

THE
OFFICIAL GAZETTE.

OF THE

EAST AFRICA



AND UGANDA

PROTECTORATES.

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EAST AFRICA PROTECTORATE.

NOTICE.

The attention of the public is called to the following Regulations and especially to Nos. 6 and 51. Whereas no license or fee has hitherto been necessary for prospecting in the territory of the East Africa Protectorate a six months' license of five rupees is now required and persons prospecting without such license will be liable to the penalties prescribed in the Regulations.

C. ELIOT,

H. M. Commissioner and Consul-General.

Mombasa, April 12th, 1902.

NOTICE.

The following Regulations made by His Majesty's Commissioner, and allowed by the Secretary of State, are published for general information.

C. ELIOT,

Mombasa, April 12th, 1902.

His Majesty's Commissioner.

*King's Regulations under Article 45 of "The East Africa Order-in-Council, 1897,"
and Article 11 of "The East Africa Order-in-Council, 1899."*

No. 9 of 1902.

Mining.

1. These Regulations may be cited as "The East Africa Mining Regulations—Short title. 1902."

2. In these Regulations the following terms shall have the respective Interpretation. Words hereby assigned to them, unless the context otherwise requires, that

BY:—

The term "the Protectorate" means the East Africa Protectorate.

The term "the Commissioner" means His Majesty's Commissioner and Consul-General for the Protectorate, or the person for the time being acting as Commissioner and Consul-General.

The term "the Government" means the officers administering the Protectorate severally and collectively.

"Land-owner" means owner of land subject to a reservation of minerals, and includes a lessee of Crown land subject to a reservation of minerals.

The term "public field" or "mining centre" means the proclaimed area thrown open by lawful authority for digging and mining.

The term "claim" means that portion of a public field on which any person has obtained a license to dig or mine, and which has been lawfully taken up and occupied under and by virtue of the provisions of these Regulations.

The term "prospecting area" means a rectangular four-sided area, no side of which shall exceed 600 yards in length.

The term "European" means a person of European birth or parentage.

The term "the 'Gazette'" means the Gazette of the Protectorate.

The term "mining purposes" means the purpose of searching for, mining and removing gold, silver, precious stones, ores, metals, coals, and all other minerals, and of carrying out such works.

The term "prescribed" means prescribed by Rules made under these Regulations.

The term "person" shall include any body of persons, corporate or unincorporate.

The term "native" has the same meaning as in the Orders-in-Council for the time being applying to the Protectorate.

3. All rights of underground working under these Regulations shall be limited by imaginary lines drawn vertically downwards from the surface boundaries.

4. The provisions of these Regulations shall extend and apply to all lands situate within the Protectorate, except—

(a.) Lands dedicated to or set apart for any public purpose.

(b.) Lands held under grants or leases giving the holder rights of working the mines and minerals which are recognized by the Government.

(c.) Lands declared by the Commissioner by notice in the "Gazette" to be exempted from the operation of these Regulations.

5. The Commissioner may appoint an officer, with the title of Commissioner of Mines, and such other officers as may be necessary, to carry into effect the provisions of these Regulations, and may assign to each such officer his duties.

6. The Commissioner of Mines, or other prescribed officer, may issue a prospector's license to any person, authorizing him to prospect and search for gold, silver, precious stones, ores, metals, coal, and all other minerals, or any of all thereof, on any lands to which these Regulations apply. Such license may be granted on personal application, or, in case of renewal, on personal or written application, upon payment, in advance, of a sum of 5 rupees for every six months for which the same is to be in force, and no one shall be allowed to prospect or search for gold, silver, precious stones, ores, metals, coal, or any other minerals on such lands without obtaining such license: Provided, however, that such license shall be subject to any Regulations for the time being in force, and provided such license shall not authorize the sale or other disposal of any gold, silver, precious stones, ores, metals, coal, or any other minerals discovered; and every holder of a prospecting license shall have the right of grazing for six horses or mules, or for sixteen oxen, and of taking wood and water for his domestic use, free of charge on Crown lands, and if on any other lands, on payment to the owner or occupier of the land, where such license is exercised of 8 annas per diem: Provided, however, that the prospector shall only exercise the rights conferred on him by this section on the land at the place or places indicated by the Collector of the district or the owner, as the case may be.

7. If any question shall arise between the owner or occupier and the prospector as to their respective rights, or as to the suitability of land indicated by the owner, they shall be determined by the Commissioner of Mines or other prescribed officer.

8. Any person applying for a prospecting license for the purpose of prospecting the land of any owner shall, at the time, enter into a bond with two sureties to be approved by the Commissioner of Mines, or other prescribed officer, in the sum of 400 rupees for himself and of 200 rupees for each of the

Lands to which Regulations is applicable.

Appointment of officers.

Prospectors' licenses.

Limitation of rights conferred by prospecting license.

Disputes as to rights of owners and prospectors to be determined by Commissioner of Mines.

Bond to be entered into by prospector.

two sureties for the due and proper repair of any surface damage done by him on the land of any owner, and for the due payment of the sum accruing to any owner from the prospector on account of the daily payments such prospector is required to make under section 6 of these Regulations for the grazing, wood, and water rights referred to therein.

9. Such bonds shall be as near as may be in the form of Schedule (B) ^{Form of such bond.} hereto.

10. Any person being the holder of a prospecting license may beacon off ^{Prospecting area.} for himself a prospecting area, which area he may hold (subject, however, to all such Regulations as may from time to time be in force) until the expiration of the period for which the license was granted or may have been renewed: Provided, however, that no prospecting area shall be beacons off on any public field within a distance of 880 yards, though prospecting operations may be carried on within such distance, from any known portion of any discovered reef, or of the site of the discovery of any alluvial gold, diamonds, or precious stones. No person shall at any time occupy more than one prospecting area, either by himself or his servants.

11. It shall be the duty of any person having made any discovery or find ^{Declaration of discovery of gold, &c.} of gold, silver, or precious stones whilst prospecting under such license, to at once make a solemn declaration of the finding of the same and to lodge such declaration with the Collector of the district in which any such find shall have been made, and any person who shall fail to do so within a reasonable time shall be liable, upon conviction thereof, to a fine not exceeding 500 rupees, or to simple imprisonment for a term which may extend to six months, or to both, and in addition his license may be forfeited.

12. Any person who shall make such declaration whilst prospecting or ^{False declaration} otherwise, well knowing that the gold, silver, or precious stones declared to have been found were, by himself or by some other person, placed or deposited in or on the spot, or in the soil or stuff dug out or removed from the spot in which such declarant was prospecting, or in which the discovery of such gold, silver, or precious stones is declared as aforesaid to have been made, and were not naturally situated in or on the spot, or in the soil or stuff in which they were declared to have been found or discovered, or well knowing that the said precious stones or minerals were not found or discovered in or on the place where they were declared to have been found or discovered, shall, upon conviction, be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

13. Any person who shall wilfully place or deposit, or be accessory to the ^{Fraudulent acts} wilfully placing or depositing, of any gold, silver, or precious stones in any spot or place for the purpose of inducing any person to make such solemn declaration as aforesaid, or for the purpose of misleading the Government as to the payable nature of a spot or place where gold, silver, or precious stones have been declared to have been found, and previous to such spot being proclaimed an alluvial digging, or mine, or being let out on a lease as hereinafter provided, shall be liable to the same punishment as for an offence under this preceding section.

14. In any proceedings taken for the contravention of the last preceding ^{Proof of fraudulent acts.} section, if the accused person shall be proved to have placed or deposited, or to have been accessory to the placing or depositing, of any gold, silver, or precious stones in any place where the finding thereof would be likely to lead any person to make a declaration of the finding of the same, or would tend to mislead the Government, he shall be taken to have so placed or deposited such gold, silver or precious stones in contravention of the last preceding section, unless he can produce satisfactory evidence to the contrary.

15. It shall be lawful for the Commissioner from time to time, by ^{Pro-Declaration of mining centre or public field.} proclamation, and when satisfied as to the existence of gold or silver ores or precious stones in payable quantities, to constitute and appoint any portion of the territory to be a mining centre, or public field, under these Regulations, to assign boundaries to such centre or field, to enlarge, contract, or otherwise alter the boundaries, and to declare by what local name, if any, every such mining centre or field shall be designated, and to abolish altogether such mining centre or field.

16. The proclaiming of a mining centre or public field by the Commis- ^{Proclamation no guarantee.} sioner does not carry with it any guarantee of the existence of gold, silver, or precious stones in payable quantities on such mining centre or field.

17. Any holder of a prospecting license who shall have complied with the ^{Prospectors' claims.} provisions of these Regulations, and who shall prove to the satisfaction of the Commissioner of Mines, or other prescribed officer, that he has found any gold,

silver, or precious stones under such license, shall, on abandoning his prospecting area, be entitled, instead, to select five alluvial or seven quartz claims at the place where such gold, silver, or precious stones shall have been found, and shall receive a certificate from the Commissioner of Mines that he is so entitled. Such claims shall be marked off and registered as prospectors' claims. Provided, however, that in no case shall such a discoverer be entitled to select such claims, or receive any such certificate, should his discovery be situated within a distance of 3 miles of any previous discovery for which a certificate has been applied for or granted. The holder of any such certificate, being the original prospector to whom such certificate was granted, shall, whether the claims be included in a public field or not, have the right to work, dig, or mine for gold, silver, or precious stones therein without being required to take out or keep up any prospector's or digger's license for such length of time as he may remain the owner of such claims. Each of such claims shall be of the size fixed and determined under these Regulations as the size of a prospector's or digger's claim.

When gold is discovered in payable quantity owner to relinquish his prospecting area and mark off diggers' claims.

18. It shall be lawful for the Commissioner of Mines, or other prescribed officer, when satisfied as to the existence of gold, silver, or precious stones in payable quantity on any prospecting area on any public field, to call upon the owner of such prospecting area to relinquish his prospecting right over such prospecting area, and to take out a digger's license as hereinafter prescribed. Such owner shall be entitled to mark off his digger's claims upon the sight of his prospecting area, and shall be empowered to mark off diggers' claims, not being more than twelve in number, exclusive of his own or prospector's claims.

Commissioner of Mines to decide if gold has been discovered in payable quantity.

19. The question as to whether gold, silver, or precious stones in payable quantity has been discovered on any prospecting area on any public field, shall be determined after due inspection of such area by the Commissioner of Mines, or other prescribed officer, and the determination so arrived at shall, if approved by the Commissioner, be final and conclusive, and not subject to any kind of appeal.

Diggers' licenses on public fields.

20. It shall be lawful for the Commissioner of Mines, or other prescribed officer, to issue a digger's license to any person, authorizing him to dig for gold, silver, or precious stones on any land on any public field not previously occupied under the provisions of these Regulations, whether as prospecting claims or otherwise. Such license may be granted to any person applying for the same upon payment in advance of a sum at the rate of 20 rupees for each month, or portion of a month. Each license shall entitle the digger named therein to beacon off a claim on the public field named in the license, upon such conditions and in such manner as may be provided by these Regulations, or in Rules under these Regulations.

Any person may take out two licenses and purchase claims.

21. Any person shall have the right to take out two licenses on each public field, and to hold the same in his own name. He shall also be allowed to hold claims acquired by purchase from other claim-holders.

Amalgamation of claims.

22. Diggers, being holders of adjoining claims being not less than three nor more than twelve in number, who wish to amalgamate their claims, can have the same registered as amalgamated claims on application at the office of the officer appointed for the purpose. When so registered, the share of each digger shall be clearly defined, and the working of one or more of such claims so amalgamated shall be deemed a sufficient compliance with the provisions of the Regulations as to the continuous working of claims.

Transfer of claims.

23. Claims may be transferred from one licensed holder to another, subject to such Regulations as may be in force. Such transfer may be made according to the form in Schedule (D) to these Regulations, and the price of transfer must be declared by the transferor and transferee; but no transfer of any claim shall be recognized until it has been duly registered by the Commissioner of Mines, or other prescribed officer; and such registration is to take place only on payment of a transfer fee of 10 rupees per claim, provided that the transfer of any claim shall carry with it the transfer of the license, and that the transferee shall continue to pay in advance monthly the 10 rupees payable on such license. In cases of parts of claims transferred, the license payable shall be apportioned and included in a new license to be granted for the sub-division of each such transaction to be indorsed on the transferor's license.

A digger having transferred his claims may take out new licenses.

24. A licensed digger who may have transferred his claims shall be at liberty to take out such new digger's licenses as he may under the provisions of these Regulations be entitled to hold. For the purposes of this section amalgamation shall be considered as a transfer.

25. At every public field, and in every district at or in which there shall be more than twenty-five registered claim-holders, or license-holders, such persons shall, upon an application made in writing to the Commissioner, and signed by not less than two-thirds of the whole number, and, upon such application being acceded to, be at liberty to elect a Diggers' Committee of not less than five or more than nine members, who shall hold their seats subject to such Rules as may be framed under these Regulations, and whose duties shall consist in making Bye-laws for such public field or district, for the management and administration of mining centres or districts, in respect of all local needs: Provided that such Bye-laws shall not injuriously affect the rights or interests of any person outside such centre or districts, and such Bye-laws shall not have effect until they are approved of by the Commissioner and published in the "Gazette," or otherwise published as may be determined by Rules.

26. The principal officer in the department of Mines under whose superintendence the public field is shall be Chairman of the Digger's Committee, with a casting vote in case of equality of votes.

27. Save as hereinafter excepted, every registered claim-holder or working prospector shall be eligible to be a member of a Diggers' Committee, and every claim-holder or working prospector shall have one vote, and no more, in the election of members of such Committee.

28. No claim holder or working prospector shall be eligible as a member of a Diggers' Committee, or be a voter for members thereof, whose estate shall be sequestrated as insolvent, and if after election any member shall cease to be a claim-holder or working prospector, or shall become and be declared insolvent, his seat shall, *ipso facto*, become vacant. No claim-holder or prospector shall be entitled to vote for, or to be elected as a member of a Diggers' Committee unless he is engaged in actual prospecting or digging upon such public field or in such district on his own account or for others.

29. The owner of any private land included in any public field shall receive one-half of the amount paid to Government for stand licenses or other fees payable in respect of such land.

30. Every owner of land subject to a reservation of minerals shall, on giving notice to the Commissioner of Mines, be entitled to prospect his own land or holding within the boundaries of his own property, without taking out a license. No such owner or lessee owner shall be allowed to throw open his land to the public as a public field, either in respect to alluvial or quartz diggings, nor shall he permit any digging or mining on any portion of his land, except under the provisions of these Regulations and any Rules issued thereunder.

31. Every owner on discovering, gold, silver, or precious stones on his own land, shall make such declaration as is required of the licensed prospector in section 11.

32. The owner of any land which has been proclaimed a public field, annexed to an already existing field, shall, after the prospector has beaconed off his prospector's and diggers' claim, be entitled to beacon off certain claims, to be known as owners' claims, according to the extent of the said land, to wit— one claim for each 100 acres: Provided, however, that the number of owners' claims shall in no case be less than two nor exceed twelve in number, which must be worked in compliance with all the Rules and Regulations as to claims and the licenses requisite therefor. In all cases the prospector shall have first choice of site of claims; the owner shall then select and beacon off such claims as he may be entitled to, and thereafter the holders of diggers' licenses may beacon claims in terms of the provisions of these Regulations and any Rules made hereunder.

33. There shall be exempt from the operation of these Regulations all land on which any house or buildings have been erected, and the land immediately adjacent thereto, as also all water furrows, gardens, orchards, or cultivated lands or plantations: Provided, however, that the owner of any such land so exempted may in consideration of compensation, waive all claim to such exemptions. In all cases the water supply of the owner of any land on a public field shall be reserved, so that he shall retain sufficient for his household, his stock, and for any water-mill already erected, and the irrigation of such gardens and land as were under cultivation at the time of the proclamation of such land as a public field. If any question shall arise as to water supply, it shall be determined by the Commissioner of Mines or other person deputed by him.

Commissioner of
Mines may
authorize the
erection or cons-
truction on
Crown lands or
land of owner
of—

Roads, bridges,
&c.

Pits, excavations,
&c.

Drains water-
races, &c.

Easements.

Expenses to be
borne by the
applicant.

Powers to be
exercised only for
public advantage.

Compensation
for loss for acts
under section 34.

Apportionment of
rent where owner
requires part of
land under lease.

Compensation to
lessee.

Reservation of
owners or occu-
piers' rights.

Mining leases.

34. The Commissioner of Mines shall have the power, and is hereby authorized, on the application of any person holding a digger's license, to do the following acts on or with respect to any public field :—

(a.) To lay out lines of road, which shall be made and maintained and used with such fencing, bridges, and for such period and by such persons as the Commissioner of Mines may determine. A railway or tramway may be laid down and constructed upon any such road, and be worked with locomotive engines or other motive power.

(b.) To enter upon any lands, and to authorize the construction thereon and therein of pits, shafts, levels, drives, tunnels, excavations, and to allow all and every kind of mining operation to be carried on.

(c.) To enter upon any lands, and to authorize the cutting, constructing, and using of drains thereon, and of water-races, dams, and reservoirs, and the taking or diverting water from any spring, pool, or stream situate in or flowing through such lands, and in order to use such water for mining purposes.

(d.) To exercise, and authorize the exercise of, any rights of the nature of easements in connection with mining operations upon any lands.

35. All expenses of making and maintaining any such road, or constructing any pit, shaft, level, drive, excavation, or other kind of mining operation, or constructing water-races, dams, and reservoirs, and of exercising any rights of the nature of easements in connection with mining operations, shall in each case be borne by the applicant, who shall, before the application is granted, deposit on account of such expenses such sum of money at the Commissioner of Mines may require.

36. The Commissioner of Mines shall only exercise the powers by section 34 conferred upon him in such cases as he may consider it to be of advantage to the public interest that facilities as aforesaid should be allowed to any person so engaged in mining.

37. If anything proposed to be done, or done, under the powers by section 34 conferred, shall be calculated to be, or shall be, prejudicial to the owner or occupier of any land, such owner or occupier shall be entitled to full compensation for any loss thereby sustained, or to be sustained, by him in respect of such land from the person or persons applying to the Commissioner of Mines, and doing, or proposing to do, such act. Each claim for compensation shall, if not settled by agreement, be determined by an arbitrator to be appointed by the parties or, in case they cannot agree in such appointment, by the Sub-Commissioner of the province.

