



THE OFFICIAL GAZETTE OF THE COLONY AND PROTECTORATE OF KENYA.

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GOVERNMENT NOTICE NO 573

ARRIVALS

Name	Rank	From leave or on 1st Appointment	Date of leaving England	Date of Embaikation	Date of arrival at Mombasa
W A Andrews	Telegraph Inspector	Leave	—	*11th Aug , 1929	2nd Sept , 1929
C P B Norman	Asst District Commissioner	do	8th Aug , 1929	do	do
P W Harris	"	do	do	do	do
D G Boucher	Asst Architect, P W D	do	2nd Aug , 1929	—	do
Capt M A E Ashby	Capt , 3rd K A R	do	do	—	do
J S Stirton	Sanitary Inspector, Medical	do	8th Aug 1929	*11th Aug , 1929	do
Miss J M C Millett	Clerk, Medical Dept	do	2nd Aug 1929	—	do
Dr P F Nunan	Senior Medical Officer	do	9th Aug , 1929	do	do
" H A Cole	Medical Officer	do	28th July 1929	do	do
" P Ross	"	do	2nd Aug , 1929	—	do
" H A MacMillan	"	1st Appointment	do	—	do
" J C D Carothers	Nursing Sister	do	do	—	do
Miss G C Hawkins	Asst Auditor	do	do	—	do
A C Getley	Attorney General	do	do	—	do
A D A MacGregor	Electrical Mechanician, Post & Telegraphs	do	do	—	do
J N Johnson	Electrical Mechanician, Post & Telegraphs	do	do	—	do
E G Hitch	District Officer	Leave	2nd Aug , 1929	+26th Aug , 1929	3rd Sept , 1929
Lieut -Co ^l F L B Anderson D S O					

* Date of leaving Marseilles

† Date of leaving Durban

DEPARTURES

Name	Rank	On leave or termination of appointment	Date of Departure
G B E Norburn	Asst Architect, P W D	Leave	31st Aug , 1929
F E Ferrary	Surveyor, P W D	do	do
H O Jones	Town Clerk (Mombasa), Administration	do	do
A W J Mitchell	Technical Instructor, Prisons	do	do
C E Morton	Temp Asst Master, Education	do	do
H W Cox	Asst Accountant, K U R	do	do
E H Fletcher	Junior Clerk, K U R	Resignation	do
C E Lee	"	Leave	do
Miss E Spencer	Clerk 3rd Grade, K U R	do	do
W W C Burgess	Officer in Charge, Finger Print Bureau, Native Affairs Department	do	4th Sept , 1929

APPOINTMENTS

GEORGE HENRY CARNE BOULDERSON, to be District Commissioner, Central Kavirondo District, Nyanza Province, with effect from 21st August, 1929

S/E 20064/13

HERBERT LAURENCE BAILES, to be Acting Treasurer, with effect from the 27th August, 1929

S/E 20064/13

ARTHUR ERIC FORREST, to be Acting Deputy Treasurer, with effect from the 27th August, 1929

S/E 20064/13

PATRICK CAMPBELL MACDOUGALL WATSON, to be Acting Principal Assistant Treasurer with effect from the 2nd September, 1929

S/E 20064/13

KENNETH SYLVESTER JAMES CHAMBERLAIN, to be Acting Senior Assistant Treasurer, with effect from the 27th August, 1929

HECTOR ALASDAIR MACMILLAN, M B CH B, to be a Medical Officer, with effect from the 2nd August 1929

JOHN COLIN DIXON CAROTHERS, M B, B S, M P C S, L R C P, to be a Medical Officer with effect from the 2nd August 1929

MISS GRACE CAPOLINE HAWKINS to be a Nursing Sister with effect from the 2nd August, 1929

PRELIMINARY ORAL SWAHILI EXAMINATION,
PASS

S S M, R W GRIGOR, Supply and Transport Corps, K A R
 J P PIKE, Resident Engineer, Water Supply (P W D)
 W T FIELD, Asst Engineer, Water Supply (P W D)
 C J BUCKLEY, Asst Engineer (P W D)
 E J CRANNY, Road Foreman (P W D)
 I A MORSON, Temporary Road Foreman (P W D)
 A H W MANCE, Clerk of Works (P W D)
 W B C DANKS, B S C, M R C V S, Veterinary Dept
 D F MCPHIPPON, M R C V S, Veterinary Dept
 J P KELLY Sinitiv Overseer, Medical Dept
 DR R McFIGGANS, Medical Department

J E S MERRICK,
for Colonial Secretary

CORRIGENDA

Re Proclamation No 134 of the Official Gazette dated 20th August, 1929

On the last line of page 1771, for Farm L R No 487/54, read Farm L R No 407/34

On page 1772, paragraph 8, for Absegoo River, read Absege River

On page 1772, paragraphs 14, 15 and 16, for Farm L R No 5972, read Farm L R No 3927

On page 1772, paragraphs 16 and 17, for Farm L R No 5928, read Farm L R No 3928

Colony and Protectorate of Kenya.

GOVERNMENT NOTICE NO 574

THE Water Bill, as amended by the Select Committee of the Legislative Council appointed to consider it, is printed for public information

Nairobi,
22nd July, 1929

W M LOGAN,
for Colonial Secretary

A Bill to make Provision for the Employment and Conservation of Waters and to Regulate Water Supply, Irrigation and Drainage

PART I.

PRELIMINARY

BE IT ENACTED by the Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof, as follows —

1 This Ordinance may be cited as "the Water Short title Ordinance, 1929"

2 In this Ordinance unless inconsistent with the context or subject-matter, the following expressions shall have meanings hereby assigned to them, that is to say —

"Applicant" means any person who has applied for a water right under this Ordinance

'Authorisation' means an authorisation to construct works under this Ordinance

10 "Authorised" means authorised under the provisions of this Ordinance or of any notice or regulation thereunder

"Body of water" means water contained in, or flowing in, a spring, stream, natural lake, or swamp, or in or beneath a watercourse and includes the water diverted or abstracted therefrom, or stored therein, by means of works under a licence, but shall not include—

20 (a) a swamp, the boundaries of which are wholly within the boundaries of the land owned by any one landholder and which do not cross or abut against the boundaries of the said land, and to or from which no stream extending beyond the boundaries of the said land flows, either continuously or intermittently,

25 (b) a spring, which is situated wholly within the boundaries of the land owned by any one landholder and which does not naturally discharge water into a watercourse extending beyond the boundaries of the aforesaid land or abutting on its boundaries

Provided that this definition shall be subject to the provisions of section 86 of this Ordinance

Definitions and interpretations of terms

“ Company ” means any incorporated or limited company, the object and powers of which extend to or include the construction or operation of works for the exercise of a water right

“ Department ” means the Public Works Department 5

“ Develop ” means make available for beneficial use

“ Director ” means the officer for the time being appointed to the post of Director of Public Works

“ Easement ” means the right to occupy so much of the lands of another as may be necessary for, or incidental to, 10 the construction and/or maintenance of authorised works and/or the exercise of a water right

“ Flood water ” means any water flowing in a stream in excess of the normal flow

“ Irrigation ” means the practice of causing water to 15 flow upon or spread over or under the surface of land for agricultural purposes

“ Landholder ” in relation to land means the Crown, or the registered owner of the land, or the person in whom the land is vested by law, or any person to whom a mining lease 20 or mining claim has been granted under the provisions of the Mining Ordinance, 1912, or any Ordinance amending or replacing the same and shall include —

(a) Any person lawfully holding or occupying land in accordance with the provisions of any law empowering 25 the Government to allot land upon the promise of title subject to the fulfilment by the allottee of prescribed conditions

(b) Any person who by any established right, custom or estate whatsoever is, or is entitled to be, the holder 30 or possessor of land

Cap 147 “ Land Surveyor ” means a surveyor licensed under Rules made under the Land Surveyors Ordinance or any Ordinance amending or replacing the same

“ Licence ” means the document conveying a water right 35

“ Licensee ” means the holder of a licence under this Ordinance

“ Normal flow ” means the ordinary flow at any particular point of a stream as certified by the Water Board from time to time to be the normal flow at that point 40

“ Operator ” means any person authorised to construct works under this Ordinance by authorisation or to divert, abstract, or use water by licence, and includes an applicant

Cap 140 “ Permit ” means any permit issued under section 145 of the Crown Lands Ordinance, and shall include a water 45 permit or written permission to divert, abstract, obstruct, or use water or to construct works, which has been signed by the Director or by any of his predecessors in office or on his or any of their behalf

“ Persons ” means any person or body of persons or body 50 corporate, and their heirs, executors, administrators, or other legal representatives of such person, to whom the context can apply according to law

“ Prescribed ” means prescribed under the provisions of this Ordinance, or of any rule or notice thereunder 55

“ Qualified engineer ” means a person registered under this Ordinance as a qualified engineer

"Riparian" as applied to land, means abutting on or traversed by a body of water

"Spring" means water emerging from beneath the surface of the ground

5 "Stream" means the water contained in a watercourse, and includes a river

"Water Board" means the Water Board established under this Ordinance

10 "Watercourse" means a natural channel or depression in which water flows, either continuously or intermittently

Provided that this definition shall be subject to the provisions of section 86 of this Ordinance

15 "Water right" means the right to divert, abstract, obstruct, store or use water or to drain lands as granted and held by licence under this Ordinance, and includes the right to construct and maintain works authorised under this Ordinance for the purposes of the licence

20 "Works" means any structure, apparatus, contrivance, device or thing, for carrying, conducting, providing, or utilising water, excepting hand utensils or such other contrivances as may be specified in the Gazette by order of the Water Board

3 This Ordinance shall apply throughout the Colony ^{Application and commencement} and shall come into operation on such day as the Governor shall by proclamation in the Gazette appoint

25

PART II

WATER RIGHTS

4 (1) The water of every body of water is hereby declared to be the property of the Crown, and its control is hereby declared to be vested in the Governor in Council on behalf 30 of the Crown, subject to the provisions of this Ordinance Water the property of the Crown and vested in the Governor in Council

(2) This section shall not apply to any part of the Protectorate of Kenya which is now or may hereafter be held on lease from His Highness the Sultan of Zanzibar

5 The right to the use of every body of water is hereby declared to be vested in the Governor in Council, and no person shall divert, abstract, obstruct or use water from a body of water, otherwise than under the provisions of this Ordinance Right to use water vested in the Governor in Council

6 After the coming into operation of this Ordinance, 40 no conveyance, or lease of land, or any other instrument of whatever description dealing with land including any mining lease, or mining claim shall convey to or vest in any landholder any property or right, or interest or privilege, exclusive or otherwise, with respect to any body of water, and any provision in any document purporting to convey or vest in any landholder any such property, right, interest or privilege shall be void and of no effect, and, except for any right specifically granted by, or on behalf of Government in any title under the Crown Lands Ordinance, 1902, or under the *Cap 140* 45 Crown Lands Ordinance or in any written agreement, no right shall exist or be acquired, or be deemed to have been acquired (other than by a revocable authority conveyed by permit) by any person by length of usage, or otherwise than as it may be acquired or conferred under this Ordinance.

Purposes for
which a water
right may be
acquired

- 7** The purposes for which a water right may be acquired are the following —
- (a) Domestic purpose, which shall mean and include the provision and employment of water for household and sanitary purposes, the watering and dipping of stock, and the essential requirements of such farming operations as are not of an industrial nature 5
 - (b) Public purpose, which shall mean and include the provision and employment of water for municipalities, townships, villages, and communities, and for all reasonable demands for steam raising on railways or for other purposes connected with public undertakings, not involving the use of water for the generation of power 10
 - (c) Minor irrigation purpose, which shall mean and include the provision and employment of water for irrigation of land used for orchards, gardens, nurseries, or land for other requirements in connection with farming operations not exceeding five acres in area 15
 - (d) Industrial purpose, which shall mean and include washing and treating of coffee, vegetable fibre, or other agricultural or mineral products, or the essential requirements of other industries and mining 20
 - (e) Power purpose, which shall mean and include the provision and employment of water for the development of power 25
 - (f) General irrigation purpose
 - (g) Other purpose 30

Riparian
amenities
safeguarded

- 8** (1) Applications for water rights for the same purpose or for different purposes shall receive consideration in accordance with the circumstances of each case, but no water right shall be granted which in the opinion of the Water Board would be likely to interfere with the essential domestic requirements of riparian land according to this Ordinance, without the authority of the Governor in Council 35

(2) The Water Board may reserve such part of the flow of a stream as in its opinion is required for domestic purposes on lands riparian to the stream, and where apportionment of such part amongst landholders is required to be made the Water Board shall determine such apportionment after having taken into especial consideration the length of frontage of each holding on the stream 40

When licence
not required

- 9** A licence shall not be required for the abstraction or use of any water from any body of water for domestic purposes by any person having lawful access thereto, if such abstraction or use is made without the employment of works 45

Provided that in the case of small bodies of water or during drought the Water Board may in its absolute discretion by written order require a riparian landholder to allow to pass to lower riparian landholders such proportion of the flow of a stream as appears to the Water Board to be equitable, and may prohibit any practice which in the opinion of the Water Board causes an undue reduction of the flow of a stream, and 50

any person who fails to obey an order of the Water Board given under this section shall be guilty of an offence against this Ordinance

10 In all cases of proposed diversion, abstraction, obstruction, storage, or use of water from a body of water, other than those referred to in the last preceding section, application must be made in the manner prescribed by this Ordinance for a licence for the diversion, abstraction, obstruction or storage of water. The execution, construction, erection or employment of works for the diversion, abstraction, obstruction or storage of water from or in a body of water, except as hereinbefore provided, without, or prior to the receipt of an authorisation, licence or sanction under this Ordinance, shall be an offence under this Ordinance

15 **11** Projects for the use of water, or for the drainage of land, are of five classes namely —

- State Projects
- Private Projects
- Community Projects
- 20 Public Projects
- Urban Projects

12 (1) Whenever the Governor in Council, on the advice of the Water Board established under this Ordinance, may have decided upon a project to use, or may consider it desirable 25 in the public interest to reserve the right to use, the water, or portion of the water, of any body of water, or upon a project for draining land, such State project or reservation shall take precedence over all other projects for the use of such water, or drainage of such land

(2) Licences may be issued, on such terms as the Water Board may in each case specify for water rights for use of water in an area, treated or to be treated, in whole or in part, as a State project, or for use in connection with a body of water affected by a State project, until such time as such water 35 is required for the State project, or when and for as long as water is available in excess of the requirements of the State project

(3) The Governor in Council may from time to time, on the advice of the Water Board, publish in the Gazette a notice 40 setting forth the land required for the development of any State project and Crown lands required for such State project may by notice in the Gazette be reserved from sale or other disposal

(4) When any of the land required for the State project 45 has been sold, leased, allotted, or otherwise disposed of by the Crown, prior to publication of the notice as hereinbefore prescribed in the Gazette, the procedure for the acquisition of the land so disposed of shall be in accordance with the law in force for the time being relating to the acquisition of land 50 for public purposes

(5) The reservations in this section may be exercised by the Governor in Council notwithstanding that the construction of the projected works may not be done by Government or paid for out of Government funds

*When licence
is required*

*Classification
of projects*

*State projects
take prece-
dence over all
others*

Private projects	<p>13 (1) Private projects are those which concern the use of water or the drainage of swamps within the limits of the land of the operator, whether the works are constructed entirely on the land of the operator, or partly on the land of other persons</p>	5
Private project conducted by in association of operators	<p>(2) Two or more operators who have a common interest in the employment of water or in the drainage of swamps may unite in an association for the exercise of a water right under a licence for a private project. Any application for a water right in such a case shall be accompanied by a statement of the terms and objects of the association and the rules under which such an association proposes to exercise the water right must be specified in writing and submitted to and approved by the Water Board, as also must any modification of such rules at any later date</p>	10 15
	<p>(3) The proportion of participation shall be presumed to be equal between members, unless the contrary is laid down in rules made by the association, adopted as provided in the preceding sub-section</p>	
	<p>(4) The grant of a water right to an association of operators under the provisions of this section shall be subject to such terms governing action to be taken during operation, upon withdrawal of members, or upon dissolution, as the Water Board may prescribe, or as may be prescribed in Rules made under this Ordinance</p>	20 25
Community projects	<p>14 Community projects shall be such as are conducted on lines specified in Rules made under this Ordinance by a community of landholders operating under a water right for one or more of a series of authorised purposes connected with the use of water or with drainage or reclamation, entirely or for the greater part within their own holdings, not being public or urban projects</p>	30
Public projects	<p>15 Public projects shall include projects which involve the supply of water or of electrical energy derived from the energy of moving water, to persons other than the operator, in consideration of payment therefor, or the drainage or reclamation of lands in consideration of payment therefor</p>	35
Urban projects	<p>16 Urban projects shall mean projects undertaken, operated or maintained by a municipal authority, corporation, or other body, for the supply of water to municipalities or townships, and shall include projects, howsoever originated and constructed, which are taken over and operated by a municipality, corporation, or other water works authority, for the supply of water to a municipality or township</p>	40
Water Board to determine class of project	<p>17 It shall be lawful for the Water Board to determine to which class any proposed project shall be deemed to belong</p>	45
	<p>18 (1) For the purpose of carrying out the provisions of this Ordinance, a Water Board shall be established by the Governor in Council</p>	50
	<p>(2) The Director shall be Chairman of the Water Board, and the members thereof shall be the following persons, namely —</p>	
	<p>(a) The Attorney General,</p>	
	<p>(b) The Chief Native Commissioner,</p>	

- (c) The Director of Agriculture,
- (d) The Commissioner for Local Government, Lands and Settlement

(e) The Surveyor General,

5 and four representatives of the public who shall be appointed from time to time by the Governor by notice in the Gazette

Provided that in the case of absence or inability to attend, the Chairman and any of the officers included in paragraphs (a), (b), (c), (d) and (e) above may be represented 10 by a deputy

(3) The Water Board shall meet at such times and places as the Chairman shall direct but shall ordinarily meet in Nairobi

15 (4) The powers, duties, and obligations of the Water Board may at any time, be exercised by a quorum thereof consisting of not less than half the number of members

20 (5) At any meeting of the Water Board the Chairman shall preside and in his absence his deputy shall act as Chairman and in the case of the absence of the Chairman and his deputy, the Board shall elect one of the members as Chairman

(6) The four representatives of the public above referred to shall hold office during the Governor's pleasure

25 (7) The Chairman presiding at a meeting shall, in the event of an equal division of votes, have a second or casting vote

(8) No member of the Board shall be allowed to vote on any matter in which he may have an interest, pecuniary or otherwise

30 (9) The Board may from time to time make rules regulating its procedure

(10) The executive work and requirements of the Water Board shall be carried out by such engineers, surveyors, inspectors and clerks or other staff of the Department as may 35 be specially appointed for the purpose of the administration of this Ordinance and by such other persons as the Director may approve

(11) There shall be made such hydrographic surveys and investigations as will ensure that adequate knowledge is secured 40 of the varying flow of streams, the alteration of the level of the water of lakes, the capacity of power reaches, and the probable future demands for water, to enable the Water Board to apportion water rights equitably, and to make such reservations as may be required in the future for public purposes and 45 applications for water rights, as well as to ensure that the requirements of riparian landholders to water for domestic purposes are adequately protected

(12) Any of the powers, duties, or obligations vested by this Ordinance in the Water Board, except the power to 50 grant alter or cancel water rights, easements, licences or sanctions, may, by resolution of the Water Board, be deputed by the Water Board to the Director

19 (1) The Governor in Council may, on the advice of the Water Board appoint District Water Boards to assist in 55 the administration of this Ordinance in any areas of the Colony

Appointment
of District
Water Boards

(2) The constitution, membership, chairmanship, meetings, duties, and areas of operation of a District Water Board shall be as provided by Rules made under this Ordinance

(3) A District Water Board shall be advisory to the Water Board on matters pertaining to applications for water rights or the alteration thereof in any part of its area 5

(4) The powers of a District Water Board shall be such powers as may be granted by Rules made under this Ordinance

(5) The Governor in Council may, on the advice of the Water Board, appoint any local authority or body of persons with their concurrence, to exercise within any area such of the duties and powers of a District Water Board as he may decide 10

Rights of
holders of
pre-existing
permits

20 (1) A holder of a permit, not being a permit terminating on the 31st day of December of the year of issue or 15 renewal, who has made, and is, at the time of the coming into operation of this Ordinance, making beneficial use of water in conformity with the terms of the said permit, if application be made by him to the Water Board for a water right under this Ordinance within six months after the date of the coming into 20 operation of this Ordinance and after receipt by the Water Board of any particulars it may require regarding the diversion, abstraction, obstruction or use of the water, or other matters pertaining thereto, shall be entitled to receive a licence under this Ordinance 25

Provided that the licence shall authorise the diversion, abstraction, storage, or use of a discharge or the construction of works or the diversion, abstraction, storage or use of a proportion of the flow of a stream or all or any of them, which shall be determined by the Water Board after consideration of the discharge or proportion of the stream which at the time of the coming into operation of this Ordinance is being diverted, abstracted and beneficially used, and of the works constructed, and of the probable future utilisation of the body of water by other users, and shall be issued under such terms 30 and conditions as may be decided by the Water Board 35

