

THE  
OFFICIAL GAZETTE

OF THE

EAST AFRICA



AND UGANDA

PROTECTORATES.

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EAST AFRICA PROTECTORATE.

AN ORDINANCE

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

C. ELIOT,  
His Majesty's Commissioner.

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No. 28 OF 1902.

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*Appeals.*

It is hereby enacted as follows:—

1. This Ordinance may be cited as "The Appeals Ordinance, 1902."

2. In any case in which there would have been a right to appeal from His Majesty's Court for East Africa or from any other court in the Protectorate to His Britannic Majesty's Court for Zanzibar or to any other court in Zanzibar under the East Africa Order-in-Council 1897 or any Order-in-Council amending the same or under any King's Regulations made under the said Orders, there shall be a right to appeal to His Britannic Majesty's Court of Appeal for Eastern Africa.

3. Pending the issue of rules of court, the practice and procedure on appeals to the said Court of Appeal from any court in the Protectorate shall be the same, so far as practicable, as the practice and procedure heretofore in use upon appeals to His Britannic Majesty's Court for Zanzibar or to any other court in Zanzibar.

C. ELIOT,  
His Majesty's Commissioner.

Mombasa, November 13th, 1902.

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AN ORDINANCE

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

C. ELIOT,  
Commissioner.

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No. 29 OF 1902.

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*King's African Rifles.*

It is hereby enacted as follows:—

1. This Ordinance may be cited as "The King's African Rifles Ordinance Short title. 1902."

Interpretation of terms.

## 2. In this Ordinance—

(1.) "Officer" means an officer commissioned or in pay as an officer in His Majesty's Imperial, Colonial, or Protectorate forces, or any arm, branch or part thereof. Warrant and other officers holding honorary commissions are officers within the meaning of this Ordinance.

(2.) "Native officer" means any officer other than European above the rank of sergeant-major.

(3.) "Non-commissioned officer" includes an acting non-commissioned officer, and a school-master and an enlisted clerk, but does not include British non-commissioned officers, who are subject to the Army Act.

(4.) "Soldier" does not include an officer as above defined, but includes every other person subject to this Ordinance during the time that he is so subject.

(5.) "Superior officer," when used in relation to a soldier, includes all officers and non-commissioned officers.

(6.) "Military decoration" means any medal, clasp, good-conduct badge or decoration.

(7.) "Military reward" means any gratuity for long service or good conduct; it also includes any good-conduct pay or any other military pecuniary reward.

(8.) "Enemy" includes all armed mutineers, armed rebels, armed rioters, and pirates.

(9.) "Army Act" means the Imperial Statute 44 and 45 Vict., cap. 58, as amended from time to time, or any Imperial enactment substituted therefor.

(10.) "Commanding officer" means the officer in command of a battalion, and in relation to any officer, native officer, non-commissioned officer, or private, means the officer in command of the battalion to which such officer, native officer, non-commissioned officer, or private belongs.

(11.) "Inspector-General" means the inspector-general of the King's African Rifles.

3. This Ordinance is divided into four parts relating to the following subject matters, that is to say:—

Part I. Constitution and Government.

Part II. Enlistment, Discharge, and Service.

Part III. Discipline.

Part IV. General Provisions.

Division of Ordinance.

## PART I.—CONSTITUTION AND GOVERNMENT.

Constitution of regiment.

4. There shall be established and maintained in the Protectorate a battalion of troops to be styled and known as the 3rd Battalion of the King's African Rifles.

Duties of regiment.

5.—(1.) The battalions shall form part of a regiment of His Majesty's forces styled the King's African Rifles, hereinafter called the regiment.

(2.) The regiment shall be charged with the defence of the East Africa, Uganda, British Central Africa, and Somaliland Protectorates, with the maintenance of order and with such other duties as may be from time to time defined by the Commissioner of the Protectorate, within which any portion of the regiment may from time to time be stationed.

Appointment of officers, &c.

6.—(1.) A battalion shall consist of an officer with the rank of Lieutenant-Colonel or Major in command and such other officers, native officers, non-commissioned officers and privates, as the Commissioner, subject to the directions of the Secretary of State, shall determine.

(2.) Officers other than native officers shall be appointed by the Secretary of State.

(3.) Officers, native officers, non-commissioned officers, and privates, shall receive such rates of pay as the Commissioner, subject to the directions of the Secretary of State, shall determine.

(4.) The officers, native officers, non-commissioned officers and privates of the battalion shall stand with each other in order of precedence and command as they have been here named.

(5.) Officers of the same rank will stand with each other in the battalion and in the regiment according to the date of their appointment to or promotion in the regiment. If two or more officers are appointed on the same date their seniority will be determined by their respective army rank.

(6.) The Commissioner may from time to time fill up all vacancies that may occur from removal, death, absence, incapacity, or other cause, by promotion or fresh appointments, and may at any time enrol fit men as privates of the regiment, and every such enrolment shall be an appointment under this Ordinance.

7.—(1.) The inspector-general shall be appointed by the Secretary of State, who may prescribe his duties. Inspector-general : duties of, &c.

(2.) The inspector-general shall inspect and report to the Secretary of State upon all officers, native officers, non-commissioned officers, and privates of the regiment, whether within or without the Protectorate, and upon the organization, interior economy, and drill of the six battalions, and upon all matters appertaining to their welfare and efficiency.

(3.) The inspector-general may, whether within or without the Protectorate, issue instructions with regard to the organization, interior economy, and drill of the regiment or any part thereof, and the officers, and native officers, non-commissioned officers, and privates of the regiment shall conform to all such instructions.

(4.) The Protectorate shall make such contribution towards the expenses of the inspector-general and to the expenses of the 3rd Battalion when serving out of the Protectorate as the Secretary of State may determine.

8.—(1.) The Commissioner may at any time and for any purpose as the Secretary of State may direct, order that a battalion or any part thereof that may be stationed in the Protectorate shall be employed out of and beyond the Protectorate. Employment beyond Protectorate.

(2.) The Commissioner may, on the recommendation of the commanding officer, order that any non-commissioned officer or private of the regiment, shall proceed to the United Kingdom for the purpose of undergoing instruction or training or for other duty or employment.

9. This Ordinance shall not apply to the native officers, non-commissioned officers, and privates of any battalion of the regiment which is recruited in India, but the said native officers, non-commissioned officers, and privates shall be subject to the Indian Articles of War, and the Indian Articles of War are hereby applied to such native officers, non-commissioned officers, and privates while serving in the Protectorate. Indian battalion : application of Indian Articles of War.

10. The commanding officer, subject to the orders and directions of the Commissioner, shall have the command, direction, and general superintendence of the battalion, including appointments, promotions, and reductions in the native ranks. Duty of commanding officer.

11. The officers of the regiment, when posted to any station or district, shall be charged with the command, direction, and superintendence of the non-commissioned officers and privates of the regiment from time to time posted within such station or district, subject to the orders of the commanding officer and of the Commissioner. When not posted to a station or district, the officers shall have such command and such duties as the commanding officer, subject to the orders of the Commissioner, may direct. Duties of officers.

12. The commanding officer shall be charged with, and accountable for, all public stores of whatever description belonging to or appertaining to that battalion in case of their being lost, spoiled, or damaged, otherwise than by unavoidable accident, theft, robbery, or actual service. Responsibility of commanding officers for stores.

13. Every officer in command of any detachment of the regiment shall be charged with the arms, accoutrements, ammunition, clothing, and all other public stores, and with all public moneys issued and delivered for the use of the detachment of the regiment under his command, and shall account for such arms, accoutrements, ammunition, clothing, and stores to the commanding officer in case of their being lost, spoiled, or damaged otherwise than by unavoidable accident, theft, robbery, or actual service, and to the paymaster of his battalion for such public moneys in case of their being lost, otherwise than by unavoidable accident, theft, or robbery. Responsibility of officers commanding detachments for stores.

14. The paymaster of a battalion shall be charged with such duties in connection with the accounts of a battalion as may be intrusted to him by the commanding officer. The quartermaster shall have the immediate custody of, and account to his commanding officer for all arms, accoutrements, clothing, necessities, ammunition, and other Government stores appertaining to the battalion in his charge, and he shall issue the same upon the requisition of his commanding officer, or according to such regulations as the Commissioner may from time to time prescribe. Duty and responsibility of pay and quartermasters.

Commissioner to make Regulations, &c.

15. The Commissioner may from time to time, in consultation with the commanding officer, make such rules and regulations consistent with this Ordinance and subject to the provisions thereof, relative to the battalions, as may be necessary for the purpose of preventing the spread of contagious disease, and to render the force efficient in the discharge of its duties, and for the discipline, good order, and guidance of the force, for the form and method of enlistment of the persons constituting the same, and for their general government, the services required of them, their conduct in the performance thereof, their distribution, posting, and removal from station to station and their inspection, and for the description, supply, use and disposal of arms, accoutrements, clothing, necessities, and other warlike stores, to be furnished to them, and also with relation to the fiscal duties to be performed by the pay or quarter-masters and other officers with relation to the regiment, and generally for the better carrying out of the provisions of this Ordinance. Such rules shall come into operation upon the publication thereof in the Gazette, or at such time as shall be provided therein.

## PART II.—ENLISTMENT, DISCHARGE, AND SERVICE.

First term of engagement.

16. Every private shall be enlisted for the first term of engagement to serve in the regiment for three years, or such less period as may from time to time be fixed by the Commissioner, the term to be reckoned from the day on which the recruit shall have been finally approved for service and taken on the strength of the regiment.

Re-engagement and continuance in service.

17.—(1.) Any non-commissioned officer or private of good character who at any time has completed, or is within three months of completing, the term of his engagement may, with the approval of his commanding officer, re-engage to serve for a further term of three years or less from the expiration of his first period.

(2.) Any non-commissioned officer or private of good character who has completed at least twelve years' service may, with the approval of his commanding officer, re-engage for such period as shall complete a total period of twenty-one years' service, reckoning from the time of his first enlistment.

(3.) And upon completing such period of twenty-one years' service, he may, if he so shall desire, and with the approval of his commanding officer, and of the Commissioner, continue in the regiment in the same manner in all respects as if his term of service were still unexpired, except that it shall be lawful for him to claim his discharge at the expiration of any period of three months after he has given notice to the officer under whose command he is serving of his wish to be discharged.

Conditions of re-engagement.

18.—(1.) Any non-commissioned officer or private who, being entitled to his discharge at the expiration of his first, second, third, or fourth period of service, re-engages for further service with the approval of his commanding officer, will be allowed to proceed on three months' furlough, and will receive during that period the half-pay of his rank.

(2.) If a non-commissioned officer or private offers to re-engage within three months after having received a certificate of discharge, he will, on re-engagement, be entitled to the advantages to which he was entitled with regard to good conduct badges, pay, and rank at the time of his discharge. If, however, a longer period than three months from the date of his discharge has elapsed, then it will be discretionary with the commanding officer to allow the service, or part of the service, of such person previous to the date of such re-engagement to reckon towards good-conduct pay and badges; the question of the rank in which the non-commissioned officer or private re-engages being also left to the discretion of the commanding officer.

Declaration on enlistment, &c.

19. Every man enlisting or re-engaging in the regiment as aforesaid shall, previous to his being approved or re-engaged, make the following declaration, and shall confirm such declaration by oath in his native language in such manner as he may declare to be most binding upon his conscience:—

I, A. B., do hereby solemnly and sincerely declare and promise that I will be faithful and bear true allegiance to His Majesty King Edward VII, his heirs and successors, and that I will faithfully serve and defend His Majesty the King, his heirs and successors, for a period of three\* years, and will obey all orders of His Majesty and of the officers placed

\* In case of re-engagement for a period other than three years this figure must be altered as the case may require.

over me, and subject myself to all ordinances, rules, and regulations relating to the King's African Rifles now in force, or which may from time to time be in force, within the said period.

Declared at                      this                      day of                      , 19                      , before me.  
Signature or mark of recruit.  
Signature of officer.

The declaration and oath shall be made on parade before the senior officer of the regiment for the time being at the station at which the declaration and oath are made, and shall be preserved as a part of enlistment papers of every recruit.

20. Any non-commissioned officer or private whose period of service expires during a state of war, insurrection, or hostilities, may be detained, and his service prolonged for such further period, not exceeding twelve months, as the Commissioner may direct. Prolongation of service terminating during war.

21. Subject to the provisions of section 17 and of the last preceding section, every non-commissioned officer and private who has completed his period or periods of engagement or service according to the provisions of this Ordinance, shall be discharged by his commanding officer, unless at the expiration of any period he is undergoing punishment for, or stands charged with the commission of, any offence under this Ordinance, and in case he is undergoing such punishment, or is charged with any such offence, his service shall be prolonged and his discharge deferred until such punishment shall have terminated, or until he has undergone his trial and any punishment awarded in respect of the offence with which he is charged. Discharge on completion of service.

22. Every non-commissioned officer and private, until he has received a certificate of discharge, shall remain subject to all the provisions of this Ordinance and to all rules and regulations made in pursuance thereof. Non-commissioned officers and privates subject to all regulations until formal discharge.

23. A non-commissioned officer or private may be discharged by his commanding officer at any time during the currency of any term of engagement— Discharge when unfit for service or on being dismissed.

- (a.) When pronounced by the medical officer mentally or physically unfit for further service.
- (b.) When sentenced to be dismissed the regiment for misconduct.
- (c.) If within six months of attestation his commanding officer shall consider that he is unlikely to become an efficient soldier.
- (d.) On reduction of establishment.

24. In reckoning the service of any non-commissioned officer or private for discharge, either in the case of limited engagements, whether for the first, second, third, or fourth term, or for the total period of twenty-one years' service, there shall be excluded therefrom all periods during which he has been absent from his duty from any of the following causes :— Rules for reckoning service.

- (a.) Imprisonment for any cause save that of detention awaiting any trial which results in the acquittal or discharge of the prisoner.
- (b.) Imprisonment with hard labour.
- (c.) Desertion for any period.
- (d.) Absence without leave exceeding forty-eight hours.

25. Whenever any non-commissioned officer or private ceases to belong to the regiment, either by being dismissed therefrom, or by being discharged on the termination of his period of engagement, or as unfit for further service, or on reduction of establishment, all powers and authorities vested in him shall immediately cease and determine, and he shall, before a certificate of discharge is delivered to him, deliver over his arms, ammunition, accoutrements, uniform, and other appointments which are the property of the Protectorate Administration, to such person and at such time and place as shall be directed by the officer under whose command he may be at the time of ceasing to belong to the regiment; provided that a soldier discharged before the expiration of one year for any fault, or as not likely to make an efficient soldier, shall not take away with him any arms, or any articles of uniform or equipment described by any rules or regulations as personal property of soldiers. Consequence of discharge or dismissal.