38. If a part only of any lands comprised in a lease for a term of years unexpired shall be required for the purposes of these Regulations by the owner of the land, or for admitting thereon of licensed prospectors, or under section 34 of these Regulations, the rent payable in respect of the lands comprised in the lease shall be apportioned between the lands so required and the residue of such lands. Such apportionment may be settled by agreement between the lessor and the lessee, and if not so settled by agreement, then by the Sub-Commissioner of the province in which such lands are situated, subject to appeal, as hereinbefore stated. And after such apportionment, the lessee shall be liable for so much only of the rent as shall be so apportioned in respect of the land so required; and all covenants, conditions, and agreements in such lease except as to the amount of rent paid, shall remain in force in regard to the part of the lands not so required as aforesaid, in the same manner as if such part only of the lands had been included in the lease. Every such lessee shall be entitled to claim compensation for the damage done to him in his tenancy by reason of severance of the land so required from that not so required, and otherwise by reason of mining and prospecting thereon.

39. In all cases in which the taking or diverting water from any spring, pool, or stream shall affect the water supply of any owner or occupier of land, such owner or occupier shall be entitled to retain, and have reserved, and use sufficient for his household requirements, his stock, and the irrigation of such cultivated land or gardens as were under cultivation or ordinarily cultivated at the time of the taking and diversion aforesaid, and also for any water-mill already erected. If any question shall arise as to the water rights of the owner they shall be determined by the Commissioner of Mines.

40. The Commissioner may grant to any licensed person, who has prospecting to the satisfaction of the Commissioner of Mines, and subject to the

provisions of these Regulations, a lease of any lands for mining purposes, or for cutting and constructing thereon races, drains, dams, reservoirs, roads, or tramways to be used in connection with any such mining, or for erecting thereon any buildings or machinery to be used for mining purposes, for pumping or raising water from any land mined or intended to be mined upon, or for any or all of those purposes, and also for residence in connection with any of such purposes, for any term not exceeding twenty-one years, terminable on six months' notice by the lessee, and upon the terms and conditions prescribed by any Rules framed under the provisions of these Regulations, and the Commissioner may grant a renewal of the lease from time to time for a further period not exceeding twenty-one years upon the terms and conditions allowed by law in the case of new leases at the time when such renewal is granted.

41. All such leases granted for the purpose of mining for gold, silver, precious stones, or for any of the purposes aforesaid connected with such mining shall be called "mining leases," and all such leases granted for the purpose of mining for any metal or mineral other than gold, silver, or precious stones, or for any of the purposes aforesaid connected with such last-mentioned mining shall be called "mineral leases."

42. There shall be payable to the public revenue of the Protectorate, through the Commissioner of Mines, a royalty upon all gold, silver, precious stones, ores, metals, coal, and all other minerals, found in and extracted from any land not being a public field, to wit:—

- (a.) On gold, a royalty of 2 rupees per ounce.
- (b.) On silver, a royalty of 2 annas per ounce.
- (c.) On diamonds, royalty of $2\frac{1}{2}$ per cent. upon the value thereof.
- (d.) On coal, a royalty of 8 annas per ton.
- (e.) On other precious stones, ores, metals, minerals, such royalty as the Commissioner may fix.

These royalties are subject to such alteration as the Commissioner may see fit to make from time to time.

And it shall be the duty of any person mining for such gold, silver, precious stones, ores, metals, coal, and all other minerals to render all such accounts as may be required by the Commissioner of Mines, and to pay such royalties at the end of the months of March, June, September, and December in each and every year.

43. One-half the amount received by the Government on account of the rents for mining or mineral leases granted over any private land shall be paid to the owner of such land, as well as one-half of the royalties received by the Government, if and in so far as such royalties do exceed the amount of rent payable.

44. A tract of land once proclaimed a public field or annexed thereto as a portion thereof shall not be directed to be closed unless the population of the European birth or descent thereon be reduced to less than one person for every six acres. No such public field shall be closed until three years from the publication of a Proclamation directing such closing, and the rights of remaining diggers shall in all such cases be considered, and further time if requisite granted them for working their unexhausted claims, all in terms of Rules framed under these Regulations.

45. The extent of a prospector's or digger's alluvial claim shall be 150 feet by 150 feet, and each claim shall be properly beaconed off at the four corners by pegs not less than 2 inches in diameter, and standing not less than 3 feet above the ground. The number of the claim, the name of the owner, and the date of pegging off must be duly marked on each peg, such peg being marked in the cardinal point of bearing. The extent of a prospector's or digger's quartz-reef claim shall be 150 feet along the reef, and 400 feet across or on one side of the reef as may be desired. In respect to quartz-reef claims, two corner pegs, one at either end of the claim will be sufficient beacons for the first thirty days. After the expiration of that time, four corner pegs must be substituted, and the direction must be indicated by clearly defined beacons. In the case of quartz-reef blocks of amalgamated claims, four corner pegs shall be sufficient for each block, but the names of the respective claim-holders in the block, or of any trustee or trustees holding for them, or of any Company mining such claims, must be legibly marked on each peg, together with the date of amalgamation. No alluvial claims shall be pegged out under power of attorney, and all such claims must be beaconed off, and registered by the person whose name the license has been taken out.

Definition of
"gold mining
and mineral
leases."

Royalties.

Accounts to be
rendered.

Half-rents, &c.,
payable to owner.

Extent of claims.

Claims not to be
pegged out under
power of attor-
ney.

Abandonment of claims.

46. Any digger on a public field desiring to abandon his claim or claims with the object of marking off a new claim or claims, shall be entitled to do so on withdrawing the pegs of the claims to be abandoned, posting a notice of the abandonment on the ground for at least seven days, and reporting the withdrawal and abandonment, in writing, to the Commissioner of Mines, or his authorized deputy.

Stands for dwellings.

47. Each licensed digger is entitled to a stand for his dwelling in addition to his claims for digging, but the site of his dwelling shall not be a spot known to contain gold, silver, or precious stones. A licensed digger shall, on receiving notice from the Commissioner of Mines, or other officer appointed for the purpose, remove his dwelling within thirty days.

Stand licenses.

48. Every person not being a digger, who desires to erect on any public field a store or shop, building, or dwelling-house, or any other kind of erection, may obtain from the Commissioner of Mines, or other prescribed officer, one or more stand licenses. Each such license shall entitle the holder to beacon off a piece of a ground in such a locality as may be pointed out by the Commissioner of Mines, or other prescribed officer, so as not to interfere with mining operations or any area known to contain gold, silver, or precious stones. Each stand license, whether monthly or yearly, at the option of the applicant, must be renewed from time to time. The cost of the stand license, which shall be in addition to other licenses, and the extent of ground included in any stand license, shall be fixed from time to time by Rules issued under the provisions of these Regulations: Provided that the Commissioner may at any time authorize the sale, by public auction, of stands on any public field; and in the event of such sale, the owner of any private land included in any public field and entitled under section 29 of these Regulations, to one-half the amount of stand licenses paid to Government, shall be entitled to receive one-half of the net proceeds of the sale of such stands by public auction.

Owner to receive half amount of stand licenses.

Wood-cutting licenses on lands included in public fields

49. The cost of licenses for wood-cutting on Government lands included in any public field shall also be fixed from time to time by Rules issued under the provisions of these Regulations.

Wood-cutting on private land included in public field.

50. With respect to the cutting of wood on private land included on any public field, an agreement must be entered into with the owner.

Penalty for digging or prospecting without a license.

51. Any person or persons, other than those who may be working on land held under a mining or mineral lease, who shall prospect, search for, or dig for gold, silver, precious stones, ores, metals, coal, or any other minerals without being in possession of a license taken in his own name, shall be liable to a fine not exceeding 100 rupees for each offence, and, on failure to pay the fine, to simple imprisonment for a term which may extend to three months. The onus of proof that he is duly licensed shall rest with the person accused. Every licensed prospector or digger shall exhibit his license whenever called upon to do by any officer of the Government, and any person refusing to exhibit his license shall be deemed to be prospecting or digging without a license.

Penalty for removing beacons.

52. Any person guilty of illegally altering, shifting or removing the beacon or pegs of any claim shall be liable to imprisonment of either description which may extend to three years, or to a fine not exceeding 1,000 rupees.

Penalty for paying servants in native gold.

53. Any person paying his servant in native gold shall be guilty of an offence, and on conviction thereof shall be liable to imprisonment of either description for a term which may extend to three years, or to a fine not exceeding 5,000 rupees.

Penalty for dealing in native gold with others than persons duly authorized.

54. Any person purchasing, trading, or receiving native gold from any other than a person duly authorized, either on a proclaimed public field, or elsewhere within the limits of the Protectorate, shall be guilty of an offence, and shall be liable, on conviction, to rigorous imprisonment for a term which may extend to five years, or to a fine not exceeding 10,000 rupees.

Penalty inflicted on persons dealing in native gold.

55. Any person not duly authorized so to do, selling, bartering, receiving, or disposing of native gold shall be guilty of an offence, and shall be punished by rigorous imprisonment for a term which may extend to three years.

Disposal of minerals: native gold.

56. It shall be lawful for diggers or miners to dispose of minerals if they may deem fit: Provided that it shall not be lawful to sell or barter native gold to any person or persons other than bankers, or other persons licensed to trade in gold; and all such bankers or licensed persons shall keep a faithful record of their purchases, setting forth the name of the seller, quantity bought, and date of transaction.

57. It shall not be lawful for any person other than a licensed digger, Possession of or licensed dealer or lessee, to be in possession of native gold other than in such small quantities as may be reasonably held for scientific purposes or as mineral specimens. Any person found unlawfully in possession of native gold or gold amalgam, shall be liable to summary arrest by any police officer or any licensed digger, and shall, on conviction, be liable to rigorous imprisonment for a term which may extend to three years, or to a fine not exceeding 5,000 rupees.

58. In the event of the discovery of mineral oil or oils in the Protectorate, The Commissioner shall have the power to make, promulgate, and enforce such Rules for the proper workings of the wells as from time to time he shall think necessary.

59. Whenever any land owned by any person has been or shall be sold, and the price paid, or to be paid, for such land includes a value put upon gold, silver, coal, diamonds, precious stones, or minerals supposed to be in and upon the said land, no transfer duty shall be charged or exacted by the Registrar of Deeds or other receiver of transfer duty in respect of the price or value of such gold, silver, coal, diamonds, precious stones, or minerals.

60. The Commissioner may from time to time, subject to the direction of the Secretary of State make Rules with respect to the following matters, and may apply such Rules, in whole or in part, to the whole or any district or districts of the Protectorate at such time or times as he may think fit:—

(a.) The working of mines so as to secure the safety of persons employed in mines, and of the public;

(b.) The appointment of Inspectors of mines, and the powers and duties to be exercised by them;

(c.) Any matters required by these Regulations to be prescribed by Rules; and

(d.) Any matters appearing to the Commissioner to require regulating so as to give effect to the provisions of these Regulations.

By such Rules penalties may be imposed not exceeding in the case of any offence a fine of 500 rupees and imprisonment of either description for a term which may extend to three months, with or without fine.

61. Nothing in these Regulations shall be construed as preventing the Commissioner from authorizing any person to prospect and search for minerals on any Crown lands, on such terms as may seem proper, or from selling or leasing any Crown lands, with such rights of working any mines or minerals therein, and on such terms and conditions as may be expressed in the grant or lease, and any lands so sold or leased shall not be subject to the provisions of these Regulations.

62. Nothing in these Regulations shall abridge or control the rights and powers of His Majesty in respect of gold, silver, precious stones, ores, metals, and other minerals whatsoever, otherwise than in these Regulations is expressly provided.

C. ELIOT,

His Majesty's Commissioner.

Mombasa, April 12th, 1902.

Allowed:

LANSDOWNE,

His Majesty's Principal Secretary of State for Foreign Affairs.

SCHEDULE (A).

Prospecting Licenses.

Prospecting License is hereby granted to A. B. to prospect and search for gold, silver, precious stones, ores, metals, coal, and other minerals on lands within the East Africa Protectorate during the period from to (save such portion of such lands as may be exempted under the provisions of these Regulations) for which license he has paid in advance the sum of rupees.

(Signed)

Commissioner of Mines.

[or other officer, as the case may be.]

SCHEDULE (B).

Before me, _____, Commissioner of Mines [or other officer],
for _____, on the _____ day of _____, 19____,
A. B., residing at _____, acknowledges himself to be indebted to our
Sovereign Lord the King in the sum of 250 rupees, and C. D. and E. F. sever-
ally acknowledge themselves to be indebted to our said Sovereign Lord the
King in the sum of 125 rupees to be levied upon their, and each of their, goods and
lands, upon condition that the said A. B. shall make due and proper repair of
any surface damage done by him on any land upon which he shall have obtained
a license to prospect, and for the due payment of the sum accruing to any owner
from the said A. B. on account of the daily payments the said A. B. is required
to make under Article 6 of these Regulations for the grazing, wood, and water
rights referred to therein.

SCHEDULE (C).

Diggers' Licenses.

License is hereby granted to _____ to mine and dig for gold,
silver, and precious stones on the _____ public fields in the East
Africa Protectorate during _____ months from _____, 19____,
to _____, 19____, and to enjoy all privileges secured by law to licensed
diggers.

For this license has been paid the sum of _____ rupees, being the amount
for _____ months at _____ per month.

(Signed)

Commissioner of Mines.

[or other officer, as the case may be.]

SCHEDULE (D).

Form of Transfer.

I, A. B., of _____, being registered as the holder of _____ claims,
numbered in the register _____, at _____ in the district of _____,
in consideration of the sum of _____, paid to me by C. D., of _____,
the receipt of which sum I hereby acknowledge, do hereby transfer to the said
C. D. all my right, title, and interest in and to the claims Nos. _____, and
I the said C. D., hereby accept such transfer.

NOTICE.

Until further notice H. M's. Sub-Commissioners will act as Commissioners
of Mines each in his own province.

Mombasa, April 12th, 1902.

C. ELIOT,
H. M's. Commissioner.

NOTICE.

The following Rules made by His Majesty's Commissioner, with the approval of the Secretary of State, are published for general information.

C. ELIOT,

His Majesty's Commissioner.

Mombasa, April 12th, 1902.

Rules under Article 60 of "The East Africa Mining Regulations, 1902."

No. 10 of 1902.

General Mining Rules.

1. Prospecting licenses on any lands within the Protectorate may be issued to any person of European birth or descent, on personal application, in the case of renewal, on personal or written application,—
 - (a.) By the Commissioner of Mines;
 - (b.) By any Sub-Commissioner of a province;
 - (c.) By any Collector of a district specially appointed by the Commissioner.

The fees to be paid for such license shall be 5 rupees for every six months for which the same is to be in force. Prospecting licenses, by whom issued, cost, &c.
2. Prospectors may, upon payment of the proper fee, obtain a license either in the form of Schedule (A) or of Schedule (B) attached to these Rules. Prospecting license, forms of Schedules (A) and (B).
3. Prospectors who may require a license in accordance with the form of Schedule (B) will be required to enter, previously to receiving such license, into the bond specified in Schedule (C) attached to these Rules. Bond required of prospector prospecting on private land.
4. Any registered owner or lessee, upon giving notice in writing to the Commissioner of Mines, be entitled to prospect his own land without taking out a prospecting license. Owner of land not required to take out prospecting license.
 - 4a. It shall be incumbent upon every prospector entering upon the land of any owner for the purpose of prospecting under a prospecting license in the form of Schedule (B), to at once notify to such owner, in writing, the date on which he (the said prospector) entered upon the land. Prospector on private land to notify to owner date of entry on said land.
 - 4b. Every prospector prospecting upon private lands, shall, at the end of every fortnight, pay to the owner, trustees, lessee, or occupier of the land, the amount of 1 rupee per diem for the number of days during which he has been present on the land. Payments to owner for grazing rights &c., to be made direct to owner.
 - 4c. Should any owner of land represent to the Commissioner of Mines, or other officer acting as such, that the amount lawfully due to him from any prospector prospecting his land, has not been paid, and has remained overdue for the space of seven days, the Commissioner of Mines may, after due inquiry into the facts of the case, and after satisfying himself that the amount is due unpaid, declare the license granted to the said prospector cancelled, and may take steps, under the bond, entered into by the prospector at the time he took his license, to recover the amount due to the owner, which shall be paid over to the said owner. Proceeding in case of prospector failing to pay amounts due to owner.
5. Every prospecting area must be properly beaconsed off at the four corners with pegs not less than 2 inches in diameter, and standing not less than 4 feet above the ground. On each peg should be legibly inscribed the date on which the area was pegged off and by whom. Prospecting area, how beaconsed off.
6. Every prospecting area must be registered within fourteen days from the day of pegging off at the office of the Commissioner of Mines, or other officer authorized on that behalf in a book kept by him for that purpose. Prospecting area, registration of.
7. Any prospector who may wish to abandon his prospecting area in order that he may peg off a new prospecting area, may do so on withdrawing the pegs of the area he wishes to abandon, and on giving notice in writing to the Commissioner of Mines or other duly authorized officer that he has done so. Prospecting area, abandonment of.
8. Every prospecting area shall be worked during at least seven days out of every calendar month. Prospecting area, conditions as to working.