Provided also that if in the opinion of the Water Board a licence should not be issued until after hydrographic survey or other investigation has been made, or if for any other reason the Water Board deems it desirable to delay the issue of a 40 licence, the Water Board may issue a sanction under section 88 of this Ordinance in lieu of the said permit

(2) When a permit or a renewal thereof terminating on the 31st day of December has been issued and is being made use of in conformity with the terms thereof, a sanction may be 45 issued by the Water Board under section 88 of this Ordinance in lieu of the said permit

Termination
of permits

21 (1) When a period of twenty-four months after the coming into operation of this Ordinance shall have elapsed, or such further period as may be determined by the Governor in 50 Council by notice in the Gazette, all diversions or abstractions of water from a body of water or obstruction of a body of water effected under any authority or law whatsoever, other than the authority of this Ordinance, except in so far as they be or become lawful under the terms of this Ordinance, shall cease 55 to be lawful

(2) Every person who has been, prior to the coming into operation of this Ordinance, diverting or abstracting, or obstructing water, or allowing water to be diverted, abstracted, or obstructed, within the boundaries of land held by him under any terms of tenure, shall either discontinue to divert, abstract or obstruct water, and, if required by the Water Board, cause to be removed any works constructed, maintained or used by him which obstruct or impede the flow of any body of water, or shall, within six months from the date of the coming into operation of this Ordinance, or within such further period as may be determined by the Governor in Council by notice in the Gazette, apply for a water right under this Ordinance, and shall supply such particulars as may be required by Rules made under this Ordinance or as the Water Board may specify regarding the works, diversion and use of the water

22 (1) Any person contemplating an application for a water right under this Ordinance may, upon submitting in the manner prescribed by Rules made under this Ordinance, a general description of his proposals and a list of lands which might be affected by the construction and operation of the work in connection therewith together with the names and addresses of the holders of the same and upon payment of the prescribed fee, obtain from the Water Board authority to do the necessary preliminary investigation in connection with the location of such work, which authority may prescribe a time limit within which such investigation is to be completed, and after he has obtained such authority he may with such assistants as are necessary enter into and upon any public or private lands to take levels make surveys and do other necessary work in connection with such location, doing no damage

Authority to
enter upon
lands for
purposes of
survey, etc

(2) The Water Board shall issue no such authority until it has served a notice on each landholder that application to enter his lands has been made by a stated person

(3) The grant of such authority shall in no way be deemed to authorise the doing of damage upon any lands entered upon, and if any damage is done, compensation shall, failing agreement between the parties as to the amount of such compensation, be determined by arbitration under the Arbitration Ordinance

23 Every applicant under this Ordinance shall file with the Water Board the following documents in duplicate, accompanied by the prescribed fee —

(a) An application on a form provided, in which the applicant shall set forth his name, residence and occupation, the number and locality of his holding, or the area of a mining lease or mining claim, the land where water is required to be used, a description of the body of water from which the water required is to be diverted, abstracted, stored or used, the point of diversion, abstraction, storage, or use, the purpose for which water is required an estimate of the normal and minimum flow of the stream from which diversion or abstraction or storage is applied for, a statement whether a proportion of the normal flow or flood water or both is required, a description of the character and size of the works to be constructed or installed, together with all other relevant

Application for
a water right

particulars which may be asked for in the form of application or subsequently required for a full understanding of the proposals of the applicant

- (b) A request for the right to construct any work referred to in the application across any road, or road reserve, 5 if any, which may be affected by such works
- (c) A general map drawn in Indian ink or by means of other indelible process on tracing linen or other substantial material to such a scale as will allow all requisite details to be legibly recorded, signed by the 10 applicant, showing the body of water, the position of the intake, forebay, flume, dam power house, reservoir, pipes, canals, spillways, or other works and lands, if any, which may be affected, the names of the landholders, and the numbers and boundaries of 15 the farms affected by the proposed works
- (d) Such plans as may be required in Rules made under this Ordinance or by the Water Board

Application for right involving drainage or reclamation

24 For the requirements specified as applying to applications for water rights involving the diversions or use of 20 water there shall be substituted in connection with applications for water rights involving reclamation, drainage or other proposals, such particulars or proposals as the Water Board may specify

Application and plans to be open for inspection

25 The application, map, and plans (if any) filed as 25 above prescribed, or a true copy thereof, shall be open for examination by the public at all times during office hours at the office of the Director, and at any other place deemed desirable by the Water Board

Approval of application

26 Upon receipt by the Water Board of the application 30 together with all particulars, map, and plans (if any) which it may have required the applicant to furnish, to enable a full understanding of the applicant's proposals, either as originally submitted or as varied to be arrived at, and if in its opinion the proposed water right would be likely to be in the public 35 interest, or not adverse to it, it shall register the application, and shall endorse its conditional approval on both copies of the application, map, and plans (if any) connected therewith, and shall return one copy of each to the applicant

Procedure if the application for water right is approved

27 (1) If the application, map and plans (if any) have 40 been conditionally approved as provided in the last preceding section, the Water Board shall prepare a draft notice setting forth —

- (a) A statement that the application has been filed with the Water Board, and the date of registration of the 45 application, and that objections may be filed with the Water Board within sixty days from the date of the first publication of the notice
- (b) The name and address of the applicant
- (c) The place at which the water is proposed to be 50 diverted, abstracted or impounded
- (d) The place at which water is proposed to be used
- (e) The purpose for which water is proposed to be used
- (f) General particulars of the proposed works

(g) Any information considered necessary by the Water Board to enable the applicant's proposals to be understood

(2) The draft notice shall be transmitted to the applicant 5 and the applicant shall, if he desires to acquire a water right within fifty days from the date of receipt of the notice, cause it to be published in some newspaper, which may be named by the Water Board, published in the Colony, and having circulation in the locality in which the proposed works would be 10 situated, not less than on two occasions within one fortnight, and in two successive issues of the Gazette

(3) In any case where the application relates to the diversion, obstruction or use of a body of water within, abutting on or flowing into a Native Reserve, a copy of the draft notice 15 shall be sent by the Water Board to the District Commissioner of the district which might be affected, who shall, if in his opinion the interests of any native would be affected, cause such native to be informed of the terms of the application

(4) If it appears to the Water Board to be in the public 20 interest so to do, it may require the applicant to publish the notice in the same newspaper and in a second newspaper having circulation in the locality of the proposed works, on four occasions or less, within thirty days or may require such notice to be published in a modified or altered form

(5) An objection to the application, if any, shall be filed 25 with the Water Board in duplicate within sixty days from the date of the first publication of the notice or of the modified or altered notice, if modification or alteration has been required, and shall set forth the address of the objector, the 30 specific grounds for objection, and a copy of the objection shall be forthwith served by the objector on the applicant

(6) The Water Board shall consider the objection, and if in its opinion the alleged grounds of objection are not *prima facie* sufficient to warrant an enquiry, it shall so decide, and 35 shall notify the objector in writing of such decision, but if it considers the alleged grounds sufficient to warrant public enquiry, it shall fix a day for holding the enquiry

(7) The Water Board may, for the purpose of such hearing, summon and examine witnesses upon oath or affirmation, 40 may adjourn such hearing to obtain further evidence, or until the applicant has submitted plans, or altered plans, or other documents, may dismiss the objection, or may direct the applicant to amend his application, or may dismiss the application

45 28 If after receipt by the Water Board of such application, map and plans (if any) as may be prescribed, together with such full particulars of the applicant's proposals as it may have required, and if, in its opinion the proposed water right would not be in the public interest, or would unduly 50 interfere either with the undertakings of other operators or of riparian holders, the Board shall endorse its disapproval upon one copy of the application and any other necessary documents relating thereto, and shall state its reasons for disapproval, and shall return one copy of each document to the 55 applicant

Procedure if application for water right is not approved

29 (1) The application, map and plans (if any) shall be filed at the office of the Director, and if the application has been finally approved by the Water Board the Water Board

shall authorise the construction of the works by authorisation, and may fix in the authorisation a time limit, within which the construction of the works is to be begun and another within which it is to be completed

(2) The authorisation for the construction of works shall be a document, on a form prescribed by the Water Board, or in Rules made under this Ordinance, and there shall be endorsed thereon the number which the licence shall bear if or when issued to the operator on completion of the works in accordance with the authorisation and modifications thereof, 10 if any, and to the satisfaction of the Water Board

(3) No material deviation from the map or plans filed shall be made without written permission, and any question arising as to whether any deviation is material shall be decided by the Water Board

**Inspection of
works during
construction**

30 (1) Any works authorised under this Ordinance may, if the Water Board so determines, be constructed subject to inspection during construction by officers of the Department, and the cost of such inspection, or of such portion thereof as the Director declares to be necessary in the interest of the 20 safety of life and property, may be required by the Water Board to be borne by the operator

(2) No such inspection shall be held to imply Government guarantee of works constructed or to support or justify any claim whatsoever against Government in connection with 25 the works

**Works to be
made secure**

31 Upon any inspection under the provisions of the last preceding section, the Water Board may order the operator to make any addition or alteration which it considers necessary for the security of any works, whether completed or in course 30 of construction, and if such order is not complied with to the satisfaction of the Water Board within such period as may be specified by the Water Board, the authorisation may be cancelled or modified by the Water Board

**Water right
limited by
capacity of
works**

32 When any work for carrying, storing or using water 35 is not of sufficient capacity to carry, store or use the quantity or discharge to which right has been acquired by the operator, his right shall be limited to the quantity or discharge which such work is capable of carrying, storing or using, and in case of dispute as to such quantity or discharge the Water 40 Board may order an inspection of the work, and the licence may be issued by the Water Board for the quantity or discharge of water which the work is capable of carrying, storing or using in a beneficial manner

**Completion
certificate and
inspection**

33 (1) Upon the expiration of the time mentioned in 45 the authorisation for the construction of works, or at any time before such date if the construction is sooner completed, the operator shall submit a completion certificate upon a prescribed form, whereupon an inspection may be made by an officer appointed for the purpose by the Water Board to 50 ascertain that the works have been completed in accordance with the authorisation, that the easements, if any, for the works have been obtained, that agreements, if any, have been entered into for the supply of water for utilisation on lands which are not the property of the applicant or for drainage of 55 lands, and that the works as constructed are of the required capacity

Provided that if the work is not completed within the said time limit, a progress report shall be substituted for the completion report hereinbefore prescribed, and the operator may apply for an extension of the time limit of the authorisation, which extension may be refused or may be sanctioned upon such terms as the Water Board may prescribe

34 (1) Upon completion of the works to the satisfaction of the Water Board, and in accordance with the terms of the authorisation or amended authorisation, the Water Board shall issue a licence to the operator to divert, abstract, use or store the discharge or quantity of water to which he is entitled and in accordance with the terms of the licence and of the authorisation, or any approved modification thereof, and such licence shall bear the number accorded to the authorisation, with priority from the date on which the application, containing full details of the applicant's proposals together with such particulars, maps or plans as may have been required, was received by the Water Board

(2) A licence may be issued for a fixed period or otherwise as the Water Board may decide

35 If at any time it is made to appear to the Water Board, after giving due consideration to future requirements for the development of land riparian to the body of water, that the water in any body of water is not all required for the reasonable and beneficial use of holders of land riparian to the body of water, and if in its opinion a proportion of the water can be more beneficially utilised on lands not riparian to the body of water, it shall be lawful for the Water Board to authorise by licence the diversion of water on to non-riparian land within the catchment area or across the natural watershed of the river into any other catchment area

Water for
non-riparian
lands

Unless there is, in the opinion of the Water Board, some good reason for deciding otherwise, the applications for the use of the water on land within the same catchment area shall have preference over applications for the use of water on land not within the same catchment area

36 The right of a licensee to divert, abstract, use or store water shall be limited to the quantity or proportion of the discharge of the stream, whether it be normal flow or flood discharge, granted by licence, and in accordance with the terms of the licence, or in accordance with other right lawfully exercised under the provisions of this Ordinance

Limitation of
water right

Provided that every licence shall be subject to cancellation or alteration by the Water Board by reason of waste of water, or non-use, misuse or partial use only of the water right granted, or non-compliance with the conditions of the licence, and if so cancelled or altered the water right shall thereupon be determined or be altered

Provided also that no licence for a public project or urban project shall be cancelled or altered either in whole or part except by the Governor in Council, but in so far as an urban project licence is temporarily not required in whole or in part for the purpose for which it was issued, a licence for a definite period in respect of the same supply may be issued to any person upon application for a water right under this Ordinance

Water Board
may prescribe
measuring and
controlling
devices

37 (1) The Water Board may prescribe in a licence, that the operator shall construct, fix, and maintain in a sound and efficient manner, wells, flumes, sluice gates, valves or other controlling or measuring devices, ensuring that only the quantity of water or proportion of the flow of the stream, which the operator is authorised to abstract, divert, use or store, shall be abstracted diverted used or stored by the operator in exercise of the water right, or it may, subsequent to the issue of the licence, at any time require the licensee to construct, fix and maintain such well, flume sluice gates, valve or other controlling or measuring device

(2) The Water Board may prescribe the design, materials and method of construction of such controlling or measuring device

(3) Every licensee storing water in a reservoir shall, at the discretion of the Water Board, and according to plans approved by it, construct, fix and maintain flumes, wells, sluice gates, or other controlling or measuring devices at points on the stream to be determined, and (if required so to do) on each and every stream, or body of water discharging into or from such reservoir, for the purpose of determining the amount of water flowing into or stored in such reservoir or the flow below the reservoir, or both

(4) If any licensee neglects or refuses to commence the construction or fixation of the said flumes, wells, sluice gates, valves or other controlling or measuring devices, within three months after notice to do so by the Water Board, or to prosecute the said construction diligently, or to maintain the same satisfactorily, the Water Board may—

(a) construct, fix and maintain or cause to be constructed, fixed and maintained, the said flumes, wells, sluice gates, valves or other controlling or measuring devices,

(b) open or cause to be opened the sluice gates, valve or outlet of a reservoir, or failing such outlet, demolish or cause to be demolished any works in order to provide an outlet, close or cause to be closed any canal or pipe or other work for diverting or abstracting water to permit such quantity of water to flow down the stream for the use of other persons, as the Water Board may deem proper until the said licensee shall construct, fix or maintain the said flumes, wells, sluice gates, valves or other controlling or measuring devices

(5) All costs and charges in connection with the said operations shall be paid by the licensee and if not so paid shall in addition to any other penalties provided under this Ordinance be recoverable as a debt due to the Crown, and if the licensee further refuses or fails to comply with the said requirements, the Water Board may cancel his licence

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Road crossings

38 (1) Any operator constructing any works under the provisions of this Ordinance shall during such construction keep open for safe and convenient travel all public roads and rights of way therefor publicly used as such, when they are crossed by, or interfered with by, such works, and shall, before water is admitted to such works, construct to the satisfaction of the Director, or at the Director's option refund to the Director the cost of construction by the Department or other roadway authority, of a substantial bridge with proper

and sufficient approaches thereto over such works, and such tailings, fences, guard posts, culverts, facewalls and other structures and appurtenances as the Director may declare to be necessary in the public interest and all such bridges, 5 approaches and appurtenances shall thereafter be always maintained by the operator, while the water right is valid, or alternatively at the Director's option at the expense of the operator.

(2) The Department or other roadway authority may at 10 any time on the order of the Director renew or alter such bridge or structures or works in connection therewith, and the operator shall pay if so required by the Director, for such proportion of the renewal, alteration and maintenance thereof, or any of them, as is in the opinion of the Director rendered necessary or desirable in the public interest on account of the 15 existence of the works of the operator.

Provided that an operator may appeal against an order of the Director or other roadway authority within 30 days of such order to the Governor in Council whose decision shall be 20 final.

39 Questions as to full, efficient and beneficial utilisation, as to adverse effect of works, or as to limitation of supply owing to abnormal conditions shall be decided by the Water Board, whose written decision shall be final, and binding.

Efficient utilisation and procedure owing to abnormal conditions determined by Water Board

40 (1) Whenever it may be shown to the satisfaction of the Water Board that owing to drought or natural changes, increased demands on a body of water, or other causes, the diversion, abstraction, storage or use of the water authorised to be diverted, abstracted, stored or used by a licensee causes 30 inequity, and causes a shortage of water for domestic or other purposes which in the opinion of the Water Board should have priority, it may revise and alter the discharge or quantity of water which any licensee is authorised to divert, abstract, store or use, as appears to it equitable. The quantity so altered 35 shall thereafter be the discharge or quantity which the licensee is authorised according to this Ordinance to divert, abstract, store or use.

Alteration of quantity of water authorised to be diverted by licensees

(2) The Water Board may decide what compensation (if any) shall be paid and by whom it shall be paid, subject 40 to appeal to arbitration as provided for under section 75 of this Ordinance if an objection is lodged with the Water Board within thirty days of the date of the decision of the Water Board.

Provided that if it is decided that compensation shall be 45 payable such compensation shall be recoverable as a civil debt.

41 (1) When issuing a licence, the Water Board shall specify, as far as practicable, the particular portion of any land, or the particular undertaking, to which the water right is to be appurtenant. Such water right shall thereupon save 50 as herein provided, be appurtenant to such portion of land or such undertaking and the water right shall pass with any demise, devise alienation transfer or other disposition of the same, whether by operation of law or otherwise.

Water right to be appurtenant to the land for which issued

(2) When the land or undertaking to which the water 55 right is appurtenant passes to another landholder or owner the said licence shall be surrendered to the Water Board for endorsement thereon of the name of the new landholder or owner.

(3) If the land affected by the works, and to which the water right is appurtenant has been or is about to be divided in ownership, the licence shall be surrendered to the Water Board, and such new licence as may be issued by the Water Board shall be dependent upon the acquisition of such easements, if any, as may be required, and may be issued with such modifications of the original licence as in the opinion of the Water Board may be rendered necessary or desirable by the circumstances

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Licencee may abandon

42 Any licensee may, by notice in writing to the Water Board, abandon the whole or any part capable of separation of the water right acquired, and upon such abandonment the Water Board may direct such licensee forthwith to remove all or any works erected in connexion with such water right, and in the event of the refusal or failure of such licensee to remove such works the Water Board may remove all or any of such works, and may recover the cost of such removal from such licensee

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Provided that where any land or undertaking to which a water right is appurtenant is mortgaged or charged, no abandonment of such water right shall be effective without the consent in writing of the mortgagee or chargee

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Readjustment of licence

43 Every licence and water right shall be subject to subsequent readjustment by the Water Board after hydrographic survey of the body of water has been made, and after reasonable notice has been given to all parties affected. Such readjustment shall not affect the priority of the licence

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Change of point of diversion

44 An operator may obtain permission from the Water Board to change the point of diversion or abstraction of the water used by him, or the position of the works, on giving such notice and complying with such terms as the Water Board may require or impose and subject to the acquisition of such easements as may be required

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Apportionment

45 Whenever the holder of the land to which a water right is appurtenant desires to have the water apportioned between two or more parts of the land in respect whereof the water right was originally obtained, he may apply to the Water Board for an apportionment, and the Water Board, on its being proved to its satisfaction that the water rights of others will not be prejudiced or imperilled, may, after notice to all the persons interested or believed to be interested, amend the licence originally granted, or may issue two or more licences to conform to the apportionment authorised. Such new licences, issued in accordance with this section, shall not authorise in the aggregate, the diversion or storage of more water than the discharge or quantity authorised to be diverted, abstracted, stored or used by the original licence

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Mingling waters

46 Any licensee holding two or more licences may mingle the waters authorised by such licences, and may construct works to carry and use such mingled water

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Provided that the plans of such works shall be subject to the approval of the Water Board in all respects as new works are approved under this Ordinance, and that except as to the mingling of such waters, and the construction and maintenance of such works, the water right of the said licensee under the said licence shall in no wise be enlarged or altered

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47 The production of a licence or authorisation, or a copy thereof purporting to be certified by the Chairman of the Water Board shall, without further proof, be evidence in all courts of the matters and things therein mentioned

5 **48** Every operator shall maintain and retain his works in a good, proper and workmanlike manner to the satisfaction of the Water Board, so that the same shall, at all times, be of sufficient strength and capacity for the fulfilment of the purpose for which they were constructed and so that no
 10 damage shall occur to any road property or work in the vicinity, and any person aggrieved by the failure or neglect of such operator so to do, shall be entitled within a reasonable time after such failure or neglect has been discovered to serve the operator with notice thereof and if the operator declines
 15 or fails to remedy any defect inefficiency or neglect, it shall be competent to such person to institute an action to recover damage in respect of any loss sustained by him in consequence thereof

49 (1) In the case of all water rights involving the irrigation of lands, provision shall be made by the operator for the efficient drainage of such lands and the delivery of the residue of used or unused water to a watercourse or a body of water by drainage or other works

