beyond the period of 21 days after the arrival of such ship at such port, or beyond such further period as the Chief or other officer of Customs may allow, such ship shall be detained at such port by the proper officer of the Customs until all expenses of watching or guarding such goods beyond such 21 days, or such further time, if any, allowed, as aforesaid not exceeding ten rupees per diem, and of removing the goods or any of them to a warehouse or other secure place, in case the officers shall so remove them, be paid.

Abatement for damage.

Goods upon which any Abatement for Damage on the Voyage or by Wreck may be Claimed.

Abatement of duties in proportion to damage.

76. If any goods which are rated to pay duty shall receive damage during the voyage or by wreck, an abatement of such duties shall be allowed, in proportion to the damage so received. Provided proof be made to the satisfaction of the Chief or other proper officer of the Customs that such damage was received after the goods were shipped, in the importing ship, and before they were landed within the limits of the jurisdiction, and provided claim to such abatement of duties be made before such goods are delivered by the proper officer of Customs.

How amount of abatement to be determined.

77. The proper officer of the Customs shall thereupon examine such goods with reference to such damage, and may state the proportion of damage, which in his opinion such goods have so received, and may make a proportional abatement of duties, but if the proper officer of the Customs shall be incompetent to estimate such damage, or if he entertain doubt as to the amount of such damage, he may call upon two disinterested merchants, experienced in the nature and value of such goods, who shall examine the same and shall make and subscribe a declaration stating in what proportion, according to their judgment, such goods are lessened in value by such damage and thereupon the officers of the Customs may make an abatement of the duty originally chargeable thereon, according to the proportion of damage so declared by such merchants.

Unshipping, Landing, and Examination.

Unshipping, Landing, Examination, Warehousing and Custody of Goods.

All labour and expense incurred on goods for duty to be at the cost of importer.

78. The unshipping, carrying, and landing of all goods and bringing them to the proper place for examination and weighing, putting them into the scales, opening, unpacking, repacking, bulking, sorting, lotting, marking, and numbering, where such operations respectively are necessary or permitted, and removing to and placing them in the proper place of deposit until duly delivered, shall be performed by or at the expense of the importer, and the importer or person entering any timber or wood, to be charged with duty by measurement, shall at his expense, pile, sort, frame, or otherwise place the same in such manner as the proper officer of the Customs may deem necessary to enable the officers to measure and take the account thereof.

Goods removed previous to examination without authority to be forfeited.

79. If any goods shall be removed from any ship, quay, wharf, or other place previous to the examination thereof by the proper officer of the Customs, unless under the care or authority of such officer, or if any goods entered to be warehoused, or to be re-warehoused, shall be carried into the warehouse, unless with the authority or under the care of the proper officer of the Customs and in such manner, by such persons, within such time and by such roads or ways as such officer shall direct, such goods shall be forfeited.

Proper officer to take account of goods for warehouse.

80. Upon the entry of any goods to be warehoused, the proper officer of Customs shall take particular account of the same at the quay, wharf or place at which they shall be so landed or in the warehouse, if they be goods for which the account is permitted to be taken in the warehouse, and shall, when necessary, cause to be marked on each package of which such account shall be taken, the contents thereof, and shall enter in a book prepared for that purpose, containing the name of the importing ship if any, and of the person in whose name they are entered, the marks, numbers, and contents of each such package, the description of the goods, and the warehouse or place in the warehouse in which the same shall be deposited, and when such goods have been so deposited with the authority of such officer, he shall if the goods are deposited in a licensed warehouse require and obtain a receipt therefor from the proprietor of such licensed warehouse who shall give such receipt upon being required so to do, or

in default of so doing shall forfeit the sum of three hundred Rupees, and such officer shall then certify that the entry and warehousing of such goods is complete, and such goods shall from that time be considered goods warehoused; and if any such goods shall be delivered, withheld, or removed from the proper place of examination before the same shall have been duly examined and certified by such officer, such goods shall be deemed to be goods not duly entered or warehoused, and shall be forfeited.

81. The account of the goods so taken as aforesaid shall be the account ^{Goods to be entered} upon which the duties payable upon such goods shall be ascertained when the ^{and duties paid} same shall ultimately come to be delivered upon due entry for that purpose, and ^{according to} the same shall be entered, and the full duties due thereon be paid, according to the quantity taken in such account without any abatement for any deficiency, except as hereinafter provided.

82. If the proprietor of any warehouse shall neglect to stow the goods ^{Neglect to stow goods} warehoused therein, so that reasonable access may be had to every package and parcel thereof, he shall for every such neglect forfeit a sum not exceeding seventy five rupees. ^{properly; penalty.}

83. If the proprietor of any warehouse shall not produce to the proper ^{Penalty for not} officer of the Customs on his request any goods deposited in such warehouse, ^{producing goods} which shall not have been duly cleared and delivered therefrom, such proprietor ^{deposited in} shall, for every such neglect forfeit the sum of seventy five Rupees in respect of every package or parcel not so produced, besides the duties due thereon.

84. If any goods entered to be warehoused shall not be duly warehoused in ^{Goods not duly} pursuance of such entry, or being duly warehoused, shall be fraudulently ^{warehoused or} concealed in or removed from the warehouse, or abstracted from any package or ^{concealed or} transferred from one package to another, or otherwise for the purpose of illegal ^{removed forfeited.} removal or concealment, they shall be forfeited.

85. If the importer or proprietor of any goods warehoused, or any person ^{Penalty for entering} in his employ, shall clandestinely open the warehouse, or except in the presence ^{warehouse cland-} of the proper officer of the Customs acting in the execution of his duty, gain ^{estinely.} access to the goods, such importer or proprietor shall, for every such offence forfeit the sum of fifteen hundred Rupees.

86. If any goods shall be taken out of any warehouse without due entry of ^{Duty on goods} the same the proprietor of such warehouse shall forthwith pay the duties due ^{taken out of ware-} upon such goods; and every person so taking out any goods without payment ^{house without entry} of duty, or who shall aid, assist, or be concerned therein, and every person who ^{to be paid by ware-} shall wilfully destroy or embezzle any goods duly warehoused, shall be deemed ^{house keeper.} guilty of an offence and shall, upon conviction, be liable to imprisonment of either description for a term not exceeding twelve months but if such person ^{Destroying or} shall be an officer of the Customs not acting in the due execution of his duty, ^{embezzling goods} and shall be prosecuted to conviction by the importer, consignee, or proprietor ^{in warehouse.} of such goods, no duty shall be payable for or in respect of such goods, and the damage occasioned by such waste, spoil, or embezzlement, shall, with the sanction of the Governor, be repaid or made good to such importer, consignee, or proprietor, by the Chief of Customs out of moneys in the Treasury of the Protectorate.

87. No compensation shall be made by the Government to any importer, ^{The importer of} proprietor, or consignee of any goods by reason of any damage occasioned thereto ^{goods not entitled} in the warehouse by fire, dampness, or other accident or natural cause, but if ^{to compensation for} any goods shall be damaged lost or destroyed by unavoidable accident, either on ^{accidental damage.} ship-board or in landing or in receiving into the warehouse, or in the warehouse, ^{Governor may remit} or in the delivery therefrom, the Governor upon proof of the damage to or loss ^{duties.} or destruction of the goods as aforesaid, may remit or return the duties due thereon, or may make such abatement as he may deem proper.

Removal of Warehoused Goods.

Removal.

88. Any goods warehoused at any port within the jurisdiction may, with the ^{Goods may be} permission of the proper officer of the Customs, be removed to any other port in ^{removed from one} which the like kind of goods may be warehoused on importation, to be re-ware- ^{port or warehouse} housed at such other port, and again as often as may be required at any other ^{to another under} such port, to be there re-warehoused, or from any warehouse in any port to any ^{regulations.} other warehouse in the same port under such regulations, and with such security ^{Regulations for} as the Chief of Customs may direct, on the delivery to the proper officer by the ^{removal.} person requiring such removal of a request note, stating the particulars of the

goods required to be removed, the name of the port or of the warehouse if in the same port, to which the same are intended to be removed, and with such other information and in such manner and form as the Chief of Customs may direct or require.

Officers to transmit account of goods.

Remover to give bond for duty.

Form 6 in Schedule 2

89. On the delivery of any warehoused goods for removal, an account containing the particulars thereof shall be transmitted by the proper officer of the port of removal to the proper officer of the port of destination, and the person requiring the removal thereof shall enter into a bond, with one or more sufficient sureties, in a sum equal at least to the duty chargeable on such goods, for the due arrival and re-warehousing thereof at the port of destination within such time as the Chief or other proper officer of the Customs may direct, such bond to be taken by the proper officer either of the port of removal or the port of destination, as may best suit the convenience of the parties interested in such removal; and if such bond shall have been given at the intended port of destination, a certificate thereof, under the hand of the proper officer of such port, shall, at the time of the entering of such goods, be produced to the proper officer of the port of removal, and such bond shall not be discharged until a certificate under the hand of the proper officer at the port of destination shall have been produced to the proper officer at the port of removal that such goods have been duly re-warehoused at the port of destination within the time allowed for such removal, or shall have been otherwise accounted for to the satisfaction of the Chief of Customs, nor until the duties due upon any deficiency of such goods not so accounted for shall have been paid. But any remover may enter into general bond with such sureties in such amount and under such conditions as the Governor may approve for the removal from time to time of any goods from one warehouse to another, and for the due arrival and re-warehousing of the same at the place of destination within such time or times as the Chief of Customs may direct.

Goods removed liable to the same rules as when imported.

Goods removed may be exported or retained for home use.

Goods must not be kept in warehouse more than two years except under conditions.

Warehoused goods not cleared or re-warehoused after two years to be sold.

90. Upon the arrival of such goods at the port of destination the same shall be entered and warehoused in the same manner and under and subject to the same laws, rules and regulations, so far as the same are or can be made applicable, as are required on the entry and warehousing of goods on the first importation thereof.

91. If upon the arrival of goods so removed as aforesaid at the port of destination the parties shall be desirous forthwith to export the same, or to pay duty thereon for home use, without actually lodging the same in the warehouse for which they have been entered and examined to be re-warehoused, the proper officer of the Customs at such port may, after all the formalities of entering and examining such goods for re-warehousing have been duly performed, permit the same to be entered and shipped for exportation, or to be entered and delivered for home use upon payment of the duties due thereon, as if such goods had been actually lodged in such warehouse; and all goods so exported, or for which the duties have been so paid, shall be deemed to have been duly cleared from the warehouse.

92. All warehoused goods shall be cleared either for home use or for exportation at the expiration of two years from the day on which the same were so warehoused, or within such further period and in such cases as the Chief of Customs shall direct, unless the owner or proprietor of such goods shall be desirous of re-warehousing the same, in which case the same shall be examined by the proper officers, and the duties due upon any deficiency or difference between the quantity ascertained on landing, and the quantity found to exist on such examination, together with the necessary expense attendant thereon, shall, subject to such allowances as are by law permitted in respect thereof, be paid down, and the quantity so found shall be re-warehoused in the name of the then owner or proprietor thereof in the same manner as on first importation.

93. If any warehoused goods shall not be duly cleared, exported, or re-warehoused, and the duties ascertained to be due on the deficiencies as aforesaid shall not be paid down at the expiration of two years from the last previous entry and warehousing or re-warehousing thereof, or within such further period as shall be directed as aforesaid, the same, if worth the duty due thereon, shall, after one month's notice to the proprietor or occupier of the warehouse, with all convenient speed be sold either for home use or exportation, with or without the consent of the proprietor or occupier of the warehouse, or of the owner of such goods, and the proceeds thereof shall be applied to the payment of the duties, warehouse rent, and charges, and the surplus, if any shall be paid to the owner of such goods upon application in writing being made therefor by such owner within twelve months from the date of such sale, but on the expiration of that

time without such application having been made such surplus shall be forfeited, and the same shall be applied as if it had been originally paid and received as the duty due and payable upon such goods; and if such goods shall not be worth the duty, then the same, after such one month's notice as aforesaid, may be exported or destroyed, with or without the concurrence of the owner thereof or the proprietor or occupier of the warehouse in which the same were so warehoused as the Chief of Customs shall see fit; and the duties due upon any deficiency thereof not allowed by law, shall be forthwith paid by the proprietor or occupier of the warehouse.

94. It shall be lawful for the proper officer of the Customs at any warehousing port, under such regulations as the Chief of Customs shall see fit, to permit the proprietor or other person having control over the goods so warehoused, to sort, separate, pack and repack any such goods, and to make such lawful alterations therein, or arrangements, and assortments thereof, as may be necessary for the preservation of such goods, or in order to the sale, shipment, or legal disposal of the same, and also to permit any part of such goods so separated and not worth the duty thereon, to be destroyed without payment of duty on the portion so destroyed.

95. No foreign materials whatsoever shall be used in the repacking of any goods in the warehouse, except such as shall have been used in the importation of warehoused goods, unless the full duties, if any, thereon shall have been first paid.

96. It shall be lawful for the proper officer of the Customs at any warehousing port, under such regulations as the Chief of Customs shall see fit, to permit moderate samples to be taken of any goods so warehoused without entry and without payment of duty, except as the same shall eventually become payable as on a deficiency of the original quantity.

97. The Chief of Customs may by instruction in writing permit any goods to be taken out of the warehouse without payment of duty, for such purpose or for such period as to him may appear expedient, and in such quantities and under such regulations and restrictions, and with such security by bond, for the due return thereof, or the payment of the duties due thereon, as he may direct or require.

Entry of Warehoused Goods for home Consumption and Exportation Delivery thereof.

Entry for home consumption and exportation.

98. No warehoused goods shall be taken or delivered from the warehouse, except upon due entry, and under the care of the proper officers for exportation or upon due entry and payment of the full duties payable thereon for home use.

No Goods to be taken from warehouse except upon due entry.

99. If any goods delivered from any warehouse for exportation, or for removal from one port to another, within the limits of the jurisdiction or otherwise under any bond required by this or any other Ordinance relating to the Customs, on the exportation or removal of such goods, shall be illegally removed or carried away from any carriage, ship, quay, wharf, or other place prior to the shipment thereof on board the exporting or removing ship, or from any ship, or carriage in or on which the same shall have been shipped or laden, such bond shall be forfeited, and may forthwith be put in suit for the penalty thereof, although the time prescribed in such bond for the landing or removal and re-warehousing of such goods at the place of destination shall not have expired.

100. Upon the entry of any goods to be cleared from the warehouse for home use, the person entering such goods shall deliver a bill of entry in the Form D, in the First Schedule hereto or to that effect, and containing the particulars indicated therein, and shall deliver duplicates thereof, and shall at the same time pay down to the proper officer of the Customs the full duties payable thereon, not being less in amount than according to the account of the quantity taken on the first importation thereof, except as to the following goods, viz., wines, spirits, and other liquids in casks, and tobacco, the duties whereon, when cleared from the warehouse for home use, shall be charged upon the quantity of such goods ascertained by measure, strength, or weight, at the time of actual delivery thereof, unless there is reasonable ground to suppose that any portion of the deficiency or difference between the measure, strength, or weight ascertained on first importation and examination of any such last-mentioned goods and that ascertained at the time of actual delivery has been caused by illegal or improper means, in which case the proper officer of the Customs shall make such allowance only for loss as he may consider fairly to have arisen from natural evaporation or other legitimate cause.

Entry of warehoused goods for home use.

Full duties to be paid thereon.

Duties on certain goods to be charged on quantity on delivery.

Exceptions.

Value of goods for allowance on deficiency, how estimated.

No duty to be charged in respect of any deficiency, unless from illegal abstraction.

Entry of goods, &c., out.

Warehoused goods not to be exported in ships of less burden than ten tons.

Shipment of goods for exportation.

Goods not to be shipped except on proper days, nor until entry and clearance.

Entry and Clearance.

Bond to be given for due shipment and exportation.

Form 7 in Schedule 2.

101. When any deficiency occurs in goods chargeable to pay duty according to the value thereof, the value thereof shall be estimated as nearly as conveniently may be by the officers of Customs, according to the market price at the port of entry of the like sort of goods, if chargeable with duty according to market price, and if otherwise chargeable with duty, then according to the rate at which such goods are so chargeable.

102. No duty shall be charged in respect of any deficiency in goods entered and cleared from the warehouse for exportation, unless the officers of the Customs have reasonable grounds to suppose that such deficiency, or any part thereof, has arisen from illegal abstraction.

Exportation.

Exportation and Entry of Goods, and Clearance of Ships from Ports within the Jurisdiction to Parts beyond the said Limits.

103. No person shall export any warehoused goods, nor enter any such goods or any goods subject to export duty for exportation from any place within the limits of the jurisdiction to any place beyond the said limits, in any ship of less burden than ten tons, except in the case of any ships, which may, under any law or regulations, be authorised to export goods upon any inland waters.

104. At the arrival at any port within the jurisdiction of any ship about to deliver a part only of her cargo at such port, it shall be lawful to allow the entry outwards of such ship, and to permit the shipment of goods for exportation in such ship to the foreign destination for which such ship shall be entered outwards before the whole of the inward cargo in such ship shall have been discharged therefrom :

Subject, nevertheless, to such regulations as the Governor may deem necessary, and on the Chief or other proper officer of the Customs being satisfied that all necessary measures have been taken for the protection of the revenue.

105. No goods shall be shipped, put off, or waterborne to be shipped for exportation from any port or place within the limits of the jurisdiction on Sundays or on holidays, without the special permission in writing of the Chief or other proper officer of the Customs, nor shall they be so exported shipped, put off, or waterborne on any other days except between the hours of 6 a.m. and 6 p.m., or during such extra hours as the Chief of Customs or other proper officer of the Customs may under special circumstances, appoint ; nor shall any goods be exported by land or shipped, put off, or waterborne from any place except some legal quay, wharf or other place duly appointed for such purpose, nor without the presence or authority of the proper officer of the Customs, nor before due entry of such goods, nor before such goods shall have been duly cleared for exportation and any goods exported shipped, put off, or waterborne to be shipped contrary hereto shall be forfeited ; and it shall be lawful for the proper officer of the Customs to open all packages and fully to examine all goods exported, shipped or brought for exportation or shipment at any port or place within the limits of the jurisdiction, and the opening for that purpose of packages containing goods upon which any drawback is claimed, and the weighing and repacking thereof, shall be done by or at the expense of the exporter. And any person who shall export, ship or put off any goods contrary hereto shall be liable to a penalty of not more than three hundred Rupees.

Provided, however, anything in this section to the contrary notwithstanding it shall be unlawful for any goods to be shipped, put off or waterborne to be shipped for exportation between the hours of 6 a.m. and 8 a.m., 12 midday and 2 p.m., and 4 p.m. and 6 p.m., unless notice in writing thereof shall have been previously given to the proper Officer of Customs by the Ship's Agent or, if there be no Ship's Agent, by the Master of the ship. If any goods shall be shipped, put off or waterborne to be shipped in breach of this provision the Ship's Agent or Master, as the case may be, shall forfeit a sum of seventy five rupees and the goods shall be forfeited.

Entry and Clearance of Goods for Exportation.

106. Before any warehoused goods subject to duties on exportation, or exportable only under particular rules, regulations, or restrictions, shall be permitted to be removed or shipped for exportation, the exporter or his agent shall give security by bond in double the amount of duty payable by law upon the importation of such goods, with one or more sufficient sureties that such

goods shall within the time therein stipulated be duly shipped and exported beyond the jurisdiction and taken to or landed at the place for which they are entered outwards, or otherwise accounted for to the satisfaction of the Chief of Customs and shall not be re-imported by land, unshipped or re-landed at any port or place within the jurisdiction : Provided, however, that any person desirous of exporting any of the goods in this section mentioned may, in lieu of giving the required security by a separate bond before each and every exportation of such goods, give such security by a general bond, in an amount to be fixed by the Chief of Customs, and subject to such regulations as that officer may, with the approval of the Governor, make in the matter.

107. Before any such goods shall be exported by land, shipped or waterborne to be shipped for exportation, the exporter or his agent shall deliver to the Chief or other proper officer of the Customs a bill of entry of such goods, with such duplicates as may be required by such officer, in the Form G. in the First Schedule hereto, or to the same effect, and containing the particulars indicated therein or required thereby. And such bill of entry, when signed by the proper officer, shall be the export entry for such goods.