26. Every non-commissioned officer under the rank of sergeant, and every private, who shall have served for three years without having incurred a sentence of :— Good conduct pay.

- (a.) Imprisonment or confinement to barracks for more than seven days ;
- (b.) Imprisonment with hard labour for any term ;
- (c.) Fine in any sum exceeding 5s. ;
- (d.) Corporal punishment ;

shall be entitled to bear one good-conduct badge, and to receive extra pay at the rate of 1s. per month; and for every subsequent period of three years which he shall have served under like conditions he shall be entitled to bear one additional good-conduct badge, and to receive extra pay at the rate of one additional shilling per month for each badge; provided that no non-commissioned officer or private shall receive more than six good-conduct badges.

Gratuities on discharge, &c.

27.—(1.) Gratuities at the following rates, in lieu of pension, shall be granted on discharge after a continuous good service extending to a period of twelve years, viz. :—

	£
To native officers...	40
„ sergeants-major	20
„ sergeants	10
„ corporals	8
„ lance-corporals and privates	6

And at the following rates after a total continuous good service extending to twenty-one years, viz. :—

	£
To native officers	60
„ sergeants-major	30
„ sergeants	15
„ corporals	12
„ lance-corporals and privates	9

(2.) No increased rates of gratuity shall be paid in respect of any period of service in excess of a total service of twenty-one years; and no native officer, non-commissioned officer, or private, who has received a gratuity on discharge after twelve years' service shall, in the event of his afterwards re-enlisting, receive in respect of his service after such re-enlistment any higher gratuity than may, together with such first gratuity, be equal to the gratuity which he would have earned by continuous service for twenty-one years.

(3.) Where any non-commissioned officer or private is discharged as unfit for further services, or on account of reduction of establishment, before completing such continuous period of twelve years or of twenty-one years as aforesaid, he may receive such proportion of the gratuity which he would have earned if he had completed the period of service he is then passing through as his commanding officer may, in his discretion, determine, and, in the event of the death of any non-commissioned officer or private before receipt by him of such gratuity, it shall be lawful for the Commissioner to direct and cause the amount thereof to be paid to or for the benefit of the widow or widows, or child or children, or to any next of kin of the non-commissioned officer or private so dying, on such conditions and, if to or for the benefit of more than one person, in such proportions, as to the Commissioner shall seem fit.

Gratuities on decease.

28. Any gratuity that would have been due and payable to any non-commissioned officer or private had he taken his discharge under the provisions of this Ordinance shall, in the event of his re-engaging for a further term and dying in the service before the completion of such term, be deemed for the purposes of this Ordinance to be his personal property in the charge of the Treasurer for the time being, and shall be paid out and distributed by the Treasurer or such other person as he may appoint in accordance with the provisions and conditions of this Ordinance.

Regiment may be temporarily increased.

29. It shall be lawful for the Commissioner, subject to the directions of the Secretary of State, when occasion arises to enrol for a limited period such number of officers, native officers, non-commissioned officers, and privates, as he shall deem necessary: the period or number limited by such order may from time to time be prolonged, shortened, increased, reduced, or varied, by any subsequent order of the Commissioner; provided that no man shall be compelled to serve for a longer period than that for which he was enrolled under this section, except with his own consent.

Condition of service of persons temporarily enrolled.

30. Save as hereinafter enacted, all the provisions of this Ordinance, and of any Ordinance amending or extending the same, and of the rules and regulations which may from time to time be in force shall, so far as they may be applicable, apply to all officers, native officers, non-commissioned officers, and privates enrolled under the last preceding section; and such officers, native officers, non-commissioned officers, and privates shall be deemed to be for all purposes part of the regiment as long as they shall be enrolled therein.

Provided always that when any officers, native officers, non-commissioned officers, or privates who are enrolled in, belong to, or are in the service of any Colony or other Protectorate shall be enrolled for temporary service in the Protectorate under this Ordinance, the rate of pay to be given them, the mode and

time of payment, and all other matters relating to the pay and remuneration of such officers, native officers, non-commissioned officers, and privates, may be arranged between the Commissioner and the officer administering the government of the Colony or Protectorate in which the said officers, native officers, non-commissioned officers, and privates may be previously enrolled, or in the service of which they may be, and paid accordingly; but subject to this proviso, all officers, native officers, non-commissioned officers, and privates temporarily enrolled under this Ordinance shall receive the rates of pay respectively drawn by officers, native officers, non-commissioned officers, and privates of equal rank in the regiment.

31. Every non-commissioned officer and private temporarily enrolled under this Ordinance shall make the following declaration, and shall confirm his declaration by oath in his native language in such manner as he may declare to be most binding upon his conscience :—

Oath on temporary enrolment.

I, A. B., do hereby solemnly and sincerely declare and promise that I will be faithful and bear true allegiance to His Majesty King Edward VII, his heirs and successors, and that I will faithfully serve and defend His Majesty the King, his heirs and successors, and the Government of the Protectorate until I am discharged, and will obey all orders of His Majesty and of the officers placed over me, and subject myself to all ordinances, rules and regulations relating to the King's African Rifles now in force, or which may from time to time be in force during my service.

Signature or mark.

Declared at , this day of

19 , before me.

Signature of officer.

The declaration and oath shall be made on parade before the senior officer of the regiment for the time being at the station at which the declaration and oath are made, and shall be preserved as a part of the enlistment papers of every recruit.

### PART III.—DISCIPLINE.

32. The Army Act and any Articles of war or rules made in pursuance of such Act, and for the time being in force, shall, as to the provisions therein contained respecting discipline, apply—

- (a.) At all times to European officers and non-commissioned officers appointed to or attached to the regiment.
- (b.) To native officers, non-commissioned officers, and privates when on active service, within the meaning of the said Act; provided that any native officer, non-commissioned officer or private who is guilty of any offence named in this part of the Ordinance or in the Army Act when on active service within the meaning of that Act, may be punished as provided by this Ordinance.
- (c.) To native officers, non-commissioned officers and privates during their residence in the United Kingdom when sent there for the purpose of undergoing instruction or training, or other duty or employment.

33. The remaining sections of this Part of the Ordinance apply to native officers, non-commissioned officers, and privates not on active service—

Application of sections 32-55.

- (a.) When in the Protectorate.
- (b.) When employed out of and beyond the Protectorate, in accordance with section 8 (1), of this Ordinance, in so far as they may be applicable.

#### *Crimes and Punishments.*

34. Every person subject to this Ordinance who—

- (1.)—(a.) Causes or conspires with any other persons to cause any mutiny or sedition; or
- (b.) Endeavours to seduce any person from allegiance to His Majesty, or to persuade any person to join in any mutiny or sedition; or
- (c.) Joins in, or being present does not use his utmost endeavours to suppress, any mutiny or sedition; or
- (d.) Coming to the knowledge of any actual or intended mutiny or sedition does not without delay inform his commanding or other superior officer of the same; or who

Mutiny and sedition.

Striking or threatening superior officer, being in the execution of his office.	(2.) Strikes or uses or offers any violence to his superior officer, being in the execution of his office ; or who
Defiant disobedience to superior officer, in the execution of his office.	(3.) Disobeys in such manner as to show a wilful defiance of authority any lawful command given personally by his superior officer in the execution of his office, whether the same is given orally, or in writing, or by signal, or otherwise,
Punishment for offences in this section.	shall, on conviction, be liable to suffer death, or such less punishment as is in this Ordinance mentioned.
Repeated desertion.	35.—(1) Every person subject to this Ordinance who— (a.) Deserts, or attempts to desert, and shall be proved to have previously committed a similar offence ; or (b.) Persuades, endeavours to persuade, procures, or attempts to procure, any person to desert, and shall be proved to have previously committed a similar offence ; or (c.) When belonging to any of His Majesty's Imperial or other forces, without having first obtained a regular discharge therefrom, or otherwise fulfilled the conditions enabling him to enlist, enlists in any other of His Majesty's Imperial or other forces, and shall be proved to have previously committed a similar offence,
Repeated fraudulent enlistment.	Shall, on conviction, be liable to suffer imprisonment, or such less punishment as is in this Ordinance mentioned.
Punishment for offences in this section.	(2.) Where an offender has fraudulently enlisted once or oftener he may, for the purposes of this section, be deemed to belong to any one or more of the corps to which he has been appointed or transferred, as well as to the corps to which he properly belongs ; and it shall be lawful to charge an offender with any number of offences against this section at the same time, and to give evidence of such offences against him, and, if he be convicted thereof, to punish him accordingly.
Fraud by persons in charge of moneys or goods.	36. Every person subject to this Ordinance who— (1.) Being charged with or concerned in the care or distribution of any public or regimental money or goods, steals, fraudulently misapplies, or embezzles the same, or is concerned in or connives at the stealing, fraudulent misapplication, or embezzlement thereof, or wilfully damages any such goods ; or who— (2.)—(a.) When in command of a guard, piquet, patrol, or post, wilfully releases without proper authority any prisoner committed to his charge ; or (b.) Wilfully allows to escape any prisoner who is committed to his charge, or whom it is his duty to keep or guard,
Wilfully permitting escape of prisoner.	shall, on conviction, be liable to suffer imprisonment, or such less punishment as is in this Ordinance mentioned.
Punishment for offences in this section.	37. Every person subject to this Ordinance who— (1.)—(a.) Without orders from his superior officer, leaves his guard, piquet, patrol, or post ; or (b.) Forces or strikes a soldier when acting as sentinel ; or (c.) Impedes the provost-marshal or any assistant provost-marshal, or any officer or non-commissioned officer or other person legally exercising authority under or on behalf of the provost-marshal, or, when called on, refuses to assist in the execution of his duty, the provost-marshal, assistant provost-marshal, or any such officer, non-commissioned officer, or other person ; or (d.) Forces a safeguard ; or (e.) Leaves his commanding officer for the purpose of committing any offence against the property or person of any inhabitant of, or resident in, the country in which he is serving ; or (f.) Breaks into any house or other place for the purpose of committing any offence against the property or person of any inhabitant of, or resident in, the country in which he is serving ; or (g.) Commits any offence against the property or person of any inhabitant of, or resident in, the country in which he is serving ; or (h.) Does violence to any person bringing provisions or supplies to the forces ; or (i.) Irregularly detains or appropriates to his own regiment, battalion, or detachment any provisions or supplies proceeding to the forces, contrary to any orders issued in that respect ; or
Offences in relation to guards, &c.	
Offences in relation to inhabitants.	
Irregular detention, &c., of supplies.	



- (j.) Being a soldier acting as sentinel, commits any of the following offences ; that is to say—
- (i.) Sleeps or is drunk on his post ; or
- (ii.) Leaves his post before he is regularly relieved ; or who
- (2.) Strikes or uses or offers any violence to his superior officer, or uses threatening or insubordinate language to his superior officer ; or who
- (3.)—(a.) Strikes or uses or offers violence to any person, whether subject to this Ordinance or not, in whose custody he is placed, and whether he is or is not his superior officer ; or
- (b.) Resists an escort whose duty it is to apprehend him or to have him in charge ; or
- (c.) Breaks out of barracks, camp, or quarters ; or who
- (4.) Disobeys any lawful command given by his superior officer ; or who
- (5.) Neglects to obey any general, or garrison, or other orders ; or who
- (6.)—(a.) Deserts or attempt to desert ; or
- (b.) Persuades, or endeavours to persuade, procures, or attempts to procure, or assists any person to desert ; or
- (c.) Being cognisant of any desertion or intended desertion of any person, does not forthwith give notice to his superior officer, or take any steps in his power to cause the deserter or intending deserter to be apprehended ; or
- (d.) When belonging to any of His Majesty's Imperial or other forces, without having first obtained a regular discharge therefrom, or otherwise fulfilled the conditions enabling him to enlist, enlists in any other of His Majesty's Imperial or other forces ; or
- (e.) Having been discharged with disgrace from any part of His Majesty's Imperial or other forces ; or having been dismissed with disgrace from the navy, has afterwards enlisted without declaring the circumstances of his discharge or dismissal ; or
- (f.) Is concerned in the enlistment of any man, when he knows or has reasonable cause to believe such man to be so circumstanced that by enlisting he commits an offence against this Ordinance ; or who
- (7.)—(a.) Absents himself without leave ; or
- (b.) Fails to appear at the place of parade or rendezvous appointed by his superior officer, or goes from thence without leave before he is relieved, or without urgent necessity quits the ranks ; or
- (c.) When in camp or garrison or elsewhere, is found beyond any limits fixed or in any place prohibited by any general, garrison, or other order, without a pass or written leave from his officer ; or
- (d.) Without leave from his officer, or without due cause, absents himself from any school when duly ordered to attend there ; or who
- (8.)—(a.) Attempts to commit suicide ; or
- (b.) Malingers, or feigns or produces disease or infirmity ; or
- (c.) Wilfully maims or injures himself or any other soldier, whether at the instance of such other soldier or not, with intent thereby to render himself or such other soldier unfit for service, or causes himself to be maimed or injured by any person, with intent thereby to render himself unfit for service ; or
- (d.) Is wilfully guilty of any misconduct, or wilfully disobeys, whether in hospital or otherwise, any orders, by means of which misconduct or disobedience he produces or aggravates disease or infirmity, or delays its cure ; or
- (e.) Steals or embezzles, or receives, knowing them to be stolen or embezzled, any money or goods the property of a comrade or of an officer, or any money or goods belonging to any regimental mess, band, or institution, or any public money or goods ; or
- (f.) Is guilty of any other offence of a fraudulent nature not before in this Ordinance particularly specified, or of any other disgraceful conduct of a cruel, indecent, or unnatural kind ; or who
- (9.) Commits the offence of drunkenness, whether on duty or not on duty ; or who
- (10.)—(a.) When in command of a guard, piquet, patrol, or post, releases without proper authority any prisoner committed to his charge ; or
- (b.) Allows to escape any prisoner who is committed to his charge, or whom it is his duty to keep or guard ; or who
- Misbehaviour of sentinel.
- Insubordination.
- Disobedience.
- Neglect to obey garrison or other orders.
- Desertion.
- Fraudulent enlistment.
- Enlistment of soldier or sailor discharged with ignominy or disgrace.
- Absence without leave.
- Disgraceful conduct of soldier.
- Drunkenness.
- Permitting escape of prisoner.