(2) Whenever in the opinion of the Water Board no
 25 provision or insufficient provision has been made by the operator for the delivery of used or unused water to a watercourse or body of water, or for the drainage of irrigated lands or swamps created by any diversion or abstraction of water, the Water Board may order and require the operator to construct and maintain such works as will in the opinion of the Water Board cause such water to be so delivered

(3) If any operator fail within a reasonable time to obey an order of the Water Board given under this section, his
 35 licence may be cancelled by the Water Board, and the water right shall thereupon become null and void, and he shall be guilty of an offence against this Ordinance

50 No water stored or penned back by any operator shall be released without reasonable notice being given to all persons whose property is liable to injury from the releasing
 40 of such water, and the operator shall not by reason of anything in this Ordinance contained be relieved from liability for any loss, damage or injury sustained by anyone arising from the release of such water

51 Every operator shall be liable for and shall make good, in such manner as the Director or any officer delegated by him may determine, all damage to any public works which may be occasioned by reason of the works of the operator breaking, or being defective in construction, or out of repair, or of insufficient capacity and in the event of such works
 50 not being made good after notice so to do has been served on the operator by the Director, the Director may make good the works and recover the cost thereof in any competent court

52 Any officer of the Department or other person thereto empowered by the Governor engaged in the construction of any road or public works may, upon due notice to the operator, cross, divert or otherwise interfere with the work

Licence as evidence

Works to be kept in repair

Drainage of irrigated lands

Water not to be released without notice

Damage to public works to be made good

Authority to Department to interfere with works

of such operator, and for such reasonable period as may be necessary, provided that he or they shall do as little damage as possible, and shall restore the work to a condition in which it will as speedily as possible fulfil its required purpose

Operator must produce documents on order of Water Board

53 Every operator, upon the written order of the Water Board, or any person authorised by the Water Board for that purpose, shall produce for inspection any licence authorisation, map plan, specification, drawing or other document relating to the works or to the water right of such operator or to the flow of water in the said works or in the body of water affected by the works

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Corrections of errors in licence or authorisation

54 Any operator whose licence or authorisation has been issued imperfectly or without compliance with all or any of the terms of this Ordinance governing the issue thereof or which contains some inaccuracy which can be corrected without affecting the water rights of other parties, or which is incomplete or indefinite in its terms and conditions may apply to the Water Board for the amendment and re-issue thereof, and the Water Board may amend and re-issue such licence or authorisation accordingly

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Operator may acquire easement

55 An operator who has received an authorisation under this Ordinance to construct works where the works authorised or a portion of them would, when constructed, be situated upon lands not held by the operator, may acquire an easement on, over, or through the land on which the works would be situated, and shall not exercise the authorisation unless or until the easement has been acquired

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Encumbrances

56 All encumbrances attaching to the land shall be borne by the person who before the grant of the easement was legally liable for or held the encumbrances

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Easement includes right of access

57 An easement shall include the right of access to any piece of land contiguous to the water of the operator in so far as may be necessary for the purpose of constructing, inspecting, maintaining and repairing the works of the operator and for any purpose necessary for the effective enjoyment of the easement

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Easement includes right to take materials

58 An easement shall include a right to take such materials existing naturally on the land as may be approved in writing by the Water Board from the land on, over or through which the easement has been granted, for the purpose of constructing, maintaining or repairing any work thereon

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Landholder may use land for farm purposes

59 When works have been executed by an operator on another landholder's land, the land occupied solely for the deposit of excavated material from the works executed shall, notwithstanding the payment of compensation and except in the case of an easement for drainage or reclamation, remain available to the holder of the property in respect of which the easement is held for his own purposes and he may remove such excavation material provided that no damage shall be done to the works of the operator or the works obstructed or interfered with by such removal

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Operator must avoid flooding lands and maintain canal satisfactorily

60 An operator who has acquired an easement which includes the construction of a canal shall be responsible for taking and maintaining adequate measures for preventing the introduction into the canal of a greater quantity of water than

that which the canal is capable of carrying, and he must not cause damage to the land in respect of which the easement is held by permitting the accumulation of weeds, silt, or other obstruction or nuisance which might cause flooding, or any 5 other damage of whatsoever description. The cost of any damage caused in this manner by the operator may be recovered from the operator by the landholder in any competent court

61 In the event of damage by scour or otherwise being 10 caused to the land in respect of which the easement is held by the works of an operator the holder of the land in respect of which the easement is held may demand and the Water Board may by order require the operator to construct at his sole expense, or partly at the expense of such holder, such 15 additional works as will in the opinion of the Water Board make the works to cease causing damage. If the operator fail to comply with an order of the Water Board given under this section, the Water Board may cancel his licence which shall thereupon be null and void

62 An operator who has acquired an easement for the construction of works on another landholder's land which—

- (a) prevent the landholder passing freely over or on to his land as heretofore, or
- (b) interfere with his existing works, or structures, or devices, upon his land

shall at his own expense construct and maintain in repair, to the satisfaction of the Water Board, and under conditions which it may prescribe, which conditions shall be binding on the operator—

- 30 (i) such bridges and other structures or devices as will make communication safe and convenient as may be decided by the Water Board, or
- (ii) such works, structures or devices as are necessary to enable the holder effectually to enjoy the use of
- 35 works, structures, or devices interfered with as may be decided by the Water Board

63 An operator claiming an easement under this Ordinance shall serve a notice in writing on the holder of the land on, over or through which he desires to acquire the 40 easement, and shall in the notice state or provide the following particulars, and whatever other further particulars may be required by Rules to be made under this Ordinance that is to say, he shall provide —

- 45 (a) A description of the proposed works and a statement of their use
- (b) A statement of the quantity or discharge of water, if any, to be diverted or dealt with
- (c) A map showing clearly the nature and locality of the works or the area of swamp or lands to be reclaimed if the easement is for reclamation of a swamp or lands
- 50 (d) A statement of the area of the land, if any, occupied by the works, flooded as a result of the works, required for purposes of inspection and maintenance of the works, required for the excavation or collec-

Damage caused
by works of
operator

Operator shall
construct
works to
enable land-
holder to enjoy
his existing
works if
interfered
with

Operator
desiring
easement shall
serve notice on
landholder

tion of material for the works required for the deposit of spoil or material derived from the works, or required for a road or roads to obtain access to the works

- (e) A statement of the compensation which is offered, 5 and the period of time during which he wishes to enjoy the easement

If the landholder agrees, particulars to be embodied in deed

64 If the landholder agrees to the claim for an easement either as originally proposed or as modified by agreement, the operator shall embody the particulars and other 10 matters pertaining thereto in a deed and after execution by the parties concerned, shall send two copies of the deed, which shall be certified by the Registrar of Titles, to the Water Board

If the landholder does not agree to the claim, application for easement may be made

65 If the landholder does not within two months after 15 the service of the notice agree to the claim for an easement or to any other matter necessary for the easement, the operator may apply to the Water Board for an easement in the manner prescribed by Rules to be made under this Ordinance and shall serve notice of the application upon the 20 landholder

Claim for easement may be dismissed or granted

66 The Water Board may either dismiss the claim for an easement, or with the approval of the Governor in Council award the easement with or without modification and subject to such conditions as it deems just, but if the amount of 25 compensation to be paid is the subject of disagreement between the operator and the landholder, and if the claim is awarded by the Water Board and the amount of compensation recommended by it is not agreed to by the parties, the decision on the question of the amount of compensation to be paid by 30 the operator shall be referred to arbitration under the Arbitration Ordinance

Cap 18

Easement shall lapse if works not completed within a definite period

67 An easement acquired under this Ordinance shall lapse if the works authorised be not completed and the water be not utilised within one year from the date of the award 35 or within such further period as the Water Board may fix, or if at any time the water right is not substantially made use of in accordance with the terms of the licence for a continuous period of two years

Operator shall keep his works in a state of repair

68 (1) If any work, constructed on the land of a person 40 other than the operator, be out of repair or require cleansing, the operator or his agent shall if required in writing by the landholder to repair or cleanse the work, carry out the requirements within a reasonable time, and if he fail to do so, the landholder may cause all things necessary for carrying out 45 the said repairs or cleansing to be done, and may recover the cost from the operator in any competent court

(2) Such repairs or cleansing shall not be unreasonably demanded, and in the event of a dispute between the parties the Water Board shall decide what shall be considered reasonable 50 repairs or cleansing

(3) An operator who allows or suffers any such works to be out of repair or to be in such state as to require cleansing, shall be liable for all damage which may arise therefrom

- 69** (1) The landholder on, over or through whose lands an easement has been applied for or been granted may, by application to the Water Board either before or after the construction of the works, apply for a water right to make use of the works or the proposed works for the diversion, abstraction, storage or use of whatever water he may become entitled to divert, abstract, store or use under this Ordinance

Provided that before a licence or authorisation is issued by the Water Board such proportionate cost of the works shall 10 be paid by the landholder to the operator who constructed or is constructing the works as may be agreed on between the parties, or failing agreement as may be decided by the Water Board, and such agreement or decision shall be final and binding on all parties

- 15** (2) The operator who constructed the works may require the landholder to enter into an agreement to continue to pay the proportionate cost of maintaining the portion of the works made use of until he has in writing surrendered such right of use. In the event of disagreement the decision of the Water 20 Board shall be final

(3) The landholder shall prove to the satisfaction of the Water Board that the works of the operator can be satisfactorily used for the purposes of the landholder and without material detriment to the operator

- 25** (4) If the works require modification to enable the landholder to enjoy their use the landholder, unless the matter is otherwise agreed, shall pay to the operator —

(a) The entire cost of modifying them in the manner approved by the Water Board

- 30** (b) The cost of constructing and maintaining such devices for apportioning the quantities of water as the Water Board may prescribe or approve

(5) The Water Board may at a later date modify the scale of payment, upon application by either party, when 35 it is proved to its satisfaction that altered conditions have rendered a revision of the rates of payment just and equitable. Such alteration of rates of payment shall have effect from a date to be specified in a notice to be posted to both parties by the Water Board but shall not have retrospective effect

- 40** **70** (1) Whosoever the land on, over or through which an easement is required is situated within the boundaries of a Native Reserve, the amount of compensation, if any, which shall be paid by the operator shall be determined by the Governor in Council

- 45** (2) An easement on, over or through lands in a Native Reserve, and the operator and person affected by the easement, shall be subject in all respects to the provisions of this Ordinance, save that where notices or other documents are required to be served on, to, or by a native in a Native 50 Reserve, the notices or other documents shall have the same force and effect if served on, to, or by the Chief Native Commissioner, or such officer as he may appoint

(3) An easement acquired under this Ordinance on, over or through lands within a Native Reserve shall not be deemed to be a disposal or alienation of the land within the meaning

Landholder
may demand
and obtain use
of the works of
an operator

Easement on
lands in
Native
Reserves

Cap 140 of section 51 of the Crown Lands Ordinance (as amended by the Crown Lands (Amendment) Ordinance 1926), or of any other section of that Ordinance

Cap 142 **71** An easement acquired under this Ordinance shall be registered against the title affected. If the property is registered under the Registration of Titles Ordinance the operator shall lodge with the Registrar of Titles two executed copies of the easement for registration purposes. If the property is registered under the Crown Lands Ordinance or the Land Titles Ordinance the operator shall submit the original, together with one unexecuted copy for registration. A plan, which shall be signed by the Surveyor General, shall be attached to each document granting the easement 5

Cap 140
Cap 143 Determination of easement

72 (1) An easement acquired under this Ordinance shall determine if and when, at any time, the licence or authorisation, for the exercise of which the easement has been acquired, is cancelled as provided for in this Ordinance, and on the date of such cancellation 15

(2) In the event of the cancellation of any licence or authorisation, any works constructed by the operator on the lands of another person shall where the operator is the sole user, if not removed by the operator within one year from the date of the cancellation, become the property of such other person, unless otherwise decided by the Water Board 20

(3) In the event of cancellation or alteration of an easement the Water Board shall notify the landholder over whose land the easement has been granted and the Registrar of Titles. The landholder concerned may take such action as shall cause his title to be freed from the easement, and the onus of taking such action shall rest with the landholder 25 30

Governor may order drainage of swamp

73 (1) In the event of there existing wholly or partly upon any alienated land any swamp or any natural or unauthorised obstruction to the natural flow of water which has the effect of leading to a diminution of the flow by evaporation or absorption or otherwise, the Governor in Council, upon application by the Water Board, may order that such swamp or other feature be drained or that such obstruction be removed 35

(2) The Governor in Council may order such work and method of execution of work as the public interest may appear to justify or require, and may make such order as to the allocation and collection of the cost of the necessary works and as to their subsequent maintenance as may appear to be equitable having regard to the benefits which might accrue to other parties from the execution of such works and the increased provision of water expected therefrom. Such order may state that such work shall be State-aided to such an extent as may be authorised by Legislative Council 40 45

Provided that no landholder whose land is impeded to a body of water shall be deprived under this section of reasonable access to water except by agreement or on payment of compensation 50

A minority of holders of land in or abutting on a swamp may be required to contribute to cost of drainage

74 When swamps encroach upon the holdings of various holders and some of them desire to effect their reclamation in common, the Governor in Council may compel a dissenting minority to pay all expenses collectively with the operating majority, understanding as the majority those who represent their major part of the area of land considered to be reclaimable by the Water Board. 55

75 Whosoever parties cannot agree as to the compensation to be paid by one to the other under the provisions of this part, the amount of compensation shall be determined by arbitration under the Arbitration Ordinance

Compensation
to be decided
by arbitration

Cap 18

5

PART III

GENERAL PROVISIONS

76 Upon the expiration of the time allowed in an authorisation or any extension of such time for the completion of works under this Ordinance the rights therein granted to 10 the operator shall cease and determine and any works at the date of such determination constructed, erected, fixed or acquired may be taken over and operated or disposed of according to the order of the Governor in Council if not completed within the time allowed

Forfeiture of
rights if works
are not com-
pleted within
the time
allowed

77 (1) Subject to the payment of compensation therefor, 15 the Governor in Council may, if at any time he shall deem it advisable in the public interest to do so, take over and operate or otherwise dispose of the works of any operator authorised under this Ordinance, and in such event every licence granted 20 in connexion with such works shall forthwith determine

Expropriation
of works

(2) In the event of disagreement regarding the compensation to be paid for expropriated works it shall be determined by arbitration under the Arbitration Ordinance

Cap 18

78 When the Water Board is satisfied after due enquiry 25 that any licensee has abandoned the use of any water, or has wasted any water to which his licence entitled him, the Water Board, if it deems just and proper may thereupon by order declare a cancellation of the licence, and the water right shall thereupon cease and determine

Cancellation of
water right for
waste or
non-user

30 Provided that if waste and not entire cessation of use is found to prevail or to have prevailed, the Water Board may issue a new licence entitling the licensee to such reduced quantity of water as appears to it justifiable

79 (1) It shall be lawful for the Governor in Council on 35 behalf of the Crown to enter upon, use, order the use of, maintain, vary, destroy or remove abandoned works, wherever situated without payment of any compensation whatsoever

Abandoned
works

(2) Works may be regarded as abandoned when it is proved to the satisfaction of the Water Board that they have 40 remained substantially unused for any of the purposes of this Ordinance by any licensee lawfully entitled to make use of them under this Ordinance for a period of one year

(3) No action by the Water Board shall be taken, as in this section provided, except after the publication of a notice 45 in the Gazette to the effect that the said works have been proved to the satisfaction of the Water Board to be abandoned and that failing lawful employment thereof within the period of one month from the date of the issue of the Gazette in which the notice appears the right to use vary, or dispose of the works in question will be assumed by the Crown

Offences and
penalties

80 (1) Any person who does or commits any of the following acts shall be guilty of an offence under this Ordinance —

- (a) Wilfully or maliciously obstructs, molests or hinders an inspecting officer, engineer or surveyor of the Department, a qualified engineer, a Government surveyor or a land surveyor, or other person duly authorised by the Water Board in the exercise of his duties under this Ordinance 5
- (b) Without authority under this Ordinance knowingly or wilfully defaces, alters or removes or causes to be defaced altered or removed, any survey mark, water gauge, well, or measuring device or other work structure, or appliance for the purpose of water control or investigation 10 15
- (c) Without authority under this Ordinance throws or conveys or causes or permits to be thrown or conveyed, any rubbish, dirt, trade refuse or other offensive or unwholesome matter or thing into or near to any body of water or water contained in any work, in such a manner as to cause pollution thereof 20
- (d) Wilfully or maliciously hinders, interrupts, or causes or procures to be interrupted or hindered, any operator under this Ordinance, or his manager, contractors servants, workmen or any of them in the lawful exercise of any of the powers and authorities of this Ordinance conferred 25
- (e) Wilfully or maliciously lets off or discharges water from the works of any operator so that the said operator loses the use of the said water 30
- (f) Lays or causes to be laid, erected or constructed any work to communicate with the work of any operator, with the intention of drawing water from the said work without authority under this Ordinance
- (g) Unlawfully interferes with the works or water supply of any operator 35

Such person, for any such act as aforesaid, shall be liable on summary conviction to a penalty not exceeding two thousand shillings and in default of payment to imprisonment for a period not exceeding three months 40

(2) Any person who, without authority under this Ordinance, obstructs, interferes with, diverts or abstracts water from any watercourse or any body of water, or who negligently allows such obstruction, interference, diversion or abstraction shall be guilty of an offence under this Ordinance, 45 and shall be liable on summary conviction to a penalty not exceeding one hundred shillings a day or part of a day for every day during which such offence is continued, or in default of payment to imprisonment for a period not exceeding three months, and in addition to any other penalty to the destruction 50 of any works executed and the confiscation of any plant or machinery used, and the cost of the destruction of such works may be recoverable by the Director from such person in any competent court

(3) Any person who, being entitled to construct erect or maintain works or to divert, abstract or obstruct water under his Ordinance—

- 5 (a) constructs, erects, or maintains works without authority or in a manner contrary to authority conveyed under this Ordinance,
- (b) diverts or abstracts water in excess of the quantity which he is authorised to divert or abstract,
- 10 (c) fails to erect construct, or maintain a measuring device, if so required under this Ordinance,
- (d) fails to obey an order of the Water Board or other authority, lawfully given under this Ordinance,

shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding sixty shillings a day or part of a day for every day during which such offence is continued or in default of payment to imprisonment for a period not exceeding three months

81 (1) The conviction of any person under the last preceding section shall not relieve him from any liability to answer 20 in damages to any other sufferer by the wrongful acts aforesaid or any of them

Liabilities of offender

(2) Every operator who wilfully violates any of the provisions of this Ordinance, or any of the Rules made thereunder, or of the terms or conditions of his licence or 25 authorisation shall, in addition to all other penalties, be liable to have his licence or authorisation cancelled

82 Every person who shall be guilty of an offence against this Ordinance or against any Rule made under this Ordinance shall for every such offence be liable to the penalty 30 expressly imposed by this Ordinance or by any Rules made thereunder, but if no penalty is expressly imposed he shall be liable to a penalty of not more than one thousand shillings or in default of payment to imprisonment for a period not exceeding three months

Penalty for offence against this Ordinance

83 (1) Except where is it otherwise provided, all penalties imposed by this Ordinance or by any Rules in force under it, may be recovered by any person thereto authorised by the Governor

Penalties may be recovered by authorised person

(2) The said penalties may be recovered from the person 40 actually committing the offence or from the person in whose employment he is, and on whose behalf he is acting, or from both, or if the person actually committing the offence is a resident native labourer, or a member of his family, under the Resident Native Labourers Ordinance, 1925, from the 45 person on whose farm such resident native labourer or the member of his family may have been actually residing at the time of the offence

84 (1) Every penalty imposed upon any person by this Ordinance or by any Rule made under the powers conferred 50 by this Ordinance shall be without prejudice to the right of the Water Board to recover from such person—

Recovery of penalty does not prejudice right to take other proceedings

- (a) any sum for any damage sustained by it through his act or default,
- (b) the cost and expenses incurred by it in remedying any such damage

(2) The payment of any such penalty shall not bar or affect the right of the Water Board or any person authorised by it to bring any action or to take any proceeding against such person

Government
not liable at
law

85 No action at law shall lie against or be maintainable 5 against the Crown the Government, the Water Board, or any officer of Government for any act done on account of an authorisation licence or sanction or for any damage caused thereby

Power of
Water Board
to declare
matters
pertaining to
bodies of
water

86 The Water Board is hereby empowered for all the 10 purposes of this Ordinance to declare whether particular channels or depressions are watercourses and whether particular bodies of water are streams, swamps, natural lakes or springs and to declare, define or delineate the boundaries thereof, and all matters pertaining thereto, and to alter such 15 declaration

Qualified
engineer

87 (1) Where in the provisions of this Ordinance, or of any Rules made thereunder it is required that any acts shall be done or requirements be provided by a qualified engineer the provisions as to such engineer shall be those embodied in 20 Rules made under this Ordinance

(2) The onus of proof that projects, plans, documents, and applications required under this Ordinance to be supplied, prepared or provided by a qualified engineer have been so supplied, prepared or provided shall be with the party presenting or using them 25