Prospecting area, certificate of registration.	9. Any prospector may obtain a certificate that he is the registered proprietor of the prospecting area registered in his name from the office at which such prospecting area was registered, on payment of a fee of 1 rupee.
Prospecting area, conditions under which it is held	10. A prospecting area shall be held to be abandoned should the prospector fail to keep up his prospecting license, or should he fail to comply with the conditions detailed in Rule 8.
Filling up of holes, shafts, &c.	11. A prospector who may abandon his prospecting area will be required to fill up, or to properly fence, or to secure all shafts, pits, holes, and excavations, in a manner, so as to prevent persons or cattle inadvertently entering the same. No prospector will be permitted to register a new prospecting area, or obtain a fresh or renewal license until this Rule has been complied with.
Mining or mineral lease, obligation on prospector to make application for, if desirous of mining.	12. Prospectors on lands other than those included in any public field desiring to mine for or dispose of any gold, silver, precious stones, ores, metals, coal or other minerals, will be required prior to doing so to take out a mining or mineral lease.
What lands may be leased.	13. Any lands in the Protectorate not exempted from the operation of "The East Africa Mining Regulations, 1902," and any lands not specially exempted therefrom hereafter by the Commissioner, may be leased under these Rules and in compliance in all respects with the provisions of the said Regulations.
Extent of lease.	14. The area of land which may be leased under any "mining lease" shall not exceed 25 acres; and under any "mineral lease" shall not exceed 500 acres; and any block of land applied for and leased under a "mining lease" shall, as far as possible, be rectangular in shape, and no side shall exceed 600 yards in length.
Boundaries of land applied for to be defined.	15. Any licensed person who has prospected to the satisfaction of the Commissioner of Mines intending to apply for a lease of any lands in the Protectorate shall, previous to making application as hereinafter directed, erect, or cause to be erected, at each angle of the land proposed to be leased a post not less than 2 inches in diameter, and standing not less than 3 feet above the ground; and such post shall be maintained at the expense of the applicant until the application shall have been granted or refused.
Mode of application.	16. Application shall be made in the form of Schedule (D), hereunto annexed, in triplicate, to the Commissioner of Mines, who shall forward a copy of such application to the Sub-Commissioner of the province within which the land so applied for is situate: and in the case of a lease being applied for over private land, a copy of the application shall also be sent to the owner of such lands.
Survey.	17. Upon receipt of such application, the Commissioner of Mines shall cause the land applied for to be surveyed, at the expense of the applicant, by any competent Government surveyor duly admitted to practice in the Protectorate, and he may call upon the applicant to pay the estimated fees for the survey according to such scale as may be in force; but in case the sum so paid shall exceed the actual costs, the balance shall be returned to the applicant.
Date of hearing of application.	18. Upon receipt from the Commissioner of Mines of the copy of any such application, the Sub-Commissioner shall appoint a day for the hearing thereof, being not less than thirty days from the date of the receipt of such application. Immediately on fixing the day of hearing, the Sub-Commissioner shall inform the Commissioner of Mines of the day fixed, who shall cause to be published a notice, setting forth that application has been made for the granting of a lease, and appointing a date before which objections to such lease must be lodged with the Sub-Commissioner, and notifying the day appointed for the hearing of the application; and such notification may be in the form of the Schedule (E), hereunto annexed, and shall be published in the "Gazette."
Priority of application.	19. In the event of more than one application being made for the same land, or any part thereof, the Sub-Commissioner shall determine which of the applicants shall be held to have the prior right, and in so doing shall be guided by priority of occupation, provided that it shall be shown that the prior occupant has used reasonable diligence in lodging his application.
Protection during application.	20. All lands for which application shall be made in the manner aforesaid are exempt from occupation from the date of such application until the same shall be granted or refused.
Survey before final hearing.	21. The Surveyor shall, if possible, make the survey prior to the day fixed for the hearing, but if from any cause the survey cannot be made or the plan prepared in time, the hearing may be adjourned from time to time in the discretion of the Sub-Commissioner; and no application shall be finally dealt with by the Sub-Commissioner until the plan and report of the Surveyor has been received.

22. Any person objecting to the issue of a lease so applied for shall, prior to the hearing, forward to the Sub-Commissioner a full statement in writing of his objections and shall deposit with him the sum of 100 rupees as security for the due prosecution of his objections and for payment of any expenses to which the applicant may be put by such objections if disallowed; and if such objections shall not be prosecuted, or shall be disallowed, so much of such deposit may be handed over to the applicant as the Sub-Commissioner may award, and the balance, if any, shall be refunded to the person so objecting. Objectors to give notice.

23. Upon the day appointed as aforesaid for the hearing, the Sub-Commissioner shall proceed to hear the application and objections, and may examine the parties and their witnesses, if any, and such hearing may be adjourned from time to time. Hearing.

24. If at the hearing of any objections as aforesaid the Sub-Commissioner shall find such objections valid, he shall thereupon reject the application, either as to the whole or a part of the land applied for: and if the Sub-Commissioner shall disallow the objection, he may award to the applicant and his witnesses, if any, reasonable costs and expenses to be paid out of the deposit made by the objector aforesaid. Proceedings in cases of objections.

25. If at the hearing there shall be no objections to the granting of such lease by the Commissioner, or if on hearing the objections, if any, the Sub-Commissioner shall not find any such objections valid, he shall issue a certificate to such applicant in the form of Schedule (F) hereunto annexed. Sub-Commissioner to issue certificate.

26. Leases will be granted upon such applications as may be approved by the Commissioner for a period not exceeding twenty-one years, commencing from the date on which the certificate referred to in Rule 24 is issued by the Sub-Commissioner to the applicant, and shall be terminable on six months' notice being given by the lessee to the Commissioner of Mines. The Commissioner may grant a renewal of the lease from time to time for a further period not exceeding twenty-one years upon the terms and conditions allowed by law in force in the Protectorate in the case of new leases at the time when such renewal is granted. Term of lease.

27. The lease having been prepared, under instructions from the Commissioner, at the expense of the applicant, the Commissioner of Mines shall, by notice, in the form of Schedule (G), hereunto annexed, to be given to the lessee or lessees, requesting his or their attendance at the office of the Commissioner of Mines, or other place appointed by him, to execute and take delivery thereof within a reasonable time, not exceeding thirty days from the date of service of such notice. Should the lessee fail to execute and take delivery of the lease at the expiration of the thirty days, the lease may be declared cancelled, and a notification thereof shall be published in the Gazette and such newspaper as the Commissioner of Mines may direct. Execution of lease.

28. If any lease so applied for shall be refused, or if any application for a lease shall be withdrawn, a Notice thereof shall be published in the Gazette and in such newspaper as the Commissioner of Mines may direct; and it shall be stated in such Notice that such ground is open to applicants for a lease, as if no lease of the said ground had been applied for. Proceedings in case of refusal of lease.

29. Any applicant for a mining or mineral lease may withdraw his application by giving notice in writing to that effect to the Commissioner of Mines after paying any and all expenses that may have been incurred in his behalf. Withdrawal of application.

30. Rent will be charged at the rate of 20 rupees per acre per annum in respect of mining leases, and at the rate of 5 rupees per acre per annum in the case of mineral leases. Any fractional part of an acre will be considered as a full acre, and any fractional part of a month will be considered as a full month and charged for accordingly; and such rent shall be computed and paid up to the 1st day of January, April, July, and October next following the date of the issue of the certificate referred to in Rule 30, and shall thereafter be made payable quarterly in advance during the whole term of the lease, provided that one-half of the amount received by the Commissioner on account of rents for mining or mineral leases granted over any private land, will be paid to the owner of such land on application.

31. There shall also be payable a royalty of 2 rupees per oz. upon all gold; 2 annas per oz. upon all silver; $2\frac{1}{2}$ per cent. upon the value of all diamonds; 8 annas per ton upon all coal found in or extracted from the land leased, and upon other precious stones, ores, metals, or minerals such royalty as the Commissioner may hereafter fix. Such royalty shall be paid at the end of the months of March, June, September, and December in each and every year, and in every case where royalty is paid such payment shall be taken as payment of rent or portion thereof. Royalty.

Registration,
sale, and
assignment of
lease.

32. Every mining or mineral lease, mill and machine site lease, shall be executed in duplicate, and be registered at the office of the Commissioner of Mines in a book to be kept for that purpose, and for every such entry of registration there shall be payable to the Government a fee of 20 rupees. No sale or assignment of a mining or mineral lease mill and machine site lease, or of any other water-right grant, or of the right, title, or interest therein, shall be valid or effectual if made without the license in writing of the Commissioner of Mines, and such license shall not be granted to Companies or Syndicates which have no place of business or office in the Protectorate.

Registration of
assignment.

33. Every sale or assignment of any mining or mineral lease, mill and machine site lease, or grant of water right, or of any interest therein, shall be registered at the office of the Commissioner of Mines, and on every such registration a fee of 5 rupees shall be charged.

Leases may be
cancelled

34. If any lessee fails or neglects to perform any condition contained or implied in his lease, application may be made by any person for cancellation thereof in the form or to the effect set forth in the Schedule (I) hereunto annexed: and at the time of lodging such application, there shall be deposited there-with the sum of 200 rupees as security for the due prosecution of the application, and in satisfaction of any expenses to which the lessee may be put by such application, if unsuccessful; and if such application shall not be prosecuted, or shall fail, so much of such deposit may be handed over to the lessee as may be necessary to pay the expenses of such lessee, and the balance, if any, shall be refunded to the applicant after deducting the cost of the service of the notice hereafter mentioned. The Commissioner of Mines, shall transmit the application to the Sub-Commissioner of the province to be dealt with by him.

Application for
cancellation.
Mode of service.

35. A copy of such application shall be served personally on the lessee, or in such other manner, as the Sub-Commissioner may direct, or, at the discretion of the Sub-Commissioner, may be posted on some conspicuous portion of the ground for such time at the Sub-Commissioner may direct, together with a Notice in the form, or to the effect, set forth in Schedule (J) hereunto annexed.

Hearing before
Sub-Commis-
sioner.

36. At the inquiry in the Notice mentioned, the Sub-Commissioner shall take evidence in relation to the application, and to the lessee's answer to the neglect complained of, and immediately thereafter he shall forward to the Commissioner of Mines the application and evidence taken by him as aforesaid, with his Report thereon; and the non-appearance of the lessee, or any one on his behalf, on the day of hearing in the Notice mentioned, shall be sufficient *prima facie* evidence of the neglect complained of, for the cancellation of the lease.

Cancellation to
be published in
the Gazette.

37. Upon receipt of such Report as aforesaid, the Commissioner of Mines may declare any such lease cancelled, and notice of such cancellation shall be published in the Gazette, and in one newspaper circulating in the district.

Prior right of
applicant to take
up cancelled
ground.

38. In the event of the cancellation of any lease upon such an application as above-mentioned, the applicant shall, during fourteen clear days from the date of notice of such cancellation, have the prior right to take up the ground or any part thereof in accordance with the Rules for the time being in force, but at the expiration of that period, should he have failed to do so, the land shall be open for occupation by any other person.

Re-survey not
required.

39. If such priority of right be exercised over the whole of the ground it shall not be necessary to have such claim resurveyed.

Mining and
mineral leases,
conditions of.

40. Each mining or mineral lease shall be subject to the following (among other) conditions:—

(a.) A reservation of the right of the Government of the Protectorate to make and construct roads and railways, dams, reservoirs, and to have any telegraphs, telephones, pipe or pipes, conduits, water-courses, or any other appliances for the conveyance of water, made over or under or across any part of the land leased; also to lay gas-pipes and erect railway, telegraph, and telephone stations for the public use, by order of the Commissioner of Mines, over any part of the land leased, with the right to any person duly authorized by the Government of the Protectorate to enter upon such land for the purpose of constructing, repairing, inspecting, and maintaining any such roads, railways, dams, reservoirs, telegraphs, telephones, gas-pipes, water-pipes, conduits and water-courses, railway, telephone, and telegraph stations, without hindrance by the holders of the lease.

(b.) If the rents, royalties, dues, or duties reserved shall be in arrear and unpaid for the space of twenty-one days next after any of the days hereinbefore fixed for payment thereof, it shall and may be lawful for the Commissioner of Mines, or any person duly authorized by him in that behalf, to enter upon the

premises hereby demised, and to seize the machinery, tools, buildings, or other property of the said lessee for the time being in, under, or upon any part of the premises hereby demised, for or in respect of any such rents royalties, dues, or duties which ought, to have been paid to the lessor or any person duly authorized to receive the same. The right of seizure conferred upon the Commissioner of Mines hereunder shall constitute a right preferential to that of any creditors, whether secured or not.

(c.) The said lessee shall at all times during the continuance of this lease furnish true and accurate half-yearly Returns in the form of Schedule (K) hereunto annexed, and certify to the same on oath to the Commissioner of Mines or other officer duly authorized in that behalf, of the average number of men on or about the mines and premises hereby leased, and shall from time to time, whenever so required, furnish a true and accurate account, certified as aforesaid, of the amount at such date expended. The said lessee shall at all times during the continuance of his lease, after the first six months, employ in or about the mines and premises leased, a number of men sufficient to insure the efficient mining of the land leased.

(d.) If the said lessee shall for four months discontinue the *bona fide* mining on the said land hereby leased to him, it shall and may be lawful for the said lessor, or any person duly appointed by him in that behalf, to enter into and upon the land and premises hereby leased, and thereby determine the estate of the said lessee therein.

(e.) The lessee of any mineral lease granted for coal-mining purposes shall, within six months of the date of such lease, and thereafter during the whole of the term thereof, continue *bona fide* mining on the said land thereby leased, and shall expend in such mining not less a sum than 40 rupees per acre per annum; he shall also furnish quarterly a Return, duly certified, of the coal extracted and won from such land to the Commissioner of Mines, or other officer duly authorized to receive the same.

(f.) In case the said lessee shall fail or neglect to perform and keep all and every of the covenants, conditions, or provisions and agreements hereinbefore contained or implied by virtue of "The East Africa Mining Regulations, 1902," or of any Rules made thereunder, it shall and may be lawful for the said lessor, or any person duly appointed in that behalf, forthwith, or at any time or times thereafter, to enter into and upon the land and premises hereby demised, and thereby determine this lease.

(g.) The land shall be worked and mined efficiently, to the satisfaction of the Commissioner of Mines, and without interruption.

(h.) And any such lease which shall be granted shall be in such form and shall contain such covenants, conditions, reservations, and exceptions as the Commissioner of Mines in each case shall approve or direct, having regard to these Rules and any special case arising thereunder.

(i.) The lessee shall permit the Commissioner of Mines, or any person duly authorized on his behalf, to enter upon any land so leased, or into any mine or building thereon, at all times, and in any manner, for the purpose of making any inspection or examination he may desire to make, and the said lessee shall carry out and observe every reasonable direction the said Commissioner may give for the safe working of mining operations on such property.

(j.) The lessee shall be bound to observe and perform all and singular the Rules that may from time to time be made by the Commissioner under the said Regulations to enforce the safe and proper working of mines and other matters and things therein referred to.

41. The Commissioner of Mines upon receipt of notice from the holder of a mining or mineral lease of his desire to mine for any mineral or metal other than that named in the lease, may, with the written consent of the Commissioner, grant to such person license or authority to mine in, and win from, the land leased as aforesaid such other mineral or metal named in such notice, upon and subject to such terms conditions, and limitations as the Commissioner may in each case see fit to impose.

Mining for other minerals or metals than that named in original lease.

42. Applications for leases of land for the purpose of mill or machine sites, may be granted only to persons holding mining or mineral leases, or to owners of diggers' claims on a public field.

Leases for mill or machine sites, to whom granted.

43. The site applied for shall not exceed 5 acres in extent, and must be beaconed off by the applicant, and a copy of the application shall be posted by him in some conspicuous place on the land, and a notice of such application shall be published in the Gazette by the Commissioner of Mines, at the expense

Extent of lease, mode of application, &c.

of the applicant. In the event of such mill or machine site being applied for on land already leased to the applicant for mining purposes, such site shall be taken as included in the mining lease.

Objectors to give notice. 44. Any objections to the granting of such applications must be made in writing to the Commissioner of Mines within thirty days of the publication of the application.

Hearing of objections. 45. The objections, if any, shall be heard on a day appointed, of which the applicant and objectors shall have due notice by the Commissioner of Mines who shall decide whether such objections are valid or not.

Rent and term of lease. 46. If there are no valid objections to the granting of such application the Commissioner may grant a lease of such portion of land applied for for any term not exceeding twenty-one years; and the Commissioner may grant a renewal of the lease from time to time for a further period of not exceeding twenty-one years upon the terms and conditions allowed by law in force in the Protectorate in the case of new leases at the time when such renewal is granted, for the purpose of a mill or machine site, and for no other purpose at a rent of 15 rupees per acre per annum. Such lease shall contain the usual clause for re-entry.

Survey. 47. The land applied for shall be properly surveyed and beacons at the expense of the applicant. Applications for water rights shall be granted only to persons holding mining or mineral leases, or to the owners of diggers' claims on a public field.

Water rights, mode of application. 48. Applications for water rights shall be made in duplicate to the Commissioner of Mines, and shall be accompanied by a sketch plan showing the point on the river or stream from which it is intended to lead the water, the course of the water-race, and the point at which it is intended to return the water to the river or stream.

Applications, mode dealt with. 49. A copy of such application shall be published in the Gazette, and shall be posted by the Commissioner of Mines during thirty days at the office of the Mines Department of the district in which the water right is applied for or should there be no such office in the district, at the office of the Sub-Commissioner of the province concerned.

Objectors to give notice. 50. Any objections to the granting of such water rights shall be made in writing within fourteen days of the date of the publication of the application to the Commissioner of Mines.

Hearing of objections. 51. The objections, if any, shall be heard on a day appointed, of which the applicant and objectors shall have due notice, by the Commissioner of Mines, who shall decide whether such objections are valid or not.

License to be paid. 52. If there be no valid objections to the granting of such application, the Commissioner of Mines may grant the application, the license for which shall be 50 rupees per annum.

Survey. 53. The applicant shall, on the application being granted, forward in duplicate to the Commissioner of Mines a properly surveyed plan of the course of the water-race.

Commissioner of Mines to regulate supply of water. 54. The Commissioner of Mines shall, if necessary, in the interest of mill owners, control and regulate the supply of water to every mill.

Licenses for wood-cutting on private lands. 55. Any person desiring to cut fire-wood, other than that required for domestic use on any private lands not included in any public field, must enter into an agreement with the owner.

Licenses to deal in native gold. 56. Licenses to be in possession of and to deal in native gold, shall be issued by the Commissioner of Mines, who shall have absolute discretion to grant or refuse any such license: and every such license shall expire on the 31st day of December next following the days of its issue.

Fee for licenses to deal in native gold. 57. There shall be paid to the Commissioner of Mines upon each license a fee of 100 rupees represented by a revenue or postal stamp of that value affixed to the same.