108. Before any goods liable to export duty shall be exported by land, shipped or waterborne to be shipped the exporter or his agent shall deliver to the Chief or other proper officer of the Customs a bill of entry of such goods with such duplicates as may be required by such officer in the Form G 2 in the First Schedule hereto or to the same effect and containing the particulars indicated therein or required thereby.

109. The exporter or his agent, shall immediately upon the entry of any goods subject to export duty by him pay down any duties which may be payable upon the goods mentioned in such bill of entry to the proper officer of the Customs authorised to receive the same ; and such bill of entry when signed by the proper officer of the Customs shall be transmitted to the examining officer of Customs and be his warrant for the exportation or shipment of such goods.

110. Before goods not subject to export duty and for which no bond is required shall be exported by land, or shipped for exportation, the exporter or his agent shall deliver to the proper officer of the Customs a bill of entry of such goods with such duplicates as may be required by the Chief of Customs in the Form H in the First Schedule hereto or to the same effect and containing the particulars indicated therein or required thereby ; and such bill of entry when signed by the proper officer of Customs shall be the Export Entry for such goods.

111. The particulars in the export entry shall describe the goods in such way as may for the time being be sanctioned by the Chief of Customs.

112. If upon any entry of goods to be exported such goods are found not to correspond with the particulars contained in the entry thereof, the same may be detained until the discrepancy shall have been explained to the satisfaction of the Chief or other proper officer of the Customs, who may thereupon restore the same on such terms as he may deem proper, and for the purposes of this Ordinance the person whose name appears on the bill of lading as consignor of the goods for exportation shall be deemed to be the exporter thereof, and any exporter of goods who shall fail, either by himself or his agent, to do any act which he is hereinbefore required to do, shall forfeit and pay a sum not exceeding three hundred Rupees.

113. If any goods taken from any warehouse for removal or for exportation shall be removed or shipped, except with the authority or under the care of the proper officer of the Customs, and in such manner, by such persons, within such time, and by such roads or ways as such officer shall permit or direct, such goods shall be forfeited.

Entry of goods generally for Importation and Exportation.

114. The Importer or Exporter of any goods, his agent, or consignee of the ship, as the case may be, shall describe such goods in the bill of entry thereof, according to the denominations, weights, measure, number, quantity or value thereof, as set forth in or required by any Ordinance or rules relating to the

Duplicate bills of entry.

Penalty for non-compliance with Regulations.

No entry valid unless goods properly described.

Goods concealed or delivered without entry forfeited.

Passengers' baggage.

Officers may take samples.

Special entries.

Power to allow special entries.

Receipts for duties.

Receipts for duties may be given.

Inland importation.

Rules regulating inland importation or exportation to be made by Governor in Council.

Customs, or in such other manner as may for the time being be sanctioned by the Chief of Customs, and such importer or exporter, his agent, or the consignee of the ship, as the case may be, shall deliver two or more duplicates of such bill of entry, as the case may require, in which duplicates all sums and numbers may be expressed in figures, and the number of duplicates shall be such as the Chief of Customs may require.

115. Every importer or exporter, agent, or other person entering any goods who shall wilfully fail to comply with the foregoing regulations, so far as they are respectively applicable to the goods so entered by him shall forfeit and pay a sum not exceeding three hundred Rupees.

116. No entry for the introduction or landing or the export or shipment of any goods shall be deemed valid, unless the goods shall have been properly described in such entry by the denominations, and with the characters and circumstances according to which such goods are charged with duty.

117. If any goods or other things shall be found concealed in any way or placed in any package or parcel, to deceive the Custom's Officers, such package or parcel, and all the contents thereof, shall be forfeited; and if any goods be taken or delivered out of any slip or out of any warehouse or customs premises not having been duly entered, the same shall be forfeited; provided always that no entry shall be required in respect of the baggage of passengers, which may be examined, landed, and delivered under such regulations as the Governor may direct, but if any prohibited or uncustomed goods shall be found concealed therein the same shall be forfeited, together with everything packed therewith.

118. The officer of Customs may on the entry of any goods, or at any time afterwards, take samples of such goods for examination, or for ascertaining the duties payable on such goods, or for such other purpose as the Collector of Customs may deem necessary, and such samples shall be returned if possible to the importer or exporter of the goods from whom such samples were taken, and if this be not possible, shall be sold at such times as the Chief of Customs may direct, and the proceeds of sale shall be carried to the credit of the general revenue of the Protectorate.

Entries in Special Cases.

119. The Chief of Customs, may permit the entries of any goods, either for importation or exportation, as the case may be, in such form and manner, and on such conditions as he may direct, to meet the exigencies of any case to which the general laws and regulations may not be strictly applicable.

Receipts for Duties.

120. Any person requiring a receipt for the duties which he pays, may have the same upon his furnishing the Chief or other proper officer of the Customs with an additional bill of entry, written in red ink, to distinguish it from the warrant, and such additional bill of entry, after having been compared with the warrant, and signed by the Chief or other proper officer of the Customs, shall be delivered as a receipt to the person requiring it. The Governor may by any regulation (which may apply either to any particular port or ports, or generally throughout the jurisdiction), direct that such receipts shall be made and delivered by the officers of Customs to the persons paying duties, whether such persons shall or shall not require receipts.

Importation and Exportation of Goods by Inland Carriage or Navigation.

121. It shall be lawful for the Governor in Council from time to time to make such rules as shall be necessary for regulating the importation or exportation by inland carriage or navigation of any goods which may lawfully be so imported or exported and may by such rules alter the form and method prescribed by this Ordinance of the report and entry of goods so imported or exported and also as occasion may require, to alter, amend, or revoke all or any of such rules and all such rules and alterations, amendments, and revocations thereof shall, when published in the Gazette, have the same force and effect for all purposes as if the same had been made by Ordinance, and be subject to disallowance by His Majesty.

122. If any goods shall be imported or exported by inland carriage or navigation in contravention of any rule regulating such importation or exportation or if the report and entry prescribed for such goods be not duly made, the goods by or in respect of which any such breach or contravention may have been committed or taken place, and any goods packed therewith, shall be forfeited, and every person concerned therein shall be liable to a penalty, which may extend to seven hundred and fifty Rupees, and may be detained to be dealt with as hereinafter directed, and every ship, or carriage which shall be used or employed contrary to any such rule shall be forfeited.

Transhipment of Goods.

Transhipment

123. It shall be lawful for the Chief of Customs to allow all goods, whether dutiable or non-dutiable, brought into any port within the limits of the jurisdiction, and reported for exportation, to be transhipped from the ship importing the same, under the care and superintendence of the proper officers of the Customs on due entries inwards and outwards being previously passed for such goods, and on all such information being given as to the port or places into which the same are for exportation and to be landed, and also as to the port or places at which the said goods were laden on board the importing ship, as the Chief of Customs may require; and in the case of dutiable goods, upon bond being also entered into for the due exportation of the same to parts beyond the seas, and their being landed at the place for which they are entered outwards, or otherwise accounted for to the satisfaction of the Chief of Customs in like manner, and subject to the like penalties in case of failure, as if they had been actually landed and deposited in a warehouse. There shall be paid by the Master such fee to cover administration expenses as may, from time to time be fixed for any port by the Governor by notice in the "Gazette" in respect of all goods transhipped at such port, such fee to be in addition to any other fee charge or duty payable under or by virtue of this Ordinance.

124. Except in the case of imminent danger, or with the sanction of the Chief of Customs, the transhipment of goods from ship to ship in a port shall be made in the presence of an Officer of Customs.

125. The Chief of Customs or other proper officer of Customs at the Customs port may, on application by the Master of any ship which is obliged before completing her voyage to put into any Customs port for repairs of damage caused by stress of weather or other disasters at sea, permit him to tranship or land the cargo or any portion thereof, and to place it in the custody of an officer of Customs during such repairs and to re-ship and export the same free of duty on board of the same ship, or if the latter shall have been condemned or her departure delayed, in any other ship.

All expenses attending such transhipment or custody shall be borne by the Master.

Clearing of Ships Outwards.

Clearance of ship out.

126. Within twenty four hours after any ship shall have been cleared for parts beyond the seas from any port or place within the limits of the jurisdiction whether laden or in ballast the master or the owner, agent, consignee or charterer thereof shall make due report in the Form I in the First Schedule hereto, and containing the several particulars therein required, and shall make and subscribe the declaration at the foot thereof, in the presence of the Chief or other proper officer of the Customs, and shall answer such questions as shall be demanded of him concerning the ship, the cargo, and the intended voyage by such officer and if the master, owner, consignee, or charterer shall deliver a false report outwards, or shall not truly answer the questions demanded of him, such master, owner, consignee, or charterer shall forfeit the sum of fifteen hundred rupees provided that in the case of ships of less than 300 tons burden the report as aforesaid must be made before such ship is cleared outwards from any port within the limits of the jurisdiction, except when permission to the contrary in writing shall have been obtained from the proper officer of Customs.

Before clearance,
master to make
report.

Penalty for false
report outwards.

127. If any goods liable to duty on importation, or taken from the warehouse to be exported, which are enumerated in the report outwards of any ship, shall not be duly shipped before the departure of such ship, or shall not be duly certified by the proper officer of Customs as short shipped, such goods shall be forfeited; or if any such goods shall be taken on board such ship, not being enumerated in such report outwards, the master of such ship shall forfeit the sum of seventy five rupees in respect of every package of such goods; and if such goods duly shipped on board such ship shall be landed within the jurisdiction at any other place than that for which they shall have been cleared, unless such landing is accounted for to the satisfaction of the Chief of Customs, the

Goods on board to
correspond with
report.

Master of such ship shall forfeit a sum equal to treble the value of the goods so landed.

Goods shipped contrary to regulations forfeited.

128. If any goods shall be shipped, put off or waterborne to be shipped without being duly cleared or otherwise, contrary to the provisions of this Ordinance, the same shall be liable to forfeiture.

Clearance of ships.

129. Before any ship whether laden or in ballast shall depart from any port in the jurisdiction for parts beyond the seas, the Master shall obtain from the Customs a clearance outwards in the Form J or K in the First Schedule to this Ordinance, as the case may be. If any ship shall depart from any port for parts beyond the seas without such clearance, the Master shall forfeit and pay the sum of fifteen hundred Rupees.

Passenger ships.

130. Ships having only passengers with their baggage on board shall be deemed to be in ballast.

Boarding of Ships after clearance outwards.

Officers may board any ship after clearance.

131. Any officers of the Customs may go on board any ship after clearance outwards, within the limits of any port or within three miles of the coast of any place within the jurisdiction, and may demand the ship's clearance ; and if there be any goods on board not contained in such clearance, such goods shall be forfeited ; and if any goods contained in such clearance be not on board, the Master shall forfeit the sum of three hundred Rupees for every package or parcel of goods contained in such clearance and not on board.

Penalty if cargo be not on board.

132. If any officer of the Customs shall place any lock, mark, or seal upon any goods liable to duty and used as stores on board any ship departing from any port or place within the jurisdiction, and such lock, mark, or seal be wilfully opened, altered, or broken, or if any such stores be secretly conveyed away, either while such ship remains at her first port of departure or at any other port or place within the limits of the jurisdiction, or on her passage from one such port or place to another before the final departure of such ship on her foreign voyage, the master shall forfeit the sum of three hundred Rupees.

Penalty for not bringing to at stations.

133. If any ship departing from any port or place within the limits of the jurisdiction shall not bring to at such stations as shall be appointed by the Governor for the landing of officers from such ships, or for further examination previous to such departure, the master of such ship shall forfeit the sum of seven hundred and fifty Rupees.

Time of exportation and departure defined.

134. The time at which any goods shall be shipped on board any export ship shall be deemed to be the time of exportation of such goods, and the time of the last clearance of any ship shall be deemed to be the time of departure of such ship.

Coasting Trade.

Coasting Trade.

Coasting trade defined.

135. All trade by sea from any place within the limits of the jurisdiction to any other place within the said limits, shall be deemed to be a coasting trade and all ships while employed therein shall be deemed to be coasting ships, and no place within the limits of the jurisdiction, however situated with regard to any other place within the same, shall be deemed in law with reference to each other to be parts beyond the seas ; and if any doubt shall at any time arise as to what, or from what parts of the coast within the limits of the jurisdiction shall be deemed a passage by sea, the Governor may determine and direct in what cases the trade by water from one port or place to another port or place within the said limits shall or shall not be deemed a trade by sea within the meaning of this or any Ordinance relating to the Customs.

Restrictions during coasting voyage.

136. If any goods shall be taken into or put out of any ship employed as a coasting ship whilst hovering within the Protectorate waters or not being at any port or if the Master of any coasting ship which shall have touched at any place other than the port for which she was cleared, shall not declare the same in writing under his hand to the Chief or other proper officer of the Customs at the port within the jurisdiction where such ship shall next afterwards arrive, the Master of such ship shall forfeit the sum of fifteen hundred Rupees.

Times and places for landing and shipping.

137. If any goods shall be unshipped from any ship arriving coastwise or be shipped or water-borne to be shipped to be carried coastwise on Sundays or holidays, or unless in the presence of, or with the authority of the proper officer of the Customs, or unless at such times and places as shall be appointed or approved by him for that purpose, the same shall be forfeited, and the Master of the ship shall forfeit the sum of seven hundred and fifty Rupees.

138. If there be on board any ship any goods being part of the inward cargo of such ship, the Master shall, before clearance coastwise of such ship from any port within the jurisdiction, exhibit to the proper officer of the Customs a copy of the ship's report inward of such goods, certified by the Chief or other proper officer of the Customs, and indorsed with an account of the cargo discharged.

139. Before any coasting ship shall depart from any port, an account, with a duplicate thereof, in the Form L in the First Schedule hereto, and signed by the Master, owner, consignee or charterer, shall be delivered to the Chief or other proper officer of the Customs; and the Chief or other proper officer of the Customs shall retain the duplicate, and return the original account, dated and signed by him. And such account shall be the clearance of the ship for the voyage and the transire or pass for the goods expressed therein, and if any such account be false the Master shall forfeit a sum not exceeding seven hundred and fifty Rupees.

140. Within twenty four hours, or within such further time as the Chief or other proper officer of the Customs may under special circumstances permit, after the arrival of any ship so employed as a coasting ship at the port or place of discharge, the transire shall be delivered to the Chief or other proper officer of the Customs, who shall note thereon the date of delivery, and retain such transire as a record in his office, and if any of the goods on board such ship shall be unladen contrary thereto, the master shall forfeit a sum not exceeding seven hundred and fifty rupees; and if any goods shall be laden on board any ship in any port or place within the jurisdiction and carried coastwise, or having been brought coastwise shall be unladen in any such port or place contrary to this or any other Ordinance relating to the Customs, such goods shall be forfeited.

141. Any officer of the Customs, or, where there is no officer of the Customs, any police officer acting under the authority of an officer of Customs, may go on board any coasting ship in any port or place within the limits of the jurisdiction, or at any period of her voyage, and search such ship and examine all goods on board, and all goods then lading or unlading, and demand that all documents which ought to be on board such ship, shall be brought to him for inspection, and may detain all or any of such documents (except the ships register) until clearance of such ship is made in accordance with the provisions of this Ordinance; and the master of any ship refusing to produce such documents on demand, or to bring the same to the Chief or other proper officer of the Customs or police officer, as the case may be, when required, shall forfeit the sum of three hundred rupees: Provided that when such documents or any of them shall have been deposited with any Consul, Vice-Consul, or Consular Agent, the master of such ship shall obtain the receipt of such Consul, Vice-Consul or Consular Agent, therefor, and may on such demand or requirement as aforesaid produce or bring such receipt in lieu of the document, or documents mentioned therein, and such receipt on being so produced or brought may be detained as aforesaid, and the Consul, Vice-Consul or Consular Agent giving such receipt shall on demand made by the proper officer of Customs produce for inspection by him the document or documents mentioned in such receipt, and shall not return, re-deliver, or give up such document, or documents, until such clearance as aforesaid.

Transit and Re-export of goods.

142. Goods brought to any port of the Protectorate intended for conveyance through the Protectorate to a foreign port may be declared in transit provided that the transit agent shall declare that such goods are for transit within seven days after the arrival of such goods in the port first mentioned.

143. Goods imported for conveyance by the Uganda Railway and declared for transit through the Protectorate shall after a date to be hereafter notified by the Governor pass through the Custom House at Kilindini. Should any such goods be landed at the port of Mombasa and be not immediately removed to the Kilindini Customs on the request of the Chief of Customs, they may at his discretion be treated as goods imported for home consumption.

144. The transit agent shall pay on the goods declared in transit through the Protectorate the like import duties as imposed on goods imported into the Protectorate for home consumption, or shall give a guarantee to the satisfaction of the Chief of Customs for the payment of such import duty if such goods are not re-exported within six months of the issue of the transit entry.

145. Goods in transit shall be liable to warehouse rent and to all the usual landing and other charges for the time being chargeable on imported goods and further to a charge of twenty five cents per package to cover administration expenses in connection with the transit traffic.

Copy of ship's report.
Report and account of goods to be exhibited.

Account to be delivered before departing.

Transire to be delivered up before goods be landed.

Penalty on unlawful unloading.

Forfeiture of goods

Officers may board and search any coasting ship.

Penalty.

Proviso where documents deposited with Consul, &c.

Bill of entry in triplicate describing goods to be made by the transit agent.

Visé bill of entry to be retained by the transit agent and produced whenever required.

Transit packages to be sealed or stamped.

Transit bill of entry to be endorsed by the proper Officer of Customs at place of exit.

Goods may be removed from bill of entry with the sanction of a Customs Officer.

Treble duty to be charged if deficiency is not satisfactorily accounted for.

Where Import duty to be refunded.

No refund of duty unless claimed within six months.

Transit goods to be examined in a manner similar to goods imported for home consumption.

Goods in transit to be treated as goods imported or exported.

Prohibited goods not allowed in transit.

146. A bill of entry in triplicate written in English shall be presented to the proper officer of Customs by the transit agent at the place of entry of the goods declared for transit through the Protectorate.

Such bill of entry shall be signed by the transit agent and shall state the correct description of the merchandise, its place of origin, its value at the place of entry, its weight or quantity if in bulk, and the number and marks of the parcels if packed and the intended place of exit from the Protectorate.

147. The Original and duplicate of the bill of entry shall be retained by the proper officer of customs and the triplicate bill of entry shall be marked with "visé" by him and returned to the transit agent. The bill of entry bearing the "visé" shall then be the transit bill of entry of the goods and shall be produced whenever required by any officer of Customs or any District Commissioner or Assistant District Commissioner of the Protectorate.

148. Every package or parcel of goods in transit shall be roped, corded or otherwise securely fastened and shall be stamped with the transit stamp or sealed with the Customs seal, as the case may require, unless the nature of the goods shall not permit of such being done.

149. The transit bill of entry shall be delivered to the proper officer of Customs at the place of exit and the Customs seals or stamps removed, and, on the goods being identified and found intact a note to that effect shall be endorsed on the transit bill of entry and signed by such officer of Customs at the place of exit.

150. Should the transit agent desire to vary the transit bill of entry by having removed from it any of the merchandise specified therein as for transit, he may apply to any Customs Officer within the Protectorate to expunge the same from the bill of entry and such officer may, upon sufficient reason being shown, and on receipt of any duties due, and not already paid, on the goods sought to be removed endorse the bill of entry with a description of the merchandise which it is desired to remove, and such merchandise shall be deemed to be eliminated from the transit bill of entry accordingly, and no application for refund of duty in respect of such merchandise shall afterwards be entertained.

A fee of two rupees shall be charged for every such endorsement.

151. If the quantity of goods in transit be found at the place of exit to be less than that specified in the transit bill of entry the proper Officer of Customs at such place of exit shall endorse on the transit bill of entry a note of the amount of deficiencies, and unless such deficiency is accounted for by reasons for which the transit agent is not responsible, treble the import duty leviable on goods of the like kind shall be charged on such deficiency and such duty shall be deducted from the amount to be refunded, or otherwise recovered from the transit agent.

152. Save as hereinbefore otherwise provided the import duty paid on goods declared for transit shall be repaid, less the deductions, if any, in respect of any deficiency, at the option of the transit agent either at the place of entry or the place of exit. In either case the proper Officer of Customs shall make such payment and shall receive in exchange the endorsed transit bill of entry and the Customs receipt if any, which, shall forthwith be cancelled.