Sanctions

88 (1) Notwithstanding anything contained in this Ordinance, it shall be lawful for the Water Board to authorise by sanction for any fixed period of time the diversion, abstraction, obstruction, or use of water and the works required 30 therefor according to such terms and conditions as the Water Board may embody in the sanction or as may be prescribed by Rules made under this Ordinance

(2) In the event of any works not being in conformity with a sanction, or in the event of a sanction having been 35 terminated, the Water Board may forthwith demolish any such works and recover the cost of such demolition from the person concerned in any competent court

(3) A sanction shall not grant a water right, shall not be appurtenant to any piece of land, and shall not be trans- 40 ferable

(4) A sanction may be renewed at the discretion of the Water Board for such period as it may think fit

(5) A sanction or a copy thereof certified by the Chairman of the Water Board shall be evidence in any court of the 45 matters comprehended in the sanction

Joint State
and other
works

89 The Governor in Council may direct that State works may be executed in augmentation, modification, or improvement and subject to provisions herein contained, in supersession of, any other works for or comprising the employment of waters, and he may at any time order that any works contemplated or under execution or completed, shall be State-aided to such an extent as may be authorised by the Legislative Council 50

- 90** (1) Every operator, and his managers, servants and workmen shall afford to any inspecting officer such information as is within their knowledge and power in all matters relating to any inquiry held by him under the provisions of this Ordinance, and shall submit to such inspecting officer all plans, specifications, drawings and documents relating to the construction, maintenance, repair or state of repair of the works or any portion thereof
- (2) The production of instructions in writing signed by the Chairman of the Water Board or his deputy shall be sufficient evidence of the authority of such inspecting officer

- 91** (1) The Water Board, or any person deputed by it, may in the exercise of the right of the Crown to the control of bodies of water enter upon any land and inspect such bodies of water and take such measures as are thought fit for the conservation and regulation of such water and for its preservation from pollution and for the protection of the bed over which it flows, and for removing any obstruction from and for clearing and deepening such bed or may interfere summarily to prevent the excessive or illegal diversion, waste or pollution of such water or interference with such bed, and it shall not be necessary for the Water Board or any person deputed by it to obtain an injunction or other order of a court to entitle it or him to make such entry or to take such measures
- (2) Compensation shall be paid to the holder of any such land for any actual injury by the measures, other than measures for the avoidance of waste or removal of unauthorised works or stopping unauthorised diversion, abstraction or obstruction of water, taken under the powers conferred by this section, and failing agreement the amount of such compensation shall be determined by arbitration under the Arbitration Cap 18 Ordinance

- 92** The Water Board shall be entitled to institute and maintain any proceeding in any court against any person accused of any offence against this Ordinance and may in its own name take any civil proceeding against any person

- 93** The Water Board may require any statement called for under this Ordinance, or under any regulations thereunder, to be verified by oath, affidavit, affirmation or declaration

- 94** (1) A notice required to be served in pursuance of this Ordinance, or of Rules under it, shall be served—
- (a) by delivery of the same personally to the person required to be served, or, if such person is absent or cannot be found, to his agent, or
 - (b) by leaving the same at the usual or last known place of abode of such person, or
 - (c) by post addressed to the usual or last known place of abode of such person, or
 - (d) in the case of a notice required to be served on a local authority, or corporate body or company, by delivering the same to their clerk, or secretary, or leaving the same at his office with some person employed there, or by post addressed to such clerk or secretary at his office

(2) Provided that if the landholder is not known and after diligent inquiry cannot be found the notice may be served by leaving it addressed to the landholder, with some occupier of the land, or, if there is not an occupier, then by causing it to be put in a conspicuous position on the property 5

(3) Provided also that a notice required to be given to a landholder may be addressed by the description of the "landholder" of the land or premises described (in the address) in respect of which the notice is given, without further name or description 10

Proof of orders

95 All documents purporting to be orders made by the Governor in Council, or by the Governor, or by the Water Board, or by the Director, or by the officer deputed by the Water Board or Director, as the case may be, shall be received in evidence and shall be deemed to be those orders without further proof of handwriting or otherwise unless the contrary is shown 15

Water Appeal Board

96 (1) There shall be established a Water Appeal Board which shall consist of—

(1) a judge of the Supreme Court (who shall be Chairman) to be appointed by the Governor on the advice of the Chief Justice, and 20

(2) two other persons, who shall be appointed by the Governor from time to time

(2) In every case in which a licence has been cancelled by the Water Board under the powers conferred by this Ordinance, the person whose licence has been cancelled may appeal to the Water Appeal Board within thirty days of the date of the cancellation of his licence 25

(3) On the hearing of the appeal, the Water Appeal Board may confirm the order of the Water Board cancelling the licence, or may revoke such order 30

(4) For the purpose of every appeal under this section, the Water Appeal Board shall have all the powers vested in commissioners under sections 10, 11 and 12 of the Commissions of Inquiry Ordinance 35

Cap 25

(5) The Water Appeal Board may make such Rules in connection with the hearing of appeals under this section as to it may seem fit

(6) All appeals heard by the Water Appeal Board shall be decided by a majority of votes of the Chairman and the members of the said Board 40

(7) Every decision of the Water Appeal Board shall be final and binding on all parties concerned

Rules

97 The Governor in Council may, on the advice of the Water Board, from time to time, make Rules providing for all or any purposes whether general or to meet particular cases that may be convenient for the administration of this Ordinance, or that may be necessary or expedient for carrying out the objects or purposes of this Ordinance, and where there may be in this Ordinance no provision or no sufficient provision in respect of any matter or thing necessary or expedient for giving full effect to this Ordinance, providing for 45
50

or supplying such omission or insufficiency, and without prejudice to the foregoing powers, providing for all or any of the matters following —

- (1) Privileges or rights of riparian holders
- 5 (2) Examinations, fees, registration and other matters pertaining to qualified engineers
- (3) Units of water
- (4) Charges for diversion, abstraction, storage and use of water and fees for services in connexion with water
- 10 rights and sanctions
- (5) Drainage of lands
- (6) Associations of operators
- (7) Community, public and urban projects
- (8) Controlling and measuring devices
- 15 (9) Action during drought
- (10) Sanctions
- (11) Water rights in Native Reserves
- (12) Temporary works and diversions of water
- (13) Documents and plans to be submitted by applicants
- 20 under this Ordinance
- (14) Forms to be used under this Ordinance
- (15) Inspection of works
- (16) Relations between operators and municipal and other local authorities
- 25 (17) Easements
- (18) Drainage and reclamation of swamps
- (19) Water power rights
- (20) Abandoned works
- (21) Appointment, powers and duties of water bailiffs
- 30 (22) Investigation of water resources and establishment of water gauges and marks
- (23) Constitution, powers, obligations, duties and membership of District Water Boards and all matters pertaining thereto
- 35 (24) Generally for the better carrying out of the objects of this Ordinance

Such Rules may provide for the imposition of a penalty for the infraction thereof not exceeding one thousand shillings and in default of payment thereof a term of imprisonment of either description not exceeding three months

98 The production of a copy of the Gazette containing any order rule, or notice purporting to have been made under this Ordinance shall be evidence, until the contrary is proved, of the due making of such rule or notice, and that all preliminary steps have been duly taken necessary to give full force and effect to the same

Production of
Gazette to be
evidence of
validity of
regulations

99 Section 14^o of the Crown Lands Ordinance and all Repeal rules made thereunder are hereby repealed without prejudice to anything lawfully done thereunder previous to the coming into operation of this Ordinance

PROCLAMATION No 147

COLONY AND PROTECTORATE OF KENYA



THE POLICE ORDINANCE

PROCLAMATION

EDWARD GRIGG

I S

BY His Excellency Sir Edward William Macleay Grigg, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Royal Victorian Order Companion of the Distinguished Service Order, upon whom His Majesty has conferred the decoration of the Military Cross Lieutenant-Colonel in His Majesty's Army (retired), Governor and Commander in Chief of the Colony and Protectorate of Kenya

IN EXERCISE of the powers conferred upon me by Section 68 (1) of the Police Ordinance (Chapter 36 of the Revised Edition), I do hereby declare the area described in the schedule hereto to be in a disturbed state and that from the conduct of the native inhabitants of the said area it is expedient to increase the number of police officers therein

This Proclamation shall unless previously withdrawn, remain in force until the 31st December, 1929

GOD SAVE THE KING

Given under my hand at Nairobi this 29th day of August, 1929

By Command of His Excellency the Governor

H M -M MOORE,
Colonial Secretary

SCHEDULE

An area comprising Locations 1, 2, 3, 4, 5, 6, 7 and 8 of the Kericho District together with the location known as Nyakatch and the location known as the East Kano of the Central Kavirondo District

PROCLAMATION NO 148

COLONY AND PROTECTORATE OF KENYA



THE CUSTOMS MANAGEMENT ORDINANCE 1926

AND

THE INTERPRETATION AND GENERAL CLAUSES
ORDINANCE*(Chapter 1 of the Revised Edition)*

PROCLAMATION

EDWARD GRIGG

L S

BY His Excellency Sir Edward William Macleay Grigg, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Royal Victorian Order, Companion of the Distinguished Service Order, upon whom His Majesty has conferred the decoration of the Military Cross, Lieutenant-Colonel in His Majesty's Army (retired), Governor and Commander in Chief of the Colony and Protectorate of Kenya

IN EXERCISE of the powers conferred upon me by the Customs Management Ordinance 1926 and the Interpretation and General Clauses Ordinance (Chapter 1 of the Revised Edition) I do hereby revoke Proclamation dated the 21st day of April, 1921, appearing on page 805 of the Revised Subsidiary Legislation regarding the prohibition of the export of arms and ammunition to China

GOD SAVE THE KING

Given under my hand and the Public Seal of the Colony at Nairobi this 6th day of September, 1929

By Command of His Excellency the Governor

H. ELPHINSTONE,
for Colonial Secretary

(N B —The exportation of arms and ammunition from the Colony is still subject to the licence regulations under the Arms and Ammunition Ordinance, 1925, and the Rules thereunder.)

PROCLAMATION NO 149

THE DISEASES OF ANIMALS ORDINANCE
(*Chapter 157 of the Revised Edition, section 4*)

AND

THE INTERPRETATION AND GENERAL CLAUSES ORDINANCE
(*Chapter 1 of the Revised Edition, section 13*)

GOVERNMENT NOTICE NO 231 OF 1919

PROCLAMATION

IN EXERCISE of the powers thereunto enabling me, I hereby declare the areas defined in the Schedule hereto, to be infected with East Coast Fever, and I hereby further declare that each of the said areas shall be known as in "Infected Area" for the purposes of Rules under the Diseases of Animals Ordinance.

Proclamation No 134, dated the 7th day of August, 1929, is hereby amended accordingly.

Given under my hand at Nairobi this 28th day of August, 1929

H H BRASSEY-EDWARDS,
Chief Veterinary Officer

SCHEDULE

<i>Farm L R No or other description</i>	<i>Owner</i>	<i>District</i>	<i>Date of commencement of quarantine</i>
Farms L R Nos 3924, 3925 and 3929	Messrs A W Hemphill and Partners, Mu Summit	Nakuru	28th May, 1929

PROCLAMATION NO 150

THE DISEASES OF ANIMALS ORDINANCE
(*Chapter 157 of the Revised Edition, Section 4*)

AND

THE INTERPRETATION AND GENERAL CLAUSES ORDINANCE
(*Chapter 1 of the Revised Edition, Section 13*)

GOVERNMENT NOTICE NO 231 OF 1919

PROCLAMATION

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following portions of Proclamations are revoked —

That portion of Proclamation No 89, dated the 7th day of September, 1928 declaring that portion of the Nairobi District, in the vicinity of Athi River Township Reserve, bounded by a line commencing at the intersection of the south-western boundary of the Nairobi-Athi River Road Reserve with the western boundary of the Athi River Township Reserve (L O No 337),

thence by that township boundary to its intersection with the Athi (Mbagathi) River,

thence by that river up-stream for a distance along its course of two and a half miles

thence by a straight line north easterly to its intersection with the south-western boundary of the Nairobi Athi River Road Reserve,

thence south-easterly by the south-western boundary of that road reserve to the point of commencement, to be an infected area (Rinderpest)

That portion of Proclamation No 112, dated the 10th day of June, 1929, declaring Farm L O No 2898, M G E Llewelyn, Nanyuki, North Nyeri District, to be an infected area (Tuberculosis)

Given under my hand at Nairobi this 28th day of August, 1929

H H BRASSEY EDWARDS,
Chief Veterinary Officer

PROCLAMATION NO 151

THE DISEASES OF ANIMALS ORDINANCE
(*Chapter 157 of the Revised Edition, Section 4*)

AND

THE INTERPRETATION AND GENERAL CLAUSES ORDINANCE
(*Chapter 1 of the Revised Edition, Section 13*)

GOVERNMENT NOTICE NO 231 OF 1919

PROCLAMATION

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following portion of Proclamation is revoked —

That portion of Proclamation No 117, dated the 3rd day of July, 1929, declaring Farm L O No 2448, K Patterson, Esq., P O Rumuruti, Laikipia District, to be an infected area (East Coast Fever)

Given under my hand at Nairobi this 28th day of August, 1929

H H BRASSEY-EDWARDS,
Chief Veterinary Officer

PROCLAMATION NO 152

THE DISEASES OF ANIMALS ORDINANCE
(*Chapter 157 of the Revised Edition, Section 4*,
AND

THE INTERPRETATION AND GENERAL
CLAUSES ORDINANCE
(*Chapter 1 of the Revised Edition, Section 13*)

GOVERNMENT NOTICE No 231 OF 1919

PROCLAMATION

IN EXERCISE of the powers therunto enabling
me, I hereby declare the following portion of
Proclamation is revoked —

That portion of Proclamation No 135, dated the
7th day of August, 1929, declaring Farms L R
Nos 3924, 3925 and 2929, Messrs A W
Hemphill and Partners, Mau Summit, Nakuru
District, to be infected areas (East Coast
Fever)

Given under my hand at Nairobi this 28th day of
August, 1929

H H BRASSEY-EDWARDS
Chief Veterinary Officer

PROCLAMATION NO 153

THE DISEASES OF ANIMALS ORDINANCE
(*Chapter 157 of the Revised Edition, Section 4*)
AND

THE INTERPRETATION AND GENERAL
CLAUSES ORDINANCE
(*Chapter 1 of the Revised Edition, Section 13*)

GOVERNMENT NOTICE No 231 OF 1919

PROCLAMATION

IN EXERCISE of the powers thereunto enabling
me, I hereby declare the following area to be an
infected area for the purposes of the said Diseases
of Animals Ordinance —

RINDERPEST

Farm L R No 1608/5/6, Mr L Patel, Kibigoni,
Kisumu Londiani District

Given under my hand at Nairobi this 4th day of
September, 1929

H H BRASSEY-EDWARDS,
Chief Veterinary Officer

GOVERNMENT NOTICE No 575

THE WEIGHTS AND MEASURES ORDINANCE
(*Chapter 96 of the Revised Edition*)

NOTICE

EDWARD GRIGG

IN EXERCISE of the powers conferred upon him by
Rule 94 of the Weights and Measures Rules (Chapter 96 of
the Revised Subsidiary Legislation), His Excellency the
Governor has been pleased to dispense with the observance
of the requirements of Rule 7 of the said Rules in respect of
measuring instruments fitted with temperature compensators,
as described in the Schedule hereto and adjusted as therein
described for use in the filling of containers of liquid fuel of
low viscosity

By Command of His Excellency the Governor

Nairobi,
This 31st day of August, 1929

H ELPHINSTONE,
for Colonial Secretary

SCHEDULE

Measuring instruments of the can-filling pattern ap-
proved by the Board of Trade in Notices 97, 174, 175, 316,
377, 412 and 417 issued by the Board of Trade under section 6
of the Weights and Measures Act 1904 (4 Edw VII c 28)

The temperature compensator consists of a tilting bucket
inside the measuring chamber fixed to a shaft which protrudes
through one side of the measuring chamber, the shaft being at

right angles to the vertical axis of the measuring chamber. To the protruding end of the shaft is fixed a quadrant graduated "plus" and "minus" from a central zero. A locking screw secures the quadrant in any position. Each set of fillers is supplied with an accurate thermometer and a suitable hydrometer. The temperature compensator must be adjusted so that the volume delivered shall be equivalent to the marked capacity of the measuring chamber at 62°F.

GOVERNMENT NOTICE NO 576

NOTICE

THE following Notice issued at Cairo on the 1st June 1929 is published for general information at the request of His Britannic Majesty's High Commissioner for Egypt —

EGYPT

NOTICE

THE following Regulations, made by His Britannic Majesty's High Commissioner for Egypt, and allowed by His Britannic Majesty's Principal Secretary of State for Foreign Affairs, are published for general information

(Signed) LLOYD,
His Britannic Majesty's High Commissioner for Egypt
Cairo,
1st June, 1929

KING'S REGULATIONS MADE UNDER ARTICLES 144 AND 145 OF "THE OTTOMAN ORDER IN COUNCIL, 1910," AND "THE EGYPT ORDER IN COUNCIL, 1915"

No 1 OF 1929

AIRCRAFT REGULATIONS

1 No person subject to the jurisdiction of the Court shall, unless the permission of the High Commissioner has previously been granted in writing, navigate or cause any aircraft to fly over Egyptian territory or territorial waters or cause such aircraft to land in or upon Egyptian territory or territorial waters

2 Permission to land shall not be deemed to be implied in a permission to navigate or fly, but must be expressly applied for and granted, and the permission may in either case be granted subject to any conditions as to route, place of landing or otherwise as may seem expedient

3 The above-mentioned permission of the High Commissioner is required in each case independently of such authorisation as may be required to be obtained from the Egyptian Government under Egyptian law and may be revoked or qualified by the High Commissioner at any time

4 If any person subject to the jurisdiction of the Court and navigating or causing an aircraft to fly shall land in Egypt without the above-mentioned permission having been granted, he may be required to proceed with his aircraft to such aerodrome in Egypt as may be designated by the High Commissioner, and he, and his aircraft (if subject to the jurisdiction of the Court), may be detained there or elsewhere until he shall have been granted permission to proceed by the High Commissioner subject to such conditions as to route or otherwise as may seem expedient

5 If an aircraft which is subject to the jurisdiction of the Court, but is navigated by a person who is not so subject, shall land in Egypt without having previously obtained such authorisation as may be required to be obtained from the Egyptian Government under Egyptian law, it shall be lawful for the High Commissioner to order that such aircraft shall be detained in such aerodrome in Egypt as he may designate until the required authorisation by the Egyptian Government shall have been obtained

6 If any aircraft subject to the jurisdiction of the Court and arriving from any place outside Egypt shall land at or be detained in any aerodrome in Egypt, such aircraft shall not proceed from such aerodrome, nor shall any goods be unloaded therefrom, nor shall any person subject to the jurisdiction of the Court arriving therein leave such aerodrome until the legitimate requirements of the Egyptian Passport, Quarantine, Customs and Excise authorities shall have been complied with

7 Any person committing a breach of these Regulations shall, on conviction, be liable to imprisonment with or without hard labour for a period not exceeding three months or to a fine not exceeding £ E 100 or both

8 Any aircraft subject to the jurisdiction of the Court which shall be adjudged by the Court to be in Egypt in contravention of these Regulations shall be liable to forfeiture. Such forfeiture may be ordered apart from or in addition to any penalty that may be imposed on any person under Article 7 of these Regulations

9 In these Regulations the expressions "the High Commissioner" and "the Court" have the same meanings respectively as in "The Ottoman Order in Council, 1910," as amended by "The Egypt Order in Council, 1915"

10 These Regulations are not applicable to aircraft in the service of His Majesty nor to members of His Majesty's Forces employed on military duty

11 These Regulations may be cited as "The Aircraft Regulations, 1929"

(Signed) LLOYD,
His Britannic Majesty's High Commissioner for Egypt

Cairo,
1st June, 1929

Allowed

AUSTEN CHAMBERLAIN,
*His Britannic Majesty's Principal Secretary
of State for Foreign Affairs*

GOVERNMENT NOTICE NO 577

NOTICE

IT IS HEREBY notified for general information that His Excellency the Governor has decided that it would be in the best agricultural interests of the Colony if the Agricultural Commission appointed by the Government on the 9th day of July, 1929 were reconstituted under an unofficial chairman of high standing in agricultural circles from outside the Colony. With the unanimous approval of the unofficial members of the Agricultural Commission, advantage has been taken of the presence in Kenya of Sir Daniel Hall, K C B , LL D , F R S , Director of the John Innes Horticultural Institution and Chief Scientific Adviser to the Ministry of Agriculture in the United Kingdom, to approach him as to his willingness to undertake the duty of presiding over the Commission. Sir Daniel Hall expressed his willingness to do so, and the necessary permission has now been obtained from the Minister of Agriculture and the Chairman of the John Innes Council to his prolonging his stay in Kenya for that purpose. In the altered circumstances, His Excellency, after consultation with Sir Daniel Hall, is of opinion that it is desirable to confine the membership of the Commission to unofficial representatives. In view, however, of the importance of native agriculture and the difficulty of obtaining adequate unofficial representation of those interests, His Excellency has decided to appoint the Chief Native Commissioner and Mr C M Dobbs, Senior Commissioner, Nyanza Province, for the specific purpose of representing native needs to the Commission.