- Corrupt dealings in respect of supplies to forces.
- (11.)—(a.) Commits or connives at any extortion ; or  
 (b.) Without proper authority exacts from any person, carriage, porters or provisions ; or  
 (c.) Lays any duty upon, or takes any fee or advantage in respect of, or in any way interested in, the sale of provisions or merchandise brought into any garrison, camp, station, barrack, or place, in which he has any command or authority, or the sale or purchase of any provisions or stores ; or who
- Deficiency in and injury to equipment.
- (12.)—(a.) Makes away with, or is concerned in making away with, his arms, ammunition, equipments, instruments, clothing, regimental necessaries, or any animal of which he has charge ; or  
 (b.) Loses by neglect anything before in this paragraph mentioned ; or  
 (c.) Makes away with any military decoration granted to him ; or  
 (d.) Wilfully injures anything before in this paragraph mentioned or any property belonging to a comrade, or to an officer, or to any regimental mess, band, or institution, or any public property ; or  
 (e.) Ill-treats any animal used in the public service ; or who
- Falsifying official documents and false declarations.
- (13.)—(a.) In any report, return, muster roll, pay list, certificate, book, route, or other document made or signed by him, or of the contents of which it is his duty to ascertain the accuracy, knowingly makes or is privy to the making of any false or fraudulent statement, or knowingly makes or is privy to the making of any omission with intent to defraud ; or  
 (b.) Knowingly and with intent to injure any person, or knowingly and with intent to defraud, suppresses, defaces, alters, or makes away with any document which it is his duty to preserve or produce ; or  
 (c.) Where it is his official duty to make a declaration respecting any matter, knowingly makes a false declaration ; or  
 (d.) When signing any document relating to pay, arms, ammunition, equipments, clothing, regimental necessaries, provisions, furniture, bedding, blankets, sheets, utensils, forage, or stores, leaves in blank any material part for which his signature is a voucher ; or  
 (e.) Refuses or by culpable neglect omits to make or send a report or return which it is his duty to make or send ; or who
- Neglect to report, and signing in blank.
- (14.)—(a.) Makes a false accusation against any officer or soldier, knowing such accusation to be false ; or  
 (b.) In making a complaint, where he thinks himself wronged, knowingly makes any false statement affecting the character of any officer or soldier, or knowingly and wilfully suppresses any material facts ; or  
 (c.) Makes a wilfully false statement to any military or judicial officer in respect of his military service ; or who—
- False accusation or false statement.
- (15.)—(a.) Being duly summoned or ordered to attend as a witness before a court-martial, makes default in attending ; or  
 (b.) Refuses to take an oath or make a solemn declaration legally required by a court-martial to be taken or made ; or  
 (c.) Refuses to produce any document in his power or control legally required by a court-martial to be produced by him ; or  
 (d.) Refuses when a witness to answer any question to which a court-martial may legally require an answer ; or  
 (e.) Is guilty of contempt of a court-martial by using insulting or threatening language, or by causing any interruption or disturbance in the proceedings of such court ; or
- Offences in relation to courts-martial.
- (f.) When examined on oath or solemn declaration before a court-martial or any court or officer authorized by this Ordinance to administer an oath, wilfully gives false evidence ; or who
- False evidence.
- (16.) Uses traitorous or disloyal words regarding the Sovereign ; or who
- Traitorous words.
- (17.) Without due authority, either verbally or in writing or by signal or otherwise, discloses the numbers or position of any forces, or any magazines or stores thereof, or any preparations for, or orders relating to, operations or movements of any forces, at such time and in such manner as may be injurious to His Majesty's service ; or who
- Injurious disclosures.
- (18.) Being a native officer or non-commissioned officer,  
 (a.) Strikes or otherwise ill-treats any soldier ; or  
 (b.) Having received the pay of any non-commissioned officer or soldier, unlawfully detains or unlawfully refuses to pay the same when due ; or who
- Ill-treating soldier.

(19.) On application being made to him, neglects or refuses to deliver over to the civil magistrate, or to assist in the lawful apprehension of, any non-commissioned officer or private accused of an offence punishable by a civil court; or who

Refusal to deliver to civil power soldiers accused of civil offences.

(20.) Is guilty of any act, conduct, disorder, or neglect, to the prejudice of good order and military discipline,

Conduct to prejudice of military discipline.

shall on conviction be liable to suffer imprisonment not exceeding two years, or such less punishment as is in this Ordinance mentioned.

Punishment for offences in this section.

Provided that, in the case of conviction for drunkenness, the offender shall be liable, either in addition to or in substitution for any other punishment, to pay a fine not exceeding 1*l*. For the purposes of this section the expression "drunkenness on duty" means drunkenness committed on the march or otherwise on duty, or after the offender was warned for duty, or when by reason of the drunkenness the offender was found unfit for duty.

38. Punishment may be inflicted in respect of offences committed by persons subject to this Ordinance and convicted by court-martial according to the scale following:—

Scale of punishments by courts-martial.

(a.) Death.

(b.) Imprisonment with or without hard labour, for a term not exceeding five years.

(c.) Discharge with ignominy from His Majesty's service.

(d.) Reduction in the case of a non-commissioned officer to a lower grade, or to the ranks.

(e.) Corporal punishment not exceeding twenty-four lashes.

(f.) Forfeitures, fines, and stoppages.

Provided that—

(1.) A soldier when sentenced to imprisonment may, in addition thereto, be sentenced to be discharged with ignominy from his Majesty's service.

(2.) In addition to or without any other punishment in respect of any offence, an offender convicted may be subject to forfeiture of any service towards gratuity, military decoration, or military reward.

(3.) In addition to or without any other punishment in respect of any offence, an offender may be sentenced to any deduction authorized by this Ordinance to be made from his ordinary pay.

(4.) The Commissioner shall, by regulation, prescribe the instrument with which corporal punishment under this section shall be inflicted.

#### *Arrest.*

39. The following regulations shall be enacted with respect to persons subject to this Ordinance when charged with offences punishable under this Ordinance.

Arrest.

(1.) Every person subject to this Ordinance when so charged may be taken into military custody: Provided, that in every case where any soldier remains in such military custody for a longer period than eight days without a court-martial for his trial being ordered to assemble, a special report of the necessity for further delay shall be made by his commanding officer in manner prescribed; and a similar report shall be forwarded every eight days until a court-martial is assembled or the soldier is released from custody:

(2.) Military custody means, according to the usages of His Majesty's service, the putting the offender under arrest or the putting him in confinement:

(3.) An officer may order into military custody any non-commissioned officer or private of the regiment, and any non-commissioned officer may order into military custody any private; and any such order shall be obeyed, notwithstanding the person giving the order and the person in respect of whom the order is given do not belong to the same corps, arm, or branch of the service:

(4.) An officer or non-commissioned officer commanding a guard, or a provost-marshal or assistant provost-marshal, shall not refuse to receive or keep any person who is committed to his custody by any officer or non-commissioned officer, but it shall be the duty of the officer or non-commissioned officer who commits any person into custody to deliver at the time of such committal or as soon as practicable, and in every case within twenty-four hours thereafter, to the officer, non-commissioned officer, provost-marshal, or assistant provost-marshal into whose custody the person is committed, an account either verbal or in writing, of the offence with which the person so committed is charged:

(5.) The charge made against every person taken into military custody shall without unnecessary delay be investigated by the proper military authority, and, as soon as may be, either proceedings shall be taken for punishing the offence, or such persons shall be discharged from custody.

*Power of Commanding Officer.*

Power of  
commanding  
officer.

40. The commanding officer shall, upon an investigation being had of a charge made against a person subject to this Ordinance of having committed an offence under this Ordinance, dismiss the charge, if he in his discretion thinks that it ought not to be proceeded with; but where he thinks the charge ought to be proceeded with, he may take steps for bringing the offender to a court-martial, or may deal with the case summarily.

- (1.) Where he deals with a case summarily, he may—
  - (a.) Award to the offender imprisonment, with or without hard labour, for any period not exceeding forty-two days.
  - (b.) Reduce any non-commissioned officer to a lower rank or to the rank of private.
  - (c.) Award corporal punishment not exceeding twenty-five lashes. The Commissioner shall, by regulation, prescribe the instrument with which such punishment shall be inflicted.
  - (d.) Dismiss the offender from the regiment.
  - (e.) Impose a fine not exceeding 10s., to be levied by stoppages from the offender's pay.
  - (f.) In addition to or without any other punishment, may order the offender to suffer any deduction from his ordinary pay to make good the amount of any loss or damage he may have caused.
  - (g.) Confinement to barracks for any period not exceeding twenty-one days, such confinement involving the taking of all duties in regular turn, attending parades and punishment drills, not exceeding one hour at a time, nor four hours in all on the same day, inclusive of ordinary parades, and also liability to employment on duties of fatigue;
  - (h.) Extra guards and piquets, but only for minor offences or irregularities when on or parading for guard or piquet.
- (2.) The offence of drunkenness may be dealt with and summarily punished by the commanding officer as follows:—
  - (a.) For the first and second offence the offender shall be admonished or confined to barracks;
  - (b.) For every subsequent offence the offender shall be fined according to such scale as the Commissioner may approve, such fines to be levied by stoppages from the offender's pay, but no single award is to exceed 10s.;
  - (c.) For an act of drunkenness on duty, or when an act of drunkenness is accompanied by any other offence, the offender may be sentenced to imprisonment, with or without hard labour, or confinement to barracks in addition to the fine;
  - (d.) Any non-commissioned officer convicted of drunkenness may be reprimanded or reduced to a lower rank or to the rank of a private.

Punishments for  
drunkenness.

ed by the

commanding officer as follows:—

*Powers of Officer Commanding a Detachment.*

Punishments  
which officers  
commanding  
detachments, &c.,  
may award.

41. Any officer commanding a detachment, or the Collector resident at and in charge of any station where there is a detachment but no officer of the regiment, may examine into the truth of any charge against a non-commissioned officer or private; and, if his decision is against the accused, he may impose on him any one or more of the following punishments:

- (1.) If a private—
  - (a.) Imprisonment, with or without hard labour, for any period not exceeding fourteen days;
  - (b.) Fine not exceeding 5s., except in the case of drunkenness, to be levied by stoppages from the offender's pay;
  - (c.) Confinement to barracks for any period not exceeding twenty-one days, such confinement involving the taking of all duties in regular turn, attending parades and punishment drills, not exceeding one hour at a time, nor four hours in all on the same day, inclusive of ordinary parades, and also liability to employment on duties of fatigue;
  - (d.) Extra guards and piquets, but only for minor offences or irregularities when on or parading for guard or piquet.
- (2.) If a native or non-commissioned officer—

Reprimand.

(3.) The offence of drunkenness may be dealt with and summarily punished, as laid down in section 40 (3) of this Ordinance, by such officer or Collector, except that any sentence of reduction on a non-commissioned officer must be confirmed by the commanding officer. Punishments for drunkenness.

Whenever it shall appear to the officer commanding a detachment or Collector as aforesaid that the offence which any non-commissioned officer or private has committed would, by reason of its aggravation or by reason of previous offences of the accused, not be adequately punished with any of the aforesaid punishments, or combinations of punishments, he shall delay passing sentence, and shall report the whole proceedings in the case to the commanding officer, who may send back such report for any further inquiry he considers requisite, or make any other or further order, or may rehear the case, as he may see fit. Cases of aggravated or repeated offence to be reported to commanding officer.

42. It shall be lawful for the commanding officer by writing under his hand to confer the powers of a commanding officer, as defined by section 38 of this Ordinance on the officer commanding any detachment, under such restrictions and for such period as he may think fit, and to revoke the same. Any sentence of reduction in the case of a non-commissioned officer, and any sentence of dismissal from the service, imposed under this section, shall be subject to the approval of the commanding officer. Delegation of powers of commanding officer to officer commanding detachment.

#### *Courts-Martial.*

43.—(1.) For the purposes of this Ordinance there shall be two kinds of courts-martial, that is to say— Description, constitution, and powers of courts-martial.

(a.) General courts-martial;

(b.) Regimental courts-martial.

(2.) A general court-martial shall be convened by the commanding officer, provided that he is in possession of a warrant authorizing him to convene a general court-martial, or provided that the power to convene and confirm general courts-martial has been delegated to him by the inspector-general.

(3.) A regimental court-martial shall be convened by the commanding officer, or some officer deriving authority to convene a regimental court-martial from him.

(4.) A general court-martial shall consist of not less than five officers, each of whom must have held a commission in His Majesty's service for not less than one year, unless the officer convening the court-martial is of opinion that five officers are not available, having due regard to the public service, in which case the court-martial may consist of three officers, in which case also the convening officer may preside.

(5.) A regimental court-martial shall consist of not less than three officers, each of whom must have held a commission in His Majesty's service for not less than one year, unless the officer convening the court-martial is of opinion that three officers are not available, having due regard to the public service, in which case the court-martial may consist of two officers.

(6.) A general court-martial shall have power to try all persons subject to this Ordinance, and to pass sentence of death or such less punishment as is in this Ordinance mentioned; provided that, if the court-martial consist of less than five members, sentence of death shall not be passed on any prisoner without the concurrence of all the members.

(7.) A regimental court-martial shall not award the punishment of death or of imprisonment in excess of two years; but, subject as aforesaid, any offence under this Ordinance committed by a person subject to this Ordinance may be tried and punished by a regimental court-martial.

(8.) The president of a court-martial shall be appointed by order of the authority convening the court, and, in the case of a regimental court-martial, the convening officer may appoint himself as president.

(9.)—(a.) One of the members of the court shall, if possible, be an officer of the battalion, and the other members of the court may be officers of the regiment, or officers of His Majesty's Army or Royal Marine Forces or Royal Navy, or officers of any of His Majesty's naval or military services. Constituent members of courts-martial.

(b.) In case of emergency, or when a sufficient number of military officers is not available, it shall be lawful for public officers of the Protectorate to sit as members of a court-martial, but in no case shall they sit as presidents, unless they are entitled to do so in virtue of their military rank in His Majesty's service.

(10.) In all cases or matters before the court, the proceedings of the court shall be, as nearly as may be, in accordance with the Rules of Procedure made under the Army Act. Proceedings, how regulated.

Confirmation  
and approval of  
sentences.

44. The following authorities shall have power to confirm the findings and sentences of courts-martial; that is to say—

(a.) In the case of a regimental court-martial, the commanding officer or officer having authority to convene such a court-martial at the date of the submission of the finding and sentence thereof.

(b.) In the case of a general court-martial, the convening officer.

#### *Execution of Sentences.*

Execution of  
sentences of  
imprisonment.