153. If no application for the return of any duty paid in respect of goods declared for transit be made within six calendar months of the date of the issue of the transit entry the goods shall be deemed to be imported for home consumption.

154. (1) The provisions of this Ordinance relating to the appraisement and examination of goods imported for home consumption and the assessment of duty thereon shall apply to the appraisement, examination and assessment of duty on goods declared in "transit."

(2) Goods declared in transit shall for the purpose of recovering any penalty imposed by this or any other Ordinance relating to the Customs be deemed to be and be treated as goods imported or exported as the case may be, and in any trial or hearing relating to them be deemed and be taken to be goods liable to duty and unshipped or shipped as the case may be without payment of duty unless the contrary be proved.

155. Prohibited goods shall not be admitted to pass in transit, unless the Governor shall otherwise order.

156. When any goods, capable of being easily identified, which have been imported by sea or land into any Customs port, and upon which duties of Customs have been paid on importation, are re-exported by sea or land from a Customs Port to foreign parts, the whole of such duties shall be refunded, subject to a charge of 25 cents per package to cover administration expenses in connection with re-export traffic.

Provided that in every case proof to the satisfaction of the proper officer Proviso. of Customs is adduced that import duty has been paid and the goods are identified to the satisfaction of such officer and are in the original condition and packing, and bulk has not been broken, and that the application for such refund is made within twelve calendar months from the date of the payment of import duty.

157. Notwithstanding anything herein contained, no drawback shall be allowed. Conditions of grant of drawback.

- (a) on goods which have been used in the Protectorate.
- (b) upon goods not included in the report outwards or the exportations of which is not otherwise proved.
- (c) upon goods entered for drawback, which are of less value than the amount of drawback claimed thereon. Such goods are liable to confiscation and the owner shall be liable to a penalty not exceeding one thousand Rupees.
- (d) unless the claim is entered in the name of the owner who has paid duties originally.
- (e) where the drawback payable is less than thirty Rupees.

158. In the event of goods on which drawback has been allowed being re-imported, the full duty shall be payable thereon.

Full duty on re-imported goods, on which drawback has been paid.

Bonds and other Securities.

Bonds and other Securities relating to the Customs.

159. All bonds and other securities entered into by any person or persons for the performance of any condition, order, or matter relating to the Customs or incident thereto, shall be valid, and upon breach of any of the conditions thereof may be sued and proceeded upon in the same manner as any bond expressly directed or given by or under the provisions of any Ordinance relating to the Customs, and all bonds relating to the Customs, or for the performance of any condition or matter incident thereto, shall be taken to or for the use of His Majesty ; and all such bonds, except such as are given for securing the due exportation of or payment of duty upon warehoused goods, may, after the expiration of three years from the date thereof, or from the time, if any, limited therein for the performance of the condition thereof, be cancelled by or by order of the Chief of Customs ; and all bonds given under the provisions of this or any Ordinance relating to the Customs by persons under twenty-one years of age shall be valid.

160. Whenever any person shall give a bond to His Majesty for the performance of any condition, order, or matter relating to the Customs or incident thereto, and it shall appear to the Chief of Customs that the condition of such bond has been broken, he may by indorsement on such bond, or otherwise, appoint some officer of Customs or other person to sue thereon, and such person shall thereupon be entitled to sue and to recover for the use of His Majesty the amount recoverable in respect of such breach of the condition of the said bond.

Miscellaneous.

161. Certificates of cargo landed, goods damaged, or short landed, contents of a case, package, bundle or bag, or a duplicate of any certificate, manifest, declaration, pass-note or any other document may, on payment of a fee not exceeding ten Rupees, be furnished, at the discretion of the Chief of Customs, to any person applying for the same, if the Chief of Customs is satisfied that no fraud has been committed or intended by the applicant.

162. The Governor may from time to time make rules with penalties for breaches thereof for governing and controlling porters, coolies, cartmen and others carrying goods or using trucks and carts within the Customs premises.

The Governor may make rules for governing and controlling porters, coolies, cartmen, &c., within the Customs premises.

Burden of proof of due entry, on whom to lie.

Boats, lighters, &c., conveying goods to and from ship to be registered.

Attendance of the Customs Constables.

Penalty for not removing tar, pitch, or other article of combustible or dangerous nature.

All goods imported or exported shall be liable to cranage and other charges.

Application of Export duty.

Refund of duty allowed on goods not landed.

Payment of duty short levied or erroneously refunded.

No refund of charges erroneously levied or paid, unless claimed within six months.

Crown goods or goods exempted from duty to be liable thereto when sold.

Valuation and Customs duty on postal parcels.

Duty on goods exported by parcel post.

163. The burden of proof that the proper duties payable with respect to any goods have been paid, and that all requirements of this Ordinance with regard to the entries of any goods or otherwise have been complied with and fulfilled, shall in all cases, lie upon the person whose duty it was to comply with and fulfil the same.

164. All boats, lighters, or other craft used in landing or shipping any goods from or to any ship in any port shall be properly registered and marked in such manner as may from time to time be prescribed by the Port Authority.

165. Whenever services of a Customs constable are required for watching shipment or otherwise at places other than those duly appointed, a fee of one Rupee for every six hours or part thereof shall be charged and such fees shall be paid into the Treasury of the Protectorate.

166. If the importer, consignee, his agent or any person having charge of any article of a combustible or dangerous nature shall suffer the same to remain in the Customs premises beyond the space of five working hours after he shall have been required by any Customs officer to remove the same therefrom, then and in every such case every person so offending shall for every such offence be liable to a fine not exceeding fifteen Rupees and not less than three Rupees for every hour that any of the said articles or goods shall be or remain in the place aforesaid after the expiration of the said five working hours.

167. Goods which are exempt from Customs duty shall, upon importation or exportation by sea or land, be liable equally with all other goods to the payment of rent, cranage or any other charges that may be due under this or any other Ordinance.

168. The valuation for duty on goods exported shall be that at the time when an export declaration is made and duty paid thereon.

169. When import duty has been paid on any goods and such goods have not been actually imported, it shall be lawful for the Chief of Customs to refund the duty in respect thereof.

170. When the Customs charges or duties have been short levied through inadvertence, error, or misconstruction on the part of Customs Officers or through misstatement as to real value, quantity, or description on the part of the owner, or when any such duty or charge, after having been levied, has been owing to any such cause, erroneously refunded, the person chargeable with the duty or charge so short levied, or to whom such refund has erroneously been made, shall pay the deficiency or repay the amount paid to him in excess, on demand being made; and the Customs Officers may refuse to pass any goods belonging to such person until the said deficiency or excess be paid or repaid.

171. No Customs duties or charges which have been paid, and of which repayment wholly or in part is claimed in consequence of the same having been paid through inadvertence, error, or misconstruction, shall be returned, unless such claim is made within six calendar months from the date of such payment.

172. (1) All goods which have been imported free of duty on the grounds that they are the property of the Crown, or of an officer of the Government or of any Company, firm or individual privileged by contract or otherwise to import such goods free of duty, shall, in case of the sale thereof, be liable to, and be charged with, the same duties as may be payable on the importation of similar goods not being the property of the Crown, or of such officer, company, firm or individual.

(2) The officer of a Public Department in whose charge such goods may be sold, or whoever shall cause such goods to be sold, shall furnish the Chief of Customs with particulars of the sale thereof, and out of the proceeds of the same pay to the said Chief of Customs the duties which may be due thereon.

173. On arrival of any postal parcels from a foreign port, the Postmaster General shall not deliver such parcels until the Customs duty payable thereon has been received.

174. The Postmaster General shall not accept any postal parcels intended for transmission by Foreign or Colonial parcel post containing any article liable to duty, unless accompanied by a Customs pass showing that the Customs duty has been paid thereon.

175. When any goods are water-borne for the purpose of being landed Boat-notes. from any ship and warehoused or cleared for home consumption, or of being shipped for exportation on board any ship, there shall be issued with each boat load or other separate despatch a boat-note specifying the numbers of packages so sent and the marks and numbers or other description thereof.

176. Each boat-note for goods to be landed shall be signed by an officer of Boat-note of goods the ship, and likewise by the officer of Customs, if any, on board, and shall be to be landed to be signed by the Officer of ship and Customs Officer.

177. Each boat-note for goods to be shipped shall be signed by the proper Boat note of officer of Customs, and, if an officer of Customs is on board of the ship on which goods shipped to such goods are to be shipped, shall be delivered to such officer. If no such officer be on board, every such boat-note shall be delivered to the Master of the ship be signed by an officer of Customs. or to an officer of the ship appointed by him to receive it.

178. The officer of Customs who receives any boat-note of goods landed Officer receiving and the officer of Customs, Master or other officer, as the case may be, who Boat-note to sign receives any boat-note of goods shipped, shall sign the same and note thereon the same. such particulars as the Chief of Customs may from time to time direct.

179. All goods water-borne for the purpose of being landed or shipped Goods water-borne to be shipped or landed without delay. shall be landed or shipped without unnecessary delay.

180. Gate passes shall be available for the day of issue only, and in the Gate passes. case of goods not removed the same day on which the pass has been issued the alteration in date shall be noted and signed by the Customs officer.

181. Only Government scales and weighing machines shall be allowed in Scales. the Custom house : the scales shall be certified from time to time.

The owners of goods may have the weight of their goods certified on payment of one cent per package.

182. The Chief of Customs or other proper officer of Customs at a port Animals. may require any animal imported or exported by sea to be lifted by the crane.

183. It shall be lawful for the Governor from time to time as he may Crane charges. think fit, to fix by notice in the "Official Gazette" the fees to be paid for the use of the Government Cranes at any Customs Port.

184. The passenger jetties shall not be used for the discharge or shipping Passenger jetty. of goods unless permission is previously obtained from the Chief or other proper officer of Customs and on payment of such fees as the Governor may from time to time prescribe.

False Declaration.

Making and Signing False Declaration relating to the Customs, falsely answering Questions, and counterfeiting Documents,

185. If any person shall in any matter relating to the Customs make and Penalty on subscribe any false declaration, or make or sign any declaration, certificate or making, signing, other instrument required to be verified by signature only, the same being false or declaring to in any particular, or if any person shall make or sign any declaration made for and untruly the consideration of the Chief of Customs, on any application presented him the answering same being untrue in any particular ; or if any person required by this or any questions. other Ordinance relating to the Customs to answer questions put to him by the officers of the Customs shall not truly answer such questions ; or if any person shall counterfeit, falsify, or wilfully use when counterfeited or falsified, any document required by this or any Ordinance relating to the Customs, or by or under the directions of the Governor or Chief of Customs or any instrument used in the transaction of any business or matter relating to the Customs, or shall fraudulently alter any document or instrument, or counterfeit the seal, signature, initial or other mark of, or used by the officers of the Customs, for the verification of any such document or instrument, or for the security of goods, or any other purpose in the conduct of business relating to the Customs, or under the control or management of the Chief or the officers of the Customs ; every person so offending shall for every such offence forfeit the penalty of fifteen hundred rupees.

Smuggling.

Restrictions on small craft.

Regulations for ships not exceeding twenty tons burden.

Restrictions on Small Craft, and Regulations for the Prevention of Smuggling.

186. It shall be lawful for the Governor from time to time to make such general regulations as he shall consider expedient in respect of ships, not exceeding twenty tons burden for the purpose of prescribing, with reference to the tonnage, build, or description of such ships, the limits within which the same may be employed; the manner in which such ships shall be so employed and such other terms, particulars, conditions, and restrictions respecting such ships, and respecting the carrying of any goods on board the same coastwise or upon any lakes, rivers or other inland waters, or for the purpose of being shipped or landed as he may think fit, and also from time to time to revoke, alter, or amend all or any of such regulations, and all revocations, alterations, or amendments thereof shall, when published in the Gazette, have the same force and effect for all purposes as if the same have been made by Ordinance, and shall be subject to disallowance by His Majesty.

Ships and boats used contrary to regulations forfeited.

187. Every ship, which shall be used or employed in any manner contrary to the regulations prescribed in the last preceding section shall be liable to forfeiture unless the same shall have been specially licensed by the Governor to be so used or employed as next hereinafter provided.

The Governor may grant special licences on terms.

188. The Governor may, if he shall so think fit, grant licences in respect of any ships, not exceeding ten tons burden upon such terms and conditions and subject to such restrictions and stipulations as are in such licences mentioned, notwithstanding any general regulations made in pursuance of this Ordinance whether the said regulations shall be revoked or not; and if any ship, so licensed shall not comply with the conditions imposed by or expressed in any such licence, such ship shall be forfeited.

The Governor may revoke licences.

189. The Governor may revoke, alter, or vary any licence granted under this or any other Ordinance relating to the Customs.

Ships used in removal of uncustomed or prohibited goods forfeited.

190. If any such ship shall be used in the importation, exportation, landing, removal, carriage, or conveyance of any uncustomed or prohibited goods, the same shall be forfeited, and the owner and master of every such ship, shall forfeit and pay a penalty equal to the value of such ship, not in any case exceeding seven thousand five hundred Rupees.

General Regulations to prevent Smuggling.

Vessels having false sides, bows, &c., forfeited.

191. All British or Protectorate ships coming within the limits of the jurisdiction having false bulkheads, false bows, double sides or bottoms, or any secret or disguised place whatsoever, adapted for the purpose of concealing goods, constructed in such ships or having any hole, pipe, or device in or about such ships adapted for the purpose of running goods, shall be forfeited; and all foreign ships coming into any port or place within the jurisdiction having on board any goods liable to the payment of duties, or prohibited to be imported within the jurisdiction, concealed in false bulkheads, false bows, double sides or bottoms, constructed in such ships or in any secret or disguised place whatsoever in such ships shall be forfeited.

Goods unshipped without payment of duty and prohibited goods liable to forfeiture.

192. If any goods liable to the payment of duties shall be imported by land or shall be unshipped from any ship within the limits of the jurisdiction, Customs or other duties not being first paid or secured; save when such unshipping shall be done in the presence and with the consent of a proper officer of Customs, or if any prohibited goods whatsoever shall be imported, or if any goods whatever which shall have been warehoused or otherwise secured within the jurisdiction either for home consumption, transit or exportation, shall be clandestinely or illegally removed from or out of any warehouse or place of security or if any goods which are prohibited to be exported shall be exported or put on board any ship with intent to be laden or shipped for exportation, or shall be brought to any quay, wharf, or other place within the jurisdiction in order to be exported or put on board any ship for the purpose of being exported; or if any goods which are prohibited to be exported shall be found in any packages produced to any officer of the Customs as containing goods not so prohibited; or if any goods subject to any duty or restriction in respect of importation, or exportation or which are prohibited to be imported, or exported shall be found to have been wilfully concealed in any manner on board any ship within the limits of any port and shall not have been duly entered in the report of the cargo of such ship or shall be found either before or after importation or landing, or exportation or shipment to have been so concealed on board any such ship or other place within the limits as aforesaid, then, and in every of the foregoing cases, all such goods shall

Prohibited goods shipped or water-borne with intent to be exported, &c., forfeited.

be forfeited, together with any goods which shall be found packed with, or used in concealing them.

Goods concealed and goods packed therewith.

193. If any goods brought within the limits of the jurisdiction from any place without the said limits shall be imported or unladen at any place within the said limits, due entry thereof not having been first made at a port of entry or permission granted for the importation or unloading thereof at the particular place at which such importation or unloading may take place or if any goods shall be exported or shipped or be waterborne to be shipped at any place within the said limits the entry thereof not having been first made at a port or permission granted for such exportation or shipment such goods shall be forfeited, and any person concerned in the importation, or unloading exportation or lading thereof, or in any subsequent concealment or receiving thereof, or of any part thereof, shall forfeit and pay treble the value of the goods so imported or unladen exported laden concealed, or received, or the sum of fifteen hundred Rupees at the option of the Chief of Customs, and any ship, or carriage, used in the importation or landing exportation, shipping, removing, carriage, or conveyance of any goods so imported or unladen exported or laden in contravention of this section, shall be forfeited.

194. All goods, the importation or exportation of which is in any way restricted, which are of a description admissible to duty and which shall be found or seized within the jurisdiction under any law relating to the Customs, shall, for the purpose of proceeding for the forfeiture of them or for any penalty incurred in respect of them, be described in any information exhibited on account of such forfeiture or penalty as, and on the trial or hearing thereof be deemed and taken to be, goods liable to duty and unshipped or imported or shipped or exported as the case may be without payment of duty unless the contrary be proved.

195. If any ship whatever shall be found within the limits of the Protectorate waters with a cargo on board, and such ship shall afterwards and without having duly cleared and departed for some place beyond the seas be found light or in ballast, and the Master is unable to give a due account of the port or place where such ship shall have legally discharged her cargo, such ship shall be forfeited.

196. The examining officer or other proper officer of Customs at the port of entry of any goods may, whenever he shall deem it expedient, before the delivery thereof, have any package containing such goods opened and examined; and any prohibited or uncustomed goods which may be found concealed therein shall be forfeited, together with the other contents of the package containing them.

197. Any officer of His Majesty's navy or officer of the Customs, or where there is no officer of the Customs, any Police officer acting under the authority of any District Commissioner or any officer of the Customs, may go on board any ship which shall be within the Protectorate waters, and rummage and search the cabin and all other parts of such ship for prohibited or uncustomed goods, and remain on board such ship so long as she shall continue within the Protectorate waters.

198. Any officer of the Customs, or other person acting in his aid, or duly employed for the prevention of smuggling, may, upon reasonable suspicion, stop and examine any carriage package or bundle, for the purpose of ascertaining whether any smuggled goods are contained therein, and if no such goods shall be found, the officer or person so stopping and examining such carriage, package or bundle having had probable cause to suspect that such carriage, package or bundle had smuggled goods contained therein, shall not, on account of such stoppage and search, be liable to any prosecution or action on account thereof; and all persons driving or conducting such carriage or conveying such package or bundle, refusing to stop or allow any such examination when required shall forfeit the sum of three hundred Rupees.

199. Any officer of the Customs or other person duly employed for the prevention of smuggling acting under the direction of the Chief of Customs having a writ of assistance under the seal of His Majesty's High Court of the Protectorate, and accompanied by a Police officer, may, at any hour of the day or night, enter into any house, shop, cellar, warehouse, room, yard, or other place, uncustomed or and, if necessary, break open doors, chests, and other packages, and there seize and bring away any goods or merchandise whatsoever which may have been landed or brought within the limits of the jurisdiction in contravention of any Ordinance, and all writs of assistance so issued shall continue in force during the reign for which they were granted, and for six months afterwards.

As to goods landed before the vessel or goods are entered.

Penalty.

All goods, the importation or exportation of which is in any way restricted, which are of a description admissible to duty and which shall be found or seized within the jurisdiction under any law relating to the Customs, shall, for the purpose of proceeding for the forfeiture of them or for any penalty incurred in respect of them, be described in any information exhibited on account of such forfeiture or penalty as, and on the trial or hearing thereof be deemed and taken to be, goods liable to duty and unshipped or imported or shipped or exported as the case may be without payment of duty unless the contrary be proved.

If any ship whatever shall be found within the limits of the Protectorate waters with a cargo on board, and such ship shall afterwards and without having duly cleared and departed for some place beyond the seas be found light or in ballast, and the Master is unable to give a due account of the port or place where such ship shall have legally discharged her cargo, such ship shall be forfeited.

The examining officer or other proper officer of Customs at the port of entry of any goods may, whenever he shall deem it expedient, before the delivery thereof, have any package containing such goods opened and examined; and any prohibited or uncustomed goods which may be found concealed therein shall be forfeited, together with the other contents of the package containing them.

Any officer of His Majesty's navy or officer of the Customs, or where there is no officer of the Customs, any Police officer acting under the authority of any District Commissioner or any officer of the Customs, may go on board any ship which shall be within the Protectorate waters, and rummage and search the cabin and all other parts of such ship for prohibited or uncustomed goods, and remain on board such ship so long as she shall continue within the Protectorate waters.

Any officer of the Customs, or other person acting in his aid, or duly employed for the prevention of smuggling, may, upon reasonable suspicion, stop and examine any carriage package or bundle, for the purpose of ascertaining whether any smuggled goods are contained therein, and if no such goods shall be found, the officer or person so stopping and examining such carriage, package or bundle having had probable cause to suspect that such carriage, package or bundle had smuggled goods contained therein, shall not, on account of such stoppage and search, be liable to any prosecution or action on account thereof; and all persons driving or conducting such carriage or conveying such package or bundle, refusing to stop or allow any such examination when required shall forfeit the sum of three hundred Rupees.