To give effect to the above decision, Proclamations Nos 452 and 505 of 1929 appointing the Agricultural Commission are revoked, and a new Agricultural Commission is appointed, as formally set out in the two Proclamations appearing below.

Nairobi,

This 9th day of September, 1929

H M -M MOORE,
Colonial Secretary

GOVERNMENT NOTICE NO 578

COMMISSIONS OF INQUIRY ORDINANCE

WHEREAS by section 3 of the Commissions of Inquiry Ordinance (Chapter 25 of the Revised Edition) it is *inter alia* provided that any Commission issued by the Governor may be revoked altogether by a notification to that effect published in the Gazette

AND WHEREAS on the 9th day of July, 1929, His Excellency the Acting Governor appointed a Commission of Inquiry under the said Ordinance

AND WHEREAS on the 29th day of July, 1929, His Excellency the Acting Governor appointed a further Commission altering the aforementioned Commission of the 9th day of July, 1929

AND WHEREAS it is expedient to revoke both the aforementioned Commissions

IT IS HEREBY notified that the aforementioned Commissions dated the 9th and the 29th day of July, 1929, respectively have been revoked by His Excellency the Governor

Nairobi,

This 9th day of September, 1929

H M -M MOORE,
Colonial Secretary

GOVERNMENT NOTICE NO 579

COMMISSIONS OF INQUIRY ORDINANCE

I, Edward William Macleay Grigg, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Royal Victorian Order, Companion of the Distinguished Service Order, upon whom His Majesty has conferred the decoration of the Military Cross, Lieutenant-Colonel in His Majesty's Army (retired), Governor and Commander-in-Chief of the Colony and Protectorate of Kenya, do by virtue and in exercise of the powers conferred upon me by the Commissions of Inquiry Ordinance (Chapter 25 of the Revised Edition) by this my Commission under my hand appoint —

Sir Daniel Hall, K C B , LL D , F R S ,
The Hon the Chief Native Commissioner ,
The Hon C M Dobbs, O B E ,
Lt -Col the Hon J G Kirkwood, C M G , D S O ,
The Hon E Powys Cobb ,
Lt -Col the Hon W K Tucker, C B E ,
W Evans, Esq ,
J F A Harper, Esq ,
W Tyson Esq ,

And such other person or persons as I may from time to time nominate to be Commissioners—

To consider and make recommendations with regard to —

- 1 The progress of the main branches of the agricultural industry (including "Native" agriculture and stock) since 1920
- 2 Factors which tend to retard progress, if any, and the means whereby production may be increased and accelerated
- 3 The provision which should be made for augmenting Departmental or other services calculated to advance the industry, and the share, if any, which should be borne by organisations or undertakings representing or concerned with agricultural interests and production
- 4 The formation and functions of advisory consultative or other bodies in connection with the agricultural industry

And I do hereby appoint the said Sir Daniel Hall to be Chairman of the said Commissioners

And I do hereby direct that five Commissioners shall form a quorum

And I do hereby appoint R W Lambert, Esq , to be Secretary of the said Commissioners

And I do hereby appoint Bernard Arthur Cian, a Senior Magistrate in the Colony and Protectorate of Kenya, to be the person before whom the Commissioners appointed under this Commission shall make and subscribe the proper Oath as by the aforesaid Ordinance required

And I do hereby direct that the Inquiry shall be held in such places in the Colony as the Chairman may think fit

And I do hereby direct that the said Inquiry may be held in public or private, or partly in public and partly in private, at the discretion of the Commissioners

And I do hereby command all persons whom it may concern to take due notice hereof and give them obedience accordingly

Given under my hand at Nairobi this 9th day of September, 1929

EDWARD GRIGG,
Governor

GOVERNMENT NOTICE No 580

NOTICE

CERTIFICATION OF SIGNATURES BY THE SECRETARY OF STATE ON OFFICIAL DOCUMENTS TO BE LEGALISED IN ENGLAND

HIS Excellency the Governor is pleased to notify for public information that any official document bearing a signature of an official which will require authentication if the document is to be legalised in England or elsewhere should be certified by the Governor or the Colonial Secretary in respect of such signature, if further certification by the Secretary of State is to be sought in England

Government Notice No 98, dated the 7th February, 1927, is hereby cancelled

Nairobi,
31st August, 1929

H M -M MOORE,
Colonial Secretary

GOVERNMENT NOTICE No 581

THE LOCAL GOVERNMENT (MUNICIPALITIES) ORDINANCE, 1928

NAIROBI MUNICIPAL ELECTION

NOTICE

IT is hereby notified for public information that the following candidate was declared to be duly elected at the election held on Thursday, the 5th

September, 1929, in respect of one vacancy for the Hill Ward —

Charles Rand-Overy
Nairobi,
7th September, 1929

H L G GURNEY,
*for Acting Commissioner for Local Government,
Lands and Settlement*

GOVERNMENT NOTICE No 582

THE PRISONS ORDINANCE
NOTICE

IN EXERCISE of the powers conferred upon him by section 3 of the Prisons Ordinance (Chapter 37 of the Revised Edition), His Excellency the Governor has been pleased to declare the Detention Camp at Kakamega to be a Prison for the purposes of the Ordinance, and further to declare that the Third Class Prison at Kakamega shall cease to be a Prison for the purposes of the Ordinance from and including the 10th day of August, 1929

By Command of His Excellency the Governor

Nairobi,
This 5th day of September, 1929

H M -M MOORE,
Colonial Secretary

GOVERNMENT NOTICE NO 583

THE NATIVE CHRISTIAN MARRIAGE
ORDINANCE
(*Chapter 168 of the Revised Edition, Section 7*)

AND

THE INTERPRETATION AND GENERAL
CLUSES ORDINANCE
(*Chapter 1 of the Revised Edition, Section 13*)

GOVERNMENT NOTICE NO 380 OF 1927

APPOINTMENT

IN EXERCISE of the powers thereunto enabling me, I hereby appoint the following Minister of the Africa Inland Mission to be a Registrar for the purpose of registration of marriages under the Native Christian Marriage Ordinance —

Rev Samuel Anderson

Nairobi,
This 3rd day of September, 1929

W M KEATINGE,
Registrar General of Marriages

GOVERNMENT NOTICE NO 584

THE PUBLIC TRAVEL AND ACCESS ROADS
ORDINANCE

NOTICE OF APPOINTMENT

IN EXERCISE of the powers conferred upon His Excellency the Governor by the Public Travel and Access Roads Ordinance (Chapter 113 of the Revised Edition), which powers His Excellency in exercise of the powers conferred upon him by the Interpretation and General Clauses Ordinance (Chapter 1 of the Revised Edition), has been pleased to delegate to District Commissioners by Government Notice No 501 of 1925, I hereby make the following appointments to the District Road Board, North Kavirondo District, for the year 1929 —

The District Commissioner, North Kavirondo
Mr E Viner
Mr F N Hoyt
Rev Father Burgman
The Executive Engineer, Public Works
Department, Kisumu

Dated at Kakamega this 29th day of August, 1929

C B THOMPSON,
District Commissioner

GENERAL NOTICE NO 1178

MUNICIPAL COUNCIL OF NAIROBI

NOTICE is hereby given that from the date hereof and until further notice, the following places in Nairobi are by order of the Municipal Council reserved for the use of pedestrians only, viz —

1 The strip of land approx 12 feet in width in Court Lane lying between Government Road and Victoria Street and abutting upon the north-west boundaries of Plots 575 and 546

2 The strip of land of an average width of 16 feet in width in Victoria Street between River Road and McCrae's Lane and abutting upon the north-east boundaries of Plots 539 to 546, and 548 to 559

By Order of the Municipal Council of Nairobi
Municipal Offices,
Hamilton House,
2nd September, 1929

W W RIDOUT,
Acting Town Clerk

GENERAL NOTICE NO 1179

THE POST OFFICE SAVINGS BANK
ORDINANCE
(*Chapter 95 of the Revised Edition*)

NOTICE

PURSUANT to the powers vested in him by section 2 of the Post Office Savings Bank Ordinance (Chapter 95 of the Revised Edition), it is hereby notified for public information that the Acting Postmaster General has, with the approval of His Excellency the Governor, opened branch Post Office Savings Banks at the following Post Offices, viz —

Miwani

Ruiru

Nairobi,
5th day of September, 1929

F E BALMER,
for Acting Postmaster General

GENERAL NOTICE NO 1180

POST OFFICE NOTICE

IT is hereby notified for general information that a Departmental Post Office for the transaction of all classes of Post and Telegraph business including Savings Bank will be opened at Miwani as from the 23rd September, 1929

General Post Office,
Nairobi,
30th August, 1929

F E BALMER,
*for Acting Postmaster General,
Kenya and Uganda*

GENERAL NOTICE NO 1181

POST OFFICE NOTICE

PUBLIC TELEPHONE EXCHANGE AT KITALE

IT is notified for information that a Public Telephone Exchange was opened at Kitale on the 3rd day of September, 1929

General Post Office,
Nairobi,
3rd September, 1929

H C WILLBOURN,
*for Acting Postmaster General,
Kenya and Uganda*

GENERAL NOTICE NO 1182

KENYA AND UGANDA RAILWAYS AND HARBOURS

NOTICE

Transit of Export Traffic to Kilindini Harbour

FOR the guidance of Shippers of Export Traffic to Kilindini Harbour, the following list of average transit times between the stations and ports named therein and Kilindini Harbour, has been compiled

This list is published, subject to the conditions that the High Commissioner for Transport does not undertake that the times stated between the respective stations and ports and Kilindini Harbour will not be reduced or exceeded, and that he will not be liable in respect of any deviation therefrom

	Days
Lake Albert	19
,, Kioga	15
,, Victoria —	
Kampala	14
Bukakata	16
Bukoba	18
Mwanza	14
Port Bell	13
Kisumu	7
Lumbwa	7
Nakuru	5
Jinja	9
Namasagali	9
Kaliro	9
Mbale	9
Soroti	10
Tororo	8
Kitale	8
Eldoret	7
Sola	6
Gilgil	5
Thomson's Falls	6
Limuru	4
Nairobi	3
Nairo Moru	5
Thika	4
Kibwezi	3

Headquarter Offices,

Nairobi,

2nd September, 1929

G D RHODES,

Acting General Manager,
Kenya and Uganda Railways and Harbours

GENERAL NOTICE NO 1183

DEPARTMENT OF AGRICULTURE

WEEKLY LOCUST REPORT TO 4TH SEPTEMBER, 1929

FLYING LOCUSTS

A large swarm of red locusts was reported on Saturday as being in Kibathia Location, causing considerable damage to maize. Two small off-shoots are reported from Gachayos Location. Both these locations are in the Kikuyu Reserve. A large swarm is reported from the Kinangop, said to have

come from the north, but it is possible rather from the Kikuyu Reserve.

A very thin swarm is reported from Gilgil.

The remnants of the Subukia swarm have departed in a northerly direction. The damage done by this swarm, which has been moving about in Subukia Valley for nearly three weeks, is almost negligible, and the heavy damage to 90 acres of maize previously reported is now confirmed as very slight. "The Subukia swarm has left behind large numbers of dead or dying locusts. Some of the sick locusts are infested with what appears to be a thread worm—others swell up, and turn a creamy-white colour. They then waste away. What appears to be locusts eating leaves on the maize is now frequently found to consist of large numbers of dead locusts clinging to the plants. Those which are found on the ground are surrounded by a fine white powder." This description from a farmer coincides with reports and descriptions of trees full of dead locusts in the Baringo District.

It is clear that with the hopper disease, the parasites of flying locusts, and also unconfirmed hopper parasites, together with a possible fungoid infection, the locust breeding area in the Rift Valley, from Kamisia to Karpeddo, is becoming insanitary so far as locusts are concerned.

It will be recollect that parasitized mature swarms died in the Masai Reserve, in the early part of the year, as also at Embu. Some hopper sickness was also reported from Suk country earlier in this campaign.

There are no further reports of flying swarm movements, and from Tanganyika there is nothing to report.

HOPPER AND LAYING AREAS

Northern Turkana—Reports four square miles of laying at Loroguma, and ten square miles at Lodeke. The hatching on the Amuru Nyssiga Hills is complete, and the infestation has been destroyed. The staff is moving on to the new areas mentioned above. In this area the method used in destruction is left to the discretion of the Locust Officers.

Southern Turkana—No reports, but news has come through that contact has been established with the workers in Baringo, who are operating on and across the boundary.

Suh—Chepkoriat new infestation is heavy, and fresh hatchings have taken place. One infestation is reported as being three miles across. Heavy rain has fallen. Baiting and spraying are carried out in this area.

Elgeyo and Marquet—Now reported practically clear of hoppers. Two flying swarms have been seen, but are moving east across the Kerio Valley into Kamasia. Rain has again fallen in Elgeyo. Here, spraying is considered most effective on hoppers, and bran baiting on young flying swarms.

Baringo—In the Lalayo Karpeddo area, seven officers are concentrated. Torrential rains have fallen, interrupting transport considerably. All old hopper areas now clean, and work is proceeding vigorously along the west bank of the Sugota River. Bands are much scattered, and range from half an acre to five acres in area. Five more officers reinforcing those already mentioned have arrived. Two flying swarms of red and yellow locusts have been destroyed by baiting, one at Marrigat, and one at Ngavangs. Other flies seen are moving south and south east in the Rift Valley. In this area spraying and baiting are used exclusively.

Northern Frontier Province—No report Two additional Scouting Officers equipped for anti-hopper work have been sent up

Masai Reserve—The Masai consider that a visit of locusts to a "Fly area" is advantageous, as the locusts are believed to kill the fly, and the grazing is safe for cattle for some years. It will be interesting to see whether they use known "Fly areas" for grazing in the near future

Nairobi,
4th September, 1929

E HARRISON,
Deputy Director of Agriculture

GENERAL NOTICE NO 1184

THE DISEASES OF ANIMALS ORDINANCE

IN EXERCISE of the powers conferred upon me by Rules Nos 13 and 56 of the Diseases of Animals Rules, 1918 I hereby appoint the gentlemen named hereunder to be Honorary Permit Issuers, for the purposes of the said Rules—

Mr S Jenkins, Oleando Farm, Gilgil
Mr W G Patten, Ol Bolossat, Thomson's Falls

Nairobi,
2nd day of September, 1929

J T C BRADSHAW,
for Chief Veterinary Officer

GENERAL NOTICE NO 1185

NOTICE

UNDER THE MEDICAL PRACTITIONERS AND DENTISTS ORDINANCE, 1910

(Chapter 119, Revised Edition)

THE undernoted have been registered in accordance with the terms of the Medical Practitioners and Dentists Ordinance (Chapter 119, Revised Edition)

MacMillan, Hector Alasdair, M.B., Ch.B., 1925,
U Glasg

Carothers, John Colin Dixon, M.R.C.S., Eng.,
1926, L.R.C.P., Lond., 1926, M.B., B.S., 1927,
U Lond

Nairobi,
4th September, 1929

A R PATERSON,
Acting Registrar

GENERAL NOTICE NO 1186

NOTICE

THE following packages which have been lying in the Nairobi Colonial Bonded Warehouse for over two years are due for sale by public auction under section 91 of the Customs Management Ordinance, 1926—

- 1 case Anisette
- 1 case Anisette
- 2 cases Crème de Vanilla
- 2 cases Mandarinetto
- 2 cases Maraschino
- 2 cases Cherries in Maraschino
- 4 cases Crème de Menthe
- 2 cases Caffe
- 2 cases Cacao
- 1 case Menthe Glaciale Verde
- 1 case Cherries in Maraschino

The sale will be held at the Nairobi Bonded Warehouse on Monday, the 4th November, 1929, at 10 a.m.

Mombasa,
6th September, 1929

E G BALE,
*for Commissioner of Customs,
Kenya and Uganda*

GENERAL NOTICE NO 1187

KENYA AND UGANDA RAILWAYS AND HARBOURS

NOTICE

Passenger Concessions

THE attention of the public is drawn to the recent revisions in the Passenger Concessions which have been introduced, with effect from the 1st August, 1929

Particulars of the alterations may be obtained on application at all Stations and Ports, District Offices or Headquarter Offices, Nairobi

Headquarter Offices
Nairobi,
6th September, 1929

G D RHODES,
*Acting General Manager,
Kenya and Uganda Railways and Harbours*

GENERAL NOTICE NO 1188

KENYA AND UGANDA RAILWAYS AND HARBOURS

DISTRIBUTION RATES FROM ELDOROT

NOTICE is hereby given that the following distribution rates from Eldoret will operate on and from the 1st August, 1929

Station to	Class 1	Class 2	Class 3	Class 4	Class 5
	Cents per 100 lb				
Leseru					
Soy					
Hoey's Bridge					
Kitale					
Turbo					
Kipkarren River					
Lugari	229				
Broderick Falls	246				
Bungoma	280	276			
Myanga	314	309			
Malaba	331	325	291		
Tororo	348	342	305	243	
Magodes	365	358	318	255	212
Manafwa	377	370	329	265	221
Mbale	401	393	350	285	237
Nagongera	377	370	329	265	221
Budumba	389	381	339	275	230
Nsinze	413	404	360	295	246
Kaliro	425	416	371	305	255
Namwendwa	437	427	381	315	264
Namaganda	449	439	392	325	273
Kamuli	461	450	402	335	280
Mbulamutu	473	462	413	345	289
Namasagali	497	485	431	362	304
Luzinga	485	473	423	354	298
Mutai	509	496	438	370	312
Jinja	475	462	413	345	289
Port Bell	569	554	476	408	346
Entebbe	593	577	491	424	361
Karungu	785	761	611	547	472
Musoma	857	830	656	593	512
Mwanza	893	864	678	614	538
Bukoba	749	726	588	524	451
Bukakata	653	634	528	462	395
Kibanga	533	519	453	385	325
Sio Pier	569	554	476	408	346
Kadimu Bay	761	738	596	532	457
Useombo Bay	725	703	573	508	436
Homa Bay	725	703	573	508	436
Kendu Bay	725	703	573	508	436
Mjanji	569	554	476	408	346
Busungwe	713	692	566	501	430
Bugungu	473	462	413	345	289
Kampala	581	565	483	416	353

Headquarter Offices,

Nairobi,

5th September, 1929

G D RHODES,
Acting General Manager,
Kenya and Uganda Railways and Harbours

2 Each purchaser of a plot shall erect within two years of the commencement of his grant a building of approved design constructed of stone, burnt brick, concrete, asbestos, or wood and iron, on proper foundations

3 At no time during the term of the grant shall any plot or any portion thereof or any building

erected on the plot be used for the purpose of carrying on any trade or industry which has been or may be declared to be dangerous or offensive by notice in the Official Gazette

4 Verandahs may be erected within a road reserve with the previous consent of the Authority, and must conform to a building line decided upon by such Authority

SCHEDULE

PLOTS FOR INDUSTRIAL PURPOSES OR INDUSTRIAL AND RESIDENTIAL PURPOSES COMBINED

Section No	Plot No	Area Acres approx	Rent per annum	Upset Price	Survey Fee,	Proportionate rent from 1-11-29 to 31-12-29
			Shs	Sns	Shs	Shs
V	1	0 34435	96	600	70	16
V	2	0 34435	96	600	70	16
V	3	0 34435	96	600	70	16
V	4	0 34435	96	600	70	16
V	5	0 34435	96	600	70	16

Nairobi,

27th August, 1929

C E MORTIMER,
for Acting Commissioner for Local Government
Lands and Settlement

GENERAL NOTICE NO 885

THE CROWN LANDS ORDINANCE

(Chapter 140, Revised Edition)

TENDERS FOR FARM GRANTS

NOTICE

TENDERS are invited for the purchase of grants in respect of the lands between Muhoroni and Kibigori specified in the Schedule hereto

2 Plans of the areas may be seen at the office of the Surveyor General, Nairobi, or at the office of the Resident Commissioner, Kisumu, and copies of the plans may be obtained on application to the Surveyor General, Nairobi, at the price of Sh 3, post free

3 The grants will be for terms of 999 years from the 1st October, 1929, and will be subject to the ordinary conditions of the Crown Lands Ordinance (Chapter 140 of the Revised Edition) The titles will be issued under the Registration of Titles Ordinance, 1919

4 Tenders may be submitted in respect of each farm separately or for the three farms as a block and should be accompanied by a statement indicating—

(a) the present land holding (if any) of the tenderer in the Colony, and the amount and nature of development thereon

(b) the proposals of the tenderer for the development of the area if his tender be accepted

(c) the amount of guaranteed capital available for development purposes

5 Each successful tenderer will be required to pay within 7 days of notification that his tender has been accepted, 10 per cent of the amount tendered together with the survey fees and the amount of rent due from the commencement of the grant to 31st December, 1929, as shown in the Schedule hereto The balance of the purchase price shall be paid prior to the issue of title or may be paid in nine equal annual instalments, the first of such payments becoming due on 1st January, 1930