45.—(1.) Any sentence of imprisonment, or of imprisonment with hard labour, imposed upon any non-commissioned officer or private of the regiment for any offence under this Ordinance, may be carried out in any prison established within the Protectorate, or where the sentence of imprisonment imposed does not exceed fourteen days, with or without hard labour, in any lock-up house or cells which for that purpose the Commissioner may think fit to attach to any fort or barracks. The Commissioner may from time to time make rules for the government of any lock-up house or cells attached by him to any fort or barracks, and with regard to the admission, discharge, custody, removal, safeguarding, diet, labour, occupation, discipline, instruction, and offences of soldiers of the regiment confined therein, and with regard to any and every other matter or thing relating to and connected with the carrying out and management of imprisonment in any such lock-up house or cells: provided that no soldier of the regiment shall be imprisoned in any such lock-up house or cells unless and until such rules as aforesaid shall have been made, and provided that any soldier of the regiment, notwithstanding that his sentence exceeds fourteen days, may, whilst awaiting removal to a prison, be temporarily imprisoned in any such lock-up house or cells.

(2.) A sentence passed upon any person subject to this Ordinance shall be in no respect affected by such person ceasing to be subject to this Ordinance by discharge or otherwise.

Gaolers to carry  
out sentences on  
order of  
commanding  
officer, &c.

(3.) Every gaoler shall receive into his custody and carry out the sentence upon any soldier of the regiment sentenced to imprisonment, or imprisonment with hard labour, for any offence under this Ordinance, upon an order in writing in that behalf being delivered to him under the hand of the commanding officer or of the officer or Collector imposing the sentence, which order shall specify the offence and the period of imprisonment, or of imprisonment with hard labour.

Persons  
undergoing  
sentences  
deemed criminal  
prisoners.

(4.) Every person whilst undergoing any such sentence of imprisonment, or imprisonment with hard labour, shall be deemed and dealt with as a criminal prisoner.

Pay not to  
accrue during  
imprisonment  
under sentence.

46. No pay shall accrue or become due to any soldier of the regiment in respect of any period during which he is undergoing any sentence of imprisonment, imprisonment with hard labour, or is detained in prison awaiting any trial which results in his conviction either for any offence against discipline, or for any other crime.

Fines to be  
recovered by  
stoppages.

47.—(1.) All fines imposed upon non-commissioned officers or privates of the regiment for offences under this Ordinance shall be recovered by stoppages from the offender's pay due at the time of committing such offence, or thereafter accruing due, and not from any other source or in any other manner.

Amount of  
stoppages.

(2.) The amount of stoppage shall be in the discretion of the officers authorized to impose fines, in no case exceeding one-third of the daily pay of the offender; and, whenever more than one order of stoppage for any cause is in force against the same person, so much only of his pay shall be stopped as shall leave him a residue of at the least two-thirds of his daily pay.

Accumulated  
stoppages.

(3.) Where more than one order of stoppage is made upon the same person, the order or orders later in date shall, if necessary, be postponed as to their enforcement until the earlier orders are discharged.

Disposal of fines  
on non-commissioned  
officers  
or privates of  
the regiment.

48.—(1.) All fines recovered within the Protectorate from non-commissioned officers or privates of the regiment shall be paid over to the Treasurer of the Protectorate, to be placed to the credit of a fund to be styled the "Military Fines Fund."

(2.) No payment shall be made from the Military Fines Fund except on the authority of the Commissioner.

(3.) The Commissioner may, on the recommendation of the commanding officer, sanction payments from the Military Fines Fund for any of the following purposes, that is to say:—

(a.) Assistance to the wives or families of deceased soldiers, or soldiers discharged as invalids, who may be in immediate want;

- (b.) Contributions towards prizes to be given at athletic meetings, assaults-at-arms, and similar events organized by or for the benefit of the soldiers of the regiment ;
- (c.) Purchase of ammunition for the encouragement of rifle shooting ;
- (d.) Payments to soldiers of the regiment as reward for special services when such payments cannot otherwise be met out of Protectorate funds ;
- (e.) Provision of any articles for the use of the regiment, when the cost of such provision cannot otherwise be met out of Protectorate funds.

(4.) Annual statements of receipts and expenditure on account of the Military Fines Fund shall be rendered by the senior commanding officer to the Commissioner, who will submit them to the Secretary of State.

*Supplemental Provisions as to Discipline.*

49. The sentence on a non-commissioned officer for any offence shall in no case include corporal punishment, or imprisonment, unless it also includes reduction of the offender to the rank of a private, but a non-commissioned officer sentenced to corporal punishment or imprisonment shall be deemed to be reduced to the ranks, and in such case the sentence of reduction shall precede and be carried out before that of corporal punishment or imprisonment. Restrictions as to punishment of non-commissioned officer.

50. No sentence of corporal punishment shall be carried out until a period of twenty-four hours has elapsed, and unless under the superintendence of a medical officer, or in case no medical officer is available, a European officer of the administration, nor until such medical officer or European officer shall certify the physical fitness of the offender to undergo the same, and in relation thereto the said medical officer or European officer may give and shall have carried out such orders for preventing injury to health as he may deem necessary, and, in case the said medical officer or European officer shall order the punishment to be discontinued, it shall be immediately discontinued accordingly. Restrictions as to corporal punishment.

51.—(1.) Upon reasonable suspicion that any person is a deserter any non-commissioned officer or private of the regiment or other person may apprehend him, and forthwith bring him before the Collector of the district wherein he was found, who shall deal with the suspected deserter as if he were brought before him by warrant under the laws in force in the Protectorate. Apprehension of deserters.

(2.) Upon its appearing to such Collector by the testimony of one or more witnesses, or by his own confession, that the accused is a deserter, he shall cause him to be conveyed to the nearest detachment of the regiment, and delivered over to the officer in command thereof, together with an office copy of the proceedings and of the evidence taken by him ; and such officer shall deal with the case in accordance with the provisions of this Ordinance. Procedure thereupon.

52.—(1.) Forfeiture of one good-conduct badge and 1s. per month of good-conduct pay shall be involved in and deemed a part of any sentence of— Forfeiture of good-conduct badges and pay consequential on certain sentences.

- (a.) Imprisonment or confinement to barracks for more than seven days ;
- (b.) Imprisonment with hard labour for any term ;
- (c.) Fine in any sum exceeding 5s. ;
- (d.) Corporal punishment ;

and every such forfeiture shall be entered on the offender's defaulter sheet and in the guard report.

(2.) If a non-commissioned officer be reduced to the rank of a private, or reduced in degree of rank, he shall forfeit one good-conduct badge, should he be in possession of the same, and 1s. per month of good-conduct pay.— Upon reduction of rank.

(3.) The commanding officer may in any case of aggravated offence recommend to the Commissioner that the offender forfeit all or any good-conduct badges and pay that he may be in possession of or may have earned, and all or any decorations or honorary rewards, and any advantage as to gratuity on discharge which he may have earned by past service, and such effect shall be given to such recommendation as the Commissioner may determine. In aggravated offences.

53. Any non-commissioned officer or private who has forfeited any period of past service qualifying towards good-conduct badges and pay or gratuity may have such service restored to him by the Commissioner, on the recommendation of his commanding officer, at any time as a reward for conspicuous gallantry in the field or other notable service, or when he has served with uninterrupted good conduct, as shewn by his having no entries in the regimental defaulters' book, for two years in case of a first conviction entailing loss of service, for five years in case of a second conviction of the same nature, and for seven years in case of a third conviction of the same nature, or should circumstances of an aggravated character have attended the offence on account Restoration of forfeited service.

of which his service was forfeited. Such period of probation shall be reckoned from the release of the person convicted from imprisonment or other completion of his punishment and his return to duty.

Power of  
summoning  
witnesses.

54.—(1.) Every officer hereinbefore empowered to inquire concerning offences under this Ordinance shall in any matter touching such inquiries have the powers of a Magistrate under the Indian Code of Criminal Procedure, or of a Justice of the Peace in England, of summoning and examining witnesses on oath or affirmation, and calling for documents in any matter before him under this Ordinance, and of adjourning any hearing from time to time.

Form of  
proceedings.

(2.) In every inquiry in which evidence is taken on oath or affirmation the proceedings and evidence shall be recorded in writing, and the course of proceeding with respect to the taking of evidence and the conduct of the inquiry shall be as nearly as may be in conformity with the practice prescribed in the Rules of Procedure made under the Army Act.

Ordinary course  
of law not to be  
interfered with.

55. Nothing in this Ordinance shall be construed to exempt any non-commissioned officer or private of the regiment from being proceeded against by the ordinary course of law when accused of any crime or offence other than the offences hereinbefore mentioned or referred to; and whenever any non-commissioned officer or private of the regiment is accused of any capital crime or of violence, or of any offence against person or property punishable by the law of the Protectorate, the commanding officers, officers and non-commissioned officers, and privates of the regiment shall use their utmost endeavours to cause such persons to be discovered and secured and delivered over to be tried in the ordinary course of justice.

Exemption from  
second trial or  
punishment for  
same offence.

56.—(1.) An offender shall not be liable to be tried by court-martial for any offence which has been dealt with summarily by his commanding officer, and shall not be liable to be tried by court-martial or to be punished by his commanding officer for any offence of which he has been acquitted or convicted by a competent civil court or by a court-martial. An offender shall not be liable to be tried by a civil court for any offence which has been dealt with summarily by his commanding officer or for which he has been tried by court-martial.

(2.) If any non-commissioned officer or private of the regiment has been convicted by a competent civil court of any crime or offence he shall not be liable to be punished for the same under this Ordinance, otherwise than by loss of pay under section 46, and by reduction to an inferior rank or to the rank of a private, by order of the Commissioner communicated through the commanding officer, in the case of a non-commissioned officer, or by dismissal from the regiment, or by the loss of the whole or any period of his previous service reckoning towards discharge, or by the loss of all or any good-conduct badges which he may possess, together with forfeiture of the whole or any part of any good-conduct pay of which he is in receipt, by order of the Commissioner communicated through the commanding officer.

Mode of com-  
plaint by soldier.

57. If any non-commissioned officer or private thinks himself wronged in any matter by any officer other than his captain, or by any non-commissioned officer or private, he may complain thereof to his company commander, and if he thinks himself wronged by his company commander, either in respect of his complaint not being redressed or in respect of any other matter, he may complain thereof to his commanding officer; and if he thinks himself wronged by his commanding officer, either in respect of his complaint not being redressed or in respect of any other matter, he may complain thereof to the Commissioner, and every officer to whom a complaint is made in pursuance of this section shall cause such complaint to be inquired into, and shall, if on inquiry he is satisfied of the justice of the complaint so made, take such steps as may be necessary for giving full redress to the complainant in respect of the matter complained of.

#### PART IV.—GENERAL PROVISIONS.

##### *Legal Penalties in Matters respecting Regiment.*

Inducing mem-  
bers of the corps  
to desert.

58. Any person who by any means whatsoever directly or indirectly procures or persuades, or attempts to procure or persuade, any non-commissioned officer or private of the regiment to desert, or who aids, abets, or is accessory to the desertion of any non-commissioned officer or private of the regiment, or who, having reason to believe that any man is a deserter, harbours such deserter or aids him in concealing himself, or aid or assists in his rescue, shall be liable to be imprisoned, with or without hard labour, for a term not exceeding six months, and shall in addition be liable to a fine not exceeding 200 rupees.



59. Any person who aids, abets, or is accessory to any mutiny, sedition, Inciting to or disobedience to any lawful command of a superior officer by any non-commissioned officer or private of the regiment, or maliciously endeavours to seduce any non-commissioned officer or private of the regiment from his allegiance or duty, shall be punishable with imprisonment, with or without hard labour, for a term not exceeding two years; and shall in addition be liable to a fine not exceeding 800 rupees.

60. Any person who shall knowingly detain, buy, exchange, or receive from any non-commissioned officer or private of the regiment, or deserter, or any person acting for or on his behalf, or who shall solicit or entice any non-commissioned officer or private of the regiment, or who shall be employed by any non-commissioned officer or private of the regiment, or deserter, knowing him to be such, to sell, make away with or dispose of any arms, ammunition, clothing, accoutrements, medals, or other appointments furnished for the use of the regiment, or who shall have in his possession any such arms, ammunition, clothing, accoutrements, medals, or appointments; and shall not give a satisfactory account how he came by the same, shall be liable to a penalty not exceeding 500 rupees together with double the value of all or any of the several articles of which such offender shall so become or be possessed.

Unlawful possession of arms, &c., of regiment; penalty.

61. Whoever, not being a member of the regiment, or being a deserter therefrom, puts on the dress or accoutrements of a person serving in the regiment, or part thereof, or any dress intended to simulate that of the regiment, or part thereof, or any medal or badge which he is not authorized to wear, or takes the name, designation, or character of a person appointed to or serving in the regiment for the purpose of thereby doing or obtaining to be done any act which he would not be entitled to do, or procure to be done of his own authority or for any other unlawful purpose, shall be liable to be imprisoned, either with or without hard labour, for a term not exceeding six months, or to a fine not exceeding 800 rupees, or to both.

Personating; penalty.

62. All offences under this Ordinance committed by persons not belonging to the regiment shall be prosecuted, and all sentences imposed on such persons shall be carried into effect, in the manner provided by the laws in force in the Protectorate, and the amount of any fines recovered shall be paid to the Treasurer and form part of the public revenue.

Procedure where offences committed by other persons.

Disposal of fines.

#### *Enforcement of Civil Contracts.*

63.—(1.) Any non-commissioned officer or private shall be liable to be taken out of the King's African Rifles only by process or execution on account of any criminal charge, or on account of an original debt proved by affidavit of the plaintiff, or of some one on his behalf, to the value of 20l. at the least over and above all costs of suit, but not for any original debt not amounting to 20l., nor for the breach of any covenant, agreement, or other engagement, nor for having left or deserted his employer or master, or his contract, work, or labour; and all warrants or other process of execution on account of the matters for which it is herein declared that such non-commissioned officer or private is not liable to be taken out of the said service shall be null and void.

Non-commissioned officers or privates of the regiment not to be taken from service except for criminal charge or debt of 20l. or upwards.

(2.) Any plaintiff, upon notice of the cause of action first given in writing to the officer under whose command the defendant is serving at the date of service of the writ of summons, may proceed in any action or suit to judgment, and have execution other than against the body of any non-commissioned officer or private, or than (except as next after mentioned) against the pay due or accruing due to him.

Plaintiff may have execution other than personal.