Any officer of the Customs or other person duly employed for the prevention of smuggling acting under the direction of the Chief of Customs having a writ of assistance under the seal of His Majesty's High Court of the Protectorate, and accompanied by a Police officer, may, at any hour of the day or night, enter into any house, shop, cellar, warehouse, room, yard, or other place, uncustomed or and, if necessary, break open doors, chests, and other packages, and there seize and bring away any goods or merchandise whatsoever which may have been landed or brought within the limits of the jurisdiction in contravention of any Ordinance, and all writs of assistance so issued shall continue in force during the reign for which they were granted, and for six months afterwards.

As to goods landed before the vessel or goods are entered.

Penalty.

Court and
magistrates may
issue search-
warrants.

200. Every Court or magistrate who by law may issue search-warrants for the discovery of anything by or in respect of which a crime or offence has been committed, may issue search-warrants for the discovery and seizure of any goods or merchandise of any description illegally imported within the limits of the Protectorate, and such search-warrants shall for the particular case have the same force and effect as a writ of assistance issued under the seal of His Majesty's High Court of the Protectorate; and all officers of the Customs and of the police acting under the authority of such search-warrants, shall have and exercise the same powers as are or may hereafter be given by any Ordinance to officers acting under the authority of writs of assistance.

Ships,
carriages, &c.,
used in removal
of smuggled
goods forfeited.

201. All ships and carriages, together with all horses and other animals and their harness made use of in the removal, carriage, or conveyance of any goods liable to forfeiture, under this or any other Ordinance relating to the Customs, shall be forfeited.

Ships and goods
liable to
forfeiture may be
seized and
persons detained.

202. All ships and carriages and all goods whatsoever liable to forfeiture, and all persons liable to be detained for any offence under this or any other Ordinance relating to the Customs, shall and may be seized or detained in any place, either upon land or water, by any officer or officers of the Customs, or by any person having authority from the Governor to seize; or duly employed for the prevention of smuggling: and all ships, carriages and goods so seized or detained shall, as soon as possible, be delivered into the care of the proper officer of the Customs, at the port next to the place where the same were seized, who shall secure the same by such means, and in such manner, as shall be provided and directed, by the Chief of Customs; and the forfeiture of any ship or carriage shall be deemed to include her tackle, apparel, and furniture, and the forfeiture of any goods shall be deemed to include the packages in which the same are found, and all the contents thereof.

Police officer
seizing goods to
carry them to
proper officer of
Customs.

203. If any goods liable to forfeiture under this or any other Ordinance relating to the Customs shall be stopped or taken by any police officer, or other person acting by virtue of any Ordinance or laws of the Protectorate, or otherwise duly authorized, such goods shall forthwith be delivered into the care of the proper officer of the Customs, at the port next to the place where the goods were stopped or taken, to be there secured and dealt with as aforesaid.

Goods stopped by
Police officers
may be retained
until trial of
persons charged
with stealing
them.

204. If any such goods shall be stopped or taken by any police officer on suspicion that the same had been feloniously stolen, the said officer may carry the same to the police office, to which the offender is taken, there to remain until and in order to be produced at the trial of the offender, and in such case the officer is required to give notice in writing to the Collector or other proper officer of the Customs, at the port next to the place where the goods were stopped or taken, of his having so detained the said goods, with the particulars of the same: and immediately after the trial of such offender of such goods shall be delivered into the care of such Collector, or other proper officer of the Customs, to be secured and dealt with according to law; and in case any police officer making detention of any such goods shall neglect to deliver the same to such Collector, or other proper officer of the Customs, or to give the notice of having stopped the same as before prescribed, such officer shall forfeit the sum of three hundred Rupees.

Notice to be
given by seizing
officer to owner
of ship or goods
seized and
seizures to be
claimed within
one month.

205. Whenever any ship, carriage or goods shall be seized as forfeited under this or any Ordinance relating to the Customs, the seizing officer shall forthwith give notice in writing of such seizure, and of the grounds thereof, to the master or owner of such ship, carriage or goods, if known, either by delivering the same to him personally, or by delivery thereof at his place of abode or business, or by letter addressed to him at his place of abode or business and transmitted by post: Provided that such notice shall not be required in cases where seizure is made on the person or in the presence of the offender, and all ships, carriages or goods so seized under any Ordinance relating to the Customs shall be deemed and taken to be condemned and may be sold or otherwise disposed of, without any information being filed, unless the person from whom such ships, carriage or goods shall have been seized, or the owner of them, or some person authorized by him, shall within one month from the day of seizing the same give notice in writing to the Chief of Customs, that he claims the ship, carriage or goods or intends to claim them.

206. All ships and carriages and all goods whatsoever which shall have been seized and condemned for breach of any law relating to the Customs, shall be disposed of for the service of the Government of the Protectorate as soon as conveniently may be after the condemnation thereof in such manner as the Governor may direct.

Offences by Persons.

207. Any officers of the Customs, or other person acting in his aid, or duly employed for the prevention of smuggling, may search any person on board any ship, in any port or place within the limits of the jurisdiction, or any person who shall have landed from any ship or entered into the Protectorate provided such officer shall have good reason to suppose that such person has any uncustomed or prohibited goods secreted about his person ; and if any person shall obstruct any such officer in going, remaining, or returning from on board or in searching such ship, or person, every such person shall forfeit the sum of 1,500 Rupees ; and if any passenger or other person on board any such ship or who may have landed from any such ship or who shall have entered into the Protectorate shall upon being questioned by any such officer whether he has any foreign goods upon his person, or in his possession, deny the same, and any such goods shall after such denial be discovered to be or to have been upon his person, or in his possession, such goods shall be forfeited, and such person shall forfeit treble the value of such goods.

208. Before any person shall be searched by any such officer as aforesaid, such person may require such officer to take him before the chief or other proper officer of the Customs, or before any Magistrate or Justice of the Peace, who shall, if he see no reasonable cause for search, discharge such person, but if otherwise, direct such person to be searched, and if a female, she shall not be searched by any other than a female

209. Any officer required to take any such person before such Chief or other proper officer of the Customs or Magistrate or Justice of the Peace, shall do so with all reasonable dispatch ; but if such officer shall require any person to be searched, not having reasonable grounds to suppose that he has uncustomed or prohibited goods about his person, such officer shall forfeit and pay any sum not exceeding one hundred and fifty Rupees.

210. Every person who shall be concerned in importing or exporting any prohibited goods, or any goods the importation or exportation of which is restricted, contrary to such prohibition or restriction or any goods liable to duty the duties for which have not been paid or secured and every person who shall ship or unship or assist, or be otherwise concerned in the shipping or unshipping of any goods which are prohibited, or of any goods which are restricted and imported contrary to such restriction, or of any goods liable to duty, the duties for which have not been paid or secured ; or who shall knowingly harbour, keep or conceal, or shall knowingly permit or suffer or cause or procure to be harboured, kept or concealed, any such goods, or any goods which shall have been illegally removed without payment of duty from any warehouse or place of security in which they may have been deposited, or to whose hands and possession any such goods shall knowingly come, or who shall assist or be concerned in the illegal removal of any goods from any warehouse or place of security in which they shall have been deposited as aforesaid ; or who shall be in any way knowingly concerned in conveying, removing, depositing, concealing, or in any manner dealing with any goods liable to duties of Customs, with intent to defraud His Majesty of such duties, or any part thereof, or who shall be in any way knowingly concerned in any fraudulent evasion, or attempt at evasion of such duty, or any part thereof, shall in each and every of the foregoing cases forfeit either treble the value of the goods or the penalty of fifteen hundred rupees, at the election of the Chief of Customs, and every such person may be detained to be dealt with as hereinafter directed, and the averment in any information to be exhibited for the recovery of such penalty that such officer has elected to sue for the sum mentioned in the information, shall be deemed sufficient proof of such election, without any other or further evidence of such fact.

Penalty on removing goods from any ship or wharf without authority.

211. Every person who shall remove any goods imported within the limits of the jurisdiction from any ship, quay, wharf or other place previous to the examination thereof by the proper officer of the Customs, unless under the care or authority of such officer, or who shall remove or withdraw from any quay, wharf, or other place any goods entered to be warehoused after the landing thereof, so that no sufficient account is taken thereof, by the proper officer, or so that the same are not duly warehoused, and every person who shall assist or be otherwise concerned in such removal or withdrawal, or shall knowingly harbour, keep, or conceal, or shall knowingly permit or suffer or cause or procure to be harboured, kept, or concealed, any such goods, or to whose possession any such goods shall knowingly come, every such person shall forfeit either treble the value thereof or the penalty of fifteen hundred Rupees, at the election of the Chief of Customs, and the averment in any information to be exhibited for the recovery of such penalty, that such officer had elected to sue for the sum mentioned in the information, shall be deemed sufficient proof of such election, without any other or further evidence of such fact.

Penalty on being found on board any ship liable to forfeiture.

212. Every person who shall be found or discovered to have been on board any ship liable to forfeiture under this or any other Ordinance relating to the Customs for being found or discovered to have been within any port, sub-port, bay, harbour, roadstead, or inlet within the limits of the jurisdiction, having on board or in any manner attached thereto, or having had on board, or in any manner attached thereto, or conveying or having conveyed in any manner such goods or things as subject such ship to forfeiture, shall forfeit the sum of fifteen hundred Rupees; and every such person shall and may be detained, and taken before any Court or Magistrate to be dealt with as hereinafter directed.

213. If any person liable to be detained under this or any other Ordinance relating to the Customs, shall not be detained at the time of committing the offence for which he is so liable, or shall after detention make his escape, such person shall and may at any time afterwards be detained and taken before any Court or Magistrate to be dealt with as if detained at the time of committing such offence.

214. Whenever any person shall have been detained and taken before any Court or Magistrate for being found or discovered to have been on board any ship within any port, sub-port, bay, harbour, roadstead, or inlet within the jurisdiction such ship having on board, or having had on board any goods as would, under this or any other Ordinance relating to the Customs, subject the same to forfeiture, or for importing or unshipping or for aiding or being concerned in the importing or unshipping of any goods liable to forfeiture, under this or any other Ordinance relating to the Customs, or for carrying, conveying, or concealing or for aiding or bringing of any such goods, and it shall appear to such Court or Magistrate that the value of such goods in respect of which such person has been so detained does not exceed seventy five Rupees, such Court or Magistrate may, if he shall in his discretion think fit, proceed summarily upon the case without any information being exhibited, and convict such person of such offence, and adjudge that such person shall, in lieu of any other penalty, forfeit any sum not less than the single value nor more than treble the value of such goods, including the duties of importation due thereon, and in default of payment of such sum of money, or in lieu of such payment, commit such person to prison for any time not exceeding three months, with or without hard labour.

215. When any person shall have been detained for any offence against this or any other Ordinance relating to the Customs, and taken before any Court or Magistrate such Court or Magistrate may, if it shall appear expedient, order such person to be detained in gaol or in the custody of the police a reasonable time, in order that the direction of the Chief of Customs or other proper officer of Customs as to the prosecution of such person may be given, and that the necessary informations, convictions, and warrants of commitment may be prepared, and at the expiration of such time to be brought before him or any other Court which may finally hear and determine the matter, or when any information may have been preferred before any Court or Magistrate and it shall appear to such Court or Magistrate by deposition on oath or otherwise, that such person is likely to abscond before such information can be heard, such Court or Magistrate may, in lieu of issuing a summons for the appearance of the accused, grant a warrant to apprehend and bring him before the Court at a time and place to be named in such warrant for the hearing of such information; but any person so detained or apprehended may be liberated on giving, by re-

Any person escaping may afterwards be detained.

Court may in certain cases proceed to conviction without information by officers of Customs.

Persons taken before a Magistrate may be detained or admitted to bail.

cognizance or by deposit of money or other valuable property, sufficient security in the sum of fifteen hundred Rupees or in the amount of the penalty sought to be recovered, to appear at such time and place as shall be appointed for hearing the case.

216. If any person shall offer for sale any goods under pretence that the Penalty on same are prohibited, or have been unshipped and run on shore without payment son offering goods of duties, all such goods (although not liable to any duties or prohibited) shall for sale under be forfeited, and every person so offering the same for sale shall forfeit treble pretence of being smuggled or prohibited.

217. All persons assembled to the number of three or more for the purpose of importing, landing, exporting, shipping or unshipping, carrying, conveying, or concealing any goods liable to forfeiture under this or any other Ordinance relating to the Customs, and every person who shall by any means procure or hire or shall depute or authorise any other person to procure or hire any person or persons to assemble for the purpose of being concerned in the landing, importing, exporting, shipping or unshipping, or carrying, conveying or concealing any goods which are prohibited to be imported, or the duties for which have not been paid or secured, and every person who shall obstruct any person duly employed for the prevention of smuggling, or any officer or officers of the Customs, or any person acting in his or their aid or assistance in the execution of his or their duty, or in the due seizing of any goods liable to forfeiture by this Ordinance or any Ordinance relating to the Customs, or shall rescue, or attempt, or endeavour to rescue or cause to be rescued any goods which have been duly seized, or who shall, before or at or after any seizure, stave, break, or otherwise destroy, or attempt or endeavour to break, stave, or otherwise destroy any goods to prevent the seizure thereof or the securing of the same, shall, upon being duly convicted of any of the said offences before any Court be adjudged by such Court, for the first offence, to be imprisoned and kept to hard labour for any term not more than nine months, and for the second offence for any term not less than nine nor more than twelve months, and for the third or any subsequent offence for twelve months.

218. If any persons to the number of three or more, armed with firearms or other offensive weapons, shall within the limits of the jurisdiction be assembled in order to be aiding and assisting in the illegal landing importing shipping exporting running, or carrying away of any prohibited goods or any goods liable to any duties which have not been paid or secured, or in rescuing or taking away any goods as aforesaid after seizure from the officers of the Customs, or from any person or persons employed by or assisting them, or from the place where the same shall have been lodged by them, or in rescuing any person who shall have been apprehended for any offence under this or any Ordinance or law relating to the Customs, or in preventing the apprehension of any person who shall have been guilty of such offence, or in case any persons to the number of three or more so armed as aforesaid shall within the limits of the jurisdiction be so aiding or assisting any person so offending, and every person aiding, abetting, or assisting therein shall, being thereof convicted, be adjudged guilty of an offence and shall be liable to be imprisoned with hard labour for any term not exceeding three years.

219. If any person shall maliciously shoot at any vessel or boat in the service of the Customs within the Protectorate waters, or shall maliciously shoot at boats belonging to, maim, or wound any officer of the Customs, or any person acting in his aid or assistance, or duly employed for the prevention of smuggling, in the execution of his office or duty, any person so offending, and every person aiding, abetting, or assisting therein shall, upon conviction, be liable to be imprisoned with hard labour for any term not exceeding ten years.

220. If any person shall by force or violence assault, or resist, or obstruct any officer of the Customs or other person duly employed for the prevention of smuggling in the due execution of his or their duty, or any person acting in his or their aid, every person so offending, being thereof convicted, shall be kept imprisoned with hard labour for any term not exceeding three years.

Collusive Seizures.

221. If any officer of the Customs or any other person or persons duly employed for the prevention of smuggling shall make any collusive seizure, or deliver up, or make any agreement to deliver up, or not to seize any ship carriage or goods liable to forfeiture, or shall take any bribe, gratuity, recompense, or reward, for the neglect or non-performance of his duty, or conspire or connive and on persons offering them.

with any person to import within the limits of the jurisdiction, or be in any way concerned in the importation within the said limits of any goods prohibited to be imported or liable to duties of Customs for the purpose of seizing any ship carriage or goods, and obtaining any reward for such seizure or otherwise, every such officer or other person shall forfeit for every such offence the sum of 7,500 Rupees and be rendered incapable of serving His Majesty in any office whatever in the Protectorate and every person who shall give, or offer, or promise to give or procure to be given, any bribe, recompense, or reward to, or shall make any collusive agreement with any such officer or person as aforesaid, to induce him in any way to neglect his duty, or to do, conceal, or connive at anything whereby any of the provisions of any Ordinance or law relating to the Customs may be evaded, shall forfeit the sum of three thousand Rupees.

Legal Proceedings.

Generally

Penalties and
forfeitures, how
to be sued for.

Procedure for Recovering Penalties and Enforcing Forfeitures.

222. In all suits, informations or proceedings at the suit of the Crown for the recovery of any duty or penalty, or the enforcement of any forfeiture under this or any Ordinance relating to the Customs, the parties thereto shall be entitled to recover costs against each other in the same manner as if such suit or proceedings were conducted and had, between subject and subject, and every sum of money directed by the Court to be paid by the Crown as costs shall, upon production of an office copy of the order of Court, be paid by the Treasurer, out of any moneys in his hands arising from the duties of Customs or other revenue, and all such payments shall be allowed by the Auditor in settling or auditing the accounts of the Treasurer, and all duties, penalties, and forfeitures incurred under or imposed by this or any other Ordinance relating to the Customs, and the liability to forfeiture of any ships, carriages, or goods seized under the authority thereof shall and may be sued for, prosecuted, determined, and recovered by suit or action of debt, information, prosecution, or other appropriate proceeding in the name of the Crown Advocate or any officer of the Customs in the High Court, or, if the amount of the duties and penalties claimed by the Crown or the value of any property sought to be forfeited shall not exceed the sum of fifteen hundred Rupees, in a Subordinate Court of first class, or, if the value of the aforesaid duties, penalties or property shall not exceed seven hundred and fifty Rupees, in a Subordinate Court of the Second Class, and every Judge or Magistrate of a Subordinate Court of the first or second class shall have jurisdiction in such cases to the extent of fifteen hundred Rupees and seven hundred and fifty Rupees respectively (with power to enforce or mitigate any penalty sought to be recovered as hereinafter provided.)

The High Court
may direct that
an offence shall
be investigated,
etc., as an offence
under the Penal
Code.

Venue in offences
against Customs
laws.

Where offence
commenced and
completed at
different places.

How value of
goods to be
ascertained.

223. Anything in this Ordinance to the contrary notwithstanding, whenever any information of an offence under this or any Ordinance relating to the Customs, other than an information for the forfeiture of any ship, carriage or goods, shall be exhibited in the High Court such Court may direct that such offence shall be investigated, enquired into, tried or otherwise dealt with in like manner as an offence under the Penal Code.

224. Every offence against this Ordinance, or any other Ordinance relating to the Customs, shall, for the purposes of and incidental to the trial and punishment of any person accused of or of being accessory to such offence, and all proceedings and matters preliminary and incidental to and consequential on such trial and punishment, and for all purposes of and incidental to the jurisdiction of any Court and officer with reference to such offence, be deemed to have been committed either in the place in which the offence was committed, or in any place on land within the jurisdiction in which the person accused of, or of being accessory to, the offence may be, or be brought, and where any such offence is commenced at one place and completed at another the place at which such offence is deemed to have been committed shall be either the place where the offence was commenced or the place where the offence was completed.

225. In all cases where any penalty, the amount of which is to be determined by the value of any goods is directed to be sued for, such value shall, as regards proceedings in any Court, be estimated and taken according to the rate and price for which goods of the like kind, but of the best quality, upon which the duties of importation shall have been paid, were sold or were capable of being sold at or about the time of the offence at Mombasa, or according to the rate and price for which the like sort of goods were sold in bond at or about the time of the offence, with the duties due thereon added to such rate or price in bond.

226. The form of information given in the Second Schedule to this Form of Ordinance, and the counts therein contained with reference to any offences committed against or forfeitures incurred under the several sections of this Ordinance to which the same or any of them relate, shall be applicable to and sufficient for all purposes in the prosecution of such offences and forfeitures; and where two or more counts are given upon the same section those counts may be used which apply most nearly to the circumstances of the case, and any one or more of the said counts may be included in the same information, together with any other count or counts; and in any case, or for any offence or forfeiture for which no count is given in the said Second Schedule, such count or counts may be substituted or added as circumstances may require; and every such information, summons, conviction, and warrant shall be deemed valid and sufficient in which the offence or forfeiture is set forth either in the words of the Ordinance by which the penalty for such offence has been inflicted, or under which any forfeiture has been incurred, or in the words of the information by this Ordinance prescribed, and every condemnation of a seizure may be in the form given in the Second Schedule to this Ordinance; and no information, conviction, warrant of commitment or condemnation shall be held void by reason of any defect therein, and any Court shall and may amend any information, conviction, or warrant of commitment or condemnation at any time whether before or after conviction or condemnation.