6 Titles will be issued as soon as conveniently may be, the successful tenderer being required to pay on demand the cost of the preparation and registration of the grant (Sh 110), and the stamp duty in respect of the grant

7 Sealed tenders marked "Tender for Muhoroni Farms" must be deposited with the undersigned, before noon on the 16th day of September, 1929

8 No tender of a sum less than the amount stated in the Schedule hereto will be considered The highest or any tender will not necessarily be accepted

SCHEDULE

Locality	L R No	Approx Area Acres	Approx Rent per annum Shs	Proportionate rent from 1-10-29 to 31-12-29 Shs		Reserved Price Shs	Survey fees (Approx) Shs
				Shs	Shs		
1) Between Muhoroni and Kibigori							
	1578	989 9	198/00	49/50	50,394	823	
(2) ,,	1579	1007 8	201/60	50/40	60,468	823	
(3) ,,	1580	998 4	199/80	50/00	59,904	823	

Nairobi,

12th July, 1929

C E MORTIMER,
for Acting Commissioner for Local Government,
Lands and Settlement

GENERAL NOTICE NO 1087

CROWN LANDS ORDINANCE
(Cap 140, Revised Edition)TENDERS FOR GRANT OF PLOT,
MOMBASA

TENDERS are invited for a grant of the plot at Mombasa specified in the Schedule hereto

2 A plan of the plot may be seen at the Offices of the Survey and Registration Department, Nairobi or Mombasa, or may be had on application to the Hon Surveyor General, Nairobi, or the District Surveyor, Mombasa, on payment of Sh 3, post free

3 The grantees of the plot will be required to erect on the plot within two years from the commencement of the grant, a building of approved design constructed of stone, brick or concrete on proper foundations to a value of not less than £2,000

4 The plot may be used for the purpose of an accommodation garage or for other purposes in connection with an hotel only, but shall, under no circumstances be used for a commercial garage

5 No building shall be erected on the plot unless plans (including block plan showing the position of the buildings) drawings, elevations and specifications thereof shall have been previously approved by the Local Authority and by the Commissioner for Local Government, Lands and Settlement, or such other person as he may appoint. Such plans, etc., shall be submitted in triplicate to the Resident Commissioner, Mombasa, for necessary action

6 Any building erected shall conform to a building line decided upon by the Local Authority

7 A verandah may be erected within a road reserve with the previous consent of the Local Authority

8 At no time during the term of the grant shall the plot or any portion thereof or any building erected thereon be used for the purpose of carrying

on any trade or business which has been or may be declared to be offensive by notice in the Official Gazette

9 The term of the grant will be 99 years from the 1st day of October, 1929, and the grant will be issued under the Registration of Titles Ordinance (Cap 142 of the Revised Edition)

10 The grantees shall not at any time subdivide the plot or assign, sublet or otherwise dispose of any portion of the plot without the previous consent of the Governor

11 The grantees of the plot shall pay at the office of the Survey and Registration Department, Mombasa, within seven days of the acceptance of his tender, 25 per cent of the purchase money, together with the rent due to the 31st December, 1929. In default of such payment the sale of the plot may be cancelled

12 The balance of the purchase money shall be paid at the offices of the Survey and Registration Department, Mombasa, while the survey fees, the fees payable for the preparation and registration of the grant (Sh 110) and the stamp duty payable in respect of the grant and all other expenses, if any, shall be paid to the Surveyor General, Nairobi. All these amounts shall be paid within seven days of a request for payment being made, when the grant is ready for execution. If these amounts be not paid within the time stated the Commissioner for Local Government, Lands and Settlement may order the deposit made by the grantees to be forfeited and the grantees shall have no further claim to the grant of the plot

13 No tender of less than the amount stated in the Schedule hereto will be considered

14 Tenders in writing, must be submitted to the Resident Commissioner, Mombasa, in sealed envelopes marked "Tender for Mombasa Hotel Plot", on or before the 21st day of September, 1929

15 The highest or any tender will not necessarily be accepted

SCHEDULE

Plot No	Section No	Area Acres approx	Rent per Annum Shs	Minimum Tender Shs	Survey Fees Shs	Prop. rent 5-10-29 to 31-12-29
192 (old No 71/1)	XXI	0 2308	665/-	2770/-	85/-	166/25

Nairobi,
19th August, 1929

R W LAMBERT,
for Acting Commissioner for Local Government,
Lands and Settlement

GENERAL NOTICE NO 1044

THE CROWN LANDS ORDINANCE
(*Chapter 140, Revised Edition*)

NOTICE

MOLO TOWNSHIP PLOTS

NOTICE is hereby given that grants in respect of the plots at Molo, specified in the Schedule hereto, will be sold by auction at Molo, on Wednesday, the 18th September, 1929, commencing at 11 a.m.

Plans of the plots may be seen at the Public Map Office attached to the Survey and Registration Department, Nairobi, and at the office of the Senior Commissioner at Nakuru, or may be had on application to the Hon. Surveyor General on payment of Shs 3, post free.

The right to withdraw any plot from the auction is reserved to the Commissioner for Local Government, Lands and Settlement.

In the following General and Special Conditions of Sale, the term "Authority" means the Senior Commissioner, Nakuru, or such other Municipal Authority as may be hereafter established by law.

CONDITIONS OF SALE

(a) AUCTION

1 Each plot will be auctioned separately.

2 The amount of the advance of each bid will be regulated by the auctioneer, and no bidding shall be retracted.

3 The highest bidder will be the purchaser, but if any dispute arise as to any bid, the plot will be reoffered at the last undisputed bid.

4 Each purchaser shall pay to the auctioneer immediately on the fall of the hammer a deposit of 25% of the purchase money. In default of such payment, the plot may be immediately reoffered for sale, and any subsequent bid by the person who has made default may be ignored or refused.

5 Each purchaser shall on paying the deposit inform the auctioneer of the name or names and addresses of the person or persons on whose behalf the plot is purchased, the grant will be issued in accordance with this information.

6 The balance of the purchase money, together with the rent due to December 31st, 1929, shall be paid to the Senior Commissioner, Nakuru, while the survey fees, the fees payable for the preparation and registration of the grant (Shs 110), and the stamp duty payable in respect of the grant, and all other expenses, if any, shall be paid to the Surveyor General, Nairobi, all the amounts to be paid within 7 days from the date of the sale, and upon such payments being duly made, the purchaser shall, subject to the provisions of the Crown Lands Ordinance (Chapter 140 of the Revised Edition of the Laws of Kenya), the Registration of Titles Ordinance (Chapter 142 of the Revised Edition of the Laws of Kenya), and of these conditions of sale having been complied with, be entitled to a grant of the plot, which grant shall be presented to him duly executed as soon as conveniently may be. Provided that the balance of the purchase money shall not be payable within the time stated or thereafter, unless and until the Commissioner for Local Government, Lands and Settlement can present to the purchaser the grant duly executed.

7 Subject to the proviso contained in Condition No 6, if the amounts therein mentioned are not paid as therein laid down within 7 days from the date of the sale, the Commissioner for Local Government, Lands and Settlement may order the deposit made by the purchaser to be forfeited, and the purchaser shall have no further claim to the grant of the plot.

(b) GENERAL

1 The Government or such person or authority as may be appointed for the purpose, shall have the right to enter upon any plot and lay and have access to water mains, service pipes, telegraph or telephone wires, and electric mains of all descriptions whether overhead or underground, and the grantees shall not erect any building in such a way as to cover or interfere with any existing routes, mains or service pipes, or the telegraph or telephone wires and electric mains aforementioned.

2 No building shall be erected on any plot unless plans (including block plans showing the position of the buildings), drawings, elevations and specifications thereof shall have been previously approved by the Authority, and by the Commissioner for Local Government, Lands and Settlement or such other person as he may appoint. Such plans, etc., shall be submitted in triplicate to the Senior Commissioner, Nakuru, for necessary action.

3 The term of each grant will be 99 years from the 1st October, 1929.

4 The purchaser shall erect within two years of the commencement of his grant a building of approved design constructed of stone, burnt brick, concrete, asbestos, wood and iron, on proper foundations, provided that any buildings of asbestos, or wood and iron shall not be erected within less than 5 feet of any adjoining plot.

5 The grantee shall not at any time subdivide the plot, or assign, sublet or otherwise dispose of any portion of the plot without the previous written consent of the Governor.

6 Any building erected shall conform to a building line decided upon by the Authority.

(c) SPECIAL

1 The plots shall be used for business purposes only, but purchasers may be at liberty to use plots for the combined purpose of business and residence notwithstanding.

Provided that in the event of a plot being used for the said combined purpose, then not more than one half of the area shall be built upon, otherwise not more than ninety per cent of the area thereof shall be built upon.

Provided further, that in no case shall the area of any plot used solely for business purposes required to remain unbuilt on be less than 300 sq ft, and that the said area shall be free from any erection thereon above the level of the ground except latrine accommodation constructed in accordance with all laws and by laws in force relating thereto, and in accordance with a design approved by the Authority.

Such open space shall be at the rear of the building, and shall extend along the entire width of the building or for a distance of not less than 30 feet whichever shall be the less, and the distance across such open space from every part of the building to the rear boundary of the plot shall be not less than 10 feet

2 At no time during the term of the grant shall any plot or any portion thereof or any building

erected on the plot be used for the purpose of carrying on any trade or business which has been or may be declared to be dangerous or offensive by notice in the Official Gazette

3 Verandahs may be erected within a road reserve with the previous consent of the Authority, and must conform to a building line decided upon by such Authority

SCHEDULE

BUSINESS PLOTS SUITABLE FOR MILLS, ETC, RESIDENCE ALLOWED IF DESIRED

Plot No	Sec No	Approx Area Acres	Survey Fees Shs	Upset Price Shs	Rent per Annum Shs	Prop rent 1-10-29 to 31-12-29 Shs
1	IV	0 35067	70	600	96	24
2	IV	0 42355	70	750	120	30

Nairobi,

8th August, 1929

C E MORTIMER,
for Acting Commissioner for Local Government,
Lands and Settlement

GENERAL NOTICE NO 1190

SESSIONS of His Majesty's Supreme Court of Kenya will be held at the places and on the dates hereinafter set out —

NYERI, 30TH SEPTEMBER, 1929

Criminal Case No 104/29 Rex vs Jalango s/o Moya
,, „ , 105/29 Rex vs Raiguira wa Thiongo

MERU, 4TH OCTOBER, 1929

Criminal Case No 89/29 Rex vs M'Iniu wa Inoti
,, „ , 103/29 Rex vs Moses M'Muongo M'Mbuto
Divorce Cause No 8/29 Philipu Muntu Inoti s/o Munto Rugoci vs Foibi Wairimi wa Kinguriu

EMBU, 8TH OCTOBER, 1929

Criminal Case No 100/29 Rex vs Kabuiuki wa M'Muchaka

ELDORET, 28TH OCTOBER, 1929

KITALE, 4TH NOVEMBER, 1929

Criminal Case No 99/29 Rex vs Hamerchand s/o Attra and another
,, „ , 108/29 Rex vs Wasikila s/o Mafuabi

KISUMU, 11TH NOVEMBER, 1929

Criminal Case No 94/29 Rex vs Chipukunzi Wora Taboi

KISHI, 18TH NOVEMBER, 1929

Criminal Case No 97/29 Rex vs Dima s/o Sola
,, „ , 101/29 Rex vs Awuov s/o Othel
,, „ , 107/29 Rex vs Tbnega s/o Nyambigera and another

NAKURU, 25TH NOVEMBER, 1929

Nairobi,

6th September, 1929

MURRAY M JACK,
Registrar,
H M Supreme Court of Kenya

GENERAL NOTICE NO 937

HIS MAJESTY'S COURT OF APPEAL FOR
EASTERN AFRICA

THE next Sessions of His Majesty's Court of Appeal for Eastern Africa have been fixed to be held at Zanzibar, and to commence on Monday, the 16th day of September, 1929, at 10 a.m. or as soon thereafter as cases can be heard.

To ensure appeals from H M Supreme Court of Kenya being set down for hearing at these

sessions, memoranda of appeal should be filed with the Registrar, Supreme Court, Nairobi, and with the District Registrar, Supreme Court District Registry, Mombasa, on or before the 17th day of August, 1929.

Nairobi,
16th July, 1929

MURRAY M JACK,
Registrar,
H M Court of Appeal for E A

CAUSE LIST

FOR HEARING ON THE 16TH DAY OF SEPTEMBER, 1929, AT ZANZIBAR

Appeal No	Civil or Criminal	Appellant	Respondent	Original No of Case	Appeal from
27 of 1929	Criminal	Kahigwa s/o Rukwaka	Rex	Cr Case No 14/29	H M High Court of Uganda session held at Hoima
28 of 1929	do	Nakaima s/o Mukwana	Rex	Cr Case No 19/29	H M High Court of Uganda session held at Mbale
29 of 1929	do	Saidi bin Fundikira	Rex	Cr Case No 6/29	H M High Court of Tanganyika at Tabora
30 of 1929	do	Pita s/o Simeon	Rex	Cr Case No 79/29	H M Supreme Court of Kenya at Mombasa
31 of 1929	„	Anthony Xavier Lobo	Rex	Cr Case No 4/29	H M High Court of Tanganyika at Dodoma (Application for leave to appeal out of time)
32 of 1929	„	do	Rex	Cr Case No 5/29	do
14 of 1929	Civil	Alli Nathoo	The Societa Coloniale Italiana	Civil Case No 45/28	H B M High Court of Zanzibar at Zanzibar
3 of 1929	„	Abdulhussein Kaderbhai	The Commissioner for Local Government, Lands and Settlement	Civil Case No 83/28	H M Supreme Court of Kenya in the District Registry at Mombasa (Applications for leave to appeal to Privy Council against the Judgment of H M Court of Appeal for E A by either party)
18 of 1929	„	Mathuradas Purshottam & Co	1 Gordhandas Bhagwanji & Company and 2 The Official Receiver	Bankruptcy Cause No 4/29	H M Supreme Court of Kenya at Mombasa
19 of 1929	„	Kushal Chand Chopra	A H Kadarbhoy & Co	Civil Case No 20/28	H M High Court of Uganda in the District Registry at Jinja
22 of 1929	„	Marius Maxwell	C C Monckton trading as C C Monckton & Co	Civil Case No 433/28	H M Supreme Court of Kenya at Nairobi
23 of 1929	„	Official Assignee, assignee of the estate of Mulji Morarji an Insolvent	Dayal Gokuldass	Insolvency Cause No 78/27	H B M High Court of Zanzibar

GENERAL NOTICE NO 1191

THE BANKRUPTCY ORDINANCE, 1925

NOTICE OF DIVIDEND

Debtor's name — Henry Peter Taylor
Address — Kitale, Trans Nzoia District
Description — Farmer
Court — H M Supreme Court, Nairobi
Number of matter — 62 of 1928
Amount per £ — Cents sixty-two in the pound (62 cents)
First or final or otherwise — First
When payable — 10th September, 1929
Where payable — Official Receiver's Office, P O Box No 231, Nairobi

Nairobi,
6th September, 1929

W M KEATINGE,
Official Receiver

GENERAL NOTICE NO 1192

THE BANKRUPTCY ORDINANCE, 1925

NOTICE OF DIVIDEND

Debtor's name — Hazari Singh
Address — Thika
Description — Carpenter
Court — H M Supreme Court, Nairobi
Number of matter — 63 of 1928
Amount per £ — Shillings four in the pound (Shs 4)
First or final or otherwise — First
When payable — 10th September, 1929
Where payable — Official Receiver's Office, P O Box No 231, Nairobi

Nairobi,
6th September, 1929

W M KEATINGE,
Official Receiver

GENERAL NOTICE NO 1193

THE BANKRUPTCY ORDINANCE, 1925

NOTICE OF DIVIDEND

Debtor's name — Percy Edgar Whitman Robins
Address — Sixth Avenue Garage, Nairobi
Description — Mechanic
Court — H M Supreme Court, Nairobi
Number of matter — 79 of 1928
Amount per £ — Shillings two and cents thirty-seven in the pound (Shs 2/37)
First or final or otherwise — First and final
When payable — 10th September, 1929
Where payable — Official Receiver's Office, P O Box No 231, Nairobi

Nairobi,
6th September, 1929

W M KEATINGE,
Official Receiver

GENERAL NOTICE NO 1194

THE BANKRUPTCY ORDINANCE, 1925

ADJUDICATION

Debtor's name — Gang Singh s/o Mihel Singh
Address — Nairobi
Description — Carpenter
Court — H M Supreme Court, Nairobi
Number of matter — 86 of 1928
Date of order — 30th August, 1929
Date of petition — 15th October, 1928

Nairobi,
6th September 1929

B STONE,
for Official Receiver

GENERAL NOTICE NO 1195

THE BANKRUPTCY ORDINANCE, 1925

NOTICE OF DIVIDEND

Debtor's name — William Broadhead Williams
Address — Subukia, Gilgil
Description — Contractor and Farmer
Court — H M Supreme Court, Nairobi
Number of matter — 103 of 1928
Amount per £ — Shilling one and cents fifty-one in the pound (Sh 1/51)
First or final or otherwise — First and final
When payable — 13th September, 1929
Where payable — Official Receiver's Office, P O Box No 231, Nairobi

Nairobi,
6th September, 1929

W M KEATINGE,
Official Receiver

GENERAL NOTICE NO 1196

THE BANKRUPTCY ORDINANCE, 1925

NOTICE OF DIVIDEND

Debtors' names — J S Trivedy, C L Sharma and R G Zolapua, trading as J S Trivedy & Co
Address — River Road, Nairobi
Description — Fuel Contractors, Kiambu, Rongai, Kikuyu, Uplands and Marigwa
Court — H M Supreme Court, Nairobi
Number of matter — 1 of 1929
Amount per £ — Cents fifty-five in the pound (55 cents)
First or final or otherwise — First and final
When payable — 13th September, 1929
Where payable — Official Receiver's Office, P O Box No 231, Nairobi

Nairobi,
6th September, 1929

W M KEATINGE,
Official Receiver

GENERAL NOTICE NO 1197

THE BANKRUPTCY ORDINANCE, 1925

APPOINTMENT OF TRUSTEES

Debtors' names — Devji Kara and Ratilal Hirji Kara, trading as Hirji Kara & Co
Address — Commercial Street, Mombasa, Indian Bazaar, Nairobi, and Kampala
Court — H M Supreme Court of Kenya, Mombasa
Number — 11 of 1929
Trustee's names — (1) Mr Arthur Valmer, Manager, Messrs Woermann Block & Co, P O Box No 259, Mombasa, (2) Mr Jechand Ramchand Gandhi, of Messrs Bhuchand Vallabhji & Co, Princess Louise Road, P O Box No 163, Mombasa
Date of certificate of appointment — 26th August, 1929

Mombasa,
5th September, 1929

A VALMER,
J R GANDHI,
Trustees

GENERAL NOTICE NO 1198.