Native gold: purchased record to be kept. 58. Bankers and other persons licensed to deal in native gold, shall keep a faithful record of their purchases, setting forth the name of the seller, quantity bought, and date of transaction, and shall forward to the Commissioner of Mines a copy of such record on the 30th June and 31st December of each year.

59. Any person contravening any of the above Rules shall, upon conviction, be punished by a fine not exceeding 200 rupees, or by imprisonment, with or without hard labour, for a period not exceeding three months, or by both such fine and such imprisonment, and also by imprisonment in default of payment of fine imposed. Penalty clause.

60. These Rules may be cited as "The General Mining Rules, 1902."

C. ELIOT,

His Majesty's Commissioner.

Mombasa, April 12th, 1902.

Approved:

LANSDOWNE,

His Majesty's Principal Secretary of State for Foreign Affairs.

SCHEDULE (A).

Rule 2.

Prospecting License for Crown Lands.

Prospecting license is hereby granted to _____ to prospect and search for gold, silver, precious stones, ores, metals, coals, and other minerals on Crown lands subject to the provisions of "The East Africa Mining Regulations, 1902," during the period from _____, 19____, to _____, 19____, for which license he has paid in advance the sum of _____ rupees for _____ months.

(Signed)

_____,
Commissioner of Mines.

[Date, &c.]

[Or other officer, as the case may be.]

SCHEDULE (B).

Rules 2, 3 4a.

Prospecting License for Private Lands.

Prospecting license is hereby granted to _____ to prospect and search for gold, silver, precious stones, ores, metals, coal, and other minerals on _____ subject to the provisions of "The East Africa Mining Regulations, 1902," during the period from _____, 19____, to _____, 19____, for which license he has paid in advance the sum of _____ rupees for _____ months.

(Signed)

_____,
Commissioner of Mines.

[Or other officer, as the case may be.]

SCHEDULE (C).

Rule 3.

Bond.

Before me, _____ Commissioner of Mines [or other officer], for _____, on the _____ day of _____, 19____, residing at _____, acknowledges himself to be indebted to our Sovereign Lord the King in the sum of 250 rupees, and severally acknowledge themselves to be indebted to our said Sovereign Lord the King in the sum of 125 rupees to be levied upon their and each of their goods and lands, upon condition that the said _____ shall make due and proper repair of any surface damage done by him on any land upon which he shall have obtained a license to prospect, and for the due payment of the sum accruing to any owner from the said _____ on account of the daily payments the said _____ is required to make under Article 6 of "The East Africa Mining Regulations, 1902," for the grazing, wood, and water rights referred to therein.

SCHEDULE (D).

Rule 16.

Application for

Lease.

To the Commissioner of Mines.

Sir,

[Place.]

[Date]

, 19____.

I hereby apply for a _____ lease for the purpose of mining for _____ of the lands hereinafter described in accordance with "The East Africa Mining Regulations, 1902," and the Rules made under those Regulations, and I agree, upon the approval of this application, to execute a lease upon the basis therein stated, if the Government shall think fit to grant the same.

Name and address of applicant:

Extent of land applied for:

Precise locality:

Term for which lease is required.

(Signature of applicant.)

The above application, and any objection thereto, will be heard at the office of the Sub-Commissioner at _____ on the _____ day of _____, 19____.

Any person desiring to object to the issue of a lease upon the above application must, on or before the _____ day of _____, enter his objection in writing at the office of the Sub-Commissioner at _____.

(Signed)

_____,
Sub-Commissioner.

Rule 18.

SCHEDULE (E).

Public Notification.

In conformity with the Rules made under "The East Africa Mining Regulations, 1902," for the granting of mining and mineral leases, it is hereby notified that application has been made by _____ for the issue of a lease for the purpose of mining for _____ of the following lands, viz., _____ and that objections to the granting of such lease, stating the grounds of objection, must be made in writing and lodged with the Sub-Commissioner at _____ on or before the _____ day of _____.

Copy of the application made and plans annexed may be seen at the office of the Sub-Commissioner.

(Signed)

Dated

Commissioner of Mines.

Rule 25.

SCHEDULE (F).

(Not transferable.)

Sub-Commissioner's Office,

, 19 ,

Whereas the application of _____ for a _____ lease of _____, situated at _____, was heard before me on _____, 19 _____.

This is to certify that no valid objections were upheld at such hearing why a lease of _____ acres, _____ roods, _____ perches, should not be granted by the Commissioner.

(Signed)

Sub-Commissioner.

Rule 27.

SCHEDULE (G).

Notice.

Under the Rules framed under Article 61 of "The East Africa Mining Regulations, 1902." To Mr. _____,

Take notice that unless you attend personally or by attorney at my office at _____ within thirty days from the service of this notice, and execute lease No. _____, issued in your favour under the General Mining Rules, the said lease will be cancelled.

(Signed)

Office of Commissioner of Mines,
_____, 19 _____.

Commissioner of Mines.

Certificate of Service of Notice.

I, _____, messenger of the Court of _____ at _____, do hereby certify that I have served _____ with a copy thereof on the _____ day of _____, 19 _____, mentioned in the within notice, [Here state the mode of service.]

(Signature.)

Rule 34.

SCHEDULE (I).

Form of Application for Cancellation of Lease.

To the Commissioner of Mines,

I hereby make application for the cancellation of _____, lease No. _____, originally granted to _____, and now being occupied by _____, upon the following grounds:—

[Here state grounds specifically.]

Dated at _____, this _____ day of _____, 19 _____.

(Signature.)

SCHEDULE (J).

Form of Notice to Lessee.

The above application will be heard at _____ on the _____ day of _____, 19 _____, at the hour of _____, and you are hereby required then and there to appear in answer thereto, and to produce the lease above referred to.

(Signed)

Sub-Commissioner.

SCHEDULE (K).

To the Commissioner of Mines,

In the matter of lease of lands situated at _____, being lease No. _____, I, _____, being the lessee in the above-mentioned lease, do hereby make oath and say:—

1. That the average number of men employed on the leased ground and in connection therewith, from the _____ day of _____, 19 _____, to the _____ day of _____, 19 _____, has been _____.

2. That the amount of capital expended from _____, 19 _____, to date in and upon and in connection with the leased ground, as above, is _____ rupees.

Sworn before me at _____, this _____ day of _____, 19 _____.

NOTICE.

The following Rules made by His Majesty's Commissioner, with the approval of the Secretary of State, are published for general information.

C. ELIOT,

His Majesty's Commissioner.

Mombasa, April 12th, 1902.

Rules under Article 60 (A) of "The East Africa Mining Regulations, 1902."

No. 11 of 1902.

Safe Mining.

1. An adequate amount of ventilation shall be produced in every mine, so as to render every part of that mine in which working is taking place fit for working and passing therein. Ventilation.
2. Safety lamps shall be used in every coal mine in which inflammable gas has been found to exist within the preceding twelve months. Use of safety lamps.
3. In every coal mine in which inflammable gas has been found to exist within the preceding twelve months, then once in every twenty-four hours the manager of the mine, or a competent person appointed by him, shall, before the work is commenced in any part of the mine inspect with a safety lamp that part of the mine, and shall make a true report of the conditions thereof in a book to be kept for the purpose, which report shall be signed by the person making the inspection. Inflammable gas.
- Such book shall at all times be open to inspection by the Commissioner of Mines, or other officer appointed by the Commissioner for the purpose.
4. All entrances to any place not in actual course of working and extension shall be properly fenced across the whole width of such entrances, so as to prevent persons inadvertently entering the same. Disused workings to be fenced.
5. No person except the Inspector of Mines shall enter any mine unless authorized to do so by the manager or competent person deputed by him. Unauthorized persons prohibited from entering mines.
6. If at any time it is found by the person for the time being in charge of the mine or any part thereof, that, by reason of noxious gases prevailing in such mine or such part thereof, or from any cause whatever, that the mine or the said part is dangerous, every workman shall be withdrawn from the mine or such part thereof as is so found dangerous, and a competent person, who shall be appointed for the purpose, shall inspect the mine or such part thereof as is so found dangerous, and if the danger arises from inflammable gas, shall inspect the same with a locked safety lamp, and in every case shall make a true report of the condition of such mine or part thereof, and the workman shall not, except in so far as is necessary for inquiring into the cause of the danger, or for the removal thereof, or for exploration, be readmitted into the mine or such part thereof as was so found dangerous, until the same is stated in such report to be dangerous. Precautions to be taken in case of discovery of gas.
- Every such report shall be recorded in a book, which shall be kept at the mine for the purpose, and shall be signed by the person making the same.
7. In every coal mine where safety lamps have to be employed, a competent person shall be appointed by the person in charge of the mine, whose duty shall be to see and examine every lamp taken into the mine. He shall see that it is secure and securely locked. No person shall, unless appointed for the purpose, have in his possession any key or contrivance for opening the lock of any such lamp, or lucifer match, or any kind of apparatus for striking a light. Wherever safety lamps are required or directed to be used, no person shall use an open lamp. Examination of safety lamps.
8. Gunpowder or other explosive or inflammable substance shall only be used in the mine underground as follows:— Explosives, proper use of.
 - (a.) It shall not be stored in the mine.
 - (b.) It shall not be taken into the mine except in a case or canister containing not more than 4 lbs.
 - (c.) A workman shall not have in use at one time, in any one place, more than one of such cases or canisters.
 - (d.) In charging holes for blasting, an iron or steel pricker shall not be used, and a person shall not have in his possession in the mine underground any

iron or steel pricker, and an iron or steel tamping rod or stemmer shall not be used for ramming either the wadding or the first part of the tamping or stemming on the powder.

(e.) A charge of powder which has missed fire shall not be unrammed.

(f.) It shall not be taken into or be in the possession of any person in any mine except in cartridges, and shall not be used except in accordance with the following Rules during three months after any inflammable gas has been found in any such mine, viz. :—

(1.) A competent person who shall be appointed for the purpose shall immediately before firing the shot, examine the place where it is to be used and the place contiguous thereto, and shall not allow the shot to be fired unless he finds it safe to do so, and a shot shall not be fired except by or under the direction of a competent person who shall be appointed for the purpose.

(2.) If the said inflammable gas issued so freely that it showed a blue cap on the flame of the safety lamp, it shall only be used—

(a.) Either in those cases of stone drifts, stone work, and sinking of shafts in which the ventilation is so managed that the return air from the place where the powder is used passes into the main return air course without passing any place in actual course of working ; or

(b.) When the persons ordinarily employed in the mine come out of the mine or out of the part of the mine where it is used.

(g.) Where a mine is divided into separate panels in such manner that each panel has an independent intake and return airway from the main air course and the main return air course, the provisions of this rule with respect to gunpowder or other explosive inflammable substance, shall apply to each such panel in like manner as if it were a separate mine.

Precautions to be taken to ascertain if dangerous accumulation of water in working. 9. Where a place is likely to contain a dangerous accumulation of water the working approaching such place shall not exceed 8 feet in width, and there shall be constantly kept at a sufficient distance, not being less than 5 yards in advance, at least one borehole near the centre of the working, and sufficient flank boreholes on each side.

Signalling in levels, places of refuge. 10. Every underground plane on which persons travel, which is self-acting, or worked by an engine, windlass, or gin, shall be provided (if exceeding 30 yards in length) with some proper means of signalling between the stopping places and at the end of the plane, and shall be provided in every case, at intervals of not more than 20 yards, with sufficient manholes for places of refuge.

Places of refuge or horse roads. 11. Every road on which persons travel underground where the load is drawn by a horse or other animal, shall be provided, at intervals of not more than 50 yards, with sufficient manholes, or with a space for a place of refuge, which space shall be a sufficient length and of at least 3 feet in width between the waggons running on the train-road and the side of such road.

Places of refuge to be kept clear. 12. Every manhole and space for a place of refuge shall be constantly kept clear, and no person shall place anything in a manhole or such place, so as to prevent access thereto.

Disused shafts to be covered in. 13. The top of every shaft which for the time being is out of use, or used only as an air shaft, shall be securely fenced.

Entrance to shafts to be fenced. 14. The top of all entrances between the top and bottom of every working or pumping shaft shall be properly fenced, but this shall not be taken to forbid the temporary removal of the fence for the purpose of repairs or other operations if proper precautions are used.

Shafts, security of. 15. Where the natural strata are not safe, every working or pumping shaft shall be securely cased, lined, or otherwise made secure.

Underground workings security of roof, &c. 16. The roofs and sides of every travelling road and working place shall be made secure, and a person shall not, unless appointed for the purpose of exploring or repairing, travel or work in any such travelling road or working place which is not so made secure.

Winding engine, competent person to be in charge of. 17. A competent person shall be stationed at the mouth of every shaft for the purpose of working the machinery which may be employed in raising or lowering persons therein during the whole time any person is below ground.

Single-linked chain not to be used for winding gear. 18. A single-linked chain shall not be used for lowering or raising persons in any working shafts or space, except for the short coupling chain attached to the cage of the load.

Winding gear. 19. There shall be on the drum of every machine used for lowering or raising persons such flanges or horns, and also, if the drum is conical, such other appliances as may be sufficient to prevent the rope from slipping.

20. There shall be attached to every machine worked by steam, water, or Brake. mechanical power, and used for lowering or raising persons, an adequate brake, and also a proper indicator (in addition to any mark on the rope which shows to the person who works the machine the position of the cage or load in the shaft).
21. Every flywheel and all exposed and dangerous parts of the machinery Exposed machinery to be fenced. used in or about the mine shall be, and shall be kept, securely fenced.
22. Every steam-boiler shall be provided with a proper steam-gauge and Boiler regula- water-gauge, to show respectively the pressure of steam and the height of water tions. in the boiler with a proper safety-valve.
23. After dangerous gas has been found in any mine, a barometer or thermometer shall be placed above the ground in a conspicuous position near the entrance to the mine.
24. No person shall wilfully damage or, without proper authority, remove or render useless any fence, fencing, casing, lining, guide, means of signalling, equal, over-chain, flange, horn, break, indicator, steam-gauge, water-gauge, safety-valve, or other appliance or thing provided in any mine with a view to compliance with these Rules and Regulations.
25. Once in every week a competent person appointed for the purpose Inspection of shall examine the state of the machinery, headgear, shafts, working place, levels, machinery, &c. lines, ropes, chains, and other works of the mine which are in actual use, and shall make a true report of the result of such examination; such report shall be recorded in a book kept for the purpose, and shall be open always for inspection by the Commissioner of Mines or other officer deputed by him.
26. Any accident occurring in or about any mine resulting in injury to Accident in the life or limb of any person, shall be at once reported to the Commissioner mines. of Mines, and a report shall be forwarded setting forth how the accident occurred within twenty-four hours.
27. Steam-engines may not be placed in charge of any person under 18 Charge of steam- engines. years of age.
28. Every mine must be under the control and daily supervision of a Competent manager to be employed. thoroughly competent manager.
29. The owner, agent, or manager of a mine is required to furnish in Returns to be furnished to Commissioner of Mines triplicate to the Commissioner of Mines, or his duly authorized deputy, all such returns and statistics of and relating to the workings and operations of the mine, verified on oath, if required, at such times and in accordance with such forms as the Commissioner of Mines may prescribe.
30. A correct plan of an abandoned mine must be sent to the Commis- Plan of abandon- ed mines. sioner of Mines.
31. The registered owners of all mining and mineral leases and prospect- Working plans. ing areas or ground held for mining purposes under any other form of holding, upon which development work exceeding in the aggregate 500 feet of shafts, levels, and cross-cuts has been carried out, may be called upon by the Commissioner of Mines to employ a surveyor, duly admitted and licensed to practice in the Protectorate, once every six months, or oftener if necessary; who shall prepare in triplicate (two copies may be cloth tracings), in accordance with technical instructions issued by the Chief Surveyor, the following plans and sections of the workings up to date, viz :—
 - (1.) General plan.
 - (2.) Working plan.
 - (3.) Vertical, longitudinal projections of the workings on each reef or mineral deposit where the average inclination is more than 45 degrees.
 - (4.) Longitudinal section on the plane of each reef, or mineral deposit dipped, where the average inclination is more than 45 degrees.
 - (5.) Transverse sections at right angles to the longitudinal projection.The original to be kept on the mine, and the tracings to be supplied to the Commissioner of Mines, who shall forward one of them to the Chief Surveyor for verification in the usual way.
- In the event of returns of tonnage of ore or coal extracted, and of ore or coal in reserve, which may appear inaccurate to the Commissioner of Mines, the owners of all mining properties may be called upon to tender a statement prepared by the surveyor employed, as to the said tonnage, based upon the survey of the mine, at the expense of the owner, to the satisfaction of the Commissioner of Mines.
- The surveyor is to report opposite to each instruction whether he has carried it out or not, and if he has not carried it out to give his reasons.
32. In any of the following cases, namely :—
 - (a.) Where any working is commenced for the purpose of opening a new Notice of new workings or discontinuance of workings to be or a new shaft, or a seam of any mine ;

furnished to the
Commissioner of
Mines.

(b.) Where a shaft or seam of any mine is abandoned or the working thereof discontinued;

(c.) Where the working of shaft or a seam of any mine is recommenced after any abandonment, or discontinuance for a period exceeding two months; or

(d.) Where any change occurs in the name of any mine or in the name of the owner, agent, or manager of any mine, or the principal officers of any incorporated Company which is the owner of a mine; the owner, agent, or manager of the mine shall give notice thereof in writing to the Commissioner of Mines, within two months after the commencement, abandonment, discontinuance, recommencement or change, and if such notice is not given, the owner, agent, and manager, shall be liable, for failing to give such notice.

Powers of inspection of Commissioner of Mines or other officer.

33. The Commissioner of Mines or other officer appointed as Inspector for the purpose, shall have power to do all or any of the following things namely:—

(a.) To make, or cause to be made, such inquiry and examination as he may consider necessary to ascertain whether the provisions of these Rules are duly complied with.

(b.) To enter, inspect, and examine any mine, and every part thereof and any fence, fencing, casing, lining, guide, means of signalling, signal, cover, chain, flange, horn, brake indicator, steam-gauge, water-gauge, safety-valve, or other appliance or things provided in any mine, or any machinery or plant used in connection with such mine, and any mining area, at all reasonable times by day and night, but so as not to impede or obstruct the working of the mine.