227. Upon the exhibition of any information by which any penalty or Procedure upon forfeiture shall be sought to be recovered on account of any offence committed against or breach of this or any other Ordinance relating to the Customs the hearing and adjudication, and all proceedings and matters preliminary and incidental to and consequential upon such hearing and adjudication shall (except as otherwise provided by this or any other Ordinance relating to the Customs) be regulated as nearly as the circumstances of the case shall allow, in the manner prescribed by law in the case of any person being charged with any offence which by law may be heard and determined upon summary trial.

228. All suits or informations brought or exhibited for any offence against Time within this or any other Ordinance relating to the Customs, shall be brought or which informations may exhibited within three years next after the date of the offence committed. be brought

229. When any seizure has been made or any fine or penalty incurred Waiver of or inflicted, or any person committed to prison for any offence under proceedings, &c. this Ordinance, the Chief of Customs may, with the approval of the Governor, direct the restoration of the seizure, whether condemnation has taken place or not, or may waive proceedings, or mitigate or remit the fine or penalty or release the person from prison either before or after conviction, on any terms, subject to the Governor's approval, that the Chief of Customs thinks fit.

230. The Governor may mitigate or remit any penalty or fine, or part of The Governor any penalty or fine, incurred under this or any Ordinance relating to the Customs, and direct any penalty paid to be returned, or any seizure to be restored before or after condemnation, either unconditionally or on such terms and conditions as to him shall appear proper.

231. (i.) The Governor may award to the person prosecuting or to any Rewards.

person by whose means or aid any fine is recovered or seizure made under this Ordinance, or to all or any of them, any sum or sums not exceeding altogether one half of the fine or proceeds.

(ii.) The Governor may award to any officer or other person detaining any person liable to detention under this Ordinance, such reward as he may think fit, not exceeding one hundred and fifty Rupees for each person detained.

232. All fines recovered and the proceeds of all seizures sold under this Applications of Ordinance shall be applied in aid of the general revenue of the Protectorate. fines, &c.

Proceedings for Recovery of Penalties.

Proceeding of penalties.

233. Whenever the Crown Advocate or the proper officer of the Customs, Where proceed- shall in any case proceed by information in any Court against any person for ings taken by any offence under this or any other Ordinance relating to the Customs, and it information defendant may be shall appear to such Court that such person is likely to abscond before such in- arrested. formation can be heard, such Court shall, in lieu of issuing a summons for the appearance of such person, grant a warrant to apprehend and bring such person before the Court, and on his being so brought shall require him to give by re-

cognizance, or by a deposit of money or other valuable property, security to the satisfaction of such Court to appear before the Court at any time when called upon while the cause is pending and until execution or satisfaction of the order or conviction that may be passed against him therein, and the surety or sureties shall undertake in default of such appearance to pay any sum that may be adjudged against such defendant in the cause, and in default of such security the Court shall commit such offender to gaol or to the custody of the police: Provided that every person so committed shall be entitled to be forthwith discharged upon his entering into the required security at any time during the proceedings against him for the recovery of such penalty.

Penalties joint
and several may
be sued for by
joint and several
information.

234. When by any Ordinance relating to the Customs a penalty is jointly and severally incurred by any number of persons, such persons may be proceeded against jointly by one information, or severally by separate informations; and in case of a proceeding against such several persons by joint information for recovery of the penalty or penalties so severally incurred by each, the penalty or penalties shall be recoverable against each, notwithstanding that any one or other of such persons so jointly proceeded against may have allowed judgment to go by confession or default, or that the penalty adjudged to be paid by any one or other of the defendants so jointly sued may be for a different amount from that of the penalty in which any one or other of such several persons may be convicted, or that any one or other of such several persons so jointly prosecuted may be acquitted, and no judgment on any such information shall be reversed or avoided or error in law alleged therein on the ground of any such judgment being obtained by confession or default of any of the persons, nor on account of any difference in the amount of the penalties in which any one or more of such persons may be convicted or the acquittal of any such judgment being obtained by confession or default of any of the persons; but every such judgment shall be valid and effectual against any or all of the said several persons so jointly proceeded against, and for the full amount of the penalty or penalties in which such person or persons shall have been severally or respectively convicted.

Hearing and
adjudication upon
information.

235. Upon the exhibition of any information before any Court having jurisdiction in that behalf, by which any penalty shall be sought to be recovered on account of any offence against this or any other Ordinance relating to the Customs, and where such information shall have been exhibited before such Court within three years next after the date of the offence committed, such Court shall issue the process prescribed by law for bringing the accused party before the Court, and upon his appearance, or if he fail to appear and it be proved that the summons was duly served upon him a reasonable time before the time appointed for his appearance, the Court shall hear and determine such information, and upon proof of the matter contained in such information, either upon the confession of the party, or upon the oath of one or more credible witness or witnesses, shall convict the party charged in such information.

Court may
mitigate penalties
in certain cases.

236. Where any person shall or may be convicted before any Court in any penalty or penalties incurred as aforesaid, the Court may, in cases where upon consideration of the circumstances it shall deem it expedient so to do, and for a first offence only, mitigate the payment of the said penalty or penalties so as the sum to be paid by such person be not less than one-fourth part of the amount of the penalty in which such person shall have been convicted.

Penalty and costs
to be stated in
convictions, &c.

237. When any person is convicted before any Court, and adjudged to pay a pecuniary penalty for any offence against this or any other Ordinance relating to the Customs, the Court shall state in the conviction, and also in the commitment of such person if committed in default of payment, the amount of costs awarded to be paid by such person, as well as the penalty so adjudged, and shall commit such person to prison, with or without hard labour, until payment of such penalty and costs: Provided that where any person shall have been committed to any prison for non-payment of any such penalty less than fifteen hundred Rupees, the gaoler or keeper of such prison is hereby authorised and required to discharge such person at the end of six months from the commencement of this imprisonment: Provided also that any person having incurred a penalty less than fifteen hundred Rupees on such conviction as aforesaid, may, if the Court thinks fit, be imprisoned with or without hard labour for any period not exceeding six months in lieu of such penalty.

238. Where any person shall have been convicted before any Court of any offence for which any penalty of fifteen hundred Rupees or upwards shall have been imposed by this or any other Ordinance relating to the Customs, the said Court may, if it thinks fit, adjudge that such person shall, in default of paying such penalty, or in lieu of such penalty, be imprisoned with or without hard labour for such offence, if it be a first one, for a period of not less than three nor more than nine months; and if it shall appear that such party had been before convicted of any offence against this or any other Ordinance relating to the Customs, it shall and may be lawful for such Court, if it thinks fit, to order and adjudge that such person shall, on default in payment of such penalty, or in lieu of such penalty, be imprisoned and kept to hard labour for any period not less than six nor more than eighteen months.

239. Where any person shall have been convicted of any offence against this or any other Ordinance relating to the Customs, for which such person would be liable to hard labour, it shall and may be lawful for the Court before which such person is so convicted, if such person be a female, or from physical infirmity incapable of hard labour, to order and adjudge that such person shall, in lieu of being subjected to hard labour, be imprisoned for the period during which such person would have been liable to be kept to hard labour, but in all such cases the cause of mitigation shall be stated in the warrant of commitment.

Proceedings for Forfeitures.

*Proceedings for
forfeitures.*

240. When any information shall have been exhibited for the forfeiture of any ship, carriage or goods whatsoever seized under this or any Ordinance relating to the Customs, there shall be filed with such information an appraisement or valuation of the property proceeded against, made by officers of the Customs or other persons authorized and appointed by the Chief of Customs, at the port at or nearest to which such seizure was made, which appraisement shall be sworn to and shall be final as to the value of the property seized so far as such value is material with respect to any question of jurisdiction in the cause.

241. The Court before which any information shall have been exhibited for the forfeiture of any ship, carriage or goods so seized as aforesaid, shall make an order to the effect that if no person shall within a reasonable time named in such order claim the property mentioned in such information, the same shall be condemned; and notice of such order shall be given to the party to whom the ship carriage or goods belonged, or from whom they were seized, and such notice directed to the party, being left at his last known place of abode, or on board any ship to which such party may belong or have lately belonged, shall be deemed to have been sufficiently served, and if such service cannot be made, or in addition to such service, if the Court shall deem expedient, notice shall be given to such other person or persons and be otherwise made public as the Court in which the proceedings are pending shall in each particular case direct.

242. Every person claiming any ship, carriage or goods so seized as aforesaid shall, within the time specified, make appearance and claim in the Court where the information shall have been exhibited, and shall set forth the grounds on which he claims right to the restitution of the property seized, and if no such claim is made, the Court, on proof of the due service or publication of the notice as aforesaid, and that the ship, carriage or goods are liable to forfeiture under this or any Ordinance relating to the Customs, shall decree the ship carriage or goods to be condemned.

243. If the goods seized are of a perishable nature, likely to injure from keeping, upon proof thereof made at any time after filing of the information, and before final decree or judgment, on appeal, in case of appeal being brought, the Court in which the proceedings are pending may make an order for the sale of such goods, and the proceeds thereof shall be deposited in the hands of the Chief of Customs, or other proper officer of the Customs, to await the final decision of the cause.

244. When any ship carriage or goods shall have been seized or forfeited under this or any other Ordinance relating to the Customs, the Court having jurisdiction to try and determine such seizures may, with the consent of the Chief of Customs, or other proper officer of Customs, order delivery thereof, on security by bond, with two sufficient sureties to answer double the value of the same in case of condemnation, and such bond shall be taken to the use of His Majesty in the name of the officer of Customs in whose custody the goods or the ship or carriage may be lodged, and such bond shall be delivered and kept

Period of imprisonment in default of payment of penalty exceeding Rs. 1,500, punishment where previous conviction.

Hearing and decree upon claims of restitution.

Limitation to time for appealing.

Security on appeal dispensed with in certain cases.

Security to abide appeal.

In suits on seizure Judge may certify probable cause in bar.

Entry of appearance.

Claim to be in name of *bonâ fide* owner.

in the custody of the officer, and in case the goods or the ship or carriage shall be condemned, the value thereof and the cost of seizure and detention and all costs of suit shall be paid to the Chief of Customs, or to the officer of Customs authorized by him, and such bond shall thereupon be cancelled.

245. Where any person shall make claim to the restitution of any ship, carriage or goods, seized as aforesaid, the Court shall receive the evidence adduced on the part of such claimant and on the part of the seizing officer, and shall hear and determine upon the matter of such seizure, and decree the condemnation or restitution of the ship, carriage or goods; and the condemnation of any seizure as forfeited may be proved for all purposes by the production of the decree of the condemnation purporting to be signed by the presiding Judge of the Court making such decree or by any office copy of the record of such condemnation.

246. If a decree of condemnation of any ship, carriage or goods after a claim for restitution thereof shall have been made as aforesaid, or if a decree of restitution of any ship, carriage or goods shall be made, the parties shall be entitled to the like review or appeal as is provided in suits between subject and subject: Provided that the party against whom any decree of condemnation or of restitution may have been made as aforesaid, shall file a notice of appeal in the Court making such decree within seven days after the date thereof, and shall obtain leave to appeal and shall perfect the appeal within seven days thereafter; and if such notice be not filed and leave to appeal obtained and the appeal perfected within the period herein specified, such decree shall be final and conclusive.

247. No security upon any appeal shall be required to be given by the Crown Advocate or by the Chief of Customs, or any officer of Customs acting under the authority of the Chief of Customs.

248. If any proceeding shall be instituted against any ship, carriage or goods for the recovery of any penalty or forfeiture under this or any Ordinance relating to the Customs, the execution of any decree restoring any ship, carriage or goods to the claimant thereof which shall be pronounced by the Court, shall not be suspended by reason of any appeal which shall be entered from such decree: Provided that the party appellate shall give sufficient security to render and deliver the ship, carriage or goods concerning which such decree shall be pronounced or the full value thereof, to be ascertained either by agreement between the parties, or in case the said parties cannot agree then by appraisement under the authority of the said Court, to the party appellant in case the decree so appealed from shall be reversed, and such ship, carriage or goods be ultimately condemned.

249. In case any information or suit shall be tried for any cause or forfeiture, and a decree shall be given for the claimant, and it shall appear to the Court or Judge before whom such trial was had, or to the Appeal Court in case the judgment may be taken to appeal, that there was a probable cause of seizure, such Court shall certify on the record or other written proceedings that there was such probable cause, and such certificate shall be a bar and may be pleaded as such to any action, information, or other proceeding against the party making such seizure.

Entry of Appearance and Claims by Owners of Ships, Carriage and Goods Seized.

250. No claim nor appearance shall be permitted to be entered to any information filed for the forfeiture of any ship, carriage or goods unless such claim or appearance be made by or in the true and real name of the owner of such ship, carriage or goods, describing the place of residence, and the business or profession of such owner, and if such person shall reside within the limits of the jurisdiction oath shall be made by him before the Court into which the said ship, carriage or goods are returned, or in which such information is filed, that the said ship, carriage or goods was or were his property at the time of seizure; but if such person shall reside elsewhere, then oath shall be made by the agent by whom such claim or appearance shall be entered that he has full authority from such owner to enter the same, and that to the best of his knowledge and belief such ship, carriage or goods were at the time of the seizure thereof the *bonâ fide* property of the person in whose name such claim or appearance is entered, and on failure of making such proof of ownership, the ship, or carriage or goods shall be condemned and judgment shall be entered thereon by default as if no claim or appearance had been made.

251. When any such ship, carriage or goods shall, at the time of the seizure thereof, be the *bonâ fide* property of any number of proprietors exceeding five it shall not be necessary for more than two of such proprietors resident as aforesaid to enter such claim or appearance on the part of themselves and their co-proprietors, or to make such oath as aforesaid.

252. When any ship, carriage or goods shall at the time of the seizure be the property of any joint stock company, or of partners in any partnership actually carrying on trade within the limits of the jurisdiction, such claim and appearance may be entered and oath made by the public officer of such joint stock company or by any agent for, or any one of the partners in, any such co-partnership; and any person who shall be convicted of taking a false oath as to any or either of the facts hereinbefore required to be sworn to, shall be deemed guilty of giving false evidence in a judicial proceeding, and liable to the pains and penalties thereof.

Proofs in Proceedings under the Customs Law.

Proofs.

253. If in any prosecution under the direction of the Chief of Customs or other proper officer of Customs in respect of any goods seized for non-payment of duties or any other cause of forfeiture, or for recovering any penalty or penalties under this or any Ordinance relating to the Customs, any dispute shall arise whether the duties have been paid in respect of such goods, or the same have been lawfully imported or unshipped, or lawfully removed from any warehouse, then and in every such case the proof thereof shall be on the defendant in such prosecution.

254. The averment that the Chief of Customs, or other proper officer of the Customs, has directed or elected that any information or proceeding under this or any other Ordinance relating to the Customs shall be instituted, or that any person is an officer of the Customs, or that any person was employed for the prevention of smuggling, or that the offence was committed within the limits of any port, shall be deemed to be sufficient, without proof of such fact or facts, unless the defendant in any such case shall prove to the contrary.

255. If upon any trial a question shall arise whether any person is an officer of the Customs, *vivâ voce* evidence may be given of such fact and shall be deemed legal and sufficient evidence; and every such officer, and any person acting in his aid or assistance, shall be a competent witness upon the trial of any suit or information, on account of any seizure or penalty as aforesaid, notwithstanding such officer or other person may be entitled to the whole or any part of such seizure or penalty, or to any reward upon the conviction of the party charged in such suit or information.

256. Upon the trial of any issue or upon any judicial hearing or investigation touching any seizure, penalty, or forfeiture, or other proceeding under any law relating to the Customs or incident thereto, where it may be necessary to give proof of any order issued by the Governor, or the Chief of Customs, or other proper officer of the Customs respectively the order, or any letter or instructions referring thereto, which shall have been officially received by any officer of the Customs for his government, and under which he shall have acted as such officer, shall be admitted and taken as sufficient evidence of such order without proof of any signature, unless the Court shall see any reason to doubt its genuineness.

Actions against Officers of the Customs.

Actions against officers.

257. In case any action, information, or other proceeding shall be brought to trial against any person whatsoever on account of any seizure (whether any information or suit shall be brought to trial for the condemnation of the same or probable cause, not), or for any other act done in execution or intended execution of this or any other Ordinance relating to the Customs, and a verdict or judgment shall be given for the plaintiff, if the Court or Judge before whom such action, information, or other proceedings shall be tried, shall certify on the record or other written proceeding that there was probable cause for such seizure or other act, then the plaintiff shall not be entitled to more than 15 cents damages, nor to any costs, nor shall the defendant or defendants in any such prosecution be fined more than one Rupee.

Forms.

258. The Governor may from time to time by notice in the Gazette alter any of the forms set forth in the 1st Schedule hereto and the form or forms in first forms as so altered shall be deemed to be substituted for the form or forms in Schedule. the said Schedule.

Repeal.

259. The Ordinances and Regulations set forth in the Fifth Schedule Repeal, hereto are hereby repealed to the extent specified therein.

THE FIRST SCHEDULE.*Form A (see s. 58).***SHIP'S REPORT INWARDS.**Port of (*name of port of importation*).

Ship's name and Description.	Tonnage.	British or foreign; if British, port of registry; if foreign, country to which she belongs.	Number of crew.	Name of master.	Port or place whence arrived.

Here state the particulars according to the above headings.

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CARGO.

Shippers.	Marks.	No.	Packages and description of goods.	Goods (if any) to be transhipped or to remain on board for transit.	Name of Consignee.

Here state the particulars according to the above headings with the name or names of places where laden in order of time, or if in ballast, state "in ballast only."

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Surplus of stores remaining on board, viz:

At what station ship lying.

Agent's name.

I declare that the entry above written is a just report of my ship and of her lading, and that the particulars therein inserted are true, to the best of my knowledge, and that I have not broken bulk, or delivered any goods out of my said ship since her departure from the last foreign place of loading (*except, if so, at stating where*).

(Signed) , Master

Signed and declared this day of

in the presence of

Chief of Customs (*or other proper Officer of Customs*)

No.

FORM B (*see s. 63*).

Form of Entry for payment of Duty on Goods at Landing or Introduction.

Port of

Importer's name

Wharf, dock or station.	Ship's name.	Whether British or foreign ship; if foreign, the country.	Master's name.	Port or place whence imported.			
Marks.	Numbers.	Number of packages, quantities and description of goods as charged in table of duties.	Country of Origin.	Invoice value without expenses.	Invoice value, including expenses of freight, insurance and invoice value of packages, landing charges and or percentages.	Rate.	Duty.
Total amount of duty on entry Rs.							

I,.....of.....do hereby declare that I am the importer(or agent duly authorized by importer) of the goods contained in this bill of entry, and that I enter the same goods therein stated, as goods charged at value at the sum of.....and that all the above particulars are correct to the best of my knowledge.

Witness my hand, the.....day of.....19.....

.....Importer or Agent.

.....Chief of Customs (or other proper officer.)

FORM C (*see s. 66*).

ENTRY FOR WAREHOUSING.

Port of (*name of Port of importation.*)

Master

Ex ship

From

Marks.	Numbers.	Numbers and description of packages.	Invoice value, including expenses of freight, insurances and invoice value of packages.	Invoice value without expenses.

I, (*name of importer or agent*) of (*place of abode*) do hereby declare that I am the importer (*or agent duly authorized by the importer*) of the goods contained in this bill of entry, and I declare the value of the goods above described to be rupees and cents, and now to be warehoused in No Warehouse.

Dated this day of 19 .

(Signed) , Chief of Customs (*or other proper officer*).FORM D (*see s. 100*).

EX WAREHOUSE ENTRY.

Port of

, Master

Ex ship

From

Marks and Nos.	Numbers and description of packages.	Invoice value, including expenses of freight, insurance and value of packages.	Invoice value without expenses.	Rate.	Duty.