THE BANKRUPTCY ORDINANCE, 1925

ADJUDICATION

Debtor's name — Gokaldas Shamji
Address — Kibokoni, Mombasa
Description — Manager to Hirji Kara & Co
Court — H M Supreme Court of Kenya, Mombasa
Number of matter — 18 of 1929
Date of order — 2nd September, 1929
Date of petition — 6th August, 1929

Mombasa,
5th September, 1929

R L UNDERWOOD,
for Official Receiver

GENERAL NOTICE NO 1199

THE BANKRUPTCY ORDINANCE, 1925
ADJUDICATION

Debtor's name—Cristiano John Anthony Fernandez
Address—Old Boma near Hoev's Bridge, Kitale District
Description—General Storekeeper
Court—H M Supreme Court, Nairobi
Number of matter—26 of 1929
Date of order—2nd September 1929
Date of petition—29th June 1929
Date of order for summary administration—10th August, 1929

Nairobi,
 6th September, 1929

B STONE,
for Official Receiver

GENERAL NOTICE NO 1200

THE BANKRUPTCY ORDINANCE, 1925
ADJUDICATION

Debtors' names—Haji Bhimji and Punja Devraj, trading as Haji Bhimji & Co
Address—River Road, Nairobi
Description—Building Contractors
Court—H M Supreme Court, Nairobi
Number of matter—29 of 1929
Date of order—29th August, 1929
Date of petition—16th July, 1929

Nairobi,
 5th September, 1929

W M KEATINGE,
Official Receiver

GENERAL NOTICE NO 1201

THE BANKRUPTCY ORDINANCE, 1925
ADJUDICATION

Debtor's name—Mavji Dhanji
Address—River Road, Nairobi
Description—Mason
Court—H M Supreme Court, Nairobi
Number of matter—31 of 1929
Date of order—30th August, 1929
Date of petition—30th July, 1929

Nairobi,
 5th September, 1929

W M KEATINGE
Official Receiver

GENERAL NOTICE NO 1202

THE BANKRUPTCY ORDINANCE, 1925
RECEIVING ORDER

Debtor's name—Roshanlal Shaima, trading as The Great Bhurat Mittai Hotel
Address—River Road, Nairobi
Description—Hotelkeeper
Date of filing petition—2nd September, 1929
Court—H M Supreme Court, Nairobi
Number of matter—32 of 1929
Date of order—3rd September, 1929
Whether debtor's or creditors' petition—Debtor's

Nairobi,
 6th September, 1929

B STONE,
for Official Receiver

GENERAL NOTICE NO 1203

THE BANKRUPTCY ORDINANCE, 1925
ADJUDICATION

Debtor's name—Milki Ram (partner of R. Bailey and Company)
Address—River Road, Nairobi
Description—Contractor
Court—H M Supreme Court Nairobi
Number of matter—33 of 1929
Date of order—30th August 1929
Date of petition—13th August, 1929
Date of order for summary administration—31st August, 1929

Nairobi,
 6th September, 1929

B STONE,
for Official Receiver

GENERAL NOTICE NO 1204

THE BANKRUPTCY ORDINANCE, 1925
ADJUDICATION

Debtor's name—Mohamed Hussein
Address—Nikuru
Description—Hotelkeeper
Court—H M Supreme Court Nairobi
Number of matter—34 of 1929
Date of order—30th August, 1929
Date of petition—16th August, 1929

Nairobi,
 6th September, 1929

B STONE,
for Official Receiver

GENERAL NOTICE NO 1205

THE BANKRUPTCY ORDINANCE, 1925

FIRST MEETING OF CREDITORS AND PUBLIC EXAMINATION
Debtor's name—John Leslie Milford Frank
Address—Oakley Hotel, Nairobi
Description—Mechanic
Court—H M Supreme Court Nairobi
Number of matter—35 of 1929
Date of first meeting of creditors—25th September, 1929
Hour—2.15 p m
Place—Official Receiver's Office, Old Secretariat Buildings, Nairobi
Date of public examination—27th September, 1929
Hour—10 a m
Place—Law Courts, Nairobi

Nairobi,
 6th September, 1929

W M KEATINGE,
Official Receiver

GENERAL NOTICE NO 1206

IN HIS MAJESTY'S SUPREME COURT OF KENYA
AT NAIROBI

INSOLVENCY JURISDICTION

CAUSE NO 59 OF 1921

IN THE MATTER OF CHARLES BALDWIN CLUTTERBUCK,

INSOLVENT

To all whom it may concern

TAKE NOTICE that Charles Baldwin Clutterbuck, of Njoro, the above-named insolvent, has applied to this Court for his discharge and that the Court has fixed the 3rd day of October, 1929, at 10 a m, for hearing of the application, at Nairobi

Dated this 22nd day of August, 1929

MURRAY M JACK,
Registrar,
Supreme Court of Kenya

GENERAL NOTICE NO 1207

PROBATE AND ADMINISTRATION

SUPREME COURT CAUSE NO 83 OF 1929

PUBLIC TRUSTEE'S CAUSE NO 76 OF 1929

IN THE MATTER OF DAVID DURING, DECEASED

To all whom it may concern

PURSUANT to an order of the Supreme Court of Kenya, dated the 26th day of August, 1929, by which the undersigned was appointed administrator of the estate of the late David During, who died on the 23rd day of May, 1929

TAKE NOTICE that all persons having any claims against the estate of the said David During are required to lodge and prove such claims before me the undersigned on or before the 10th day of November, 1929, after which date only the claims so proved will be paid and the estate distributed according to law

Nairobi,

3rd September, 1929

W M KEATINGE,
Public Trustee

GENERAL NOTICE NO 1208

PROBATE AND ADMINISTRATION

PUBLIC TRUSTEE'S CAUSE NO 91 OF 1929

IN THE MATTER OF MOHAMED ABDULREHMAN, DECEASED

To all whom it may concern

TAKE NOTICE that on or after the 25th day of September, 1929, I intend to apply to the Supreme Court of Kenya at Nairobi, for in order to administer the estate of the above-named Mohamed Abdulrehman, who died at Eldama Ravine on the 14th day of August, 1929

Nairobi,

3rd September, 1929

W M KEATINGE,
Public Trustee

GENERAL NOTICE NO 1209

NOTICE

IN THE MATTER OF KAIMOSI SAW MILL COMPANY, LIMITED,
AND REDUCED

AND

IN THE MATTER OF THE COMPANIES ORDINANCE, 1921

NOTICE is hereby given that a petition for confirming the reduction of the capital of the above Company from Shs 600,000 to Shs 449,000, was on the 28th day of August, 1929, presented to the Supreme Court of the Colony of Kenya, and is now pending. A list of the persons admitted to have been creditors of the Company on the 5th day of September, 1929 (the date fixed by

the Order in this matter, dated the 5th day of September, 1929), may be inspected at the offices of the Company at Cecilia Buildings, Government Road, Nairobi, at any time during usual business hours, on payment of the charge of one shilling. Any person who claims to have been on the last-mentioned day, and still to be a creditor of the Company, and who is not entered on the said list and claims to be so entered, must on or before the 4th day of October, 1929, send in his name and address and the particulars of his claim, and the name and address of his solicitor (if any) to the undersigned at Corner House, Nairobi, or in default thereof he will be precluded from objecting to the proposed reduction of capital

Dated this 5th day of September 1929

DELANY & STRATTON,
Solicitors for the said Company

GENERAL NOTICE NO 1210

NOTICE OF DISSOLUTION

THE partnership between Alexander Morrison and William Allan, practising as Advocates at Mombasa and Nakuru as Morrison and Allan, has been dissolved by mutual consent. A Morrison will continue to practise at Mombasa and W Allan at Nakuru, under their own respective names

All claims against the partnership should be sent to Messrs Gill and Johnson, Chartered Accountants, Mombasa, by the 31st day of October next

Mombasa,

3rd September, 1929

A MORRISON
W ALLAN

GENERAL NOTICE NO 1211

NOTICE

NOTICE is hereby given that the partnership lately subsisting between Charles Rand-Overy and William Reid Maxwell, practising as Architects and Civil Engineers, under the style or firm of Rand-Overy and Maxwell, has as on and from the 17th day of July been dissolved by mutual consent. As on and from the said date Charles Rand-Overy will continue to practise under his own name as an Architect, and William Reid Maxwell will continue to practise under his own name as an Engineer

Nairobi,

2nd September, 1929

DELANY & STRATTON,
Solicitors to the Parties

GENERAL NOTICE No 1212

COMPARATIVE STATEMENT OF THE REVENUE OF THE COONY AND PROTECTORATE
OF KENYA FOR THE PERIOD ENDED 31ST MARCH, 1929

HEAD OF REVENUE	Estimates 1929	Actual Revenue to 31st Mar , 1929	Revenue for same period of preceding year	Increase	Decrease
Customs	£ 927,412	£ 243,212	£ 223,918	£ 19,294	£
Licences, Duties, Taxes, etc	912,417	162,909	147,226	15,683	
Fees, Municipal Revenue and Payments for Specific Services	118,781	32,648	30,044	2,604	
Reimbursements	810,389	301 210	174 438	126,772	
Posts and Telegraphs	185,829	56,835	51 687	5,148	
Earnings of Government Depts	80,413	18 883	18,180	703	
Revenue from Government Property and Royalties	78,254	52,031	44 384	7,647	
Sale of Government Property	19 517	4,530	1,508	3,022	
Miscellaneous Receipts	9,150	6,565	4,966	1,599	
Interest	33,012	18 060	27,047		8,987
Forest Department Revenue	43,000	9,121	9,899		778
Land Sales	47,000	15,544	9,303	6,241	
TOTAL	£ 3,265,174	921,548	742,600	188,713	9,765

NAIROBI

27th August 1929

H L BAYLES,
Acting Treasurer

GENERAL NOTICE No 1213

COMPARATIVE STATEMENT OF THE EXPENDITURE OF THE COLONY AND PROTECTORATE
OF KENYA FOR THE PERIOD ENDED 31ST MARCH, 1929

HEAD OF EXPENDITURE	Estimates 1929	Actual Expenditure to 31st Mar 1929	Expenditure for same period of preceding year	Increase	Decrease
Public Debt Funded	£ 772,500	£ 307,498	£ 182,499	£ 124,999	£
Rent and Interest to H H the Sultan of Zanzibar	16,000	4,000	4,000		
Pensions and Gratuities	112,840	28,276	25,998	2,278	
H E the Governor	18,400	3,841	4,063		222
Conference of LA Governors	1,750	652	974		322
Secretariat and Legislative Council	20,369	4,399	4,949		550
Printing and Stationery	37,843	11,763	8,550	3,213	
Administration	267,220	60,296	58,125	2,171	
, Extraordinary	9,470	2,987		2,987	
Statistics and Research	23,388	5,450	4,569	881	
Treasury	27,077	7,111	6,282	829	
, Extraordinary	1,700				
Customs Department	48,128	10,911	10,740	171	
, Extraordinary	400				
Audit Department	19,277	4,437	4,310	127	
Judicial Department	30,999	6,917	5,947	970	
, Extraordinary	500				
Registrar General's Department	5,381	1,212	1,267		55
, Extraordinary	100				
Legal Department	9,779	2,607	2,207	400	
Police	164,459	33,413	32,693	720	
, Extraordinary	2,874				
Prisons	48,006	12,037	10,364	1,673	
Medical Department	233,506	43,068	39,878	3,190	
, Extraordinary	15,055	530		530	
Education	175,954	27,487	28,777		1,290
, Extraordinary	14,055	125	587		462
Military	128,107	32,837	28,273	4,564	
Post Office and Telegraphs	167,517	37,427	33,198	4,229	
Post Office and Telegraphs Extra ordinary	10,000	3,421	4,525		1,104
Agricultural Department	148,536	29,750	27,079	2,671	
, Extraordinary	7,350	17,588	44	17,544	
Forest Department	38,222	9,564	7,585	1,979	
, Extraordinary	100				
Came Department	12,066	2,583	2,255	328	
, Extraordinary	200				
Survey and Registration Dept	40,438	9,173	7,606	1,567	
Government Coast Agency	5,712	1,360	1,515		155
Government Coast Agency Extra ordinary			300		300
Local Government—Contributions to Local Authorities	95,071				
Local Government—Contributions to Local Authorities Extra ordinary	17,500				
Miscellaneous Services	51,852	12,262	11,240	1,022	
, Extraordinary	5,000	329		329	
Interest	29,135	1,121	20,203		19,082
Public Works Department	145,181	32,021	23,435	8,586	
, Recruit	160,718	44,547	37,668	6,879	
, Extraordinary	43,420	26,892	21,716	5,176	
Trade, Information and Publicity Bureau	5,000	2,067	2,112		45
TOTAL	£ 3,188,165	£ 841,959	£ 665,533	£ 200,013	£ 23,587

NAIROBI,

27th August, 1929

H L BAYLES
Acting Treasurer

COLONY AND PROTECTORATE OF KENYA

September 10, 1929

THE OFFICIAL GAZETTE

Balance Sheet as at 31st March, 1929.

Part I—General Account

LIABILITIES				£	Shs	Cts	ASSETS				£	Shs	Cts
DEPOSITS —							DEPOSITS INVESTED —						
<i>For Investment</i>							Savings Bank				98 515	13	
Savings Bank	103 537	15	91	£	Shs	Cts	Mombasa Water Works, Renewals Fund				32,410	19	51
Mombasa Water Works, Renewals Fund	32,410	19	51				Maharaj Singh Fund				20		
Registrar General, Public Trustee and Official Receiver	21,500						Registrar General, Public Trustee and Official Receiver				21,500		
Asiatic Widows' & Orphans' Pension Fund	6,380	19	81				Asiatic Widows' and Orphans' Pension Fund				6,498	1	50
Maharaj Singh Fund	20										158,944	14	01
Miscellaneous							K A R Clothing Reserve Store, London						
INTEREST ON UNEXPENDED BALANCES, £3½ million Loan							Advances—Miscellaneous						
Drafts and Remittances							ADVANCES PENDING RAISING OF LOANS AUTHORISED —						
Excess of Assets over Liabilities (Amount at Credit of Surplus & Deficit Account)							(a) Railways and Harbours						
							Railways				139 836	16	78
							Thomson's Falls				60,028	19	39
							Completion of Berths (3) & (4) Kilindini				13 766	14	43
							Port Development				164	17	74
							Interest				213,847	8	34
							(b) Colonial						
							Public Buildings				283,043	13	63
							Municipal Requirements				122,747	6	42
							Communications				70,439	13	20
							Miscellaneous				24,902	14	68
							Establishment—General				3,769	1	81
											504,922	9	80
							UNALLOCATED STORES —				66 867	6	15
							Public Works Department				1,088	18	76
							K A R Rations				1,500		
							Trade Goods, N F P				1,661	10	25
							Rupees for Dhow Traffic				10,884		68
							Post Office						
							LOANS TO LOCAL BODIES —				62 002	1	84
							Y M C A				1 600		
							A M Jeevanjee & Co				2 778	11	12
							Imprests						
							Inter Departmental Clearance A/c				4 378	11	12
							CASH —				51,268	5	
							On Deposit				973	11	53
							Crown Agents—						
							(Call)				1 263	19	67
							(Fixed)				75 56		72
							(Lent at Interest)				72,000		
							National Bank of India Ltd —						
							Registrar General, Public Trustee and Official Receiver				25,950	15	
							Registrar, Supreme Court of Kenya, Nairobi				7 020		
							Registrar, Supreme Court of Kenya, Mombasa				554	10	03
							Police Rewards and Fines Fund				450		
							Donation to Nairobi Hospital				744	17	45
											183,490	2	87
							In Hand				46,873	15	54
							In Transit between Chests				4 131	4	32
							In Bank				51,814		93
											102,819		79
											Total £	1,429,262	3 45

Nairobi,
1st August, 1929

R CLIFTON GRANNUM, Treasurer

1929

Part II—Loan Account

(a)—£5,000,000 1921 Loan

		£	Shs	Cts		£	Shs	Cts	£	Shs	Cts
Bondholders (Ordinance No 39 of 1921)		5,000,000	Kilindini Harbour Works	1,094,594					
Sinking Fund	325,724	Uasin Gishu Railway	1,400,000					
Trustees of Sinking Fund				2 17 50	Repayment to His Majesty's Treasury of Loans already made for development purposes	1,103,912	0	26			
					Repayment to Revenue of Advances made from Revenue for Military Expenditure in connection with the War and Purchase of Reserve Stores for Railway and Steamer Services	600,000					
					Payment of Interest	377,955					
					Expenses of Issue and Deduction for Discount	423,538	19	74	5,000,000		
					Investment Sinking Fund				309,390	8	28
					Cash on Deposit at call with Crown Agents				16,337	2	18
Total £		5,325,727	10	46					Total £	5,325,727	10 46

(b)—£5,000,000 1927 Loan

		£	Shs	Cts		£	Shs	Cts	£	Shs	Cts
Bondholders (Ordinance No 22 of 1927)		5,000,000			Completion of Uasin Gishu Railway	599,709					
Stamp Duty Reserve Fund		46,776	8	32	General Improvements on Main Line and Additional Equipment	125,000	8	57			
					Purchase and Reconditioning of Voi Kiche Branch Railway	100,000					
					Additional Locomotives and Rolling Stock	200,000					
					General Port Development at Mombasa	52,532	9	32			
					Repayment of Loan of £3,500,000 raised under the Authority of the Imperial Loan Ordinance No 29 of 1924 —	1,763,863	17	05			
					Extension of the Kenya and Uganda Railway and Construction of Branches in Kavirondo and Uganda	560,805	5	84			
					Additional Rolling Stock	402,617	12	39	2,727,286	15	28
					Capital Improvements etc				164,560	6	83
					Expenses of Issue and Deduction for Discount						
					INVESTMENT —	29,686					
					Treasury Bills	44,000	5				
					Sundry—Stamp Duty Reserve Fund				73,986	12	
					CASH —	460,035	19	06			
					Fixed Deposit with Crown Agents	2,475	16	32			
					Crown Agents (Stamp Duty) Reserve Fund	36,477	0	48			
					Kenya and Uganda Railways and Harbours	29,711	5	15	528,700	1	32
					National Bank of India Ltd, Nairobi						
Total £		5,046,776	8	32					Total £	5,046,776	8 32

Part II — Loan Account—Contd

(c)—£3,500,000 1928 Loan

Bondholders (Ordinance No 22 of 1921) Stamp Duty Reserve Fund	£	Shs	Cts	RAILWAY AND HARBOUR DEVELOPMENT —	£	Shs	Cts	£	Shs	Cts	£	Shs	Cts	
	3,500,000			Construction of Nyeri, Kitale and Solai Branch Railways	803,955	1	42							
	30,520	15	51	General Improvements on Main Line and Additional Equipment	141,80	15	51							
				Purchase of Site for New Railway Station, Mombasa	54,999									
				Additional Locomotives and Rolling Stock	736,457	13	07							
				General Port Development at Mombasa	599,507	7	10							
				Interest out of Capital During Construction Period of Works	51,980	3	85	2,388,780		95				
				COLONIAL DEVELOPMENT —	278,754									
				(a) Public Buildings	21,29									
				(b) Municipal Requirements	88,000									
				(c) Roads and Bridges				607,023			3,253,234	18	81	
				Expenses of Issue and Deduction for Discount	257,451	17	86							
				INVESTMENTS —										
				Treasury Bills	29,686	5								
				Sundry—Stamp Duty Reserve Fund	23,750									
				CASH —										
				On Deposit at call with Crown Agents	100									
				Fixed Deposit with Crown Agents	214,458	0	22							
				Lent at Interest by Crown Agents	2,500									
				Crown Agents (Stamp Duty Reserve Fund)	6,770	15	51							
				Crown Agents	20	15	97	223,849	11	79				
Total £	3,530,520	15	51					Total £	3,530,520	15	51			

Statement of Surplus and Deficit Account as at 31st March, 1929.

1929	£	Shs	Cts	1929	£	Shs	Cts
To Expenditure	841,958	19	36	By Balance			
" Surplus	958,896	7	12	" Revenue			
Total £	1,800,855	6	48				
				Total £	1,800,855	6	48

Nairobi,
1st August, 1929R CLIFTON GRANNUM,
Treasurer

GENERAL NOTICE No 1215

RETURN OF LICENCES ISSUED AT MOMBASA UNDER THE TRADERS LICENSING
ORDINANCE (No 25 OF 1919)*For the Quarter ended 30th June, 1929*

LICENSEE	Nature of Licence	Licence Fee Shillings	Date of Issue
Mali Ya Bwana bin Salim	Trading	10	25-1-29
Sauunu binti Abdurehman	"	10	25-1-29
Amran bin Ali	"	10	26-1-29
Hadi bin Omai	"	10	26-1-29
Nasor bin Abdalla	"	10	28-1-29
Awath bin Ahmed	"	10	28-1-29
Mohamed bin Mahfuth	"	10	29-1-29
Saleman bin Said Assil	"	10	31-1-29
Salimini bin Said	"	10	31-1-29
Saud bin Badir	"	10	1-2-29
Jabu bin Mbarak	"	10	4-2-29
Salim bin Hamed	"	10	4-2-29
Amai bin Faraji	"	10	4-2-29
Issam bin Said	"	10	4-2-29
Athman bin Abdulrasul	"	10	6-2-29
Mohamed bin Ibrahim	"	10	8-2-29
Omar bin Said	"	10	21-2-29
Sheikh bin Said	"	10	21-2-29
Mwana binti Ahmed	"	10	25-2-29
Hassan bin Mwashalam	"	10	25-2-29
Mwita bin Lamba	"	10	26-2-29
Hamed bin Hemed	"	10	18-3-29
Hamed bin Msud	"	10	18-3-29
Salimu bin Nasor	"	10	18-3-29
Bushir bin Said	"	10	19-3-29
Ali bin Khamis	"	10	19-3-29
Ali bin Salim	"	10	20-3-29
Maani binti Mbashiri	"	10	20-3-29
Ganim bin Salim	"	10	21-3-29
Shalehe bin Said bin Swalim	"	10	22-3-29
Mohamed Ali Essaji	"	10	23-3-29
Mohamed bin Salim	"	10	23-3-29
Shenge bin Mwinja	"	10	25-3-29
Masudi bin Abedi	"	10	25-3-29
Abdalla bin Mohamed	"	10	25-3-29
Hemed bin Mohamed	"	10	25-3-29
Ali bin Ahmed	"	10	27-3-29
Hamza bin Khamis	"	10	28-3-29
Mwakezaji binti Amri	"	10	28-3-29
Hemed bin Ali bin Duwill	"	10	28-3-29
Goshi bin Konbo	"	10	28-3-29
Mohamedali bin Abdalla	"	10	28-3-29
Ali bin Awath bin Damnan	"	10	28-3-29
Ali bin Awath bin Damnan	"	10	28-3-29
Salim bin Ali	"	10	28-3-29
Shamallame	"	10	2-4-29
Mwinyi Haji bin Khamis	"	10	4-4-29
Juman bin Said Askull	"	10	5-4-29
Salim bin Abdalla	"	10	9-4-29
Nganzi bin Bakari	"	10	12-4-29
Juma bin Sheha	"	10	12-4-29
Shahme bin Mwidani	"	10	15-4-29
Idi bin Mohamed	"	10	19-4-29
Khamis Kongo	"	10	23-4-29
Mwana Jaa binti Khamis	"	10	25-4-29
Mohamdan bin Issalam	"	10	27-4-29
Ali bin Nasser	"	10	29-4-29
Hemed bin Nasor	"	10	29-4-29
Idi bin Fundi	"	10	25-5-29
Mwana Kondo binti Hamisi	"	10	25-5-29
Mwinyi Mgwana	"	10	27-5-29
Abdalla bin Jaffer	"	10	27-5-29
Mohamed bin Ahmed Midhish	"	10	27-5-29

RETURN OF LICENCES ISSUED AT MOMBASA—(Contd.)