(c.) To examine into and make inquiry respecting the state and condition of any mine, or any part thereof, and the ventilation of the mine, and the sufficiency of the special Rules for the time being in force in the mine, and all matters and things connected with or relating to the safety of persons employed in or about the mine, or any mine contiguous thereto, or in any mining area, or the care and treatment of the horses and other animals employed in the mine or mining area.

(d.) To exercise such other powers as may be necessary for carrying these Rules into effect.

Offences against Rules.

34. Every person who wilfully obstructs the Commissioner of Mines, or other officer appointed as an inspector, in the execution of his duty under these Rules, and every owner, agent, and manager of a mine who refuses or neglects to furnish to the Inspector the means and assistance necessary for making an entry, inspection, examination, or enquiry under these Rules in relation to the mine or mining area, shall be guilty of an offence against these Rules.

Liability of owners, agents, managers, &c.

35. If in any respect (which is not provided against by any express provision of these Rules, or by any special Rule) the Inspector finds any mine or any part thereof, or any fence, fencing casing, mining guide, means of signalling, signal, cover, chain, flange, horn, brake, indicator, steam-gauge, water-gauge, safety-valve, or other appliance or thing provided in any mine, or any matter, thing, or practice, in or connected with any such mine, or mining area, or with the control, management, or direction thereof, by the manager to be dangerous or defective, so as, in his opinion, to threaten or tend to the bodily injury of any person, he may give notice in writing thereof, to the owner, agent, or manager of the mine, and shall state in the notice the particulars in which he may consider the mine, or any part thereof, or any matter, thing, or practice, to be dangerous, and require the same to be remedied forthwith, and it shall be the duty of the owner, agent, or manager to carry out such orders, but such notice shall not absolve such owner, agent, or manager for liability of prosecution for contravening any of these Rules.

Contractors not exempt from provisions of these Rules.

36. No person shall be precluded by any agreement from doing, or liable under any contract to any penalty or forfeiture for doing, such acts as may be necessary in order to comply with the provisions of these Rules.

Jurisdiction of Commissioner of Mines or other officer.

37. The powers of the Commissioner of Mines or other officer appointed as Inspector, shall extend over the whole of the mining area of the digging of mine to which he may be appointed, in so far only as the general safety of life and limb is concerned.

38. Any person found guilty of contravening any of these Rules shall be liable on conviction thereof to pay a penalty not exceeding 500 rupees.

C. ELIOT,

Mombasa, April 12th, 1902.

His Majesty's Commissioner

Approved:

LANSDOWNE,

His Majesty's Principal Secretary of State for Foreign Affairs.

NOTICE.

The following Regulations made by His Majesty's Commissioner and allowed by the Secretary of State, are published for general information.

C. ELIOT,

His Majesty's Commissioner.

Mombasa, April 12th, 1902.

*King's Regulations under Article 46 of "The East Africa Order-in-Council, 1897,"
and Article 11 of "The East Africa Order-in-Council, 1899."*

No. 12 of 1902.

Prisons.

1. These Regulations shall apply to the prison at Mombasa, and to every other prison which may be established in the Protectorate under the authority of the Commissioner.

Prison Staff.

2.—(a.) Every prison shall be under the control and management of the following officers, that is to say, a Superintendent and a gaoler.

(b.) The Commissioner may, in the case of any prison, appoint also a Deputy Superintendent, who shall, in the absence of the Superintendent, exercise his powers and duties.

3. Where necessary, a jemadar shall be appointed to assist the gaoler; and there shall be in and for every prison as many warders as may be required, so that, so far as practicable, there shall be at least one warder for every four prisoners.

4. The Superintendent and Deputy Superintendent (if any) shall be appointed and may be removed by the Commissioner; the gaoler, and warders shall be appointed and may be removed by the Superintendent, subject to the approval of the Commissioner.

Matron.

5.—(a.) In every prison in which female prisoners are imprisoned there shall be a Matron, who shall have the care and superintendence of the female department, and enforce upon the female prisoners the observance of the prison Rules. The wards where females are confined shall, if practicable, be secure by locks different from those securing the wards allotted to males and the keys shall be kept in custody of the Matron.

(b.) With regard to general conduct, the Matron shall conform to the Rules laid down for that of the gaoler, so far as they can be applied to the treatment of females.

Duties of officers.

6.—(a.) It is the duty of all prison officers to obey strictly the Regulations and instructions which are here laid down for their guidance, and those which may be added hereafter.

(b.) It is, further, their duty to maintain order and to enforce discipline with justice, firmness, and humanity.

7.—(a.) No prison officer shall have any interest, direct or indirect in any contract for the supply of the prison.

(b.) No prison officer shall receive any fee or gratuity, or have any business dealings with the prisoners or with the friends of the prisoners, or with the visitors to the prison.

8. Prison officers shall not use their arms except when absolutely necessary, and then only as to disable, not to kill; and no prison officer shall strike a prisoner except for purposes of defence.

9. Complaints can be made once a week during inspection of the Visiting Justice, but should a prison officer receive a serious complaint, he must report the same at once to the Superintendent.

10. No officer shall enter a prisoner's cell at night unless accompanied by another, and then only in case of sickness or emergency.

Superintendent.

11. Subject to the orders of the Commissioner, the Superintendent shall manage the prison in all matters relating, to discipline, labour, expenditure, punishment and control.

Gaoler.

12. The gaoler is the principal resident officer of the prison. He shall live at the prison, and shall not be absent for a night without the leave of the Superintendent.

13. The gaoler shall be responsible, under the Superintendent, for the conduct and treatment of subordinate officers and prisoners. He is expected to enforce due economy in connection with the prison, signing all demands for stores and to insist upon cleanliness and order in the building and among its inmates.

14. The gaoler shall not be concerned in any other employment.

15. The gaoler shall be responsible for the safe custody of the records, the commitments, warrants, and all other documents confided to his care, and for the money and other articles taken from prisoners.

16.—(a.) The gaoler shall keep the following records :—

- (1.) Admission Register.
- (2.) Discharge Register.
- (3.) Lock-up Register.
- (4.) Labour Distribution.
- (5.) Remission Register.
- (6.) Sick Report.
- (7.) Ration Register.
- (8.) Weighment Book.
- (9.) Out-turn of Tailor's Work.
- (10.) Stock Book.
- (11.) Cash Book.
- (12.) Prison Staff.
- (13.) Order Book.
- (14.) Indents.
- (15.) Supply Book.
- (16.) Punishment Book.
- (17.) Fuel Supply.
- (18.) Visitor's Book.
- (19.) Inventory of Private clothes.

(b.) This list of records may from time to time be altered or varied with the approval of the Commissioner.

17. In the absence of the gaoler, his duties and authority shall devolve upon the jemadar.

18. The gaoler shall hand to the Medical Officer daily a list of those prisoners who are ill, or who complain of illness, or who appear to him to require attention in mind or body, and he shall carry into effect whatever instructions may be given to him by the Medical Officer in relation to such prisoners. Cases of sudden illness shall be reported to the Medical Officer without delay.

19. The gaoler shall see every prisoner once at least in every twenty-four hours. He shall once a week go through the prison at an uncertain hour of the night. He shall test the prisoner's rations, hear and report their complaints, giving them all reasonable facilities for stating their grievances personally to the Superintendent or the Visiting Justices, and he shall be specially careful of those who are in solitary confinement.

20. Upon the death of a prisoner, the gaoler shall give immediate notice to the Superintendent and Medical Officer.

21. He shall be responsible for the due discharge of all prisoners immediately upon their becoming entitled to release, whether by the expiration of their terms of sentence, or by pardon, or by commutation, or by remissions of sentence.

Jemadar.

22. It shall be the duty of the jemadar to insure that the instructions of the gaoler are duly carried out; and in the gaoler's absence he shall be his deputy. He is expected to superintend the details of the prison management, to see that the warders know and perform their duties, to exercise general supervision over the labour of the prisoners inside the prison, their meals and clothing, to generally supervise the internal economy of the prison, and to see that punishments are carried out in accordance with instructions.

Warders.

23. No warder shall be absent from the prison during his guard without the permission of the gaoler or jemadar.

24. No warder shall be given charge of more than five prisoners as a working party outside of the gaol. He shall count the prisoners at frequent intervals, especially in taking over charge or giving over charge, and on leaving any building or work.

25. No warder shall punish a prisoner unless when ordered to do so.

26. The warder acting as gate-keeper, or any officer of the prison, may examine anything carried in or out of prison, and may stop and search, or cause to be searched, any person suspected of bringing any prohibited article into or out of the prison, or of carrying out any property belonging to the prison, and if any such article or property be found shall give immediate notice thereof to the gaoler.

Visits to Prisoners.

27. Convicted prisoners shall be allowed once in every three months to receive a visit from friends, in the presence of an officer, to write and receive a letter. No other visits or communications, save under the next following Regulation, shall be permitted except by order in writing from one of the Visiting Justices, and in no case shall a prisoner under punishment for any offence committed within the prison or in close confinement under the sentence of any Court be permitted to receive any visit or communication, except on special grounds stated in the order.

28. If a prisoner, dangerously sick, desires to be visited by any near relation or friend, the Medical Officer may give an order in writing for the admission of such relation or friend if he considers it advisable.

29. All prisoners other than prisoners under sentence shall be given all reasonable opportunities, daily, of communicating with their friends or legal adviser, and they may write or receive letters. Prisoners under trial shall be allowed to see their duly qualified legal advisers in private, so far as possible, so that they cannot be overheard.

Labour.

30. Prisoners sentenced to hard labour shall be employed on the construction of roads, buildings, scavenging, municipal sanitation, chopping fire-wood, or such other work as the Superintendent may direct, with the approval of the Commissioner.

31. Prisoners sentenced to simple imprisonment must not leave the prison, but shall be given light employment within the walls, such as tailoring, cooking, or drawing water.

32. Female prisoners shall not be employed outside the prison, except on the recommendation of the Medical Officer, and then only on such labour as is suitable for women.

33. Cells will be opened at 5-30 A.M. each morning and after food labour gangs will be distributed for work at 6-30 A.M. There will be one hour's rest from 11 A.M. to 12 noon for food. Gangs working at a distance from the prison will have their food brought to them, and will return to the prison not later than 4 P.M. Cells will be locked for the night at 6 P.M. After all the prisoners have been called over by the gaoler and the jemadar. Unless under exceptional circumstances, Sunday will be observed as a day of rest.

34. All prison labour outside the gaol shall be under the supervision of the Superintendent of Public Works, unless the Commissioner otherwise directs. Employment of prisoners may be arranged for with consent of the Commissioner on such terms as he may think fit.

Prisoners awaiting Trial.

35. Prisoners awaiting trial, and all others committed for safe custody only shall in no case be confined in association with convicted criminals.

36. They will not be required to do any labour other than such as is required to keep their rooms, furniture, and utensils clean, and they will be allowed to have this work done for them at their own expense. Employment may be given to them at their own request.

Medical Officer.

37. The Medical Officer or his assistant shall advise, whenever necessary, on the sanitary condition of the prison. The Medical Officer shall make a complete inspection of the prison at least once every quarter.

38. He or his assistant shall visit the prison daily. He shall examine every prisoner on admission and prior to discharge. He shall from time to time inspect the prisoners while at hard labour. He shall examine daily every prisoner in solitary confinement or hospital, or reported to him by the gaoler as being sick, and he shall give such orders as he may consider desirable in regard to modifications, of labour, diet, and punishment.

39. He shall enter in a journal, kept for the purpose, his comments on the cases sent to him for treatment.

40. He shall examine every prisoner sentenced to corporal punishment prior to its being inflicted, and shall be present while it is being carried out.

Ministers of Religion.

41. The Minister of the denomination to which a prisoner belongs shall be invited to visit the prison if any prisoner so desires it.

Visiting Justices.

42.—(a.) There shall be Visiting Justices of every prison.

(b.) The following are *ex officio* Visiting Justices of every prison in the Protectorate, namely, the Protectorate Judge, the Assistant Judge, and the Commandant of the Forces.

(c.) The Sub-Commissioner of the province, and the Collector and Assistant Collector of the district, in which a prison is situate, shall be *ex officio* Visiting Justices of that prison.

(d.) The Commissioner may appoint such other persons, not exceeding five, to be Visiting Justices of any prison.

(e.) Some one Visiting Justice shall visit the prison not less than once a-week, and shall record their visits, with remarks, in a book kept for the purpose.

(f.) Every Visiting Justice shall for the purposes of these Regulations have power to summon witnesses and to administer oaths.

Diet and Dietary Scale.

43. The prisoners' food must be sufficient in quantity, and wholesome in quality, suitable for men living and working in confinement. In no case must hard work and low diet be combined, and in all cases food should be given before the day's work begins.

44. The quality and quantity of the rations shall frequently be tested by the Superintendent or the gaoler, and the prisoners shall be allowed, if they wish to do so, to see the rations weighed for themselves.

45. The following scale of diet is to be observed, but may be varied in the case of a prisoner by the Superintendent:—

Dietary of Prisoners.

1. Scale of dietary for Europeans:—

- 6 A.M. Tea, $\frac{1}{2}$ oz.
Bread, 8 oz.
Sugar, 3 oz.
- 12 NOON. Meat, 6 oz.
Fresh vegetables, 4 oz.
Bread, 4 oz.
Ghee, 1 oz.
Salt, $\frac{1}{4}$ oz.
- 6 P.M. Meat, 6 oz.
Fresh vegetables, 4 oz.
Bread, 4 oz.
Ghee, 1 oz.
Salt, $\frac{1}{4}$ oz.

2. Dietary for Swahilis and Nubians during the first three months of their imprisonment:—

- 6 A.M. Uji of Mtama, 3 oz.
- 12 NOON. Mtama, 10 oz.
Dhall, 3 oz.
Sim Sim oil, 1 oz.
Onions, $\frac{1}{2}$ oz.
Salt, $\frac{1}{2}$ oz.
Condiment, $\frac{1}{4}$ oz.
- 5 P.M. Mtama, 12 oz.
Meat, 4 oz.
Fresh vegetables, 2 oz.
Sim Sim oil, 1 oz.
Onions, $\frac{1}{2}$ oz.
Salt, $\frac{1}{4}$ oz.
Condiment, $\frac{1}{8}$ oz.

3. Dietary for Swahilis and Nubians after the first three months of their imprisonment:—

The same as the foregoing, except that instead of 3 oz. of dhall, they have 4 oz., and on Mondays and Fridays, instead of mtama at 12 A.M., they receive 10 oz. of rice and 2 oz. of salt fish.

4. Dietary for Indians and Arabs for the first three months of their imprisonment:—

- 6 A.M. One chopatti, made of 4 oz. of atta flour.
- 12 NOON. Rice, 8 oz.
Dhall, 3 oz.
Sim Sim oil, 1 oz.
Onions, $\frac{1}{2}$ oz.
Salt, $\frac{1}{2}$ oz.
Condiment, $\frac{1}{4}$ oz.
- 5 P.M. Two chopattis, made of 8 oz. of atta.
Meat, 6 oz.
Sim Sim oil, 1 oz.
Onions, $\frac{1}{2}$ oz.
Vegetables, 2 oz.
Salt, $\frac{1}{2}$ oz.
Condiment, $\frac{1}{4}$ oz.

5. Dietary for Indians and Arabs after the first three months of their imprisonment:—

The same as in the foregoing scale, except that at 12 noon they are to receive 10 oz. of rice and 4 oz. of dhall.

N.B.—The quantity of mtama refers to the grain which has been deprived of its outer husk before being weighed.

The quantity of rice refers to dry rice before it is cooked, and not to rice after cooking.

46. Each prisoner should be weighed once a week and his weight entered in the Weight Book. Should any serious falling-off in weight be observed, the attention of the Medical Officer should be directed to it.

Clothing and Cleanliness.

47. On admission, every prisoner shall be put into a prison suit and supplied with blanket and metal number ticket. His private clothes, together with any property on person, shall be made up into a bundle and returned to him when released, and inventoried the same being entered by the gaoler in a book kept for the purpose.

48. The prisoners shall wash their suits once a week at a time appointed by the gaoler and shall bathe every evening after work.

49. The cells shall be swept every morning, and buckets cleaned and water jars filled with fresh water. The cells should be thoroughly ventilated by leaving the doors open in the day, and walls and roof swept and whitewashed whenever necessary.

50. The night soil buckets shall be emptied every morning after the working gangs have left the prison.

51. A barber will visit the prison once a-week to shave the heads of prisoners. During the last month of imprisonment a prisoner's head shall not be shaved unless he so desires.

Admission of Prisoners.

52.—(a.) Every prisoner on admission must be accompanied by a warrant stating his name, crime, and sentence.

(b.) These particulars, together with a photograph of him (if procurable), and a statement of his nationality, probable age, weight, height, general appearance, identification marks, trade, residence, previous convictions, if any, and date of release shall be entered in a register kept for that purpose.

53. Every prisoner, male or female, shall be searched on admission by an officer of his or her own sex not in the presence of any other prisoner, and every prisoner shall be medically examined as soon as possible after admission.

Removal of Prisoners.

54. Prisoners on being sentenced, or during confinement, may be removed to any prison in the Protectorate, in accordance with any general or special orders to be made by the Commissioner.

55. Prisoners if sentenced to hard labour at a station at which there is no prison shall be removed as soon as possible to the prison specified in such general or special orders.

Discharge of Prisoners.

56. If the date of a prisoner's release falls on Sunday, Christmas Day, Good Friday, or any public festival, he shall be discharged on the previous day.

57. Prisoners discharged from a prison situate in a district to which they do not belong shall be returned at Government expense to their own district, or supplied with a sum of money sufficient to take them back.

58. With a view to preventing the repetition of crime when prisoners are discharged without friends or means of subsistence, it shall be in the discretion of the Superintendent to pay a gratuity not exceeding 3 rupees in deserving cases, and only after full inquiry has been made. Should the Superintendent consider this sum insufficient, he must obtain authority in writing from the Commissioner or Sub-Commissioner before paying any higher gratuity.

Separation of Prisoners.