I, of , do hereby declare that I am the importer (*or agent duly authorized by the importer*) of the goods contained in this bill of entry, and I declare the value of the goods above described to be rupees and cents, warehoused ex in No. Warehouse 19 , and now for home consumption, and that all the above particulars are correct to the best of my knowledge.

Dated this day of 19 .

(Signed) , Importer or Agent.

(Signed) Chief of Customs (*or other proper officer*).

No.

FORM E (see s. 69).

ENTRY FREE.

Port of

Importer's name

Wharf, dock or station.	Ship's name.	Whether British or foreign; if foreign, the country.	Master's name.	Port or place whence imported.	
Marks.	Numbers.	Number of packages, quantities and description of goods.	Country of origin.	Invoice value without expenses.	Invoice value, including expenses, freight, insurance and invoice value of packages, landing charges and percentages. or

I,.....of.....do hereby declare that I am the importer (or agent duly authorized by the importer) of the goods contained in this bill of entry, and that all the above particulars are correct to the best of my knowledge.

Witness my hand, the.....day of.....19.....

.....Importer or Agent.

.....Chief of Customs (or other proper officer).

FORM F (see s. 70)

PROVISIONAL BILL OF ENTRY.

Port of (*name of Port of importation*)Importer (*name of importer*)

Wharf, dock or station.	Ship's name.	Whether British or foreign ship; if foreign, the country.	Master's name.	Port or place whence imported.

Here state the particulars according to the above headings

Marks.	Numbers.	Number of packages, with the best description of the goods the importer is able to give.

Here state the particulars according to the above headings

I, the importer (or agent to the importer
 of the goods above mentioned, do hereby declare that I have not (*if importer*), [or that
 to the best of my knowledge he has not (*if agent*),] received sufficient invoice, bill of
 lading, or other advice from whence the quality, quantity or value of the goods above mentioned
 can be ascertained.

Dated this _____ day of _____, 19____.

(Signed) _____, Importer or Agent.

(Signed).....Chief of Customs (or other proper officer).

FORM G (*see s. 107.*)

EXPORT ENTRY.

Port of.....

Exporter..... Ex..... From.....

Warehoused per.....in No.....Warehouse, and for exportation.

Wharf, dock or station.	Ship's name.	Whether British or foreign ship ; if foreign, the country.	Masters name.	Port or place of destination.

Here state the particulars according to the above headings.

Marks.	Number.	Number and description of packages.	Quantity, quality, and description of goods.	Value.

Here state the particulars according to the above headings.

Total.....			
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I declare that the quantity and description of the goods above mentioned are truly stated and the true value of the said goods to be (money in words at length), and (if for drawback) I claim drawback on (here state the quantity and description in words at length of any goods in respect of which drawback is claimed.)

(Signed)....., Export or Agent

Examined.....

, Examining Officer (or other proper officer of the Customs) Bond given.

Chief of Customs (or other proper officer of the Customs).

Dated this.....day of.....19.

No.

FORM G 2 (see s. 108.)

EXPORT ENTRY.

Port of

Exporter

Wharf, dock or station.	Ship's name.	Whether British or foreign; if foreign, the country.	Master's name.	Port or place of destination.	Date of shipment.	
Marks.	Numbers.	Number and description of packages.	Quantity, and description of goods.	Value.		Duty.
				Produce and Manufacture of the Protectorate.	British foreign and other Colonial Produce and Manufactures.	

I,.....of.....do hereby declare
 that I am the exporter (or agent duly authorised by the exporter) of the goods contained in
 this bill of entry and that all the above particulars are correct to the best of my knowledge.

Witness my hand, the.....day of.....190.....

.....Exporter or Agent.

.....Chief of Customs (or other proper officer.)

FORM H (*see s. 110.*)

EXPORT ENTRY.

Port of

Exporter

Wharf, dock, or station.	Ship's name.	Whether British or foreign; if foreign, the country.	Master's name.	Port or place of destination.	Date of shipment.
Marks.	Numbers.	Value.		Number and description of packages.	Quantity, quality, and description of goods.
		British.	Foreign.		
	Total ...				

I declare that the particulars set forth above are correctly stated.

(Signed)

(adding "Exporter" or "Agent," as the case may be).

Address

Dated this day of , 19 .

(Countersigned)

Chief (*or other proper officer of Customs*).

FORM I (*see s. 126*)

SHIP'S REPORT OUTWARDS WITH CARGO.

Port of

Ship's Name. and description.	Tonnage.	British or foreign ; British, port of registry ; if foreign, the country.	Number of crew.	Name of master.	Port or place of destination.	Number of passengers.

Here state the particulars according to the above headings.

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Marks.	Numbers.	Packages and description of goods.	Name of shipper.
		<i>Here state the particulars according to the above headings, and if in ballast state "in ballast only."</i>	

Stores, viz :

Agent's name

I declare that the entry above written is a just report of my ship and of her lading (*if any*), and that the particulars therein inserted are true to the best of my knowledge and belief.

(Signed)

, Master (*or as the case may be*).

Signed and declared this

day of

19

in the presence of

Chief of Customs(*or other proper officer.*)

FORM J (*see s. 129*)

CERTIFICATE OF CLEARANCE OUTWARDS WITH CARGO.

Port of

These are to certify to all whom it doth concern, that the (*here state nationality description and name of ship*) of tons burthen, whereof is master, been duly cleared at this office for with a cargo consisting of (*here state quantity and, description of cargo.*)

Given under my hand at the aforesaid port

this day of

Chief of Customs (*or other proper officer*)

FORM K (*see s. 129*)

CERTIFICATE OF CLEARANCE OUTWARDS IN BALLAST.

Port of

These are to certify to all whom it doth concern, that the (*here state nationality description and name of ship*,) of tons burthen, whereof is master, has been duly cleared at this port for

Given under my hand at the aforesaid port,

this day of

Chief of Customs (*or other proper officer.*)

FORM L (*see s. 139*)

SHIP'S TRANSIRE.

Port of

Ship's name and description.	Tons.	Men.	Port of registry.	Master's name.	Whither bound.

CARGO.

Duty paid and free.	Duty not paid.

(Signed)

, Master.

Cleared the

day of

19

(Signed)

, Chief of Customs (*or other proper officer.*)

THE SECOND SCHEDULE.

1. INFORMATION.

*In the*A. B., of
Chief of Customs*Court of*
, an officer of Customs under the direction of the
, informs the Court—

Count 1.

On sect. 185

That C. D. did make and subscribe a false declaration or document purporting to be (*state the nature of the document generally*), the same being false and untrue, contrary to sect. 185 of the Customs Ordinance, 1910, whereby the said C. D. has forfeited the sum of fifteen hundred Rupees.

Count 2.

On sect. 185.

That C. D. did untruly answer a certain question put to him by , an officer of Customs, contrary to sect. 185 of the Customs Ordinance, 1910, whereby the said C. D. has forfeited the sum of fifteen hundred Rupees.

Count 3.

On sect. 185.

That C. D. did counterfeit or falsify (*or wilfully use when counterfeited or falsified, as the case may be*) a certain document purporting to be (*state the nature of the document generally*) contrary to sect. 185 of the Customs Ordinance, 1910, whereby the said C. D. has forfeited the sum of fifteen hundred Rupees.

Count 4.

On sect. 185.

That C. D. did fraudulently alter (*or counterfeit, as the case may be*) the seal signature, initials *or* mark of or used by an officer of Customs contrary to sect. 185 of the Customs Ordinance, 1910, whereby the said C. D. has forfeited the sum of fifteen hundred Rupees.

Count 5.

On sect. 190.

That a certain ship called the whereof C. D. was owner (*or master, as the case may be*), was unlawfully used in importing, exporting, landing, removing *or* carrying of certain uncustomed or prohibited goods, to wit (*here mention generally the goods*), contrary to sect. 190 of the Customs Ordinance, 1910, whereby the said C. D. has forfeited the sum of Rs, which the Chief of Customs has directed to be sued for in this case.

Count 6.

On sect. 207.

That C. D. obstructed a person duly employed for the prevention of smuggling, contrary to sect. 207 of the Customs Ordinance, 1910, whereby the said C. D. has forfeited the sum of fifteen hundred Rupees.

Count 7.

On sect. 207.

That C. D. denied the possession of certain foreign goods, to wit (*mention generally the goods*), which were afterwards found to be [*or to have been*] in his possession, contrary to sect. 207 of the Customs Ordinance, 1910, whereby the said C. D. has forfeited the sum of Rs. , being treble the value of the said goods.

Count 8.

On sect. 209.

That C. D., an officer of , did without reasonable ground require a certain person, to wit, one E. F., to be searched contrary to sect. 209 of the Customs Ordinance, 1910, whereby the said C. D. has forfeited a sum not exceeding one hundred and fifty Rupees.

Count 9.

On sect. 210.

That C. D. was concerned in importing certain prohibited or restricted goods, to wit (*here mention generally the goods*), contrary to sect. 210 of the Customs Ordinance, 1910, whereby the said C. D. has forfeited the sum of Rs. , being treble the value of the said goods (*or the penalty of fifteen hundred Rupees, as the case may be*), for which the Chief of Customs has elected to sue.

Count 10.

That C. D. was concerned in unshipping or otherwise dealing with prohibited On sect. 210 restricted, or uncustomed goods, to wit (*here mention generally the goods*) contrary to sect. 210 of the Customs Ordinance 1910, whereby the said C. D. has forfeited the sum of Rs. , being treble the value of the said goods (*or the penalty of fifteen hundred Rupees as the case may be*), for which the Chief of Customs has elected to sue.

Count 11.

That C. D. was concerned in the illegal removal of certain goods, to wit On sect. 210 (*here mention the goods generally*) from a warehouse, or otherwise illegally dealing with the same after they had been so removed, contrary to sect. 210 of the Customs Ordinance 1910, whereby the said C. D. has forfeited the sum of Rs. being treble the value of the said goods (*or the penalty of fifteen hundred Rupees, as the case may be*), for which the Chief of Customs has elected to sue.

Count 12.

That C. D. was knowingly concerned in evading duties of Customs upon or in dealing with certain goods, to wit (*here state the goods generally*), with intent to defraud His Majesty of the duties of Customs in respect thereof contrary to sect. 210, of the Customs Ordinance 1910, whereby the said C. D. has forfeited the sum of Rs. , being treble the value of the goods (*or the penalty of fifteen hundred Rupees, as the case may be*), for which the Chief of Customs has elected to sue.

Count 13.

That C. D. was concerned in the removal of certain goods, to wit (*here mention generally the goods*), or otherwise dealing with the same contrary to sect. 211 of the Customs Ordinance 1910, whereby the said C. D. has forfeited the sum of Rs. , being treble the value of the said goods (*or the penalty of fifteen hundred Rupees, as the case may be*), for which the Chief of Customs has elected to sue.

Count 14.

That C. D. was found to have been on board a ship liable to forfeiture, contrary to sect. 212 of the Customs Ordinance 1910, whereby the said C. D. has forfeited the sum of fifteen hundred Rupees.

Count 15.

That C. D. offered certain goods for sale, to wit (*mention generally the goods*) contrary to sect. 216 of the Customs Ordinance 1910, whereby the said C. D. has forfeited the sum of Rs. , being treble the value of the said goods.

Count 16.

That C. D. was concerned in the assembling of persons contrary to sect. 217 of the Customs Ordinance 1910, whereby the said C. D. has become liable to be imprisoned as is therein directed.

Count 17.

That C. D. obstructed persons employed for the prevention of smuggling, or was concerned in the rescue or attempt at rescue of seized goods, or in the destruction or attempt at destruction of seized goods, contrary to sect. 217 of the Customs Ordinance 1910, whereby the said C. D. has become liable to be imprisoned as is therein directed.

Count 18.

That certain goods, to wit (*here mention generally the goods*) were seized on For condemnation of goods. the day of for being dealt with contrary to section (*insert the section in figures*) of the Customs Ordinance 1910, whereby the said goods have become liable to forfeiture, and that C. D. has claimed the same,

Exhibited at this day of , 19 .

2. SUMMONS ON INFORMATION.

In the *Court of*

To C. D. of

An information having been exhibited by A. B., an officer of Customs under the direction of the Chief of Customs, setting forth (*copy the count or counts of the information*).

You, the said C. D., are hereby commanded in His Majesty's name to appear in person before this Court at _____ on the _____ day of _____, 19_____. to answer the said information and on every adjournment of the Court till the case is disposed of.

Issued at this day of 19_____.

Signature of Judge or _____.)

3. SUMMONS ON INFORMATION FOR CONDEMNATION OF SEIZURE.

To C. D. of

An information having been exhibited by A. B., an officer of Customs, under the direction of the Chief of the Customs, for the condemnation of (*state the goods seized*), seized on the _____ day of _____, 19_____, for being dealt with contrary to Section _____ of the Customs Ordinance 1910, and claimed by you.

You are hereby commanded in His Majesty's name to appear before this Court at _____ on the _____ day of _____, 19_____, to show cause why the said goods should not be condemned as forfeited, and on every adjournment of the Court till the case is disposed of.

Issued at the day of , 19_____.

(Signature of Judge or _____.)

4. CONDEMNATION OF SEIZED GOODS.

In the

An information having been exhibited before this Court at _____ for the condemnation of (*state the goods*), for being dealt with contrary to Section _____ of the Customs Ordinance 1910, whereby the same became liable to forfeiture, and which said goods having been claimed by C. D., who was summoned to show cause why the same should not be condemned, and the forfeiture thereof having been proved, the Court adjudges the same to be forfeited, and condemns the same accordingly.

Dated at the day of , 19_____.

(Signature of Judge or _____.).

5. GENERAL WAREHOUSING BOND (*see s. 22*)

KNOW ALL MEN by these presents, that We _____ are held and firmly bound unto Our Sovereign Edward Albert by the grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith in the sum of _____ Rupees of good and lawful money of the East Africa Protectorate, to be paid to Our said King, his heirs and successors. To which payment, well and truly to be made, We bind ourselves, and each and every of us, jointly and severally, for and in the whole, our heirs, executors, and administrators, and every of them firmly by these presents.

Sealed with our Seals. Dated this day of 19_____.

Whereas

which said premises have been approved by the Chief of Customs of the East Africa Protectorate for the reception of such goods as may from time to time be premitted to be warehoused therein under the laws relating to the Customs.

Now the condition of this obligation is such that if the full duties and rates of Customs due and payable on all goods which have been warehoused in the said premises, and not duly cleared therefrom, or which hereafter may from time to time be warehoused or re-warehoused in the said premises, shall immediately on the delivery or respective deliveries thereof or non-production on demand by the proper officer of Customs be paid to the Chief or other proper officer of the Customs at the port of _____, and if the whole of the goods so warehoused or re-warehoused shall be duly cleared, exported or re-warehoused within two years from the warehousing or rewarehousing thereof respectively, or within such further period as the said Chief of Customs shall direct, and if upon the exportation or upon each re-warehousing of any such goods, as the case may be, the full duties due upon any deficiency found therein on examination for such exportation or re-warehousing, shall thereupon be paid to the Chief or other proper officer of the Customs at the said port, then this obligation to be void, otherwise to be and remain in full force and virtue.

Signed, sealed, and delivered }
in the presence of }

6. BOND FOR THE REMOVAL OF WAREHOUSED GOODS (*see s. 89*)

KNOW ALL MEN by these presents, that We, _____ are held and firmly bound unto Our Sovereign Edward Albert, by the grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, in the sum of _____ Rupees of good and lawful money of the East Africa Protectorate to be paid to Our said King, his heirs and successors: To which payment well and truly to be made, We bind ourselves, and each and every of us jointly and severally, for and in the whole, our heirs, executors, and administrators and every of them firmly by these presents.

Sealed with our Seals.

Date this day of , 19 .

Whereas the following goods, that is to say—are now deposited in a warehouse or warehouses in the port of _____, under the laws and regulations relating to the Customs.

And whereas the above-bounden _____ intends to remove the said goods from the said port by _____ to _____, subject to the rules, regulations, and restrictions in that behalf by law provided.

Now the condition of this obligation is such that if the said goods and every part thereof shall arrive without alteration or diminution at the said _____ within the space of _____ days next following the date hereof, and shall immediately on the arrival thereof be duly delivered in the same state and condition into the custody and possession of the proper officers of Customs at the last-mentioned _____ and be thereupon duly re-warehoused or shall be otherwise accounted for to the satisfaction of the Chief of Customs of the East Africa Protectorate, then, this obligation to be void, otherwise to be and remain in full force and virtue.

Signed, sealed, and delivered }
in the presence of }

7. BOND FOR EXPORTATION OF GOODS (*see s. 106*)

KNOW ALL MEN by these presents, that We, _____ are held and firmly bound unto Our Sovereign Edward Albert by the grace of God of the United Kingdom, of Great Britain and Ireland, King, Defender of the Faith, in the sum of _____ Rupees of good and lawful money of the East Africa Protectorate to be paid to Our said King, his heirs and successors. To which payment, well and truly to be made, we bind ourselves and each and every of us, jointly and severally, for and in the whole, our heirs, executors, and administrators and every of them firmly by these presents.

Sealed with our seals. Dated this day of , 19 .

Whereas the above-bounden _____ hath given notice of his intention to export to _____ in the ship _____ the following goods that is to say—

Now the condition of this obligation is such that if any goods and every part thereof shall be duly shipped and exported to and shall be landed at within from the date hereof, and shall not be unshipped or landed at any place within the jurisdiction defined by the Customs Ordinance 1910, and if in case of dispute as to the shipment or due landing of the said goods or any part thereof, proof to the satisfaction of the Chief of Customs of the East Africa Protectorate shall within such time as he shall allow be produced from aforesaid of such landing there of the said goods, or if the said goods shall be otherwise accounted for to the satisfaction of the said Chief of Customs, then this obligation to be void, otherwise to be and remain in full force and virtue.

Signed, sealed, and delivered }
in the presence of }

8. BOND FOR TRANSHIPMENT AND EXPORT. (see s. 123).

KNOW ALL MEN by these presents, that We are held and firmly bound unto Our Sovereign Edward Albert, by the grace of God of the United Kingdom of Great Britain and Ireland, King Defender of the Faith, in the sum of Rupees of good and lawful money of the East Africa Protectorate, to be paid to Our said King, his heirs and successors. To which payment, well and truly to be made, we bind ourselves and each and every of us for and in the whole, our heirs, executors, and administrators and every of them firmly by these presents.

Sealed with our seals.

Dated this day of , 19 .

Whereas the above bounden has given notice of his intention to export to in the ship , the following goods, that is to say— which said goods were on the day of 19 . reported inwards at the port of , by the ship , master from for transhipment and exportation to aforesaid.

Now the condition of this obligation is such that if the said goods and every part thereof so reported inwards as aforesaid shall be duly entered and cleared with the searcher or other proper officer of the Customs for exportation; and if the goods so entered shall be duly and faithfully transhipped from the said import ship to the said export ship within days from the date hereof and shall be duly exported to and shall be landed at aforesaid within from the date hereof, and if in case of dispute as to the shipment or due landing of the said goods, or any part thereof, proof to the satisfaction of the Chief of Customs of the East Africa Protectorate shall, within such time as he shall allow, be produced from aforesaid of such landing there of the said goods, or if the said goods be otherwise accounted for to the satisfaction of the said Chief of Customs, then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed, and delivered }
in the presence of }

9. GENERAL BOND FOR EXPORTATION OF GOODS (see s. 106).

Know All men by these presents, that We, are held and firmly bound unto Our Sovereign Edward Albert, by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, in the sum of rupees of good and lawful money of the East Africa Protectorate to be paid to Our said King, his heirs and successors. To which payment, well and truly to be made we bind ourselves and each and every of us, jointly and severally, for and in the whole, our heirs, executors, and administrators and every of them firmly by these presents.

Sealed with our seals. Dated this day of 19 .

Whereas the above-bounden hath signified his intention from time to time to export to ports beyond the seas certain goods.

Now the condition of this obligation is such that if all goods, with respect to which notice shall have been given in the manner to be prescribed by the Chief of Customs, and every part thereof shall be duly shipped and exported to and shall be landed at the ports named in any notice given as aforesaid within from the date of such notice and shall not be unshipped or landed at any place within the jurisdiction defined by the Customs Ordinance 1910 and if in the case of dispute as to the shipment or due landing of the said goods, or any part thereof, proof to the satisfaction of the Chief of Customs of the East Africa Protectorate shall within such time as he shall allow be produced from the place of landing with regard to which notice has been given as aforesaid of such landing there of the said goods or if the said goods shall be otherwise accounted for to the satisfaction of the said Chief of Customs then this obligation shall be void, otherwise to be and remain in full force and virtue.