(3.) The pay of any non-commissioned officer or private due or accruing to him at the date of any judgment, or afterwards, shall not be liable to be arrested upon any civil process except in respect of any debt or liability which he may have incurred within three years next before being appointed to the regiment, and for such debt or liability, when constituted by decree, his pay may be arrested to an extent not exceeding one-third thereof. Where an order for such arrestment is made, the court making the order shall give notice thereof to the paymaster, and thereupon the amount ordered shall be stopped out of the judgment debtor's pay until the amount of the decree is made good.

Pay of non-commissioned officers or privates of the regiment not arrestable for debt; exception.

#### *Wills and Distribution of Property.*

64.—(1.) Every soldier on enlistment shall declare the name of the person or persons to whom, in the event of his decease without having made a valid will, any money or personal property due or belonging to him should be paid or delivered, and the name of such person or persons shall be recorded at the headquarters of the soldier's battalion. The record shall be verified periodically, and it shall be the duty of the soldier to report any alteration in the record which he wishes made.

Soldier on enlistment to register name of person to whom estate is to be paid in the event of his dying intestate.

(2.) The paymaster or any officer of the regiment, or of the Treasury or other public department, having in his charge or control any pay, accumulation of pay, gratuity, or other allowance, or any personal property or money belonging to any soldier dying intestate who has complied with the above conditions may pay or deliver the same to the person or persons whose name or names have or have been recorded by the soldier in the manner prescribed.

Form of will.

65.—(1.) Any will made by a non-commissioned officer or private of the regiment shall be valid for disposing of any money or personal property which shall be due or belonging to him at his decease:—

If it is in writing and signed or acknowledged by him in presence of, and in his presence attested by one witness, being an officer of the regiment or public officer of the Protectorate, or

If it is executed with the formalities required by any law now or hereafter in force in the Protectorate, in the case of persons not being soldiers of the regiment.

Such will shall be deemed well made for the purpose of being admitted to probate, and the person taking out representation to the testator under such will shall exclusively be deemed the testator's representative with respect to the money or personal property thereby bequeathed.

Accumulation of pay, &c., if less than 50L., may be paid without probate.

(2.) The paymaster or any officer of the regiment, or of the Treasury, or other public department, having in his charge or control any pay, accumulation of pay, gratuity, or other allowance, or any personal property, or money belonging to such testator, not exceeding in the aggregate the value of 50L., may pay or deliver the same to any person entitled thereto under the will, or to the person entitled to procure probate of, or administration under, such will, although probate or administration may not have been taken out.

Probate to be taken if value exceeds 50L.

If the value of the said money and personal property exceeds the said sum of 50L., the paymaster or other officer as aforesaid, having the same in his charge or control, shall require probate or administration to be taken out, and thereupon pay and deliver the said money and effects to the legal representative of the deceased.

Distribution in cases of intestacy.

66. In case any non-commissioned officer or private of the regiment dies without having complied with the requirements stated in section 64 of this Ordinance, and without having made any valid will under this or any law or ordinance regulating wills for the time being in force, the paymaster or other officer having in his charge or control money or personal property of the deceased as aforesaid may, with the concurrence of the Commissioner, pay or deliver such money or personal property to any claimant showing herself or himself to the satisfaction of the Commissioner to be the widow of the deceased, or to be the child or any near relative of the deceased according to the rules of kinship of the tribe to which the deceased belonged, and where there are more such claimants than one, then in such shares and proportions as the claimants would be entitled to receive under the rules of succession prevailing among such tribe or as nearly as may be.

As to payment of debts.

67. Notwithstanding anything hereinbefore contained, if in cases where probate of the will or administration to the estate of the deceased is not taken out, the paymaster or other officer aforesaid, before disposing of the money and personal property of the deceased in manner aforesaid has notice of any debt due by the deceased, he shall apply such money and property so far as remaining in his charge or control, or so much thereof as may be requisite in or towards payment of such debt, subject to the following conditions:—

(1.) That the debt accrued within three years before the death.

(2.) That payment of it is claimed within one year after the death.

(3.) That the claimant proves the debt to the satisfaction of the Commissioner.

Any person claiming to be a creditor of the deceased shall not be entitled to obtain payment of his debt out of any money that may be in the hands of the paymaster or any officer of the regiment, or of the Treasury or other public department, except by means of a claim on the paymaster or commanding officer or some Collector, and proceeding thereon under and according to this Ordinance.

Property distributed subject to rights of creditors.

68. In all cases where the money or personal property of the deceased or any part thereof is paid or delivered to any person as being interested therein by reason of his or her name having been recorded in accordance with section 64 of this Ordinance, or under the will of the deceased, or as his widow or child or near relative, or in any other manner under this Ordinance, any creditor of the deceased shall have the same rights and remedies against such person as if he had received the same as a legal personal representative of the deceased.

69. If the money or personal property belonging to the deceased, or any part thereof, remains for one year undisposed of or unappropriated, and without any valid claim thereto having been made, then the paymaster or other officer having the charge or control thereof shall apply and make over the same towards any reward and gratuity fund for the benefit of the regiment as may be prescribed by any order or regulations of the Commissioner.

Provided that the application under this section of any such money or property, or part thereof, undisposed of or unappropriated as aforesaid, shall not be deemed to bar any claim of any person to the same, or any part thereof, that may be established at any time after such application. Proviso.

70. Medals, uniforms, and decorations shall not be considered to be comprised in the personal estate of any deceased with reference to claims of creditors, or for any of the purposes of administration under this Ordinance or otherwise, and the same shall be delivered to and held by the paymaster, and disposed of according to regulations made by the Commissioner. Medals and decorations excepted.

71. In every case of desertion the money or property of the deserter in the charge or control of the paymaster, or any other officer as aforesaid, shall be disposed of according to regulations made by the Commissioner. Application of money, &c., in case of desertion.

Provided that in every such case the provisions of section 65 of this Ordinance shall, *mutatis mutandis*, apply as nearly as may be.

72. The East Africa Rifles Regulations, 1897, and the Military Fines Fund Regulations, 1902 (No. 7 of 1902), are hereby repealed.

Mombasa, November 21st, 1902.

C. ELIOT,  
Commissioner.

## AN ORDINANCE

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

C. ELIOT,  
Commissioner.

No. 30 OF 1902.

### *Marriages.*

It is hereby enacted as follows:—

1. This Ordinance may be cited as "The East Africa Marriage Ordinance, 1902." Short title.
2. (a.) In this Ordinance (unless the context otherwise requires):— Interpretation.  
 (b.) The expression "Registrar" means a Registrar of Marriages, and includes a Deputy Registrar when acting as Registrar.  
 (c.) The expression "Registrar-General" means, until a Registrar-General is appointed, any officer appointed by the Commissioner to act as Registrar-General for the purposes of this Ordinance;  
 (d.) The expression "district" means a marriage district constituted under this Ordinance;  
 (e.) The expression "the Protectorate" means the East Africa Protectorate.
3. The Commissioner shall, by order published in the Gazette, divide the Protectorate into districts, for the purposes of this Ordinance, herein referred to as marriage districts, and may, from time to time, by like order, alter the marriage districts either by alteration of boundaries or by union or sub-division of districts, or by the formation of new districts. Constitution of marriage districts.
4. The Commissioner shall, from time to time, appoint a fit and proper person to be the Registrar of Marriages for each marriage district, and may revoke such appointments; and may also from time to time appoint a Deputy Registrar of Marriages for any district to act in the absence or during the illness or incapacity of the Registrar, and may revoke such appointment. Appointment of Registrars.
5. Every Registrar shall have an office at such place in his district as the Commissioner shall from time to time direct. Offices of Registrars.
6. The Commissioner may license any place of public worship to be a place for the celebration of marriages, and may at any time cancel such licence: in either case he shall give notice thereof in the Gazette. Places of worship to be licensed for celebration of marriages.

### *Preliminaries to Marriage.*

7. Whenever, after the commencement of this Ordinance, any persons desire to marry, one of the parties to the intended marriage shall sign and give to the Registrar of the district in which the marriage is intended to take place, a notice in the Form (A) in the first Schedule hereto. Notice of marriage.

Signature of notice by person unable to write or to understand English language.

8. If the person giving such notice is unable to write or is insufficiently acquainted with the English language, or both, then it shall be sufficient if he place his mark or cross thereto in the presence of some literate person who shall attest the same, which attestation shall be in the form appended to Form (A) in the first Schedule.

Registrars to supply forms of notice.

9. Every Registrar shall supply forms of notice gratuitously to any persons applying for the same.

Notice to be entered in Marriage Notice Book and published.

10. Upon receipt of such notice the Registrar shall cause the same to be entered in a book to be called the "Marriage Notice Book," which may be inspected during office hours without fee. He shall also publish such notice by causing a copy of the same to be affixed on the outer door of his office, and to be kept exposed there until he grant his certificate as hereinafter mentioned, or until three months shall have elapsed.

Registrar to issue certificate on proof of conditions by affidavit.

11. The Registrar, at any time after the expiration of twenty-one days and before the expiration of three months from the date of the notice, upon payment of the prescribed fee, shall thereupon issue his certificate in the Form (C) in the first Schedule hereto. Provided always that he shall not issue such certificate until he has been satisfied by affidavit—

(a.) That one of the parties has been resident within the district in which the marriage is intended to be celebrated at least fifteen days preceding the granting of the certificate.

(b.) That each of the parties to the intended marriage (not being a widower or widow) is 21 years old, or that if he or she is under that age, the consent hereinafter made requisite has been obtained in writing and is annexed to such affidavit.

(c.) That there is not any impediment of kindred or affinity, or any other lawful hindrance to the marriage.

(d.) That neither of the parties to the intended marriage is married by native law or custom to any person other than the person with whom such marriage is proposed to be contracted.

Such affidavit may be sworn before the Registrar, or before a Magistrate.

Explanations to be given.

The Registrar or Magistrate taking such affidavit shall explain to the person making the same, what are the prohibited degrees of kindred and affinity, the effect of the provisions of this Ordinance as to the succession of property under section 39, and the penalties which may be incurred under other provisions of this Ordinance.

Marriage to take place within three months after date of notice.

12. If the marriage shall not take place within three months after the date of the notice, the notice and all proceedings consequent thereupon shall be void; and fresh notice must be given before the parties can lawfully marry.

Commissioner may grant licence to marry.

13. The Commissioner, upon proof being made to him by affidavit that there is no lawful impediment to the proposed marriage, and that the necessary consent, if any, to such marriage has been obtained, may, if he shall think fit, dispense with the giving of notice, and with the issue of the certificate of the Registrar, and may grant his licence, which shall be according to Form (D) in the first Schedule hereto, authorizing the celebration of a marriage between the parties named in such licence by a Registrar, or by a recognized Minister of some religious denomination or body.

Caveat may be entered against issue of certificate.

14. Any person whose consent to a marriage is hereby required, or who may know of any just cause why the marriage should not take place, may enter a caveat against the issue of the Registrar's certificate, by writing at any time before the issue thereof the word "Forbidden," opposite to the entry of the Notice in Marriage Notice Book, and appending thereto his name and place of abode, and the grounds upon or by reason of which he claims to forbid the issue of the certificate, and the Registrar shall not issue his certificate until such caveat shall be removed as hereinafter is provided.

When caveat entered question to be referred to court.

15. Whenever a caveat is entered against the issue of a certificate, the Registrar shall refer the matter to the High Court, and that Court shall thereupon summon the parties to the intended marriage, and the person by whom the caveat is entered, and shall require the person by whom the caveat is entered to show cause why the Registrar should not issue his certificate, and shall hear and determine the case in a summary way, and the decision of the High Court shall be final.

Removal of caveat

16. If the High Court decides that the certificate ought to be issued, the Judge shall remove the caveat by cancelling the word "Forbidden" in the Marriage Notice Book in ink, and writing in such Marriage Notice Book, immediately below such entry and cancellation, the words "Cancelled by order of the High Court," and signing his name thereto. The Registrar shall then issue his certificate and the marriage may proceed as if the caveat had not been entered, but the time that has elapsed between the entering and the removal of the caveat shall not be computed in the period of three months specified in section 11 hereof.

Compensation and costs.

17. The High Court may award compensation and costs to the party injured, if it appear that a caveat was entered on insufficient grounds.

#### *Consent to Marriage in certain Cases necessary.*

Consent to marriage of minors.

18. If either party to an intended marriage, not being a widower or widow, is under 21 years of age, the written consent of the father, or if he be dead or of unsound mind or absent from the Protectorate, of the mother, or if both be dead or of unsound mind or absent from the Protectorate, of the guardian of such party, must be produced annexed to such affidavit as aforesaid, before a licence can be granted or a certificate issued.

Signature of consent by person unable to write or to understand English language.

19.—(1.) If the person required to sign such consent is unable to write, or is insufficiently acquainted with the English language, or both, then he shall sign such consent by placing his mark or cross thereto in the presence of one of the following persons:—Any Judge, Sub-Commissioner, Magistrate, Justice of the Peace, Secretary to Government, Registrar of the High Court, Registrar of Marriages, Registrar of Deeds, Medical Officer in the service of the Protectorate, or Minister of religion,

(2.) Such signature shall be attested by such person in the form (B) in the first Schedule hereto.

20. If there be no parent or guardian of such party residing in the Protectorate and capable of consenting to the marriage, then any of the following persons may consent to such marriage in writing, upon being satisfied after due inquiry that the marriage is a proper one; that is to say, the Commissioner, a Judge of the High Court, a Sub-Commissioner, and such consent shall be as effectual as if the father or mother had consented.

Consent where no parent or guardian capable of consenting.

#### *Celebration of Marriage.*

21. Marriages may be celebrated in any licensed place of worship by any recognized Minister of the Church, denomination or body to which such place of worship belongs, and according to the rites or usages of marriage observed in such Church, denomination or body, provided that the marriage be celebrated with open doors between the hours of 8 o'clock in the forenoon and 6 o'clock in the afternoon, and in the presence of two or more witnesses besides the officiating Minister.

Marriage in licensed place of worship by recognized Minister.

Between hours of 8 A. M. and 6 P. M. Witnesses.

22. A Minister shall not celebrate any marriage if he knows of any just impediment to such marriage, nor until the parties deliver to him the Registrar's certificate or the Commissioner's licence.

Minister not to celebrate marriage if impediment nor without licence, &c.

23. A Minister shall not celebrate any marriage except in a building which has been duly licensed by the Commissioner, or in such place as the Commissioner's licence may direct.

Where Minister may celebrate marriage.

24. The Commissioner shall cause to be printed and deliver to the several Registrars, and to the recognized Ministers of licensed places of worship, books of marriage certificates in duplicate and with counterfoils in the form marked (E) in the first Schedule hereto. Such books shall be kept by the several Registrars and the recognized Ministers for the time being of such places of worship, under lock and key, and be in custody of such Registrars and Ministers respectively.