59. Male and female prisoners shall be kept separate from each other, and shall, if possible, be confined in separate buildings.

60. Juvenile prisoners (i.e., under sixteen years of age) shall be kept separate from adults, and shall, if possible, not be confined in the same building.

61. The rooms or wards where a number of prisoners are confined shall be lighted at night, and be under the constant supervision of the prison officers.

62. No male officer shall enter or remain in a room in which female prisoners are confined unless accompanied by the Matron.

Classification of Convicted Prisoners.

63. Prisoners shall be divided into two classes, viz., short-term prisoners sentenced to six months and under, long-term prisoners whose sentences exceed six months.

64. Long-term prisoners shall receive a more generous diet, and by industry and good conduct may earn a remission of one-seventh of their sentence, i.e.; one day in each week. For the purpose of such remission, the gaoler shall report at the end of every week to the Superintendent as to the industry and conduct of each prisoner, and marks shall be granted by the Superintendent according to a system to be approved by the Commissioner. The prisoner shall be informed at the end of each week whether or not he has earned remission in respect of that week. Great care shall be taken by the principal officers of the prison to prevent any prisoner being prejudiced in earning remission by reason of the ill-will of any subordinate officer, or being unduly favoured in this matter contrary to his deserts.

65. It shall be in the power of the Commissioner to grant a further remission on very special grounds, such as exceptional merit or permanent ill-health.

66. Remission earned by marks cannot be cancelled otherwise than by loss of marks awarded as a punishment in manner hereinafter provided.

Punishment of Prisoners.

67. The punishments for misconduct shall be loss of marks, solitary confinement, penal labour, and in very serious cases corporal punishment. A prisoner shall not be subjected to any of these punishments (except loss of marks) until certified medically fit to undergo it.

68. No prisoner shall be punished until he has had an opportunity of hearing the charges and evidence against him, and of making his defence.

69. Where corporal punishment is awarded, the number of strokes shall be limited in the case of adults, to twenty-four with such instrument only as the Commissioner has approved, and in the case of juveniles, to twelve with a birch-rod.

70. Solitary confinement may or may not be combined with penal diet, but penal diet shall not be combined with hard labour, and shall not be given for more than three days continuously.

71. Irons may be employed by the Superintendent and the gaoler, but only as a temporary means of restraint, and only those shall be used of which the pattern has been approved by the Commissioner.

72.—(a.) The Superintendent shall have power to award punishment in respect of the offences following only, that is to say:—

- (1.) Having prohibited articles in the cell.
- (2.) Disobedience of the orders of the gaoler or other officer, or of the Regulations of the Prison by any prisoner.
- (3.) Common assaults by one prisoner on another.
- (4.) Cursing, swearing, or making unnecessary noise.
- (5.) Indecent behaviour.
- (6.) Insulting, threatening, or indecent language by any convict.
- (7.) Idleness or negligence, or wilful mismanagement of work by any convicted prisoner.
- (8.) Wilful injury or destruction of any tools or implements or materials of works defacing or injuring the walls, furniture or other property of the prison.

(b.) All the above acts are declared to be offences against prison discipline, and it shall be lawful for the Superintendent, after due inquiry, to punish any prisoner guilty of such offence by solitary confinement up to forty-eight hours, penal diet, loss of marks involving the cancellation of not more than seven days' remission, cellular or separate confinement up to three and seven days respectively.

(c.) The Superintendent shall enter in the Punishment Book a statement of the nature of any offence that he has punished in pursuance of this Regulation, with the amount of punishment awarded.

73. If any prisoner is charged with any serious offence or repeated offences against prison discipline which do not come under Regulation 72, a Visiting Justice shall hold an inquiry into the matter upon oath in the presence of the prisoner, and if he finds the charge proved may award any of the following punishments:—

(a.) Solitary confinement in a punishment cell, with or without penal diet, for a period not exceeding 28 days.

(b.) Loss of marks.

(c.) Corporal punishment.

Provided as follows:—

(1.) The solitary confinement shall not be continuous for more than seven days, and an interval of seven days shall elapse before a further period of such confinement.

(2.) Penal diet shall not be imposed for more than three days continuously, with an interval of one day before it is again imposed.

(3.) Corporal punishment shall not be awarded except for mutiny or incitement to mutiny, personal violence to any person, grossly offensive or abusive language, any act of gross misconduct or insubordination, or for repeated offences against prison discipline.

74. No prisoner shall, in consequence of misconduct while in prison, be detained in prison beyond the expiration of his term of sentence without being again brought before a Court of Law, and again sentenced. For this purpose a prisoner may, when necessary, be charged before any Magistrate of the first or second class with any offence against prison discipline, and such Magistrate shall have power to award a further sentence of imprisonment for a term not exceeding three months with or without hard labour, together with any such punishment as may, under these Regulations, be awarded by a Visiting Justice.

Punishment of Prison Officers.

75. Any warder or other Subordinate officer may be punished by the Superintendent, with the approval of the Commissioner, for any of the following offences by a fine not exceeding 5 rupees for each offence:—

(1.) Disobedience of orders.

(2.) Untidiness in person or dress.

(3.) Neglect of duty.

(4.) Absence from duty without good cause.

(5.) Striking any prisoner, except in self-defence, or in defence of any other prison officer or prisoner.

Prisoners under Sentence of Death

76. Prisoners under sentence of death shall be searched, and all articles likely to be dangerous shall be taken from them. They shall be confined apart from other prisoners in a special cell, and shall be under constant supervision by day and night.

77. Except on the written order of the Governor no one shall have access to them except the prison officers and the ministers of the religious denominations to which they belong.

78. Executions shall be attended by the Superintendent, the gaoler, and the Medical Officer, and may be attended by a minister of the religion to which the prisoner belongs.

Offences in Relation to Prisons.

79. Any person who brings, throws, or attempts by any means whatever to introduce into any prison or to give to any prisoner, any spirituous liquor, tobacco, or any intoxicating or poisonous drug, or any prison officer who permits the commission of any such offence shall, on conviction, be liable to imprisonment of either kind, which may extend to six months or to a fine not exceeding 300 rupees, or both.

80. Every gaoler or officer of a prison subordinate to him, who shall be guilty of any violation of duty, or wilful breach or neglect of any rule or regulation, or lawful order made by a competent authority, or who shall withdraw from the duties of his office without permission, or without having given two months' previous notice in writing of his intention to so withdraw, or who shall wilfully overstay any leave granted to him, or who shall engage without authority in any employment other than his prison duty, or who shall be guilty of cowardice, shall be liable, on conviction before a Magistrate, to a fine not exceeding 200 rupees, or to imprisonment for a period not exceeding three months, or to both.

Miscellaneous.

81. In every prison a hospital or proper place for the reception of sick persons shall be provided.

82.—(a.) Whenever it appears to the Visiting Justices and Medical Officer that the number of prisoners in any prison is greater than can be conveniently or safely kept therein, and it is not convenient to transfer the excess number to some other prison, or

(b.) Whenever, from the outbreak of epidemic disease within any prison or for any other reason it is desirable to provide for the temporary shelter and safe custody of any prisoners.

(c.) Provision shall be made as the Commissioner may direct for the shelter and safe custody in temporary prisons of so many of the prisoners as cannot be conveniently or safely kept in the prison.

83. "The Prisons Regulations, 1897," are hereby repealed.

84. These Regulations may be cited as "The East Africa Prisons Regulations, 1902."

C. ELIOT,

His Majesty's Commissioner.

Mombasa, April 12th, 1902.

Allowed:

LANSDOWNE,

His Majesty's Principal Secretary of State for Foreign Affairs.

NOTICE.

The following Regulations made by His Majesty's Commissioner, and allowed by the Secretary of State, are published for general information.

C. ELIOT,

His Majesty's Commissioner.

Mombasa, April 12th, 1902.

*King's Regulations under Article 45 of "The East Africa Order-in-Council, 1897,"
and Article 11 of "The East Africa Order-in-Council, 1899."*

No. 13 of 1902.

Gun Tax.

1. In these Regulations "gun" means any cannon, gun, rifle, machine-gun, or other arm, whether whole or in detached pieces.

2. Within the East Africa Protectorate every person who possesses, uses, or carries a gun, and is not provided with a license under the Game Regulations in force in the Protectorate, shall pay a yearly tax of 3 rupees in respect of each gun so possessed, used, or carried by him.

3. Such tax shall be payable upon the day the gun enters the Protectorate, or, if acquired in the Protectorate, on the day on which it first comes into the possession of any person, and thereafter upon the 1st January in every succeeding year during which it remains therein.

4. Persons holding licenses under the said Game Regulations shall be exempt from these Regulations, and any person who has paid a gun tax, and who may be allowed thereafter to take out a license under the Game Regulations, shall have such sum as he shall have paid under these Regulations in respect of gun tax due on or after the 1st January immediately preceeding the date of his license under the Game Regulations, deducted from the cost thereof.

5. Any person possessing, using, or carrying a gun without having first paid the tax in respect thereof, proof whereof shall lie upon him, shall, on conviction, be liable to the penalties provided by Article 11 of "The East Africa Order-in-Council, 1899," and any gun possessed, used, or carried in contravention of these Regulations may be confiscated.

6. These Regulations shall not apply to any officer or servant in Government employment in respect of his carrying or using a gun when so required for the purpose of his duties as such officer or servant.

7. These Regulations may be cited as "The Gun Tax Regulations, 1902."

C. ELIOT,

His Majesty's Commissioner

Mombasa, April 12th, 1902.

Allowed:

LANSDOWNE,

His Britannic Majesty's Principal Secretary of State for Foreign Affairs.

NOTICE.

The following Regulations made by His Majesty's Commissioner, and hereby declared to be urgent, are published for general information.

C. ELIOT,

His Majesty's Commissioner

Mombasa, April 15th, 1902.

*King's Regulations under Article 45 of "The East Africa Order-in-Council, 1897,"
and Article 11 of "The East Africa Order-in-Council, 1899."*

No. 14 of 1902.

Plague.

1. During the continuance of the Plague at Nairobi and until further notice the following restrictions shall be observed by all Asiatics travelling between Nairobi and Makindu otherwise than by means of the Uganda Railway.

2. No such person shall travel between the said places in manner aforesaid without having first obtained from an European officer in the public service of the Protectorate or of the Superior Establishment of the Uganda Railway or from his Employer being an European, a certificate to the effect that he has not for ten days immediately previous to the date of the certificate been within any area infected with plague.

3. Any person travelling as aforesaid without such a certificate shall on conviction for breach of these Regulations be liable to the penalties provided for a breach of King's Regulations and in addition may be detained pending inquiries being made concerning him.

4. These Regulations may be cited as "The Plague Regulations, 1902."

C. ELIOT,

His Majesty's Commissioner

Mombasa, April 15th, 1902.

NOTICE.

It is hereby notified that under Article XCI of the Brussels Act, the Protectorates of Zanzibar, Uganda and East Africa remain within the zone of prohibition of alcoholic liquors, and that the British Somaliland Protectorate is hereby included within that zone.

Foreign Office,
January 17, 1902.

LANSDOWNE,
His Majesty's Principal Secretary of
State for Foreign Affairs.

NOTICE.

Whereas it was provided by Article 1 of "The East Africa Order-in-Council 1897" that Her Majesty were pleased to direct that any territories for the time being under the protection of Her Majesty and other than those previously enumerated in that Article should form part of the East Africa Protectorate, those territories should, from and after a date fixed by an Order of the Secretary of State, be deemed to be within the limits of the said East Africa Order-in-Council 1897,

And whereas His Majesty has been pleased to direct that the territories hitherto known as the Eastern Province of the Uganda Protectorate shall form part of the East Africa Protectorate, I do hereby order that from the 1st day of April 1902 inclusive the said territories shall be deemed to be within the limits of the East Africa Order-in-Council 1897 and shall be known as "The Kisumu and Naivasha Provinces."

Foreign Office,
March 5, 1902.

LANSDOWNE,
His Majesty's Principal Secretary of State
for Foreign Affairs.

NOTICE.

Whereas certain cases of lung sickness have occurred amongst the Cattle on Mombasa Island and in order to prevent the spread of the disease, I, under Article No. 10 of the Cattle Disease Regulations, 1899, do hereby prohibit, until further notice, the exportation of Cattle from the said Island to the Mainland, and, similarly the importation of Cattle into the Island from the Mainland.

Mombasa, April 15th, 1902.

T. T. GILKISON,
Acting Sub-Commissioner.

NOTICE.

The following appointments and promotions are hereby notified:—

- Mr. F. J. Jackson, C. B., to be Deputy Commissioner of the East Africa Protectorate.
- Mr. C. W. Hobley to be Assistant Deputy Commissioner of the East Africa Protectorate.
- Mr. S. Bagge to be Sub-Commissioner of the Naivasha Province.
- Mr. K. MacDougall to be Sub-Commissioner of Lamu.
- Mr. S. L. Hinde to be Sub-Commissioner of the Kenia Province.
- Mr. W. J. Monson to be a Collector.

Until further notice the boundaries of the Kenia Province will be those of the existing Kenia District.

April, 12th 1902.

C. ELIOT,
H. M. Commissioner.

Mr. A. Whyte has been appointed to be Director of Agriculture in the East Africa Protectorate and Mr. E. E. Walker to be Geologist to the East Africa Protectorate.

April, 12th 1902.

C. ELIOT,
H. M. Commissioner.

UGANDA RAILWAY.

TENDERS are invited for the supply of all or any of the following Rations for the Uganda Railway for a period of one year commencing from July 1st 1902, under the following conditions:—

(1.) The Rations required, and the approximate quantities to be supplied monthly are as follows:—

Monthly Supply for Quarter ending 30th September 1902.

Ghee	19 tons.
Dhall	52 "
Chillies	2 "
Salt	8 "
Rice Superior	3 "
Atta	314 "

Monthly Supply for Quarter ending 31st December 1902.

Ghee	17 tons.
Dhall	45 "
Chillies	1½ "
Salt	7 "
Rice Halwa	50 "
Rice Superior	3 "
Atta	274 "

Monthly Supply for Quarter ending 31st March 1903.

Ghee	13 tons.
Dhall	35 "
Chillies	1½ "
Salt	6 "
Rice Halwa	50 "
Rice Superior	3 "
Atta	215 "

Monthly Supply for Quarter ending 30th June 1903.

Ghee	11 tons.
Dhall	29 "
Chillies	1 "
Salt	5 "
Rice Halwa	50 "
Rice Superior	3 "
Atta	178 "

(2.) Notice of alterations of the quantities required any month will be given one month in advance, as the above quantities may be varied 30% more or less.

(3.) The rations are to be supplied in quantities as required within seven days of the date of the order, and delivered in good condition at Kilindini Ration Sheds at the sole risk and expense of the Contractor.

(4.) The rations are to be of good and approved quality and payment is to be made upon the actual net weight or quantity received, the decision of the Chief Engineer or his Agent in India upon any question that may arise to be binding and final.

(5.) The Contractor is to always keep a stock sufficient for one month's supply; and in the event of his not complying with this condition, or failing to supply the necessary quantities of rations required, or if the quality is unsatisfactory the Chief Engineer is at liberty to procure the rations elsewhere and the Contractor shall bear any extra expense incurred by his so doing.

(6.) All orders for rations up to the limits given above will be made out on printed forms and signed by the Chief Storekeeper.

A priced Invoice must be sent with each delivery of stores; and the Signature of a responsible employé of the Railway must be obtained before the delivery is considered as complete.

(7.) The Chief Engineer is at liberty to accept a tender for the whole or any part of the rations required, but the lowest or any tender need not necessarily be accepted.

(8.) The Contractor is required to enter into a bond of Rs. 10,000 for the due and proper completion of this Contract.

(9.) Tenders to reach the Chief Engineer at Nairobi not later than the 1st June 1902.

(Signed) G. WHITEHOUSE,
Manager and Chief Engineer

Manager and Chief Engineer's Office,
Nairobi, 3rd April, 1902.

UKAMBA PROVINCE. CATTLE PLAGUE.

The Veterinary Surgeon to the East Africa Protectorate having notified that Rinderpest has broken out in Nairobi, I under the powers conferred upon me by "The Cattle Disease Regulations 1899" hereby declare Nairobi township to be an infected area.

Until further notice no cattle will be allowed to enter or leave Nairobi, and no sheep or goats allowed to leave the area. Sheep and goats may be brought in provided they are to be slaughtered. They must however be placed in Government Pens provided for their reception near the present slaughter shed.

Persons having cattle &c., in their possession must report at once to the Authorities any case of sickness that may occur amongst their stock. The Veterinary Officer will arrange for the isolation or segregation of any stock affected and may direct any owner of cattle infected to take means to disinfect &c., the place or places where they have been kept.

Any person contravening any of the above directions shall be guilty of an offence against the Cattle Disease Regulations 1899."

JOHN AINSWORTH,

H. M's. Sub-Commissioner.

Nairobi, April 9th, 1902.

(Signed) R. J. STORDY,

Veterinary Officer.

Reuter's Telegrams.

MARCH 26TH.—Shalkbinger and his companions accompanied by Lord Kitchener's Aid-de-Camp together with 6 staff officers have arrived at Kronstadt.

It is officially announced from St. Petersburg that 95 students from Moscow have been banished to Siberia and that 567 individuals will be sent to Archangel to undergo from 3 to 6 months imprisonment for taking part in political demonstrations starting a movement and society among the working classes with a view to overthrow present institutions.

Mr Cecil Rhodes has been frequently tapped for dropsy; his friends have little hope of his ultimate recovery.

Canada has offered another Contingent of 2,000 men for war in South Africa.

M. Delcassé speaking in the French Chamber stated that there were no opposing forces in the far East, but that all forces were working together for the maintenance of the present status quo and for peace.

It is officially announced that Walter Kitchener's Kekewich's and other columns have commenced to drive Maréy's Commando, up to the present 5 guns, 98 prisoners and a quantity of cattle and carts have been captured.

MARCH 27TH.—Mr. Cecil Rhodes is dead.

Parliament had adjourned until 1st of April.

Our columns ranged in line extending from Vaal to Lichtenburg, drove the enemy East towards the Tloeneng Klerksdorp Bloekhouse lines; 80 miles were covered in 24 hours. A later message from Lord Kitchener advises that the total number of prisoners captured is 135.