Signed, sealed and delivered
in the presence of

THE THIRD SCHEDULE

The places set forth in the following Table are ports, sub-ports and places of entry within the meaning of section 13 of this Ordinance :—

<i>Ports.</i>	<i>Sub-ports.</i>	<i>Places of entry.</i>
Vanga	Wasin	Vanga
Shimoni	Gazi	Yonte
Kilindini	Leven house (Mombasa)	Gobwen
Mombasa	Mtwapa	Taveta
Kilifi	Tanganiko	Karungu
Malindi	Takaungu	
Lamu	Siyu	
Kismayu	Faza	
Kisumu	Kiunga	
	Kipini	
	Mambori	
	Shella	

THE FOURTH SCHEDULE.

The following places shall be the warehousing Ports within the meaning of section 16 :—

Import Warehouses. *Export Warehouses.*

Vanga	Vanga
Kilindini	Kilindini
Mombasa	Mombasa
Takaungu	Tanganiko
Malindi	Takaungu
Lamu	Malindi
Kismayu	Lamu
Kisumu	Kismayu
Nairobi	Kisumu
	Nairobi

THE FIFTH SCHEDULE.

Title of Enactment.

		Extent of Repeal
The Customs Regulations 1899 The whole
The Transit and Re-export Regulations 1900 "
The Customs Ordinance 1904 "
The Transit and Re-export Ordinance 1905 "
The Transit and Re-export Ordinance 1906 "
The Customs Amendment Ordinance 1908 "

NOTICE.

His Excellency the Governor has been pleased to direct that the Customs Ordinance, 1910, (No. 14 of 1910) shall come into operation on the 1st day of October, 1910.

NOTICE.

His Excellency has been pleased to direct that the East Africa Railways Ordinance, 1910, (No. 13 of 1910) shall come into operation on the 1st day of July, 1910.

NOTICE.

The following despatch from His Majesty Principal Secretary of State for the Colonies is published for general information.

Downing Street,

2nd May, 1910.

Sir,

I have the honour to state for your information, and for such action as may be considered expedient, that the notice of the Army Council has been drawn to the circulation of forgeries on paper of Army Forms *B.* 128 and *B.* 2077—the parchment certificates of character on discharge from the Army and Reserve respectively.

2. As these certificates are one of the chief credentials of the ex-soldier in applying for employment, it is essential that their trustworthiness should be beyond doubt; and it has been considered desirable that the existence of forged forms should be widely known.

3. The authorized forms are invariably printed on parchment and bear the printers' press mark "H.W.V." with the date and numbers printed. This mark is absent on those forgeries which have come under notice.

4. A specimen of the authorized form can be supplied if you desire it.

I have the honour to be,

The Officer Administrering the Goverment

Sir,

East Africa Protectorate.

Your most obedient, humble servant,

CREWE.

PROCLAMATION.

The Native Hut and Poll Tax Ordinance 1910.

Whereas by Section 4 of the Native Hut and Poll Tax Ordinance 1910. The Governor is empowered to order by Proclamation that the Poll Tax prescribed by Section 5 of the aforesaid Ordinance be levied within such district, area or place as he may by such Proclamation direct.

Now therefore by virtue of the powers in me as Governor vested as aforesaid, I do hereby order that the Poll Tax prescribed by Section 5 shall be levied in the Provinces and Districts following:—

Province of Seyidie	The whole Province.
" Naivasha	"
" Ukamba	"
" Tanaland	"
" Kenia	The districts of Fort Hall, Nyeri and Embu only.

Nairobi,

E. P. C. GIROUARD,

Dated this 11th day of June, 1910.

Governor.

PROCLAMATION.**The East Africa Outlying Districts Ordinance 1902.**

In exercise of the powers conferred upon me under the East Africa Outlying Districts Ordinance 1902, I, Sir Edouard Percy Cranwill Girouard, K.C.M.G., D.S.O., R.E., Governor of the East Africa Protectorate, do hereby declare that the road and areas mentioned in the Schedule attached hereto and which are located in the Nyanza Province, are excluded from the provisions of the above Ordinance.

Nairobi,

E. P. C. GIROUARD,

Dated this 2nd day of June, 1910.

Governor.

Schedule.

To Kericho by main road, thence following the Kericho-Sotik Road in a South-Westerly direction for 8 miles where it branches off due West and goes in this direction for 15 miles where it crosses the River Sondu.

The following areas on the above road are reserved for camping grounds and trading centres.

Area No. 1.—Commencing at a point No. 1 on the main road on Kabluti Hill 13 miles from Kericho, the boundary follows the road in a North-West by Westerly direction for a distance of 250 yards to point No. 2. From here it takes a South-West by Westerly course for 100 yards to point No. 3. From this point the boundary follows in a South-East by Easterly direction for 250 yards to point No. 4, and from here it runs North-East by East for 100 yards when it meets point No. 1.

Area No. 2.—Commencing at a point No. 1 on the main road on Kamwogey Hill half a mile East of the Sondu River the boundary travels in a North-North-Easterly direction for a distance of 100 yards to point No. 2 when it takes a turn and runs North-West by West for 120 yards to point No. 3. Here the boundary follows a South-South-Westerly course for 100 yards to point No. 4 and from point No. 4 it runs South East by East for 120 yards where it joins point No. 1.

RULES.**The Game Ordinance 1909.**

Rules issued by His Excellency the Governor of the East Africa Protectorate under Section 11 Sub-Section (5) of the Game Ordinance 1909.

Nairobi,

E. P. C. GIROUARD,

Dated this 11th day of June, 1910.

Governor.

IVORY IN TRANSIT.

1. Any elephant tusk or piece of ivory forming part of an elephant tusk may pass through the Protectorate in transit subject to the conditions following:—

- (1) If the tusk or piece of ivory is such as under the law for the time being in force in the Uganda Protectorate could be lawfully possessed in and exported from that Protectorate and is stamped with an official stamp and registered number by a Customs Officer or an Officer engaged in the Civil Administration of the territory in which the same has been first obtained or from which it is immediately introduced into this Protectorate.
- (2) In the case of a tusk or piece of ivory which under the law for the time being in force in the Uganda Protectorate could not be lawfully possessed or exported from that Protectorate except it should have been forfeited to the Government or sold by the order of a Court or the Governor, such tusk or piece of ivory shall, in addition to being stamped as aforesaid, be accompanied by a certificate from a Customs Officer or Officer engaged in the Civil Administration of the territory in which the same has been obtained or from which it is introduced into this Protectorate, that the tusk or ivory has been forfeited to the Government of such territory or has been sold by the order of such Government or of a Court in such territory.

- (3) If the tusk or ivory has not been obtained in this Protectorate, unless the same shall have been lawfully exported from this Protectorate and Customs duty shall have been paid thereon.
2. Except as to the condition (3) in the foregoing rule which shall apply to all tusks or pieces of Ivory intended for transit through this Protectorate, nothing in the said rule shall be deemed to prohibit or restrict the transit through this Protectorate of any tusk or ivory which might lawfully be possessed in, and exported from, this Protectorate.

NOTICE.

The attention of the general public is invited to Section 16 (6) of the Game Ordinance 1909. All game licences should be actually in possession of the sportsman and ready for production if called for.

Permits to enter closed districts should also invariably be in the possession of the person in whose favour they are issued.

Any neglect to observe these instructions may entail delay whilst reference is being made to Nairobi.

RULES.

The East Africa Townships Ordinance 1903.

Rules issued by his Excellency the Governor of the East Africa Protectorate under the provisions of the East Africa Townships Ordinance 1903.

Nairobi,

E. P. C. GIROUARD,

Dated this 10th day of June 1910.

Governor.

1. These Rules shall apply to the Townships of Malindi, Mambrui and Takaungu.
2. The following fees shall be chargeable under the Township Rules 1904 and dated 19th May, 1904.

TABLE OF FEES.

Slaughter House Fees.

				Rs. cts.
For each head of Cattle slaughtered	1 00
For each Camel slaughtered	2 00
For each Sheep or Goat slaughtered	0 25

Trade Registration Fees.

For registration of Dhobi	2 per annum.
For " " Hawker	2 " "

Pound Fees.

For each Camel, Cow, Ox or Donkey for the first day or part of a day	1 00
For each succeeding day or part of a day	-/ 50
For each Sheep or Goat per day or part of a day	-/ 25

Permits.

Building Permit	1 00
For Ngoma	1 00
For Ngoma Ya Pepo	2 00
Permit to keep Sheep and Goats per annum	1 00
Permit for Cattle Sheds per annum	2 00

NOTICE.

Justices of the Peace Ordinance No. III of 1910.

The Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with regard to the above Ordinance.

By Command of His Excellency

W. J. MONSON,
Secretary.

SECRETARIAT,
NAIROBI,
June 15th, 1910.

APPOINTMENTS.

His Excellency the Governor has been pleased to make the following appointments:—

To be Acting Provincial Commissioner, Nyanza Province,
R. W. Hemsted, to date 31st May, 1910.

To be Gaoler, Nairobi Prison.
W. C. Powell, to date 1st April, 1910.

To be Assistant Gaoler, Nairobi Prison,
J. A. Keith, to date 1st April, 1910.

W. J. MONSON,
Secretary.

NOTICE.

Auction of Opium licence at Nairobi.

Under instruction from His Excellency the Governor one licence to deal in Opium, Ganja, Poppy heads and Chandoo, will be auctioned at the Provincial Commissioner's Office, on Monday the 27th June, 1910, at 3 p. m.

The Licence will be operative during the six months dating from July 1st, 1910, and will be confined to the Township of Nairobi.

The highest or any other bid will not necessarily be accepted.

Nairobi,
1st June 1910. C. W. HOBLEY,
Provincial Commissioner.

NOTICE.

Auction of Opium Licences at Mombasa.

Under instructions from His Excellency the Governor two licences to deal in Opium, Ganja, Poppy-heads, Chandoo, and Natron, will be auctioned at the District Commissioner's Office, Mombasa on Wednesday 22nd June, 1910, at 2 p.m.

The licences will be operative during six months dating from first day of July, 1910, and will be confined to the Island of Mombasa.

Mombasa,
26th May, 1910. F. W. ISAAC,
Acting Provincial Commissioner.

NOTICE.

The following application has been received for Licence under the Liquor Ordinance, 1909, in the Seyidie Province

Applicant.	Class of Licence.	Premises.
A. T. P. Coutinho	Wine Merchant & Grocer's Licence	Bomani next to the Post Office, Malindi.
The Traffic Manager Uganda Railway do.	Railway Station Liquor Licence do.	Railway Dak Bungalow, Voi Railway Refreshment Room, Samburu

Mombasa,
3rd June, 1910. S. L. HINDE,
Provincial Commissioner.

ERRATA.

"Official Gazette" page 267 of the 15th May, 1910, re the application of Mr. Konrad Schauer, near Kijabe for a Hotel Liquor Licence, for Ukamba Province read Naivasha Province.

NOTICE.**Licensing Courts under the Liquor Ordinance 1909.**

His Excellency has approved the appointment of the Town Magistrate Nakuru, as a member of the Naivasha Province Licensing Court.

Nairobi, 4th June, 1910.

NOTICE.

The following are the values fixed for purposes of Export Duty on the respective articles named for the period from 1st July to 30th September, 1910.

Rubber	Rs. 85	per frasila of 36 lbs..
Hides		per corja of 20 pieces.
Calf No. 1	„ 14	per frasila of 36 lbs.
„ No. 2		
Goat skins		Rs. 12 per corja of 20 pieces.
Kid skins		
Sheep skins	„ 6	„ 20 „
Tortoise shell	„ 3 to 12	per lb.
Hippo teeth	„ 36	„ frasila of 36 lbs.
Rhino horns	„ 172	„ „
Rhino hides	„ 18	„ „
Gum copal white (sorted)	„ 18 to 27	„ „
„ „ (mixed)	„ 9 to 18	„ „
„ „ (siftings)	„ 8 to 9	„ „
„ Red No. 1	„ 18 to 27	„ „
„ „ No. 2	„ 10 to 15	„ „

Mombasa, Custom House,
13th June, 1910.

F. W. MAJOR,
Chief of Customs.

NOTICE.

Tenders are invited for the supply of the following articles to be delivered in bulk to the Transport Department, Nairobi.

Mardoof (Americani drill best quality) 100 Joras.
Americani (Asli drill best quality) 60 „
Iron wires 25 coils.
Brass wire 175 „
Red Beads 2 loads.
Red and spotted white beads 2 „
Gunny bags new 350
Pack thread 180
Manilla rope 300
Pack needles (For sewing gunny bags) 6 dozen.
Trade hatchets		

Full particulars obtainable from the District Commissioner, Nairobi.

All tenders should be received not later than noon Friday 24th June.

The lowest or any tender will not necessarily be accepted.

Nairobi,
6th June, 1910.

R. W. HUMPHERY,
Secretary, Tender Board.

NOTICE.

The July Sittings of the High Court at Nairobi, will commence on the 25th day of July, 1910, when the Criminal list will be taken. The Civil list will be taken immediately the Criminal list is completed. The Cause List will appear in the "Official Gazette" of the 1st July.

Mombasa,

Dated 11th June, 1910.

W. S. WRIGHT,

Registrar, H. M. High Court of East Africa.

NOTICE.**HIGH COURT VACATION.**

1. The vacation will commence on the 30th day of June, 1910, and will terminate on the 21st July, 1910.

2. During the vacation the High Court at Mombasa will only sit for the transaction of business of an urgent nature.

3. During the vacation the Town Magistrates of Mombasa, Nairobi and Kisumu will only hear Police cases and Civil Cases of an urgent nature or those in which Pleaders are not engaged.

Mombasa,

11th June 1910.

W. S. WRIGHT,

Registrar, High Court E. A. P.

IN H. M. HIGH COURT OF EAST AFRICA AT MOMBASA.

PROBATE AND ADMINISTRATION.

CAUSE No. 58 of 1910.

NOTICE OF APPLICATION FOR PROBATE OF THE WILL OF SAYED ALI BIN SAYED,
MAHOMED LATE OF MOMBASA, DECEASED.

Take notice, that application having been made in this Court by Sayed Ahmed bin Sayed Mohamed of Mombasa for probate of the Will of SAYED ALI late of Mombasa who died at Mombasa on the 20th day of May, 1910, this Court will proceed to make a decree in the same unless cause be shown to the contrary and appearance in this respect entered on or before the 25th day of June, 1910.

Mombasa,

30th May, 1910.

A. T. B. CARTER,

Judge.

NOTE:—The Will above named is now deposited and open to inspection at the Court.

PROBATE AND ADMINISTRATION.

CAUSE No. 60 of 1909.

IN THE MATTER OF BARKATALI.

To all to whom it may concern.

Take notice that the account of the estate of the above named BARKATALI, deceased, has been lodged with the Registrar of the High Court at Mombasa and that he has appointed the 19th day of July, 1910, at 2 o'clock in the afternoon for passing of such account.

Mombasa,

10th June, 1910.

J. W. H. PARKINSON,

Administrator General.

IN H. M. HIGH COURT OF EAST AFRICA AT MOMBASA.

PROBATE AND ADMINISTRATION.

CAUSE No. 61 of 1910

NOTICE OF APPLICATION FOR ADMINISTRATION OF ESTATE OF ABDOOLA MOOLA DAWOODJI,
LATE OF ZANZIBAR, DECEASED.

Take notice, that application having been made in this Court by Tybe Ali Mulla Dawoodji of Zanzibar for the administration of the Estate of Abdoola Mulla Dawoodji late of Zanzibar who died at Daressalaam on the 28th day of February, 1910, this Court will proceed to make a decree in the same unless cause be shown to the contrary and appearance in this respect entered on or before the 30th day of June, 1910.

Mombasa,

8th June 1910.

J. W. BARTH,

Judge.

PROBATE AND ADMINISTRATION.

CAUSE No. 61 of 1909.

IN THE MATTER OF JAGOT RAM, DECEASED.

To all to whom it may concern.

Take notice that the account of the estate of the above named JAGOT RAM deceased has been lodged with the Registrar of the High Court at Mombasa and that he has appointed the 19th day of July 1910, at 2 o'clock in the afternoon for passing of such account.

Mombasa,

10th June, 1910.

J. W. H. PARKINSON,

Administrator General.

PROBATE AND ADMINISTRATION.

IN THE MATTER OF W. G. MAKER, DECEASED.

To Mrs. Maker and to all to whom it may concern.

Take notice that on or after the 30th day of June, 1910, I intend to apply to the High Court of East Africa at Mombasa for an order to administer the estate of the above named W. G. MAKER who died at Nairobi on the 23rd day of April, 1910.

Mombasa,

31st May, 1910.

J. W. H. PARKINSON,

Administrator General.

PROBATE AND ADMINISTRATION.

IN THE MATTER OF ABDULALI VALIJI, DECEASED.

To all to whom it may concern.

Take notice that on or after the 30th day of June, 1910, I intend to apply to the High Court of East Africa at Mombasa for an order to administer the estate of the above named ABDULALI VALIJI who died at Zanzibar in April, 1910.

Mombasa,

31st May, 1910.

J. W. H. PARKINSON,

Administrator General.

PROBATE AND ADMINISTRATION.

IN THE MATTER OF JAWALA SINGH DECEASED.

To all to whom it may concern.

Take notice that on or after the 30th day of June, 1910, I intend to apply to the High Court of East Africa at Mombasa for an order to administer the estate of the above named JAWALA SINGH who died at Nairobi on the 4th day of February, 1910.

Mombasa,

6th June, 1910.

J. W. H. PARKINSON,

Administrator General.

PROBATE AND ADMINISTRATION.

IN THE MATTER OF NANOO RAM, DECEASED.

To all to whom it may concern.

Take notice that on or after the 30th day of June, 1910, I intend to apply to the High Court of East Africa at Mombasa for an order to administer the estate of the above named NANOO RAM who died at Nairobi on the 29th day of March, 1910.

Mombasa,

6th June, 1910.

J. W. H. PARKINSON,

Administrator General.

IN THE HIGH COURT AT MOMBASA.

INSOLVENCY JURISDICTION.

CAUSE No. 4 of 1910.

IN THE MATTER OF MUSAJI ALIBHAI AND SONS.

WHEREAS the said Musaji Alibhai carrying on business under the style and firm of Moosaji Alibhai and Sons has submitted a proposal to the High Court for effecting a composition with his creditors NOTICE IS HERBY GIVEN that the 30th of June, 1910, has been fixed by the Court for the consideration of the same.

WARREN S. WRIGHT,

Dated this 6th day of June 1910.

Registrar, High Court E. A. P.

EAST AFRICA PROTECTORATE.

Statement showing number of trade packages and value in Rupees of various articles imported into Mombasa during April, 1910.

June 15, 1910.

THE OFFICIAL GAZETTE

ITEMS.		Number of Packages.	Value in Rupees.	ITEMS.	Brought forward ...	Number of Packages.	Value in Rupees.
Agricultural implements	... No. of packages	1,177	36,193	LIVE STOCK:—			
Ale and beer	... gallons	1,946	4,892	Horses
Ammunition	... cartridges	57,008	4,909	Mules
Apparel	... packages	73	13,251	Camels
Bags and sacks	... numbers	54,110	16,338	Cattle
Beads	... lbs.	7,527	6,100	Donkeys
Books, maps and printed matter	... packages	65	4,833	Sheep
Boots and shoes	... pairs	692	2,855	Goats	...	2	50
Brass and copperwares	... packages	73	6,007	Dogs
Building materials	... "	1,100	15,648	Poultry	...	6	20
Coal	... tons	Machinery and parts of	... No. of packages	53	8,494
Cotton goods	... yards	5,29,014	1,41,045	Provisions of all sorts	... "	2,898	52,875
Cotton yarns	... lbs.	405	306	Salt	... cwts.	844	1,859
Drugs, medicines and chemicals	... packages	207	6,744	Seeds and plants for cultivation	... packages	313	2,803
Earthen and glasswares	... "	217	7,071	Silk goods	... yards	4,147	4,924
Fire arms	... numbers	33	3,573	Spirits and liqueurs	... gallons	1,862	14,064
Furniture	... packages	218	5,952	Sugar	... cwts.	665	6,903
GRAIN:—				Surgical instruments	... packages
Rice	... cwts.	4,784	29,741	Tea	... lbs.	12,483	9,351
Flour	... "	1,730	15,084	Tobacco	... "	26,894	24,211
Wheat	... "	12	111	Wines	... gallons	969	4,821
Dhall (pulse)	... "	48	347	Wood	... tons	6	1,103
Other sorts	... "	130	624	Woollen goods	... yards	873	1,846
Gun powder	... lbs.	All other sorts	... packages	1,837	96,126
Iron and steelware	... packages	634	16,263	Ships and Lighters	... No.	1	1,800
Kerosine oil	... gallons	200	274	Goods in transit & transhipment	... ,	...	
	Carried forward	3,38,161	Total Rupees	7,99,721

Total value of trade imports in April, 1909
Total decrease in value

... Rs. 11,56,133
... " 3,56,412

F. W. MAJOR,
Chief of Customs.

EAST AFRICA PROTECTORATE.