Registrars, &c., to be provided with books of certificate.

25. Immediately after the celebration of any marriage by a Minister, the officiating Minister shall fill up in duplicate a marriage certificate with the particulars required by the said Form (E), and state also and enter in the counterfoil the number of the certificate, the date of the marriage, names of the parties, and the names of the witnesses.

Entries to be made in marriage certificate.

26. The certificate shall then be signed in duplicate by the officiating Minister, by the parties and by two or more witnesses to the marriage. The Minister having also signed his name to the counterfoil, he shall sever the duplicate certificate therefrom, and he shall deliver one certificate to the parties, and shall within seven days thereafter transmit the other to the Registrar of Marriages for the district in which the marriage takes place, who shall file the same in his office.

Signature of certificate.

Duplicate certificate to be sent to Registrar.

27. After the issue of a certificate under section 11 or 16 hereof, or of a licence under section 13, the parties may, if they think fit, contract a marriage before a Registrar, in the presence of two witnesses in his office, with open doors, between the hours of 10 o'clock in the forenoon and 4 o'clock in the afternoon, and in the following manner:—

Marriage in a Registrar's office.

The Registrar, after production to him of the certificate or licence, shall, either directly or through an interpreter, address the parties thus:—

Form to be observed.

"Do I understand that you *A B*, and you *C D*, come here for the purpose of becoming man and wife?"

If the parties answer in the affirmative, he shall proceed thus:—

"Know ye that by the public taking of each other as man and wife in my presence, and in the presence of the persons now here, and by the subsequent attestation thereof by signing your names to that effect you become legally married to each other, although no other rite of a civil or religious nature shall take place, and that this marriage cannot be dissolved during your lifetime, except by a valid judgment of divorce; and if either of you before the death of the other shall contract another marriage while this remains undissolved, you will be thereby guilty of bigamy, and liable to punishment for that offence."

Each of the parties shall then say to the other, "I call upon all persons here present to witness that I, *A B*, do take thee, *C D*, to be my lawful wife (or husband)."

28. The Registrar shall then fill up, and he and the parties and witnesses shall sign the certificate of the marriage in duplicate, and the Registrar shall then fill up and sign the counterfoil as hereinbefore prescribed in the case of a marriage by a Minister, and shall deliver one certificate to the parties and shall file the other in his office.

Marriage certificate to be signed.

29. Whenever the Commissioner's licence authorizes the celebration of marriage at a place other than a licensed place of worship, or the office of a Registrar of Marriages, the Registrar of the district in which such marriage is intended to take place, upon the production of such licence, shall deliver to the person producing the same, a blank certificate of marriage in duplicate, and the Minister or Registrar celebrating such marriage shall fill up such certificate, and observe strictly all the formalities hereinbefore prescribed as to marriages in a licensed place of worship, or Registrar's office, as the case may be.

Marriage under Commissioner's licence.

#### *Registry and Evidence of Marriages.*

30—(1.) The Registrar of Marriages in each district shall forthwith register in a book to be kept in his office for such purpose, and to be called "The Marriage Register Book," every certificate of marriage, which shall be filed in his office, according to the Form (F) in the first Schedule hereto; and every such entry shall be made in the order of date from the beginning to the end of the book, and every entry so made shall be dated on the day on which it is so entered, and shall be signed by the Registrar, and such book shall be indexed in such manner as is best suited for easy reference thereto.

Marriage certificates to be registered.

(2.) The Registrar shall at all reasonable times allow searches to be made in the Marriage Register Book, and shall give certified copies therefrom upon payment of the prescribed fee.

(3.) Within ten days after the last day of each month, every Registrar shall send to the Registrar-General a certified copy of all entries made by him during the preceding month in the Marriage Register Book of his district, and the Registrar-General shall file the same in his office.

Correction of clerical errors in marriage certificates.

31. Any Registrar, when authorized by the Registrar-General, may correct any clerical error in any certificate of marriage filed in his office, upon production to him of the certificate delivered to the parties, and shall authenticate every such correction by his signature and the date of such correction.

Evidence of marriage.

32. Every certificate of marriage which shall have been filed in the office of the Registrar of any district, or a copy thereof purporting to be signed and certified as a true copy by the Registrar of such district for the time being, and every entry in a Marriage Register Book or copy thereof certified as aforesaid, shall be admissible as evidence of the marriage to which it relates, in any Court of Justice or before any person now or hereafter having by law or consent of parties authority to hear, receive, and examine evidence.

#### *Invalid Marriages.*

Marriage with deceased wife's sister or niece lawful.

33.—(1.) A marriage may be lawfully celebrated under this Ordinance between a man and the sister or niece of his deceased wife, but, save as aforesaid, no marriage in the Protectorate shall be valid, which, if celebrated in England, would be null and void on the ground of kindred or affinity, or where either of the parties thereto at the time of the celebration of such marriage is married by native law or custom to any person other than the person with whom such marriage is had.

(2.) A marriage shall be null and void if both parties knowingly and wilfully acquiesce in its celebration (a) in any place other than the office of a Registrar of Marriages or a licensed place of worship (except where authorized by the Commissioner's licence); or (b) under a false name or names; or (c) without the Registrar's certificate of notice or Commissioner's licence duly issued; or (d) by a person not being a recognized Minister of some religious denomination or body, or a Registrar of Marriages.

(3.) But no marriage shall, after celebration, be deemed invalid by reason that any provision of this Ordinance other than the foregoing has not been complied with.

Marriages under this Ordinance valid.

34. All marriages celebrated under this Ordinance shall be good and valid in law to all intents and purposes.

Native marriages.

35. Any person who is married under this Ordinance, or whose marriage is declared by this Ordinance to be valid, shall be incapable, during the continuance of such marriage, of contracting a valid marriage under any native law or custom, but save as aforesaid, nothing in this Ordinance contained shall affect the validity of any marriage contracted under or in accordance with any native law or custom, or in any manner apply to marriages so contracted.

#### *Marriages already celebrated.*

Certain existing marriages validated.

36. Every marriage celebrated in the Protectorate before the commencement of this Ordinance by any Minister of any religious denomination or body, according to the rites in use by such religious denomination or body, shall be, and shall be deemed to have been from the time of the celebration thereof, a legal and valid marriage: Provided that nothing herein contained shall legalize any marriage which has before the commencement of this Ordinance been declared invalid by any competent Court, nor any marriage, either party to which had at the time of its celebration a lawful wife or husband living, nor any marriage which was void by reason of kindred or affinity, or fraud, or incapacity to contract marriage; nor any marriage otherwise invalid, either party to which shall before the commencement of this Ordinance, and in the lifetime of the other party thereto, have intermarried with any other person.

Existing registers of marriages to be transmitted to Registrar-General.

37. Every Minister of religion or other person in the Protectorate who has in his custody or control any register, record, or paper, purporting to be such, of marriages heretofore celebrated in the Protectorate, shall, on or before the 1st day of January, 1903, deliver or transmit to the Registrar-General the said register or official record, or a copy thereof, omitting, if desired, any matter of a private nature, with a certificate appended thereto in the following form:—

"I, A. B. of [here describe place of abode and position], do certify that the annexed written pages contain the true record (excepting matters of a confidential nature) of the marriages heretofore celebrated in [here name church].

"Dated the                      day of                      , 190                      .

(Signed) "A. B."

Certain expenses to be defrayed from general revenue.

38. The Administrator may defray out of the general revenue of the Protectorate all proper expenses connected with the transmission or delivery of the said registers, or which may otherwise become necessary to be incurred in carrying out the provisions of this Ordinance.

#### *Succession to Intestate's Property.*

Succession to property of natives married under Ordinance and dying intestate.

39.—(a.) Where any person who is subject to native law or custom contracts a marriage in accordance with the provisions of this or of any other law relating to marriage, or has contracted a marriage prior to the passing of this Ordinance, which marriage is validated hereby, and such person dies intestate, subsequently to the commencement of this Ordinance, leaving a widow or husband, or any issue of such marriage.

And also where any person who is the issue of any such marriage as aforesaid dies intestate subsequently to the commencement of this Ordinance.

The personal property of such intestate, and also any real property of which the said intestate might have disposed by will, shall be distributed in accordance with the provisions of the law of England relating to the distribution of the personal estates of intestates, any native law or custom to the contrary notwithstanding.

Provided always that where by the law of England any portion of the estate of such intestate would become a portion of the casual hereditary revenues of the Crown, such portion shall be distributed in accordance with the provisions of native law and custom, and shall not become a portion of the said casual hereditary revenues.

Provided also that real property, the succession to which cannot by native law or custom be affected by testamentary disposition, shall descend in accordance with the provisions of such native law or custom, anything herein to the contrary notwithstanding.

(b.) Before the Registrar of Marriages issues his certificate in the case of an intended marriage, either party to which is a person subject to native law or custom, he shall explain to both parties the effect of these provisions as to the succession to property as affected by marriage.

#### *Fees*

40. The fees specified in the second Schedule hereto shall be paid to the Registrars <sup>Fees.</sup> for the several matters to which they are applicable, and shall be paid by them into the Treasury of the Protectorate.

41. The Commissioner may, when he is satisfied of the poverty of the parties, reduce the amount of the said fees, or remit them altogether; and, if they have been paid into the Treasury, order their refund. <sup>Fee may be remitted on ground of poverty.</sup>

42. This Ordinance shall not preclude a Minister from receiving the fees ordinarily paid to a Minister of his denomination for the celebration of marriage. <sup>Minister may receive customary fees.</sup>

#### *Offences and Penalties.*

43. Whoever is guilty of bigamy shall be liable to imprisonment, with or without hard labour, for a period not exceeding five years. <sup>Bigamy.</sup>

44. Whoever, being unmarried, goes through the ceremony of marriage with a person whom he or she knows to be married to another person, shall be liable to imprisonment, with or without hard labour, for a period not exceeding five years. <sup>Marriage with a person previously married.</sup>

45. Whoever in any declaration, certificate, licence, document, or statement by law to be made or issued for the purposes of a marriage, declares, enters, certifies, or states any material matter which is false, shall, if he does so without having taken reasonable means to ascertain the truth or falsity of such matter, be liable to imprisonment for a period not exceeding one year, or shall, if he does so knowing that such matter is false, be liable to imprisonment, with or without hard labour, for a period not exceeding five years. <sup>Making false declarations, &c., for marriage.</sup>

46. Whoever endeavours to prevent a marriage by pretence that his consent thereto is required by law, or that any person whose consent is so required does not consent, or that there is any legal impediment to the performing of such marriage, shall, if he does so knowing that such pretence is false or without having reason to believe that it is true, be liable to imprisonment, with or without hard labour, for a period not exceeding five years. <sup>False pretence of impediment to marriage.</sup>

47. Whoever performs or witnesses as a marriage officer the ceremony of marriage, knowing that he is not duly qualified so to do, or that any of the matters required by law for the validity of such marriage has not happened or been performed, so that the marriage is void or unlawful on any ground, shall be liable to imprisonment, with or without hard labour, for a period not exceeding five years. <sup>Unlawfully performing marriage ceremony.</sup>

48. Whoever, being under a duty to fill up the certificate of a marriage celebrated by him, or the counterfoil thereof, or to transmit the same to the Registrar of Marriages, wilfully fails to perform such duty, shall be liable to imprisonment, with or without hard labour, for a period not exceeding two years. <sup>Wilful neglect of duty to fill up or transmit certificate of marriage.</sup>

49. Whoever personates any other person in marriage, or marries under a false name or description, with intent to deceive the other party to the marriage, shall be liable to imprisonment, with or without hard labour, for a period not exceeding five years. <sup>Personation in marriage.</sup>

50. Whoever goes through the ceremony of marriage, or any ceremony which he or she represents to be a ceremony of marriage, knowing that the marriage is void on any ground, and that the other person believes it to be valid, shall be liable to imprisonment, with or without hard labour, for a period not exceeding five years. <sup>Fictitious marriage.</sup>

51. Whoever contracts a marriage under the provisions of this Ordinance, or any modification or re-enactment thereof, being at the time married in accordance with native law or custom to any person other than the person with whom such marriage is contracted, shall be liable to imprisonment, with or without hard labour, for a period not exceeding five years. <sup>Contracting marriage under this Ordinance when already married by native law.</sup>

52. Whoever, having contracted marriage under this Ordinance, or any modification or re-enactment thereof, during the continuance of such marriage contracts a marriage in accordance with native law or custom, shall be liable to imprisonment, with or without hard labour, for a period not exceeding five years. <sup>Contracting marriage by native law when already married under this Ordinance.</sup>

#### *Forms.*

53. The forms contained in the first Schedule hereto may be used in the cases to which they are applicable, with such alterations as may be necessary. <sup>Forms in Schedule may be used.</sup>

54. This Ordinance shall commence and come into operation on the 1st day of January, 1903. <sup>Date of commencement</sup>

C. ELIOT,

Commissioner.

Mombasa, November, 29th, 1902.



FIRST SCHEDULE.

FORM (A).

Notice of Marriage.

To the Registrar of Marriages for the District of East Africa.

I hereby give you notice that a marriage is intended to be had within three months from the date hereof between me, the Undersigned, and the other party herein named.

Name.	Condition.	Occupation, Rank, or Profession.	Age.	Dwelling or Place of Abode	Consent, if any, and by whom given.
Bridegroom ... ..	Bachelor or Widower	Farmer, &c. (as case may be)	23	Mombasa	...
Bride ... ..	Spinster or Widow	Laundress (as case may be)	18	Nairobi	Father

Witness my hand, this day of , 190 .  
(Signature.)

FORM (B).

Form of Attestation.

Signed by the said , at , on the day of , 190 , this notice having been first read over to him [her] [or, read over and truly interpreted to him [her] in the language] by . He [she] seemed to understand the same and made his [her] mark thereto in my presence.  
(Signed)

FORM (C).

Registrar's Certificate.

I, , Registrar of Marriages in the District in East Africa, do hereby certify that on the day of , notice was duly entered in the Marriage Notice Book of this district of the marriage intended between the parties herein named and described, such notice being delivered under the hand of , one of the parties, that is to say :—

Name.	Condition.	Occupation, Rank, or Profession.	Age.	Consent.	Dwelling.	Length of Residence.
A. B.	Bachelor	Cultivator (as case may be)	19 (as case may be)	E. F., the father (as case may be)	Mombasa (as case may be)	
C. D.	Spinster	Laundress. (as case may be)	16 (as case may be)	G. H., the mother (as case may be)	Nairobi (as case may be)	

Date of notice entered, , 190 .  
Date of certificate given, , 190 .  
No caveat has been entered against this issue of the certificate; or  
A caveat was entered against the issue of this certificate on the day of 190 , but it has been cancelled.  
Witness my hand, this day of , 190 .  
(Signed) A. B.,  
Registrar of Marriages, District.