There were 523 deaths from Cholera in Mecca during the last week.

Canada's offer to send a Contingent of 2,000 men was the result of an exchange of telegrams between Mr. Chamberlain and Lord Minto. The former called attention to the example of New Zealand. Natal are furnishing a contingent of 500 men at Lord Kitchener's request.

Mr. Rhodes's death was painless.

MARCH 28TH.—M. Printetti visited Count von Buelow in Venice at noon yesterday and remained to lunch. entertained Count von Buelow the same night at dinner.

The Transvaal Delegates arrived at Kronstadt on the 23rd; one of their number left the next morning with report and under a white flag blindfolded to interview Mr. Steyn.

Lord Kitchener reports that during the last operation 179 prisoners were made. The Bishops of London, Glasgow and Rochester have issued an appeal to the country that prayers should be offered for peace. In their appeal they declare that for the first time since the war commenced there seems some rare possibility of the end object being obtained.

MARCH 29TH.—The Porte have called to the colours 90,000 auxiliary troops ostensibly for the purpose of army manœuvres, but it is believed that the troops were really required in connection with the serious situation in Macedonia. The French Senate have adopted the Jibuti Harar Railway subsidy Bill.

The remains of Mr. Cecil Rhodes are lying in state in a vestibule of the Parliament Buildings. They will be conveyed on Thursday by a circuitous route to the Cathedral, the coffin being carried on the carriage of the gun "Cecil," which was used in the siege of Kimberley; after the service the cortege will be escorted of the railway station and then by special train to Rhodesia.

MARCH 30TH.—Casualty lists for the fighting in Rhenoster Valley on 24th March show that the British lost 1 killed and wounded and 29 captured. The Shah visits Venice Rome and Berlin and then stays 6 weeks at Bayreuth and arrives in London on the 13th of July, leaves on the 20th of the same month and returns again. will spend 20 days in Russia. The increase in revenue for the quarter ending 31st March is £4,593 488.

Riots have occurred in a southernmost prefecture of Chili owing to the attempts, of the local officials to pay indemnities due for the losses incurred by the Catholics there. It is reported that many have been killed. The French Chamber has been adjourned after passing the Budget. The new Parliament meets on the 1st of April.

His Holiness the Pope has addressed a long encyclical letter to the Catholic Episcopate, which he describes as almost his last testament after condemning modern materialism; he affirms that all the moral and social disorders are due to the decay of religious sentiment, that society will find its only salvation by returning to the church, the final triumph of which is absolutely sure and he concludes by enjoining the Clergy to refrain from politics and to be obedient to the Holy See. Rhenoster valley is near Sutherland in the Cape.

MARCH 31ST.—Renter's Agent at Pretoria telegraphing on the 30th states that Shalkburger's efforts to negotiations with Steyn have hitherto been unsuccessful.

The German papers declare that the interviews between von Buelow and Prinetti at Venice has practically rendered certain the renewal of the triple alliance.

APRIL 1ST.—Deaths from Plague in the Punjab average 70,000 monthly.

M. Loubet arrives at Kronstadt on the 20th May, leaves on the 23rd and spends one day at St. Petersburg. The revenue for the year is £142,997,000 showing a net increase of £12½ millions, nearly half a million above what was estimated.

The Customs have increased by £4,731,000 and Income Tax by £7,880,000.

Boer rebels in the Cape are showing considerable activity. Malan and Fouché were headed off while endeavouring to move in a Northwest direction; they then broke South.

APRIL 2ND.—The casualty lists show that 39 soldiers were killed and 45 injured in a Railway accident at Lord Barberton; half a section belonged to the Hampshire Regiment, while remainder were mostly volunteers. Kitchener reports that during the last week 23 Boers have been killed, 204 captured and 49 surrendered.

Beyers has recently been more active in the North. He surrounded a small post near Spelonken, Colenbrander with a relief column easily drove off the Boers.

The remains of Mr. Cecil Rhodes will reach Bulawayo on the 8th instant. The funeral will take place at Matoppos on the 10th. The accident advised occurred between Barberton and Kaapmuiden with troops were going to Johannesburg. The train while descending a steep incline at high rate of speed left the rails.

APRIL 3RD.—Lord Kitchener reports that there has been sharp fighting at Boschmanskop. The Dragoon Guards while detached from Lawley's column surprised at dawn on the 1st a Boer laager. The Boers were reinforced and held their ground; after severe engagement the Dragoons were forced to fight a rear action in order to rejoin the main body. The main body then advanced and drove the Boers in a North East direction; four officers were wounded; the Boers' losses were severe, 6 prisoners being taken.

It is officially announced that the Kaiser will send Prince Henry of Prussia accompanied with a large suite including Count Waldersee to the coronation.

Princess Henry of Prussia is also coming.

The driver of the train at Barberton lost control; the train rushed 3 miles at the rate of 80 miles an hour then jumped the rails at a curve, when the engine's boiler burst.

Colonel Beauchamp and his Doran have concluded an 8 day's drive of the Boers under Malan, Fouché and Vanheerden between Graafruinet and Murraysburg. Few prisoners were made owing to the retiring tactics of the Boers.

APRIL 4TH.—Schalkburger and his companions have finally succeeded in placing themselves in communication with Steyn.

Vigorous measures are being taken to defend the Natal Railway line. Block-houses are being extended to Ladysmith Northwards. The ceremony at the funeral of Mr. Rhodes at Capetown was most impressive; there was universal mourning; business was suspended and the Governor and principal authorities attended the service at the Cathedral. The body has been entrained for Matoppos.

Delarey and Kemp are with Steyn. Lord Milner has asked for a credit of three millions for the construction of Railways in South Africa.

APRIL 5TH.—In his will Mr. Rhodes bequeaths £100,000 to Oril College, Oxford. He leaves "Grootboom" as a residence for the future Prime Ministers of the Federal Government states in South Africa. He provides a large number of scholarships at Oxford for young Colonials and Americans with the object of fostering the Union of the English speaking races.

Brigadier Kitchener reports from Driekuil in the Western Transvaal that he sent a force on the 31st ult. to reconnoitre Hartriver. The column was attacked and retired with their guns, maintaining a running fight of 10 miles; on emerging into an open plain large Boer reinforcements arrived and advanced on both our flanks; troops were forced to occupy entrenched positions; fighting in close quarters ensued until the enemy were repulsed on all sides. Delarey and Kemp vainly attempted to persuade the Boers who numbered about 1,500 to renew the fight; they however refused having lost very heavily. Our losses were also severe.

From the elaborate defensive measures now being taken in Natal it would appear that the rumour from various sources that Botha intended to invade the Colony is correct.

Mr. Rhodes in his will disposes of £6,000,000.

APRIL 6TH.—The casualty list at Driekuil show that our losses on the 31st were 3 officers and 131 men wounded. Renter's Agent at Pretoria states that the Boers had 137 casualties.

The casualty list at Boschmanskop shows that the Dragoon Guards lost 17 men killed and 56 wounded. National scouts were also killed.

The number of Boers still in the field is estimated at 8,000. They are scattered from Zoutpansberg in the North and from Sunderland in the South, from Garies in the West to Pietretief in the East. Delarey alone has a large commando with him.

APRIL 7TH.—The first general meeting of the chamber of mines since the outbreak of hostilities was held at Johannesburg on the 1st instant. The President stated that 16,035 stamps were working, that it was probable that by July half the industry would be at work, and that before many months the industry would be where it was in October 1899.

Renter's Agent at Kroonstad reports that although Schalkburger is now in communication both with Delarey and not much progress is being made owing to the great distance that separates the negotiators. It is understood that the Transvaal Delegates may shortly move to some other centre in order to facilitate negotiations.

The Boer dead at Boschmanskop included Commandants Pretorius and Prinsloo.

APRIL 8TH.—Lord Kitchener telegraphs on the 6th that Kritzinger has been acquitted by the Court martial and will be treated like an ordinary prisoner.

Mr. Balfour speaking in the House of Commons stated that he was unable to fix a date for the Budget, nor could he give any information with regard to Peace Negotiations.

The Imports and Exports for March has decreased 5½ and 2½ millions respectively.

APRIL 8TH.—The first British Submarine Torpedo boat underwent 6 hours deep sea trial on Sunday and ended admirably.

A scheme has been proposed in Colonial Circles for a great and essentially Colonial demonstration in connection with the Coronation. Same will take the form of an impressive ceremony at the Albert Hall where an address will be presented to His Majesty in the presence of Her Majesty and the other Royalties. All Colonials in London will be present and the function will take the form of a splendid Colonial Durbar.

APRIL 9TH.—Lord Cranborne speaking in the House of Commons stated that he hoped that the Uganda Railway would be finished in September next.

Mr. Balfour expects to introduce the Budget next Thursday.

The Manchurian Convention has been signed in Peking. Russia proposes to restore the Railway to the Chinese when the British relinquish military control of the Railway at Chihli.

The Duke of Connaught has been appointed to the supreme Command of the Troops at the Coronation including the British Indian and Colonial forces. General Trotter will be chief of the staff.

Piet De Wet, Christian's brother an Ex-General of the late Orange River Free State is organizing, with the sanction of Lord Kitchener, a Burgher Volunteer corps which is to be called the "Orange Colony Volunteers." Members of this force will receive special facilities for returning to their farms on the conclusion of the war.

APRIL 10TH.—Sir Michael Hicks-Beach is unwell and the Budget has been postponed until Monday next.

There are persistent reports that the Peace Negotiations are making progress. The chief obstacles are Steyn De Wet who do not share the conciliatory disposition of the Transvaalers. In the meantime no official information is forthcoming.

The Emperor of China has affixed his seal ratifying the Manchurian Convention.

Steyn is suffering from a disease which threatens the loss of his sight.

Mr. Gerald Balfour at a meeting at Leeds stated that strictly speaking no peace negotiations are being carried out. Whether the Boer leaders would make an offer, he was unable to say and still less whether such an offer was likely to be satisfactory he himself was not very sanguine.

APRIL 11TH.—Mr. Brodrick stated in the House of Commons that Schalkburger and Botha together with the Transvaal representatives accompanied by Steyn De Wet, Delarey and 3 members of the Orange River Committee have arrived at Klerksdorp. Lord Kitchener has received no communication from them except with regard to a safe conduct.

Count von Buelow is discussing with Prince Goluchowski the preliminaries for a renewal of the Triplicate Alliance.

The memorial service at St. Pauls for the late Mr. Rhodes was crowded. The service itself was most impressive and solemn.

The socialists and anarchists rioting at Brussels culminated at mid-night on the 10th when the tramway line was torn up, a barricade raised in front of the "Maison du Peuple" the socialist Headquarters. The Police repelled with street cobbles, a hundred shots were exchanged then the troops charged with the bayonet; 40 rioters were wounded before the streets were cleared.

The driver in the North East of the Orange Colony has ended with small results.

The remains of the late Mr. Rhodes were interred yesterday at the summit of Kopje Matoppos in the presence of a thousand Europeans and 2,000 natives. The ceremony was touching and simple.

Mr. Brodrick stated in the House of Commons that the Government had received no information to the effect that the Boers had asked for terms. He was also unable to state whether Lord Kitchener had been authorized to accept terms other than unconditional surrender. No armistice would be granted.

Three Russian and 3 French men-of-war arrived together at Tangiers. This is regarded as a significant demonstration that the Franco-Russian Alliance extends to the Mediterranean.

Natives in the French Congo have attacked the Sangha Co's factory. They killed the French Director and looted the buildings.

ARRIVALS AND DEPARTURES.

April 3rd. Mr. A. White, Director of Scientific Department and Dr. L. D. Lowsley, from England.

Dr. R. W. Moffat, P.M.O. for Uganda.

Mr. A. Marsden, and Mr. E. E. Walker, from Zanzibar.

Captain M. McNeile, and Lieut. F. W. O. Maycock, from England.

April 7th. Mr. R. W. Hamilton, for Northern Ports.

Mr. R. Skene, for Malindi.

April 8th. Sir C. Eliot, K.C.M.G., C.B., and Mr. A. C. Hollis, and Mr. W. Donald from Nairobi.

April 10th. Mr. A. G. Boyle, for England.

Mr. W. Donald, for Nairobi.

Dr. L. D. Lowsley, for Uganda.

April 12th. Mr. E. E. Walker, for Rabai.

April 14th. Mr. E. E. Walker, from Rabai.

April 15th. Mr. F. J. Jackson, C.B. Deputy Commissioner East Africa Protectorate, Mr. J. P. Wilson, and Captain C. H. Lewis, from Uganda.

PUBLIC NOTICE.

Notice is hereby given that the Power-of-Attorney assigned by me to Mr. B. C. Sequeira hereto represented me in Nairobi, is hereby cancelled as from this date.

The undersigned will not be responsible for any adjustment of Accounts by the said B. C. Sequeira on and after to-day. All claims payable or Bills due should be addressed direct.

(Signed) F. M. D'SOUZA,
General Merchant,
Mombasa.

PUBLIC NOTICE.

The Government is desirous of having certain bungalows erected at Nairobi, and also of renting of bungalows and buildings of various descriptions. The total outlay on these various buildings will amount about one hundred thousand Rupees (Rs. 100,000).

Firms desiring to contract for the same are invited to apply for further information on the subject at Public Works Office during the hours of 10 to 12 up to the 30th April 1902.

(Signed) S. C. E. BATY,

Superintendent of Public Works.

Mombasa, 14th April, 1902.

NOTICE.

Notice for claims against the Estate of the late J. R. BAAS, Esq., Superintendent Engineer Uganda Railway, deceased, who died at Fort Ternan on the 20th day of March 1902.

All creditors and others in East Africa having claims upon the estate of the above named deceased are required to send in writing the particulars of their debts claims or demands to Mr. Sydney Couper, Assistant Engineer, Uganda Railway, Fort Ternan on or before the 1st of May 1902.

SYDNEY COUPER,

Administrator of the Estate.

Fort Ternan, 2nd April, 1902.

ERRATUM.

"Official Gazette" No. 58 page 106, Notice Inland Telegrams, line 2nd, word "name" should read "same."

IN THE COURT OF THE EAST AFRICA PROTECTORATE AT MOMBASA.

PROBATE AND ADMINISTRATION.

CAUSE No. 18 of 1902.

NOTICE OF ADMINISTRATION OF THE ESTATE OF THE LATE BABOO MOHAN LAL DECEASED.

Pursuant to an order of the East Africa Protectorate Court at Mombasa granting Letters of administration of the estate of the late BABOO MOHAN LAL of Uganda Railway deceased, who died at Nairobi on the 29th day of March 1902 all creditors and others having claims upon the estate of the above-named deceased are required to send in writing the particulars of their debts, claims, or demands, to The Administrator General, H. M. C. Mombasa on or before the 15th day of May 1902.

(Signed) R. B. P. CATOR,

H. M. Judge,

E. A. P. C.

Mombasa, 14th April, 1902.

ALL ZEBRAS SOLD.

As all the 30 Zebras are sold at high prices to Hamburg, Germany, the sale fixed for 1st of May 1902 cannot take place.

Fr. BRONSART von SCHELLENDORFF,

Zebra Gestuet Trakehnen,

Kilimanjaro.

MOMBASA HARBOUR.

High Water at Mombasa, 15th to 30th April, 1902.

----	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
A. M.	9 47	10 41	11 35	0 0	0 54	1 48	2 42	3 36	4 26	5 16	6 6	6 56	7 46	8 36	9 26	10 16
P. M.	10 11	11 5	11 59	0 28	1 21	2 14	3 7	4 0	4 50	5 40	6 30	7 20	8 10	9 0	9 50	10 40

Rates of Advertisements.

-----	2 pages.	1 page.	$\frac{1}{2}$ page.	$\frac{1}{3}$ page.	$\frac{1}{4}$ page.
One year	Rs. 360	Rs. 200	Rs. 110	Rs. 76	Rs. 58
Half year	200	110	58	45	32
Quarter year	110	58	32	24	17
Month	38	20	11	9	7
Insertion	21	14	8	6	4

Special terms for smaller advertisements can be arranged.

SEYYIDIEH PROVINCE.

List of Brokers' Pawn-Brokers' Official Brokers' Gold and Silver Smiths' and Money Changers' Licenses issued at Mombasa during the quarter ending 31st March 1902.

Brokers' Licenses.	Pawn Brokers' Licenses.	Money Changers' Licenses.	Gold and Silver Smiths' Licenses.
N. Talati (a) Charles Palmer (a) Habibi M. (a) Ismail bin Salim Popat Motichand Sadak Meggie Masiboo Jumrah Mehangan Jumbo bin Salim Sungoro bin Ali Saleh Hamad bin Maka Fuhiza Goo bin Ahamed Sultan bin Ahamed Sharif Houssein Salim bin Baketi Abdulla bin Mbarak Bilali Man bin Sadalla Salim Hassan Salim Bilal Masudi bin Juma Saleh bin Abdulla Nadi Hapsi Ramdas and Gordon- das Ragowji Adul Rehman bin Baboo Ali bin Salim Reami Harakia Kajian	Ibrahim Nanji Rajan Nanji and Sons Liwali S. bin Khalfan Mohamed bin Umari Raschid bin Ali Popat Motichand Beehar Govindji Haji Mohamed and Sons Haji Adam and Sons Gordhandass Ragowji Pursotam Liladar Syed Mohamed Shatri	Habib bin Abdulla Abdul Rahim Shiraz Hashroof Mohamed Khan Kara Rahim Premji Khanji Habib bin Abdulla	Hakil bin Awad Salim bin Awath Bechar Mooraji Mitha Hada. Samvat Rhim Mitha Haji Soni Bagwanji Madowji. Madowji Ranchor Vasta Kathar Ruttonsi Dewji Esmail Noor Mohamed Bagwanji Ramji and Vithal Ramji Ranchor Kara Jetha Kader Bux Essa Jussa Gordan Vagji Bhaya Bimji Dosa Ramji Naran Shadoo Mwalim Fundi Kheri Premji Dosa Ali bin Sheik Juma bin Rajabu Juma bin Ali Madawji Govindji
(a) Official Brokers			

UKAMBA PROVINCE.