Statement showing number of trade packages and value in Rupees of trade goods re-exported from Mombasa to different countries during April, 1910.

ITEMS.	Quantity.	United Kingdom.	India and Burmah.	Zanzibar.	South African Colonies.	Holland.	Belgium	Miscellaneous Ports of Europe.	Miscellaneous Ports of Asia.	United States of America	France.	German East Africa.
Apparel ...	No. of packages	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Ale and beer ...	gallons	7	200									1,067
Bags and sacks ...	“	200		40								363
Beads ...	lbs.	5,472										1,651
Building materials ...	packages	6										41
Brass and copperwares ...	“	26		25								2,554
Books and printed matters ...	“	1			34							...
Cotton goods ...	yards	77,692										19,423
Drugs, and chemicals ...	packages	8										140
Earthen and glasswares ...	“	109		260	459							50
Furniture ...	“	2	50									...
Firearms ...	Numbers	12	7,700									...
Rice ...	cwts.	16										143
Flour ...	“	122										865
Other sorts of grain ...	“	2			10							...
Iron and steelwares ...	packages	6	1,908									...
Kerosine oil ...	gallons	444			78							173
Provisions ...	packages	72										1,283
Sugar ...	cwts.	114										1,319
Salt ...	“	6										15
Spirits and liqueurs ...	gallons	24										300
Tea ...	lbs.	480										393
Tobacco ...	“	1,025			58							988
Wines ...	gallons	2										25
All other sorts ...	packages	288	3,440	982		1,015	100	100	180	530		150
	Total Rupees	13,118	1,267	679	1,015	100	100	180	871	85	150	33,793

Total value of Re-exported goods ... Rs. 51,358

Statement showing value in Rupees of various articles exported from Mombasa, during April, 1910.

ITEMS.	Country of Origin.	Value in Rupees.	ITEMS.	Country of Origin.	Value in Rupees.
Ivory	E. A. Protectorate ...	40,007	Mangrove bark	Brought forward	963,690
"	Uganda " ...	63,430	Copra	E. A. Protectorate	746
"	G. E. Africa " ...	5,600	Coffe	" "	56,329
"	Congo Free State " ...	42,389	"	" "	754
Rubber	E. A. Protectorate ...	634	Potatoes	Uganda " ...	549
"	Uganda " ...	42,901	Chillies	G. E. Africa " ...	5,078
"	G. E. Africa " ...	212,646	Fibres	E. A. Protectorate	3,374
Gum-Copal	E. A. Protectorate ...	5,440	Bees Wax	Uganda " ...	24,370
Horns, Rhinocerous	" " ...	1,662	"	G. E. Africa " ...	4,797
" "	Uganda " " ...	10	Ostrich Feathers	E. A. Protectorate	4,870
" "	G. E. Africa " ...	115	Grains	" "	425
" Other sorts	E. A. Protectorate... ...	2,174	Beans	E. A. Protectorate... ...	13,828
" "	Uganda " " ...	122	Sim sim	" "	21
" "	G. E. Africa " ...	352	Groundnuts	Uganda " " ...	1,352
" "	Congo Free State " ...	57	"	E. A. Protectorate	82,831
Teeth, Hippo	E. A. Protectorate ...	71	Pulse	Uganda " " ...	2,021
" "	Uganda " " ...	185	Millet	E. A. Protectorate	2,199
Hides, ox	Congo Free State ...	106	Maize	Uganda " " ...	5,318
" "	E. A. Protectorate ...	39,143	Sim Sim Oil	G. E. Africa " ...	7,007
" "	Uganda " " ...	53,172	Oil Cakes	" "	1,993
" Sheep	G. E. Africa " ...	146,149	Ghee	E. A. Protectorate ...	977
" "	E. A. Protectorate ...	2,172	"	" "	3,270
" Goats	Uganda " " ...	2,972	Cocoanuts	Uganda " " ...	1,492
" "	G. E. Africa " ...	3,408	Gold	E. A. Protectorate	1,789
Wild animal skins	E. A. Protectorate ...	12,994	Cotton seed	Uganda " " ...	2,421
" "	Uganda " " ...	30,284	"	Italian E. Africa " ...	2,414
" "	G. E. Africa " ...	45,898	Oil	E. A. Protectorate	1,789
Live stock	E. A. Protectorate ...	6,093	Carbonate of Soda	Uganda Protectorate	400
Cattle	" " "	196	Wool	E. A. Protectorate ...	48,277
Wild animals, Zebra	E. A. Protectorate ...	200	Sundries	" "	284
Lions	" " "	450	"	Uganda " " ...	6,408
Cowries & Other shells	" " "	185	"	Italian E. Africa " ...	68
Tortoise Shells	E. A. Protectorate ...	99	Oil	Uganda Protectorate	1,177
Cotton	" " "	24,222	"	E. A. Protectorate ...	3,915
"	Uganda " " ...	176,027	Carbonate of Soda	" "	7,746
"	G. E. Africa " ...	1,349	Wool	" "	5,039
"	Italian East Africa... ...	516	Sundries	Uganda " " ...	818
	Carried forward ...	963,690	"	G. E. Africa " ...	1,208
			"	Congo Free State " ...	46
			Total Rupees		1,271,090

Total value of exports in April, 1909

... Rs. 565,300

F. W. MAJOR,
Chief of Customs.

Total Increase in value "

... " 705,790

EAST AFRICA PROTECTORATE.

Statement showing value in Rupees of Imports made into Mombasa,

from different countries during April, 1910.

COUNTRIES.		Value in Rupees.
United Kingdom	...	2,31,432
India and Burmah	...	1,47,421
Ceylon	...	8,318
Mauritius	...	4,182
Zanzibar	...	3,413
Uganda Protectorate
South African Colonies	...	4,950
Australian Colonies
Austria	...	22,575
Belgium	...	1,143
France and French Colonies	...	7,663
Germany	...	62,078
Holland	...	33,862
Italy	...	680
Sweeden	...	3,374
Portugal and Portuguese Colonies	...	388
Russia	...	586
Switzerland	...	2,493
Miscellaneous Ports of Europe	...	3,192
Miscellaneous Ports of Asia	...	6,138
United States of America	...	25,010
German East Africa	...	513
Other British Possessions
Italian East Africa
Goods in transit	...	5,69,411 2,30,310
Total value Rupees	...	7,99,721

F. W. MAJOR,
Chief of Customs.

EAST AFRICA PROTECTORATE.
Currency Board.
(a)

ABSTRACT OF NOTES IN CIRCULATION.

Total amount of Currency notes in circulation on the tenth day of June, 1910.

Rs 18,12,500

Average daily amount of Currency notes in circulation during the month ended the tenth day of June, 1910.

Rs 18,12,500

(b)

ABSTRACT OF CASH RESERVE.

Amount of the coin portion of the Note Guarantee Fund on the tenth day of June, 1910.

Rs 12,38,997 31 Cts.

Average daily amount of the coin portion of the Note Guarantee Fund, during the month ended the tenth day of June, 1910.

Rs 12,38,997 31 Cts.

(c)

ABSTRACT OF SECURITIES FORMING THE INVESTED PORTION OF THE NOTE GUARANTEE FUND ON THE TENTH DAY OF JUNE, 1910.

Nature of Security.	Nominal Value.	Price paid.	Latest known market price.
Transvaal 3% Guaranteed stock	£39,295-16-8	£38,233-10-3	94
Total ...	£39,295-16-8	£38,233-10-3	

Office of the Currency Board,
Mombasa,
10th June, 1910.

J. W. H. PARKINSON,
for Currency Commissioners.

ARRIVALS.

Name in full	Rank	From leave or on 1st Appointmnt	Date of leaving England.	Date of Embarkation.	Date of arrival at Mombasa or Kilindini.
H. A. Bocket-Pugh	Lieutenant	1st appoint.	Aug. 11th 1910.	From Aden. May 15th 1910	May 25th 1910.
W. J. McMiller	Constable	Leave	April 27th ,	April 27th ,	26th "
H. S. Filsell	Lieut. Adjutant 2nd K. A. Rifles	1st appoint.	May 6th ,	May 7th ,	26th "
H. A. Swan	2nd Engineer Lake Steamer	Leave	" 6th ,	" 7th ,	26th "
S. L. Hinde	Provincial Commissioner	"	" 9th ,	" 10th ,	28th "
E. B. Horne	District Commissioner	"	" 9th ,	" 10th ,	28th "
Miss E. R. Brown	Nursing Sister	"	" 9th ,	" 10th ,	28th "
P. E. Bradney	Inspector Police	"	" 9th ,	" 10th ,	28th "
H. Turnbull	Commander Lake Steamer	"	" 9th ,	" 10th ,	28th "

DEPARTURES.

Name in full.	Rank.	On leave or termination of appointment	Date of departure.	Date due to return Mombasa.
Col. J. A. L. Montgomery c.s.i.	Commissioner of Lands		May 18th 1910.	Not returning to East Africa.
A. G. Bush F. Montague	Asst. Engineer P. W. D. Foreman Mason P. W. D.	Leave ,"	," 28th , ," 28th ,	Nov. 28th 1910. ," 28th ,

Licences issued at Marsabit Station during half year ended 31st March, 1910.

Name.	Date of issue.	Expires on.	Remarks.
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TRAVELLERS.

M. Brenot	14th November 1909	14th December 1909	
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RESIDENTS.

G. F. Archer	1st March 1910	28th February 1911	permit granted to shoot one elephant.
J. F. Fernandez	1st March 1910	28th February 1911	permit granted to shoot one elephant.

No.	Name.	Date.	Mark on gun.	Description of gun.	Remarks.
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GUN REGISTRATION:—

14801	F. Roy	Feb. 12th 1910	No. 36607	.318 cordite rifle	
14802	"		12488	.450/400 D B rifle	
14803	"		1473	.450/400 "	
14804	"		55103	D B 12 bore shot gun	
14805	"		1648	.455 revolver	
14806	M. M. Dick		125083	.455 revolver	
14807	Boma Trdg. Co.		617	.303 Magazine rifle	army pattn.
14808	" "		...	M. H. rifle	
14809	" "		...	" "	
14810	F. Roy		...	Collector's gun	
14811	Lt. R. G. Eyre	Feb. 28th 1910	6576	S B .450 cordite rifle	
14812	" "		7161	.303 Lee speed rifle	
14813	" "		3708	.577 D B rifle	
14814	" "		9256	.256 Mauser rifle	
14815	" "		11559	12 bore D B shot gun	
14816	G. F. Archer	Mar. 1st 1910	17276	20 " " "	
14817	" "		2586	.275 Rigby mauser rifle	
14818	" "		28804	12 bore D B shot gun	
14819	" "		09178	.577 D B cordite rifle	
14820	" "		6406	.250 rook rifle.	

Marsabit,

G. F. ARCHER,

1st April, 1910.

District Commissioner.

UGANDA PROTECTORATE.

PUBLIC WORKS DEPARTMENT

Tender No. 88.

Tenders are invited for the supply of 6 galvanised iron tanks, corrugated or plain, capacity 800 gallons fitted with brass taps. A price should be quoted free in godown at Entebbe excluding road & wharfage dues. Delivery must be immediate.

Tenders should be addressed to the undersigned marked "Tender No. 88." and should reach him on or before 18th July 1910.

The Chief Engineer does not bind himself to accept the lowest or any tender.

Entebbe,

3rd June, 1910.

P. O. G. USBORNE,

Chief Engineer, P. W. D.

UGANDA PROTECTORATE**Public Works Department.****TENDER No. 87.**

Tenders are invited for the following:—

Matchboarding best quality (state dimensions)	f. r. 100,000
Glue lbs 112
Size (in packets) " 28
Whitelead ground in oil " 672
Blue paint mixed Galls 10
Grey paint mixed " 30
Distemper, colours to choice, dry lbs 224
French polish gallons 10
Oil, Engine " 50
Oil, cylinder " 25
Oil, benzine " 48
Fluid soldering, bottles small No. 18
Fluid soldering, bottles large " 12
Brushes, whitewash doz 2
Brushes, varnish " 1
Nails wire 6" cwt 6
" 5" " 3
" 4" " 12
" 3" " 6
" 2" " 6
" 1" " 1
Screws iron 1" No. 10 gross 50
" 1" " 8 " 100
" 3/4" " 6 " 100
Screws japanned round head 3/4" No 9 " 10
Bolts iron (tower) with sockets complete 4" No. 500
" (") " " 6" " 300
" (") " " 9" " 100
Reaping hooks " 100
Slashers " 100
Hinges brass butt 2" prs 50
Solder cwt 2
Betting laces doz 2
Cabin hooks iron japanned 3" " 12
Twine bricklayers thick balls " 3
Locks 6" rim (half right, half left) " 12

The supply must be immediate from stock held at present and if one or more qualities of goods are stocked specific prices should be given.

All goods or supplies will be inspected by a qualified inspector before being put on rail.

All tenders must reach the Chief Engineer, Public Works Department, Uganda Protectorate on or before 15th June, 1910.

NOTE.—If merchants in East Africa and Uganda are able to supply such stores at reasonable rates, the Public Works Department, Uganda, will not necessarily in future import such stores from England as heretofore, although the comparison of prices will be most carefully considered. Goods must be delivered intact and in first rate condition free in godown at Entebbe, Kampala or Jinja; road and wharfage dues will not be charged.

P. O. G. USBORNE,
Chief Engineer, P. W. D.
Uganda Protectorate.

UGANDA PROTECTORATE.**Tender No. 85.**

The following have been accepted:—

Mr. A. A. Visram, Entebbe.—Bricks.

Messrs. Boustead & Clarke Ltd. Port Florence.—Lime.

Entebbe,

23rd May, 1910.

P. O. G. USBORNE,
Chief Engineer, P. W. D.

TENDERS.

Tenders are invited by the Director of Uganda Transport, Kampala, for the supply of one ton common salt suitable for feeding cattle.

Prices quoted should include delivery at the Transport Head Quarters, Kampala or in the case of Tenderers in the British East Africa Protectorate, delivery to Transport Officers Mombasa or Nairobi.

Tenders should be forwarded in properly sealed letters to the Director Uganda Transport, Kampala and clearly marked on the outside "Tenders for Forage".

The Director of Uganda Transport does not bind himself to accept the lowest or any tender.

Tenders close at noon 15th July, 1910.

Kampala,

4th June, 1910.

J. M. IMPELY,
Director Uganda Transport.

UGANDA RAILWAY**Rate Circular.**

No. 7 1910.

The following Special Rates and additions to Goods Tariff will come into force on and from 15th June, 1910.

Cotton seed oil from all Lake Ports except Port Florence, Mwanza and Bukoba, to Mombasa ...	Rs. 1·53 per 100 lbs. or Rs. 34·27 per ton.
Cotton seed oil from Mwanza and Bukoba to Mombasa	Rs. 1·62 per 100 lbs. or Rs. 36·29 per ton.
Beer or Ale alcoholic (country made) at Owner's Risk	1st class.
Beer or Ale alcoholic (country made) Railway Risk	2nd class.
Beer or Ale alcoholic (country made) in full wagon loads, with minimum of 7 tons at Owner's Risk	Inter. class.

Traffic Manager Office,
Nairobi, 31st May, 1910.

A. E. CRUICKSHANK,
Traffic Manager.

UGANDA RAILWAY.**NOTICE.**

Public Notice is hereby given that Mariakani Station (Mile 26) will be opened for Goods and Coaching traffic on the 15th June, 1910.

Notice is also hereby given that Homa Bay, Usenbo Bay and Kongo Bay (Lake Ports in Kavirondo Gulf) have been opened for Goods and Coaching traffic.

Nairobi, Traffic Manager's Office,
8th June, 1910.

A. E. CRUICKSHANK,
Traffic Manager.

UGANDA RAILWAY.**Approximate Statement of Public Coaching and Goods Traffic
for the month of May, 1910.**

Coaching Traffic.....	Rs.	81,928
Goods Traffic.....	,,	245,941
	Total Rs.	327,869

Corresponding month of previous year:—

Coaching Traffic.....	Rs.	75,547
Goods Traffic	,,	224,563
	Total Rs. ...	300,110

Increase Rs. ... 27,759

Traffic Manager's Office,
Nairobi,
10th June, 1910.

A. E. CRUICKSHANK,
Traffic Manager.

SHIPPING REPORT

MOMBASA HARBOUR

MONTH OF MAY 1910.

Name of Vessel	Captain	Gross Tons.	Cargo	Nationality	To Whom Consigned	From	Date		Bound to
							Arr.	Dep.	
S.S. Markgraf	Timm	3680	General	German	Hansing & Co.	Bombay	Apr. 30	May 1	Zanzibar
" Purnea	Fysh	3306	"	British	S. M. & Co.	Zanzibar	May 3	" 3	Aden
" Africa	Gallon	454	"	"	A. A. Visram	Kismayu	" 8	" 8	Zanzibar
" Somali	Grewe	2550	"	German	Hansing & Co.	Bombay	" 10	" 11	Zanzibar
" Africa	Gallon	454	"	British	A. A. Visram	Zanzibar	" 13	" 15	Aden
" Kanzler	Ulrich	2959	"	German	Hansing & Co.	"	" 22	" 22	Bombay
" Naderi	Gore	1878	"	British	A. H. Bros. & Co.	Bombay	" 22	" 23	Zanzibar
" Wissmann	Blair	629	"	"	A. A. Visram	Aden	" 26	" 27	Zanzibar
" Kaiser W.m. II.	Prnssing	495	"	German	Hansing & Co.	Dar-es-Salaam	" 27	" 28	Tanga
" Naderi	Gore	1878	"	British	A. H. Bros. & Co.	Zanzibar	" 30	" 30	Bombay

KILINDINI HARBOUR.

S. S. Sultan	Michaelsen	2816	General	German	Hansing & Co.	Zanzibar	May 4	May 5	Zanzibar
" Feldmarschall	Kley	6181	"	"	"	Hamburg	" 5	" 5	"
" Markgraf	Timm	3680	"	"	"	Zanzibar	" 7	" 8	Bombay
" Goorkha	Armstrong	6287	"	British	B. E. A. Corporation Ltd.	"	" 7	" 11	Zanzibar
" Herzog	Muhlboner	4946	"	German	Hansing & Co.	Hamburg	" 15	" 16	"
" Kronprinz	Pohlenz	5681	"	"	"	Zanzibar	" 16	" 18	Hamburg
" Kanzler	Ulrich	2959	"	"	"	Ibo	" 27	" 18	Zanzibar
" Purnea	Tysh	3306	"	British	S. M. & Co.	Aden	" 25	" 26	"
" Kaiser	Holdt	2724	"	German	Hansing & Co.	Zanzibar	" 25	" 26	"
" Windhuk	Meyer	6351	"	"	"	Hamburg	" 26	" 27	"
" Djemnah	Durrande	3716	"	French	M. M.	Madagascar	" 28	" 28	Marseilles
" Oxus	Broe	3738	"	"	M. M.	Marseilles	" 28	" 28	Madagascar
" Herzog	Muhlbauer	4946	"	German	Hansing & Co.	Zanzibar	" 30	" 31	Hamburg

MEN OF WAR.

H. M. S. Pandora	Evans	British	...	Zanzibar	Apr. 22	May 5	Kismayu
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H. PIDCOCK,
Port Officer.