Note.—This certificate will be void unless the marriage is solemnized on or before the day of , 190 .

A. B

Where  
maries requ  
Now, t  
certificate t  
some religi  
bration], w  
Such r  
and 4 o'clock  
6 o'clock in  
Given

Marriages c

CE

No

Date

190

No

Name  
of  
husband

Name of  
wife ...)

Wit-  
nesses

Married at  
(or before) me

This marriage  
was celebrated  
between us.



## FORM (D).

*Special Licence.*

Whereas *A. B.* and *C. D.* desire to intermarry, and sufficient cause has been shown to me why the preliminaries required by "The East Africa Marriage Ordinance, 1902," should be dispensed with;

Now, therefore, in pursuance of the said Ordinance, I do dispense with the giving of notice and the issue of the certificate thereby prescribed, and do hereby authorize any Registrar of Marriages, or recognized Minister of some religious denomination or body, to celebrate marriage between the said A. B. and C. D., at [place of celebration], within \_\_\_\_\_ days from the date hereof.

Such marriage may be celebrated by a Registrar of Marriages between the hours of 10 o'clock in the forenoon and 4 o'clock in the afternoon, or by such recognized Minister between the hours of 8 o'clock in the forenoon and 6 o'clock in the afternoon.

Given under my hand, this                      day of                      , 190 .

(Signed)

, Commissioner.

## FORM (E).

## EAST AFRICA.

Ordinance No. \_\_\_\_\_, 19\_\_\_\_.

Section , 19 .

Marriages celebrated in the  
in the East Africa Protectorate.

CERTIFICATE OF MARRIAGE.

No	
Date	
190	
No.	
When Married.	
Names and Surnames.	
Full Age or Minor.	
Condition.	
Rank or Profession.	
Residence at time of Marriage.	
Father's Name and Surname.	
Occupation, Rank, or Profession of Father.	

Married at  
(or before) me

$A. B.$ ,

Minister (or Registrar)

(as the case may be).

This marriage  
was celebrated  
between us.

*A. B.*

Q. B.

in the  
presence

*E. F.*

CH

Witnesses.

## EAST AFRICA.

Ordinance No. , 19 .

Section , 19 .

Marriages celebrated in the \_\_\_\_\_ at \_\_\_\_\_  
in the East Africa Protectorate.

CERTIFICATE OF MARRIAGE.

No.	Date		Name of husband }	Name of wife ... }	Wit- nessess }
	190	No.			
		When Married.			
		Names and Surnames.			
		Full Age or Minor.			
		Condition.			
		Rank or Profession.			
		Residence at time of Marriage.			
		Father's Name and Surname.			
		Occupation, Rank, or Profession of Father.			

Married at  
(or before) me

$A, B,$

Minister (or Registrar)

(as the case may be).

This marriage }  
was celebrated }  
between us, }

*A. B.*

and

in the  
presence

 $E. K'$ 

C. II

Witnesses,



## UGANDA PROTECTORATE.

## RULES

Made by His Majesty's Commissioner and Consul-General under "The Native Liquor Ordinance 1902."

9. Licenses under the Native Liquor Ordinance 1902 may be obtained on application to the Collector of the District in which the applicant desires to sell Native Liquors.

2. Licenses shall be in the following form :—

## UGANDA PROTECTORATE.

No.....

License to sell Native Liquor.

(issued under the Native Liquor Ordinance 1902).

.....

of .....

is hereby licensed to sell Native Liquors on the premises known as .....

situate at .....

This license expires on the 31st December, 19 ..

Issued at ....., this ..... day of ..... 19 ..

Fee paid. Rs.....

Collector.

3. The Collector may grant or withhold the same at his discretion.

J. H. SADLER,

H. M. Commissioner.

Entebbe, 210h November, 1902.

## UGANDA PROTECTORATE.

## UGANDA PROTECTORATE.

No.....

License to sell Native Liquor.

(issued under the Native Liquor Ordinance 1902).

.....

of .....

is hereby licensed to sell Native Liquor on the premises known

as .....

situate at .....

This license expires on the 31st December, 19 ..

Issued at ....., this ..... day of ..... 19.....

License to sell Native Liquor.

No.....

To.....

At.....

Date of issue.....

Fee Rs.....

Collector.

Fee Paid. Rs.....

Collector.

## NOTICE.

Notice is hereby given that no claim for the Nandi Medal 1900 will be allowed, unless submitted on or before December 31st next.

(Signed) J. HAYES SADLER,

His Majesty's Commissioner.

Entebbe, November 14th, 1902.

## EAST AFRICA PROTECTORATE.

## NAIROBI RACES.

The date of the Christmas Meeting will be Friday 26th December, but if the weather proves very unfavourable it will be postponed until the 27th. Selling Lotteries will be held at Nairobi Club on Wednesday 24th December at 9-30 P. M.

A. S. COUPER,

Honorary Secretary.

## NOTICE.

Tenders are invited for licenses for the Likoni, Motongue and Makupa Ferries for the year 1903. The person whose tenders are accepted for the respective Ferries will be required to sign an agreement, the forms of which can be seen on application at the office of the Port Officer, Mombasa. Tenders for each Ferry should be made separately and sent in sealed covers to the Port Officer not later than 15th December 1902. The highest tender will not necessarily be accepted.

Hitherto the charge has been one pice per head, no charge being made for the return journey.

On and after 1st January 1903, the charge will be one pice per head per trip, a charge thus being made for the return journey.

(Signed.) H. PIDCOCK

Port Officer.

Mombasa, 27th November, 1902.

## TENDERS FOR POLICE UNIFORMS.

Tenders are invited for the supply of the following suits of Khaki drill:—

3,000 Tunics  
3,000 Knicker bockers.

NOTE—Samples of the above may be seen in the office of the Inspector General of Police Nairobi, or of the Inspector in charge of Police, Mombasa.

Tenders for the supply of the above should reach the office of the Inspector General of Police, Nairobi, not later than the 10th December 1902.

The Inspector General of Police, does not bind himself to accept the lowest or any tender.

The delivery of the suits to be at the office of the Director Government Transport, Mombasa.

The following are the dates on which the suits should be ready:—

On 1st April 1903	1,500
„ 1st October 1903	1,500

Within 3 days of delivery a Board of Survey will be held on the suits delivered. The decision of the Board regarding acceptance or rejection of the suits to be final.

All suits rejected will be returned to contractor at his risk.

H. H. HENDERSON,  
Acting Inspector General of Police.

## NOTICE.

### NOTICE OF CLAIMS ON THE ESTATE OF J. W. WARD (A BANKRUPT).

Whereas by order of East Africa Protectorate Court I have been appointed Receiver of the estate of the above mentioned Bankrupt:

This is to give notice to all having claims against the said Bankrupt to submit the same to me in writing in my office in Nairobi not later than the 15th day of December 1902.

(Sd.) B. G. ALLEN,  
Solicitor,  
Receiver.

Nairobi, 24th November, 1902.

## NOTICE.

This is to give notice that on the 1st of December next Mr. B. G. Allen of Nairobi Solicitor will enter into partnership with me and from and after that date my practice of solicitor will be carried on under the name of Tonks and Allen.

OSMUND TONKS,  
Solicitor, Mombasa and Nairobi.

Dated 28th November, 1902.

## Reuter's Telegrams.

NOVEMBER 15TH.—Russian Official circles are much concerned at the reduction in strength of the French Navy in the Mediterranean. The "Novoe Vremya" states that the French Fleet there is a mere plaything, and that the situation demands a speedy change.

Reports from Tetuan are vague and conflicting. It is however stated that the Rebel Benadir Kabyles has received a check and has sued the Governor of Tetuan's pardon. The other tribes disapprove of the rising and their chiefs are coming into Tetuan to consult the authorities.

NOVEMBER 17TH.—The Cape Parliament has been adjourned. The three British warships have returned to Gibraltar and report that the uneasiness at Tetuan has subsided.

Mr. Brodrick speaking at Dewsbury stated that a gigantic conspiracy was on foot in Ireland, but that the forces on the side of law and order are too strong for the conspirators. Mr. Brodrick criticised Lord Rosebury's suggestion that Lord Kitchener should be made Secretary for War, and said that in his opinion there were the strongest objections against such an appointment, that it was most undesirable that this general whose future was so important to the nation should be made the centre figure on political platforms, and the target for Press criticisms. Alluding to the Army he stated that Great Britain might be easy on this point, that she would have an Army similar to the Continental Powers but that the cost and the terms of service must be left in the hands of Government, and it was their business to obtain if possible the necessary forces without proceeding to extreme measures.

The Liner "Elingamite" bound from Sydney to Auckland was wrecked on the 9th inst. at Three Kings Island. The passengers and crew took to boats and rafts, 139 of them were either landed or picked up during the week, and one raft has been recovered by H. M. S. "Penguin" containing eight persons alive and eight dead. The survivors had undergone the most terrible privations, they were nearly 5 days without food and water, some went mad from thirst jumped into the sea and were drowned. Thirty persons are still missing.

The Kaiser left Sandringham on Saturday for Penrith, where His Majesty will be the guest of Lord Lonsdale.

While the King of the Belgians together with members of his family were returning through the streets of Brussels from a Memorial Service to the late Queen an anarchist named Rubino fired three shots at the third carriage one of which grazed the face of Count Oultremont. Rubino was immediately seized and has since confessed that he intended to kill his Majesty. It is surmised that Rubino fired on the third carriage as the King of Belgians usually takes this position. On this occasion he rode in the first carriage quite in variance to his ordinary rule. It is generally remarked that once more a would be assassin turns out to be an Italian, and though seemingly sane appears to be infected with anarchist fanaticism.

There were volcanic eruptions at Santa Maria, Guatemala, hundred of lives have been lost, the sea is coated for many miles with volcanic matter, and there is great distress.

Prince Edward of Saxe Weimar is dead.

Mr. Kruger's Memoirs will be published to-day. They are not believed to contain any sensational revelations.

NOVEMBER 18TH.—The Colonial group in the French Chamber held a meeting on Saturday and decided to demand the new ratification of the Siam Convention, on the ground that same would be fatal to French influence in Siam.

Rubino has avowed himself an anarchist. Photographs of the Belgian Royal family were found on him, and although he declares that he had no accomplices it is believed that the crime was organised by anarchists in London.

150 Native Mounted Infantry have been ordered to proceed at once from India to Somaliland.

The King of Portugal arrived at Dover yesterday afternoon and went direct from there to Windsor on a visit to His Majesty.

NOVEMBER 19TH.—A most enthusiastic and united demonstration from all parties in Birmingham took place at a farewell banquet there given to Mr. Chamberlain.

Mr. Etienne has submitted to M. Delcasse the result of the meeting of Deputies in connection with the Siamese agreement. M. Delcasse replied that he believed he had obtained the maximum concessions from Siam and that he was convinced that the Convention would be most advantageous to France.

The Cape Parliament has been prorogued until the 15th of January.

The Court of Enquiry mentioned in Reuter's of the 14th instant practically exculpates the First and Second King's African Rifles.

NOVEMBER 20TH.—The Waziri Expedition is meeting with obstinate resistance. Tonnochy commanding the 4th Column has been badly wounded and has asked for reinforcements.

The Queen of Italy has been confined of a daughter.

Tonnochy was wounded while attacking a tower that was held by 6 outlaws, he has since died. Capt. White was killed while leading the stormers. Three British Officers and eight natives were wounded. The other Columns are meeting with little resistance.

NOVEMBER 21ST.—The Kaiser has expressed himself as highly gratified with his visit to England, and has much appreciated the friendliness shown him every where by the English people.

Martial Law has been repealed in the Orange River Colony and ordinances similar to those in force in the Transvaal Colony have been substituted.

NOVEMBER 22ND.—Lord Tennyson has been appointed Governor General of Australia.

Lord Cranborne speaking in the House of Commons said in view of the depletion of currency owing to the transmission of Indian Bank notes to India, the Government were considering the question of issuing Government paper which would be accepted as currency in the East Africa Protectorate.

The Kaiser embarked at Queensferry on board the "Hohenzollern" after lunching with Lord Rosebery at Dalmeny.

The Governor of Mozambique has arrived at Johannesburg. He was welcomed by Lord Milner with ceremony, streets were decorated bands played, and there was a guard of honour.

There is a possibility that the Labour trouble in the Rand owing to the demand by skilled miners of a day of 9 hours instead of 10 that there will be a further fall in Kaffir stocks although same are at present very considerably depressed.

The House of Commons have completed the Committee stage of the Education Bill. On some new clauses the closure was applied. Altogether the Committee stage has occupied 45 days. The Government majorities were very large in all divisions.

NOVEMBER 24TH.—It is reported that Mr. Chamberlain will spend a day or two at Cairo, Aden, and Mombasa and intends making a short trip on the Uganda Railway.

The orders issued for three French men-of-war to proceed to Oran have caused the widest rumours in the Press concerning British designs. It is however declared that the French Foreign Office does not share these apprehensions, but is convinced that Great Britain has no aggressive intentions.

Government will introduce to-day in the House of Commons a resolution approving of the sugar Convention. The opposition will move a direct negative and a full dress debate has been arranged.

Reuters Agent has been informed that the details of Mr. Chamberlain's voyage depend on weather and circumstances. He will probably visit Cairo while the "Good Hope" is coaling and passing through the Canal. It is at present impossible to forecast what he will do while coaling in Zanzibar.

General Manning's and Col. Cobbes column has reached Garrero, fifty miles northwest of Bohotle. The troops proceeded the same day with reliefs and provisions for the garrison.

Reuters Agent at Shanghai telegraphing on the 23rd inst. states that the evacuation commenced on the 22nd by the departure of the Japanese Contingent.

There was a severe earthquake in Jamaica on Saturday last.

NOVEMBER 25TH.—A telegram has been received from Aden stating that Lord Kitchener had a long consultation there on board the S. S. "Egypt" with General Maitland regarding the Somaliland Campaign.

Reuters Agent at Pekin states that the Chinese had hoisted their flag over the Coal Mine at Tongshan. Sir E. Satow proceeded there and instructed the British Commander to replace the Chinese flag by the British. This was done and the Chinese made no resistance.

Turkish troops have withdrawn from the disputed territory on the Aden Hinterland pending the result of the decision of the Commission.