List of Liquor Licenses issued during the Quarter ending 31st March, 1902.

2nd Class No 1/1902 ... Messrs. Huebner and Co., Nairobi ... February 20th, 1902.

BROKERS' LICENSES.

(Issued during the Quarter ending 31st March, 1902.)

No. 829 ... Rattanjee Deoji, Goldsmith, Nairobi ... February 6th, 1902.

PUBLIC OFFICERS' GAME LICENSES.

(For the Quarter ending 31st March, 1902.)

No. 3/67	...	Mr. C. Farquhar, Superintendent of Ry. Police	...	January 18th, 1902.
" 3/68	...	Captain R. C. Sparkes, R.N., C.M.G., (for 14 days)	...	" 21st, "
" 3/69	...	Doctor Bean, R.N. (for 14 days)	...	" " "
" 3/70	...	Mr. L. E. Caine, Superintendent Ry. Telegraphs...	...	February 14th, "
" 3/71	...	" H. Bromley, Assistant Auditor	...	March 27th, "

SETTLERS' LICENSES.

No. 2/40	...	Kikuvu, Headman, A. I. Mission, Kangundu	...	January 3rd, 1902.
" 2/41	...	Mr. J. Moore, of Uganda Railway Police Nairobi	...	" 11th, "

BIRDS' LICENSES.

Mr. P. A. Alexander	...	Uganda Railway	...	January 2nd, 1902.
" Louis Siqueira	...	Clerk, E. A. P., Nairobi	...	" 16th, "
Dr. J. Henderson	...	of A. I. Mission	...	" 20th, "
Rev. H. Leaky	...	...	...	" 23rd, "
Mr. H. Binks	...	...	...	February 12th 1902.
" Hassan Ali Madji	...	...	...	" " "
" W. Carlile Fraser	...	...	...	" 14th, "
" Price	...	...	...	" 19th, "
" Mazher Said	...	...	...	March 10th, 1902.
" L. Mallitte	...	...	...	" 15th, "
" J. Dunning	...	...	...	" 24th, "
" K. H. H. Uffman	...	...	...	" " "

EAST AFRICA PROTECTORATE.

STATEMENT SHOWING NUMBER OF TRADE PACKAGES AND VALUE IN RUPEES OF VARIOUS ARTICLES IMPORTED INTO MOMBASA DURING MARCH, 1902.			STATEMENT SHOWING VALUE IN RUPEES OF IMPORTS MADE INTO MOMBASA FROM DIFFERENT COUNTRIES DURING MARCH, 1902.	
ITEMS.	NUMBER OF PACKAGES.	VALUE IN RUPEES.	COUNTRIES.	RUPEES
Piece and Trade Goods ...	2818	1,56,443	EUROPE—	
Grain and Flour ...	554	5,175	United Kingdom ...	1,18,12
Hardware, Glassware, &c. ...	406	8,427	Germany ...	61,61
Arms and Ammunition ...	29	3,022	Holland ...	19,66
Building materials ...	6026	37,633	France ...	9,55
Provisions ...	3266	68,930	Italy ...	4,04
Spiruous liquors, Wines, &c. ...	1190	26,077	Miscellaneous Ports of Europe ...	23,63
Tobacco ...	112	5,634	AMERICA—	
Live stock ...	825	9,065	United States of America ...	3,19
Furniture, Tents, &c. ...	241	7,540	ASIA—	
Sundries ...	1225	46,946	India and Burmah ...	2,10,48
Rice ...	17489	1,28,506	AFRICA—	
Kerosene oil ...	nil	nil	African Ports ...	23,35
Spices and Grocery ...	55	1,240		
Fruits and Vegetables ...	2044	4,688		
Drugs and Chemicals ...	58	2,263		
Coal ...	630	2,010		
TOTAL...	36,968	5,13,599	TOTAL...	5,13,52
Value of trade imports in March, 1901 ...	Rs. 4,13,161			
Total increase in value ...	1,00,438			

A. MARSDEN,
Chief of Customs and Shipping

Statement showing value in rupees of various articles exported from Mombasa during March 1902.

Items.	Value in Rupees
Ivory ...	56,600
Rubber ...	12,475
Gum Copal...	22
Hides, horns, &c. ...	6,931
Tortoise shells ...	9
Sim sim ...	406
Live Stock...	658
Provisions ...	800
Copra ...	19,400
Total Rupees ...	97,368

Total value of exports in March 1901 Rs 47,085

Total increase in value ,, 50,283

A. MARSDEN,
Chief of Customs and Shipping

METEOROLOGICAL OBSERVATIONS.

THE WEATHER IN MOMBASA.

FORTNIGHT ENDING 14th APRIL, 1902.

Temperature.

Days.	Month and date.	Barometer 9 a.m.	Dry B. 9 a.m.	Wet B. 9 a.m.	Maximum 24 hours.	Minimum 24 hours.	Rain 24 hours.
Monday	March 31	30.072	88	84	89	83	0.00
Tuesday	April 1	30.074	89	85	90.5	85	0.00
Wednesday	" 2	30.114	89	85	92	85	0.40
Thursday	" 3	30.096	88	85	91	85	0.02
Friday	" 4	30.058	88	85	90	85	0.00
Saturday	" 5	30.036	86	85	91	85	0.00
Sunday	" 6	30.010	87.5	83.5	91	79	0.00
Monday	" 7	30.004	86	83	90	78.5	0.00
Tuesday	" 8	30.008	85	80.6	91	78.5	0.00
Wednesday	" 9	29.990	80	78.8	86	79.5	0.35
Thursday	" 10	30.018	85	83.2	88	78.5	0.00
Friday	" 11	30.014	81.8	79.4	89	78	0.00
Saturday	" 12	30.028	83	80.4	89	80	0.01
Sunday	" 13	30.016	81	...	90	77.5	0.03
Monday	" 14	30.018	81.8	79	89.5	79.8	0.13

Total rainfall for 3 months ending 31st March 1902, 1.37.

Total Rainfall... 0.93

SHIPPING REPORT.

MOMBASA HARBOUR.

MONTH OF MARCH 1902.

Name of vessel.	Captain.	Gross Tons.	Cargo.	Nationality.	To Whom consigned.	From	Date.		Bound to.
							Arrival	Departure	
Saltan.	Scharfe.	2335	Rice.	German.	Hansing & Co.	Rangoon.	Mar. 2	Mar. 3	Zanzibar.
Juba.	Wilson.	506	General.	British.	Protectorate.	Zanzibar.	" 2	" 8	Kismayu.
Safari.	Tapa.	1433	"	German.	Hansing & Co.	"	" 2	" 3	Bombay.
Kaiser W. II.	Berndt.	495	Nil.	Do.	Do.	Dares-S'm.	" 4	" 8	Tanga.
Buadasrath.	Carstens.	2084	General.	Do.	Do.	Hamburg.	" 6	" 6	Zanzibar.
Zanzibar.	Altaehwager	933	"	Do.	W. O'swald & Co	"	" 6	" 7	"
Palitana.	Lemarchand	2998	"	British.	S. M. & Co.	Aden.	" 11	" 12	"
Reichstag.	Scharfe.	2385	"	German.	Hansing & Co.	Zanzibar.	" 12	" 13	Hamburg.
Somali.	Birch.	2125	"	Do.	Do.	Bombay.	" 17	" 17	Zanzibar.
Juba.	Wilson.	506	"	British.	Protectorate.	Kismayu.	" 19	" 24	"
Palitana.	Lemarchand	2998	"	Do.	S. M. & Co.	Zanzibar.	" 20	" 20	Bombay.
Somali	Birch.	2125	"	German.	Hansing & Co.	"	" 28	" 28	"

MEN-OF-WAR.

U.S. "Pertridge."	Leatham.			British.		Lamu.	Mar. 2	Mar. 16	Zanzibar.
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KILINDINI HARBOUR.

Umta.	Gimblett.	5089	Rice.	British.	S. M. & Co.	Zanzibar.	Mar. 6	Mar. 10	Colombo.
Ras Mora.	Kennedy.	3372	Coal.	"	Uganda Railway.	Cardiff.	" 12	" 26	Calcutta.
Kaiser W. II.	Berndt.	496	Nil.	German.	Hansing & Co.	Tanga.	" 12	" 13	Dares-Salam.
Putiala.	Phillips.	2998	General.	British.	S. M. & Co.	Zanzibar.	" 21	" 23	Bombay.

MEN-OF-WAR.

U.S. "Forte."	Sparkes.			British.		Zanzibar.	Mar. 2	Mar. 13	Zanzibar.
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(Sd.) H. PIDCOCK,
Port Officer.

NOTICE.

All Applications or Remittances should be sent to the Editor.

The rates of subscription are as follows:

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Transport Contractor for

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The Catholic Missionary Society.

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Mombasa and Zanzibar, (PAGAZI).

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General Merchants in all English and Indian Manufactured Goods Wholesale and Retail.

SPECIALITIES :—Gents Norfolk, Tennis, Cricket and Drill (White and Khaki) Suit, Shirt, Pants, Sweaters, White and Print Shirts, Knicker Hose, Half Hose, Handkerchiefs, Turkish Towels, Umbrellas, Boots and Shoes, Felt and Panama Hats, Smoking Caps, Waterproof Coats and Leggings, Ghari Sheets, Rugs and Holdalls, Guns and Ammunition.

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J. H. DRAKE,
Chief Agent

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A Pure Malt Whiskey—Unsurpassed for mellowness of
flavour.

HIGHEST AWARDS AT

CORK 1883; LIVERPOOL 1886; PARIS 1886; ADELAIDE 1887;

THE ONLY MEDAL FOR PURE MALT WHISKEY AT CHICAGO 1893, AND
ONLY GOLD MEDAL FOR WHISKEY AT PARIS 1889.

“ “ “ “ “ “ 1900.

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This is unequalled upon the Market and well worth
the attention of consumers of this spirit.

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SPECIAL ROTPROOF TENTS

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CAMP EQUIPMENT.

A LARGE AND VARIED
STOCK ON HAND.

AGENTS:—

SMITH MACKENZIE & Co.

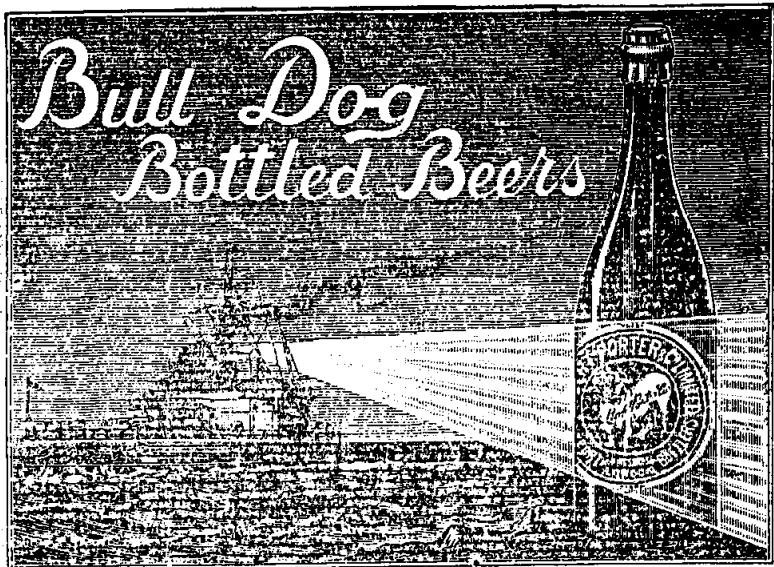


BULL DOG BRAND.



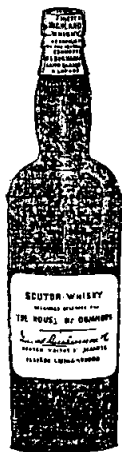
AWARDS

MELBOURNE 1880.
ADELAIDE 1881.
CALCUTTA GOLD MEDAL 1883-4.
JAMAICA 1891.
CHICAGO 1893.



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BASS' LIGHT BITTER ALE
("Oriental Ale.")

SMITH MACKENZIE & Co., Mombasa & Zanzibar
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ACKNOWLEDGED TO BE
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ENGINE OILS, LUBRICATING OILS,
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BRUSHES OF ALL SORTS,
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SMITH MACKENZIE & CO.

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ESTABLISHED IN LONDON 1615, AND IN INDIA 1842.
SHIP TO MOMBASA THE FOLLOWING WINES & SPIRITS.

WINE.—Cheap & Medium Priced Wines (Specially Selected for the Mombasa Market).

PORTS.—Including their Renowned INVALIDS, OLD FRUITY (Special value and quality) and DESSERT PORTS.

CHERRY.—MANZANILLA & LA TORRE, both brands highly Recommended.

WHISKY.—C. P. & Co's. "SPECIAL BLEND WHISKY" of Selected Scotch Distillations. Green Capsule.

GIN.—PLYMOUTH (Coate's) & OLD TOM.

SAUNE.—C. P. Co's. own Bottling & Brand.

All in cases of 1 dozen Bottles.

AGENTS:—SMITH MACKENZIE & CO.

JEYES' FLUID" (NON-POISONOUS) AND JEYES' SANITARY POWDERS

are the best and most reliable Disinfectant in the market.

JEYES' FLUID—Is recommended for use by the highest Scientific and Medical authorities whose evidence can be purchased or influenced; it is the only sure preventive against Cholera Small-pox and all epidemic

Prize Medals

**"JEYES'
FLUID"**

and
Other Awards.

**THE BEST
DISINFECTANT.**

JEYES' SANITARY POWDER—Contains all the active principles of JEYES' FLUID and is the best dry disinfectant made. It is absorbent and dry and clean in use.

JEYES' VETERINARY OINTMENT—Containing 20% of JEYES' FLUID. It will cure Skin Diseases, Ring-bone etc., is non-poisonous and more efficient than any other ointment in the market.

JEYES' HOUSEHOLD (white) SOAP & DISINFECTANT (brown) SOAP—Are unequalled for cheapness. Try also the Toilet Soaps.

PUNJAB EXHIBITION 1893-94

Diploma for Excellence of Exhibit awarded.

"CANADIAN CLUB" WHISKY "1892" BLEND.

DISTILLED AND BOTTLED BY

HIRAM WALKER & SONS LIMITED.

WALKERVILLE CANADA.

By Appointment Purveyors to His Majesty the King.

The age and genuineness of this Whisky are guaranteed by the Excise Department of Canadian Government by certificate over the capsule of every bottle.

Agents:—SMITH MACKENZIE & CO.,

MELROSE'S TEAS.

A FINE BLENDED TEA WITH A REPUTATION UNSURPASSED
FOR NEARLY A CENTURY.

AGENTS:—SMITH MACKENZIE & Co.,



OF WORLD WIDE FAME

TEACHERS' VERY OLD

HIGHLAND CREAM.

THE PERFECTION OF OLD WHISKY

In cases of one dozen and kegs of 5
gallons.

ALSO "SPECIAL LIQUEUR WHISKY."

AGENTS:—

SMITH MACKENZIE & Co.

RAHTJEN'S COMPOSITIONS.

THE RED HAND BRAND.

ANTIFOULING FOR SHIPS.

HARTMANN'S ANTICORROSIVE PAINTS

**FOR INSIDES OF VESSELS AND
ALL KINDS OF METAL WORK.**

SPECIMENS ON VIEW.

AT

SMITH MACKENZIE & Co.

British India Steam Navigation Company Ltd.

MANAGING AGENTS IN INDIA:—

AGENTS IN BOMBAY:—

MESSRS. MACKINNON, MACKENZIE & CO. CALCUTTA.

MESSRS. MACKINNON, MACKENZIE & CO. BOMBAY.

*Bombay, Aden, Mombasa, & Zanzibar Mail Line connecting
with the Bombay & Zanzibar direct Line for Southern
Ports to Delagoa-Bay.*

A Company's steamer will leave Zanzibar three days after the due date of the mail steamers arrival from Aden and touch the following ports Ibo, Mozambique, Beira, Delagoa Bay, calling at the same ports on her return voyage.

Particulars to be had at Agents Office.

The Bombay-Seychelles-Mombasa-Zanzibar line dates are subject to alterations.

SPECIAL NOTICE TO PASSENGERS.

Under arrangements with the Peninsular and Oriental S. N. Co., passengers proceeding London or any other port of call of that Coy's steamers, can be booked at through rates, to be retained from the undersigned. Passengers can also be booked for Aden only by the B. I. S. N. steamers making their own arrangements as to on carrying steamer.

MAILS HOMEWARDS.

ZANZIBAR.	MOMBASA.	ADEN.	MAILS DUE IN LONDON.
LEAVE.	*ARRIVE AND LEAVE.	ARRIVE.	
Thursday 5 P.M., 23 January 20 February 20 March 17 April Friday. 16 May 13 June 11 July 8 August 5 September Thursday 2 October 30 October 27 November 25 December	Friday 24 January 21 February 21 March 18 April Saturday 17 May 14 June 12 July 9 August 6 September Friday 3 October 31 October 28 November 26 December.	Tuesday Daylight 4 February 4 March 1 April 29 April Wednesday 28 May 25 June 23 July 20 August 17 September Tuesday 14 October 11 November 9 December 1903 6 January	Sunday 16 February 16 March 13 April 11 May Monday 9 June 7 July 4 August 1 September 29 September Sunday 26 October 23 November 21 December 1903 18 January

* The departure from Mombasa may be delayed for two days at the Company's option. In most instances, however, steamers leave for Aden on the day of their arrival from Zanzibar.

RATES OF PASSAGE MONEY.

Per B. I. S. N. Co's. Steamer to Aden.....Rs. 280, 1st CLASS, Rs. 187, 2ND CLASS.
Do. do. do. and thence per

P. & O. to London.....Rs. 830, 1st CLASS, Rs. 587, 2ND CLASS.

A surtax of 10 % is meantime added to the above rates.

NOTICE TO CONSIGNEES.

Any claim for damage to goods must be brought to the notice of the Agents not later than three days after landing of the steamer's cargo has been completed. No claims will be admitted unless brought to the notice of the Agents within the above mentioned period.

For further particulars regarding freight and passage money apply to the undersigned.

SMITH MACKENZIE & CO.
AGENTS.

B.I.S.N. CO., P. & O.S.N. CO.