The cable between Mombasa and Zanzibar is now interrupted.

NOVEMBER 26TH.—Replying to an interpellation in the French Chamber regarding the reduction of the personnel of the Mediterranean Squadron Mr. Pelletan, Minister of Marine declared that it had only been reduced for the winter when war was never known to occur. The Northern Squadron had often been treated similarly.

The reduction was made to provide funds for increased Naval construction, and to continue the Fortifications at Bizerta. The Chamber approved the reduction by 288 to 204 votes.

The House of Commons adopted the resolution approving the Sugar Convention after the amendment of Sir William Harcourt, disapproving of it, had been rejected by 213 to 126 votes. Mr. Chamberlain strongly supported the Resolution and appealed to the House on its behalf in the interests of the Empire.

At the Orkney election Mr. John Wason a seceded Unionist secured 2,412 votes, Mr. Wood Liberal candidate 201 and Mr. Angier, Unionist, 74C.

Mr. and Mrs. Chamberlain left Victoria by Royal Train and received a magnificent send off from the Ministers and Members of Parliament on the platform. The "Good Hope" left Portsmouth at 3 in the afternoon after an informal farewell. There was bright sunshine and bands were playing afloat and a shore.

Great Britain is pressing for several long standing claims against Venezuela. It is understood she has given Venezuela a limited time to comply.

NOVEMBER 27TH.—Reuters Agent at Bangkok telegraphs that the Siamese troops have completely dispersed the rebels and the North Country is quieting down.

H. M. S. "Renown" left Malta for Genoa to take the Duke and Duchess of Connaught to India.

The French Miners have returned to work except in the Loire Basin.

According to the latest information Mr Chamberlain will beat Mombasa from the 14th December to 17 December while the "Good Hope" coals at Zanzibar.

Archbishop Walsh and the Irish Hierarchy publicly condemn the Irish members in their failure to support the Education Bill, this accentuates the Saulit Party.

NOVEMBER 28TH.—The Dockers and others registered at Marseilles for Naval services have struck and induced a number of crews to join them. Several mail steamers are delayed.

Mr. C. T. Ritchie speaking at Craydon said he hoped to do something in April in the relief of taxation.

It is announced authoritatively in Berlin that England and Germany had agreed on joint action in order to collect their claims against Venezuela and are now discussing the details.

General Manning's flying Column has relieved and reinforced Bohotle 35 per cent of the garrison are all with Malarial fever. The Mullah's forces are preparing to oppose the Expedition and he seems extraordinarily well informed of the British movements.

Three German Cruisers the "Amazone" "Dreaden" "Niobe" are fitting up full of war equipment at Kiel and will go immediately to Venezuela. It is understood the British Admiralty are taking proportional measures. The United States is fully informed as to the Anglo German action.

## ARRIVALS AND DEPARTURES.

November 19th,	Mr. E. Vaughan Assistant Surveyor, for England.
November 20th,	Dr. G. C. Low, Sleeping Sickness Commission for England.
	Mr. R. B. P. Cator, from Nairobi.
	Mr. H. G. H. Henderson, for Fort Ternan.
November 21st,	Lt. N. McLeod, 5 K. A. R., from India.
	Mr. J. O. W. Hope for Skimoni.
November 22nd,	Sir C. Eliot, K. C. M. G., C. B., and Mr. H. F. G. Bell and Mr. C. F. Elliott, for Nairobi.
November 25th,	Mr. A. G. Boyle, for Uganda.
	Lt. J. S. Ward, 4 K. A. R., from Uganda.
November 27th,	Lt. N. McLeod, 5 K. A. R., for Uganda.
	Mr. S. C. E. Baty, Mr. J. W. Barth and Mr. H. T. Powell, from Nairobi.
November 29th,	Sir C. Eliot, K. C. M. G., C. B., and Mr. H. F. G. Bell, from Nairobi.
	Mr. J. W. Tritton and Mr. J. W. T. McClellan, from England.

## NOTICE.

A list of Newspapers Magazines &c., lying in the General Post Office, Mombasa, received without addresses.

No.	Title.	Dated 1902.
1	The Railway and Engineering Review (with Supplement.)	(Chicago) 15 March.
1	The Strand Magazine	August.
1	Le Petit Journal	(Paris) 27 April.
1 Bundle	News Cutting (Re-Uganda) from T. P. Brown Ltd., 163 Queen Victoria Street London E. C.	July and August.
	Berliner Lokal Anzeiger	September.
1	Newspaper Kuryer Poznanski	Czwartek 2 Jaze-ziernika 1902.
1	A piece of wedding cake	18th October.
1 Bundle	Glasgow Weekly Mail	7th to 12th Oct.
1	Madras Mail	Calangute 17th
	A Voz de Povo.	Outubro.

Owners of the above should make early application to this Office, together with any evidence of ownership.

General Post Office,  
Mombasa, 15 November, 1902.

THOS. E. C. REMINGTON,  
Postmaster-General.

# METEOROLOGICAL OBSERVATIONS.

## THE WEATHER IN MOMBASA.

FORTNIGHT ENDING 30th NOVEMBER, 1902.

Days.	Month and date.	Barometer 8 a.m.	Dry B. 8 a.m.	Wet B. 8 a.m.	Temperature.		Rain 24 hours
					Maximum 24 hours.	Minimum 24 hours.	
Sunday	... November 16	30.036	81	78	88	75	0.00
Monday	... " 17	30.062	80.2	78.6	88	76.8	0.09
Tuesday	... " 18	30.060	79.8	78	87.4	76	0.38
Wednesday	... " 19	30.100	78.4	77	86	76	0.62
Thursday	... " 20	30.062	78.8	77.2	86.4	76	0.00
Friday	... " 21	30.060	76.4	75	86.6	74	0.42
Saturday	... " 22	30.092	81	79	87	75.5	0.00
Sunday	... " 23	30.080	79.4	77.8	87	76.4	0.00
Monday	... " 24	30.110	80.4	78	85.4	76	0.00
Tuesday	... " 25	30.122	79.6	78	85.5	76	0.13
Wednesday	... " 26	30.038	76	75	81	75.5	2.15
Thursday	... " 27	30.050	77.2	76.5	85.4	75	1.18
Friday	... " 28	30.050	81	79	86	76.5	0.00
Saturday	... " 29	30.030	80.4	79	88	76.5	0.00
Sunday	... " 30	30.044	76	75	...	74.5	0.71
Total rainfall for 11 months ending 30th November 1902, 45.02.						Total Rainfall...5.68	

## MOMBASA HARBOUR.

High Water at Mombasa, 1st to 15th December, 1902.

---	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	...	...
A. M.	4 26	5 16	6 6	6 56	7 46	8 36	9 26	10 16	11 6	11 55	0 19	1 8	1 57	2 46	3 36	...	...
P. M.	4 50	5 40	6 30	7 20	8 10	9 0	9 50	10 40	11 30	0 0	0 43	1 32	2 21	3 10	4 0	...	...

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					Rs.	Rs.	Rs.	Rs.	Rs.
One year	...	...	...	...	360	200	110	76	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.

**NOTICE.**

All Applications or Remittances should be sent to the Editor.

The rates of subscription are as follows:

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Price of one Copy one month old ...	...	...	...	0 6 0
" " six months old ...	...	...	...	0 12 0
" " one year old ...	...	...	...	1 8 0

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**Transport Contractor for**

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The Catholic Missionary Society.

The Algiers Missionary Society.

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**ANTWERP EAST AFRICAN TRADING COMPANY, LD.**

**MAIN STREET MOMBASA.**

**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, Handkerchief Turkish Towels, Umbrellas, Boots and Shoes, Felt and Panama Hats, Smoking Caps, Water proof Coats and Leggings, Ghari Sheets, Rugs and Holdalls, Guns and Ammunition.

**LADIES** Blouses, Garibaldies, Tea Gowns, Corsets, Hose, Suspenders, Parasols Umbrellas, Boots, Shoes and Slippers Belts.

SENT OUT TO RESIDENCES ON APPROVAL.

Joiners and Masons Tools, Ironmongery, Cutlery, Glass and China Ware, Lamps and Glasses. Provisions H. & P. and P. & F. Biscuits and Cakes, &c.

Buyers of Rubber, Ivory, Gum Copal and Wax in large and small quantities.

**J. H. DRAKE,**  
**Chief Agent.**



# SMITH MACKENZIE & Co., LLOYD'S AGENTS

DISTRICT BETWEEN GUARDAFUI & CAPE DELGADO INCLUDING ZANZIBAR & PEMBA.

AGENTS FOR

Messrs. CORY BROS. & Co. Ltd., BEST WELSH COAL (Myrthyr)  
CONTRACTORS TO THE BRITISH AND GERMAN NAVIES.  
AFRICAN LAKES CORPORATION LIMITED.

**BUSHMILLS WHISKEY.**  
**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.

**AGENTS:—**

**SMITH MACKENZIE & Co.**

**C. F. BOUDEAU & Co's**

COGNAC.

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

**AGENTS :—**

**SMITH MACKENZIE & Co.**

**JOHN EDGINGTON & Co.**



**SPECIAL ROTPROOF TENTS**

AND

**CAMP EQUIPMENT.**

**A LARGE AND VARIED**

**STOCK ON HAND.**

**AGENTS :—**

**SMITH MACKENZIE & Co.**

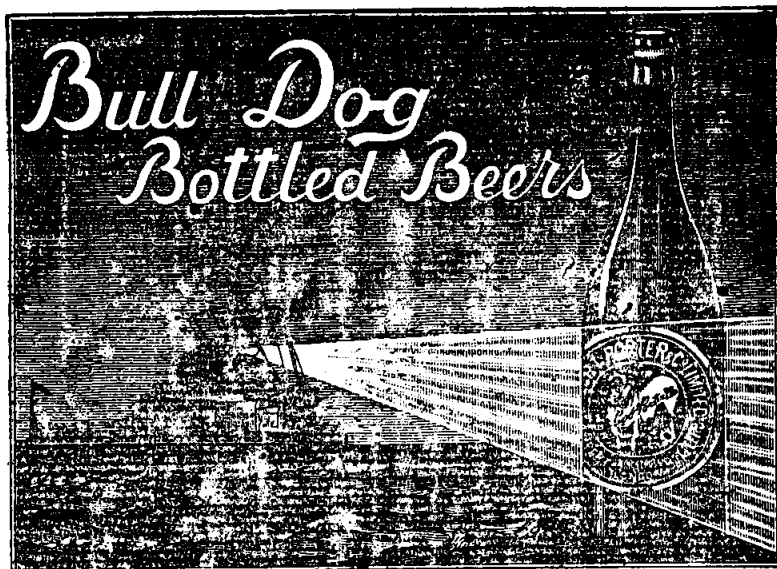


# BULL DOG BRAND.



## AWARDS

MELBOURNE 1890.  
ADELAIDE 1891.  
CALCUTTA GOLD MEDAL 1883-4.  
JAMAICA 1891.  
CHICAGO 1893.



BASS' PALE ALE  
BASS' LIGHT BITTER ALE  
("Oriental Ale.")  
Guinness' Extra Stout.

**SMITH MACKENZIE & Co., Mombasa & Zanzibar.**  
SOLE AGENTS.



The Popular Scotch  
IS

"Black and White."  
JAMES BUCHANAN & CO.  
SCOTCH WHISKY DISTILLERS.

BY APPOINTMENT TO  
H. M. THE QUEEN AND H. R. H. THE PRINCE OF WALES.  
SMITH MACKENZIE & CO.,  
SOLE IMPORTERS

**D. & J. McCallum's.**

"PERFECTION" WHISKY.

ACKNOWLEDGED TO BE  
THE FINEST SCOTCH BLEND  
ONLY OBTAINABLE FROM

SMITH MACKENZIE & CO.,  
SOLE IMPORTERS.



**PAINTS  
PAINT OILS**

TURPENTINE  
ENGINE OILS, LUBRICATING OIL,  
COTTON WASTE, COAL TAR,  
CREOSOTE, ROOFING FELTS  
BRUSHES OF ALL SORTS,  
RANGOON OIL.

To be had from—

SMITH MACKENZIE & CO.

# CUTLER PALMER & Co.

## Wine Merchants

ESTABLISHED IN LONDON 1815, AND IN INDIA 1842.  
SHIP TO MOMBASA THE FOLLOWING WINES & SPIRITS.

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

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

**SHERRY.**—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.

**BEAUNE.**—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 cannot be purchased or influenced; it is the only sure preventive against Cholera Small-pox and all epidemic diseases.

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 worm, Itch 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 in use. TRY ALSO THE TOILET SOAPS.

**PUNJAB EXHIBITION 1893-94**

Diploma for Excellence of Exhibit awarded.



**"CANADIAN CLUB" WHISKY**

Age and genuineness guaranteed by the Canadian Government.

**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. MESSRS. MACKINNON, MACKENZIE & CO.  
CALCUTTA.

The Mail steamer sailing every 28 days from Bombay for Aden, Mombasa and Zanzibar will return from the latter port direct to Bombay but will call at Mombasa if sufficient inducement offers.

The steamers sailing every 28 days from Bombay via Murrumbidgee for Mombasa direct will after calling at Tanga and Zanzibar proceed to Beira, Delagoa Bay and Durban. These steamers will return calling at Delagoa Bay, Beira, Mozambique, Ibo and Zanzibar and will thence take the mail sailing to Mombasa, Aden and Bombay.

A cargo steamer will sail from London every 28 days commencing 14th June 1902, via the Suez Canal Aden, Mombasa, Zanzibar, Beira, Delagoa Bay and Durban.

Direct steamers from Rangoon for Mombasa, Tanga and Zanzibar will sail as inducement offers.

## SPECIAL NOTICE TO PASSENGERS.

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

## MAILS OUT AND HOME.

MAILS LEAVE LONDON.	ADEN LEAVE.	MOMBASA ARRIVE.	MOMBASA * LEAVE	ADEN. ARRIVE.	MAILS DUE IN LONDON.
13 June	24 June	5 July	Saturday	Wednesday	Monday
11 July	22 July	2 August	12 July	23 July	4 August
8 August	19 August	30 August	9 August	20 August	1 September
5 September	16 September	27 September	6 September	17 September	29 September
3 October	14 October	25 October	Friday	Tuesday	
31 October	11 November	22 November	3 October	14 October	26 October
28 November	9 December	20 December	31 October	11 November	23 November

\* 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 rates to London.

## NOTICE TO CONSIGNEES.

*Any claim for damage to goods must be brought to the notice of the Agents not later than three days after the 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.**