LICENSEE	Licence	Shillings Fee Shillings	Issue
Hamisi bin Juma	Trading	10	27-5-29
Rahim Khan	„	10	27-5-29
Matano bin Faraji	„	10	27-5-29
Ali bin Ahmed	„	10	27-5-29
Mwanasisha binti Juma	„	10	27-5-29
Mwidani bin Mtaki	„	10	27-5-29
Mzee bin Mabunshi	„	10	8 6-29
Mishi binti Hamisini	„	10	18 6-29
Siruru bin Mohamed	„	30	2-4-29
Nassor bin Sangur	„	30	2 4-29
Abubaker bin Mohamed	„	30	2-4-29
Omar bin Awad Aliyan	„	30	2 4-29
Mbarak bin Awad El-Guhun	„	30	2-4-29
Faraj bin Abed bin Saad	„	30	2-4-29
Awad bin Ahmed Ta'mum	„	30	2-4-29
Awad bin Ahmed Ta'mum	„	30	2-4-29
Rubaya bin Said Ba Amor	„	30	2-4-29
Mawji Walji	„	30	3 4-29
Said bin Abed Awadth	„	30	3-4-29
C Romio Antano	„	30	3-4-29
Abdurehman bin Salim Bawasum	„	30	3-4-29
Abdalla Mohamed	„	30	3-4-29
Anad Damji	„	30	4-4-29
Ahmed bin Abed Baswad	„	30	4-4-29
Taha bin Abdalla	„	30	4-4-29
Sheikh Dawood Bala	„	30	4-4-29
Kaderdina Haji Issak	„	30	4-4-29
G H Mohamedah & Co	„	30	5-4-29
Mistry Bhawan Jina	„	30	5-4-29
Mohamed bin Ali	„	30	8-4-29
Mahyub bin Ali	„	30	8-4-29
Yusufali Mohamedbhai	„	30	8-4-29
Taibali Mulla Dawoodji	„	30	11-4-29
Jewraj Arjan	„	30	12-4-29
Bader bin Saleh	„	30	12-4-29
Mbaik bin Hassan	„	30	12-4-29
Merali Janmohamed	„	30	12-4-29
Mfaki bin Abdalla	„	30	16-4-29
Nurmohamed Alibhai	„	30	20-4-29
Hassam Mawji	„	30	22-4-29
Sheikh Hassan Mohamed	„	30	22-4-29
Fidahusen Abdulhusen Jiwanji	„	30	24-4-29
Central Stores	„	30	24-4-29
Ratilal Gopalji	„	30	24-4-29
Gulamhusen Jiwanjee	„	30	25-4-29
Raamzan Haji Ismail	„	30	25-4-29
Said Mohamed Nazir	„	30	26-4-29
The Gujrat Store	„	30	27-4-29
Motichand Dewji	„	30	30-4-29
Kara Monji	„	30	30-4-29
Ajumudin Balumuya	„	30	30-4-29
Arjan Lakhman	„	30	30-4-29
Manghibai Damji	„	30	30-4-29
Mulla Mohamedali Ismailji & Sons	„	30	30-4-29
Ahmed bin Juma	„	30	1-5-29
Chunilal Shukhlal Kapacee	„	30	2-5-29
Haji Vallimohamed Omar	„	30	2-5-29
The Mombasa Petrol Station	„	30	3-5-29
Umedali N Walji	„	30	3-5-29
Vallimohamed Nanji	„	30	6-5-29
Mistry Ibrahim Osman	„	30	7-5-29
Mrs M F Allen	„	30	13-5-29
Bechar Jiwanji	„	30	20-5-29
Abdalla Haji Arab	„	30	20-5-29
F Dervasali Bandali	„	30	20-5-29
Lalji Madhwaji	„	30	20-5-29
Taherali Abdulhusen	„	30	20-5-29
Mohamed Omar	„	30	20-5-29

RETURN OF LICENCES ISSUED AT MOMBASA—(Contd.)

LICENSEE	Nature of Licence	Licence Fee Shillings	Date of Issue
Kassam Haji Mohamed	Trading	30	20-5-29
Dewshi Meghji	„	30	20-5-29
I M Chelaram	„	30	20-5-29
Semon Kamil	„	30	20-5-29
Ahmed bin Dehman Amudi	„	30	20-5-29
Sud bin Mbarik Timimi	„	30	20-5-29
Abed bin Said Hantus	„	30	20-5-29
Salim bin Abud Hathermi	„	30	20-5-29
Hassanali Gulamhusen	„	30	20-5-29
Mis Nurbai Khamisa	„	30	20-5-29
Nurinohamed Hassam	„	30	20-5-29
Alibhai Ismail & Sons	„	30	20-5-29
Jetha Haji Ramji	„	30	22-5-29
Gulamkhan Allumkhan	„	30	22-5-29
Bur Singh Indersingh	„	30	28-5-29
Nanak Singh	„	30	28-5-29
Sud bin Ali	„	30	28-5-29
Husen Mussa	„	30	29-5-29
Mvrte Davis	„	30	29-5-29
Abdalla Datoo	„	30	30-5-29
Gulamhusen Esmail Dossa	„	30	30-5-29
Fauj bin Abud bin Haari	„	30	31-5-29
Meghji Jina	„	30	31-5-29
S Baptista	„	30	1-6-29
Mis Depui Anand	„	30	4-6-29
Mohamed Husen Dada	„	30	5-6-29
Mohamed bin Mjamal	„	30	5-6-29
Awad bin Islam	„	30	6-6-29
Monji Mohamed	„	30	6-6-29
Gopal Naji & Sons	„	30	7-6-29
Khatijabai Umai	„	30	7-6-29
Naik & Co	„	30	7-6-29
Abdalla bin Abed	„	30	7-6-29
Mbarak bin Salim bin Saad	„	30	10-6-29
Jewraj Ladhi	„	30	13-6-29
Awad bin Salim Ba Abedun	„	30	15-6-29
Mwalede bin Abdalla	„	26	18-6-29
A Preira	„	30	20-6-29
Sheikh Mohamed Sheikh Ahmed	„	30	20-6-29
Said bin Ali Ba Sheh	„	30	21-6-29
Haji Yusuf Mithu & Sons	„	30	25-6-29
Mbarak bin Awad Timimi	„	30	2-7-29
Hyderi Oil Mills Soap Factory	„	300	4-4-29
Sheriff Devji & Sons	„	300	4-4-29
James G Perkins	Com Traveller	300	5-4-29
T M Jones	Trading	300	5-4-29
The Anglo Baltic Timber Co	„	300	6-4-29
Messrs Blackhurst and Barnett, Ltd	„	300	9-4-29
E Arthur Bemister	„	300	16-4-29
Gibson & Co, Ltd	„	300	17-4-29
Kodak (E A), Ltd	„	300	6-5-29
Peter & Son	„	300	7-5-29
Karmali Premji Motiwala	„	300	29-5-29
Montecenas & Co	„	300	5-6-29
Hassam Karim	„	300	5-6-29
A W Harding	Com Traveller	300	9-6-29
Mohamed bin Salim	Trading	26	28-6-29
Abubaker bin Mohamed	Hawker s	30	2-4-29
Yamanji bin Saleh	„	30	2-4-29
Kanji Ganesh	„	30	6-4-29
Mohamed bin Omari	„	30	10-4-29
I M Chelaram	„	10	1-5-29
Pursotam Jetha	„	20	3-5-29
Popatlal Jiwi Raj	„	20	6-5-29
Salim bin Abdalla Hathermi	„	30	8-5-29
Said Mir Mussa	„	20	1-7-29
M Chelaram	„	10	2-7-29

RETURN OF LICENCES ISSUED AT BARINGO UNDER THE TRADERS LICENSING
ORDINANCE (No 25 of 1919)

For the Quarter ended 30th June, 1929

LICENSEE	Nature of Licence	Licence Fee Shillings	Date of Issue
Issa s/o Abdulla	Hawker's	10	8 4-29
Ali bin Heri	"	10	12-4 29
Semakuele s/o Burugo	"	10	12 4-29
Katura s/o Knuwajo	"	10	12-4 29
Katura s/o Knuwajo	"	10	12-4 29
Mimitei arap Kuningen	"	10	13-4 29
Sururu bin Bakhit	"	10	17-4-29
Sururu bin Bakhit	"	10	17-4 29
Hamisi bin Said	"	10	17-4 29
Juma bin Abedi	"	10	17-4 29
Ali bin Suleman	,	10	18-4 29
Hassan s/o Awad	"	10	19-4-29
Hassan s/o Awad	"	10	19 4-29
Noor s/o Issa	"	10	20-4-29
Jetha s/o Purshotam	"	10	22-4-29
Jetha s/o Purshotam	"	10	22-4 29
Walubhai U Patel	"	10	30-4-29
Walubhai U Patel	"	10	30-4 29
Walubhai U Patel	"	10	30-4 29
Muganbhai Patel	"	10	30 4-29
Mbarak bin Awad	"	10	6-5-29
Ibrahim bin Awad	,	10	18-5 29
Ibrahim bin Awad	"	10	18-5-29
Iersi s/o Fairah	"	10	18 5 29
Chotabhai B Patel	"	10	18 5-29
Ali bin Suleman	"	10	27-5-29
Mbararia bin Hatibu	"	10	27-5-29
Semakuele s/o Barugo	"	10	28-5-29
Juma bin Abedi	"	10	28-5-29
Motibhai U Patel	"	10	29-5-29
Hamisi bin Juma	"	10	31-5-29
Grani s/o Aba	"	10	31-5-29
Juma bin Mabub	"	10	31-5 29
Chelagat arap Cheboi	"	10	20 6 29
Chotabhai B Patel	"	10	21 6-29
Iersi Fairah	"	10	25-6 29
Mohamed Hussein Mattan	"	10	27-6 29
Mohamed Hussein Mattan	"	10	27-6-29
Mohamed Hussein Mattan	"	10	27-6 29
Abdi s/o Abdilai	"	10	28-6 29
Abdi s/o Abdilai	"	10	28 6-29
Abdi s/o Abdilai	"	10	28 6-29
Abdi s/o Yillai	"	10	28-6-29
Abdi s/o Yillai	,	10	28-6-29
Abdi s/o Yillai	"	10	28 6 29

RETURN OF LICENCES ISSUED AT TANA RIVER DISTRICT UNDER THE TRADERS
LICENSING ORDINANCE (No 25 of 1919)

For the Quarter ended 30th June, 1929

LICENSEE	Nature of Licence	Licence Fee Shillings	Date of Issue
Shalli bin Fumo	Trading	10	19 4-29
Hamed Mbarak	"	10	20-4 29
Hirji Walji	"	10	26-4-29
Hirji Walji	"	10	26-4-29
Asman Mawia	"	10	16 5-29
Mohamed bin Mathi	"	10	20-5-29
Shalli bin Fumo	"	10	21-5-29
Sadan bin Awath	"	10	24-5-29
Abdulla Makua		10	8-6 29

**RETURN OF LICENCES ISSUED AT ELDORFF UNDER THE TRADERS LICENSING
ORDINANCE (No 25 OF 1919)**

For the Quarter ended 30th June, 1929

LICENSEE	Nature of Licence	Licence Fee Shillings	Date of Issue
Fischer & Co	Trading	300	9-4-29
Kenya Farmers Association	"	300	25-4-29
Ebrahim Musa	"	300	17-5-29
Manji Dosa	"	30	6-4-29
J Barretto	"	30	9-4-29
Kenya Farmers Association	"	30	29-4-29
D R Koshla	"	30	4-5-29
I M Dhanji	"	30	22-5-29
Shah Goshor Mepa	"	30	4-6-29
Shah Mohanlal Bros	"	30	4-6-29
Tayyab Ali Jiwanji	"	30	13-6-29
F R Erasmus	"	10	8-4-29
Ogome s/o Joang	"	10	23-4-29
Kinkogai	"	10	6-5-29
Woweru	"	10	9-5-29
G H Waller	"	10	13-5-29
Kamia s/o Huryo	"	10	20-5-29
W H Nicholson	"	10	23-5-29
Aden Said	Hawker's	10	2-5-29
F R Erasmus	"	10	7-5-29
Hari Shanker Ambaram	"	10	25-5-29
F R Erasmus	"	10	1-6-29
Shah & Co	Transfer	10	4-5-29
Mangal Singh	"	10	8-5-29
Virchand & Co	"	10	14-5-29
Raichand Dharams	"	10	16-5-29
Somchand Kesoji	"	10	30-5-29
Narotam Kalidas	"	10	24-6-29
Mohamed Bux & Co	"	10	24-4-29
R K Bhayani	"	10	4-5-29
Koliyanji Shovji Druma	"	10	4-5-29
S Rodrigues	"	10	18-5-29
Somchand Kesoji	"	10	30-5-29
Shah Goshor Mepa	"	10	4-6-29
K D Naik	Duplicate	4	17-5-29

**RETURN OF LICENCES ISSUED AT TAMBACH UNDER THE TRADERS LICENSING
ORDINANCE (No 25 OF 1919)**

For the Quarter ended 30th June, 1929

LICENSEE	Nature of Licence	Licence Fee Shillings	Date of Issue
Mutemi Sila	Hawker's	10	5-4-29
Katura Krigwajo	"	10	8-4-29
Katura Krigwajo	"	10	8-4-29
Katura Krigwajo	"	10	8-4-29
Abedi Simba	"	10	6-5-29
Mutemi Sila	"	10	9-5-29
Ibrahim Shireh	"	10	11-5-29
Ismail Warsama	"	10	13-5-29
Abdalla bin Awath	"	10	25-5-29
Ali Ged	"	10	5-6-29
Ismail Warsama	"	10	13-6-29
Ismail Abdalla	"	10	15-6-29
Hassan Awad	"	10	15-6-29
Hassan Awad	"	10	15-6-29
Musa Ali	"	10	28-6-29
Musa Ali	"	10	28-6-29
Hersi Farah	"	10	28-6-29
Hersi Farah	"	10	28-6-29

RETURN OF LICENCES ISSUED AT LODWAR AND KAKUMA UNDER THE TRADERS
LICENSING ORDINANCE (No 25 OF 1919)
For the Quarter ended 30th June, 1929

LICENSEE	Nature of Licence	Licence Fee Shillings	Date of Issue
Ali Hassan	Trading	30	1-5-29
Noor Kasale	"	30	8-5-29

RETURN OF CATTLE TRADERS' LICENCES ISSUED AT LODWAR AND KAKUMA UNDER
THE STOCK TRADERS LICENSING ORDINANCE, 1918

LICENSEE	Nature of Licence	Licence Fee Shillings	Date of Issue
Ahamed Ali	Trading	100	8-4-29
Jama Deria	"	100	13-4-29
Deria Noor	"	100	29-4-29
Abdillai Egal	"	100	23-5-29
Ali Nur	"	100	19-6-29
Farah Mohamed	"	50	29-6-29

RETURN OF LICENCES ISSUED AT KITALE UNDER THE TRADERS LICENSING
ORDINANCE (No 25 OF 1919)

For the Quarter ended 30th June, 1929

LICENSEE	Nature of Licence	Licence Fee Shillings	Date of Issue
I. R. Shah	Trading	300	2-4-29
Messrs Associated Hardware	"	300	20-4-29
Suam Saw Mills, Ltd	"	300	20-4-29
The Kenya Farmers Association	"	300	25-4-29
Messrs Dalgety & Co	"	300	25-5-29
Dafala Hazala	"	30	15-4-29
J T Robertson	"	30	15-4-29
Messrs Megson and Pharazyn	"	30	20-4-29
Gordhandas Karsanji	"	30	30-4-29
Panachand Rajasi	"	30	30-4-29
The Trans Nzoia Transport Co	"	30	6-5-29
Soma Govind	"	30	10-5-29
Messrs Mitchell Cotts & Co	"	30	28-5-29
Gordhandas Pitamber	"	30	4-6-29
H A Keyser	"	10	10-4-29
Kamisi Kagwe	"	10	30-4-29
Mrs A Q Roberts	"	10	27-5-29
Messrs Kitani Estates	"	10	28-5-29
R H Forbes	"	10	4-6-29
E W D Olier	Hawker s	10	5-6-29
Chotram	"	10	15-4-29
Njeroje Kitogo	,	10	29-4-29
Gianchand Kordurual	"	10	2-5-29
Chunilal Chopra	"	10	21-5-29
Ali bin Said	"	10	13-6-29
Musungu Tinya	"	10	14-6-29
Njeroje Kitogo	"	10	19-6-29

RETURN OF LICENCES ISSUED AT FORT HALL UNDER THE TRADERS LICENSING
ORDINANCE (No 25 OF 1919)

For the Quarter ended 30th June, 1929

LICENSEE	Nature of Licence	Licence Fee Shillings	Date of Issue
Govindje Natoo	Trading	30	8-5-29
Jevraj Devraj	"	30	18-5-29
Kalidas Nanji	"	30	22-5-29

**RETURN OF LICENCES ISSUED AT MOYALE UNDER THE TRADERS LICENSING
ORDINANCE (No 25 OF 1919)**
For the Qua 'er ended 31st December, 1928

LICENSEE	Nature of Licence	Licence Fee Shillings	Date of Issue
Javer Manji	Trading	10	3- 7 28
Taib Ali Karimji	Hawker's	10	11- 7-28
Salim bin Awad Mahore	Trading	30	16 7-28
Surur bin Bubakar	Hawker's	10	18 7-28
Ali Hassan	Trading	30	26- 7-28
Sheik Hussein	Hawker's	10	28- 7 28
Haji Yakub	"	10	6- 8-28
Surui bin Bubakar	Trading	15	10- 8-28
Ali bin Ali	Hawker's	10	17- 8-28
Ahmed Issa	"	10	24- 8 28
Jiva Dossa	Trading	15	27- 8-28
Ahamed Issa	"	15	7- 9-28
Abdalla bin Omar	"	15	10- 9 28
Salim bin Mohamed	Hawker's	10	21- 9-28
Ali bin Ali	"	10	22- 9-28
Awad bin Abdalla	"	10	1-10 28
Sheikh Hassan bin Abdalla	"	10	8-10 28
Ahamed Issa	"	10	22-12-28

**RETURN OF LICENCES ISSUED AT MOYALE UNDER THE TRADERS LICENSING
ORDINANCE (No 25 OF 1919)**
For the Quarter ended 30th June, 1929

LICENSEE	Nature of Licence	Licence Fee Shillings	Date of Issue
Salim bin Mohamed	Hawker's	10	7-1-29
Mohamed Denya	Trading	30	10-1-29
Surui bin Bubakar	"	30	23-1-29
Islam bin Salim bin Yussuf	Hawker's	10	28 1-29
Mohamed Bawa	Trading	30	8 3-29
Ali bin Ahamed	"	30	8-3 29
Ahamed Ismail	"	30	8-3-29
Javer Manji	"	30	9 3-29
Awad bin Hassan	"	30	9-3 29
I alib bin Mahad	"	30	9-3-29
Salim bin Said bin Ahamed	"	30	11-3-29
Salim bin Said	"	30	11-3-29
Omari Abdalla	"	30	12 3-29
Ahamed Issa Fangassi	"	30	21 3-29
Hassan Hersi	"	30	23-3-29
Abdulla bin Omar	Hawker's	10	23 3 29
Ahamed Ali	"	10	25-3-29
Islam bin Salim	Trading	30	26-3 29
Mohamed Nur	"	30	3-4-29
Nur Yussuf	"	30	3-4-29
Ali Abdi	"	30	3-4-29
Ali bin Awad Mahore	"	30	8-4 29
Sheriff bin Salim	Hawker's	10	22 4-29

**RETURN OF LICENCES ISSUED IN CENTRAL KAVIRONDO UNDER THE TRADERS LICENSING
ORDINANCE (No 25 OF 1919)**

For the Quarter ended 30th June, 1929

LICENSEE	Nature of Licence	Licence Fee Shillings	Date of Issue
Nathu Punja, Sio	Trading	30	2-4-29
Manji Karim, Sio	"	30	16-4-29
Manji Karim, Sio	"	30	16-4-29
Manji Karim, Sio	"	30	16-4-29
Sutabhai Kurji, Sio	"	30	16-4-29
J H Dhanji, Sio	"	30	24-4-29
J H Dhanji, Sio	"	30	24-4-29
Rehemtulaa Punja, Yala	"	30	26 4-29
Khirji Dungaishi, Yala	"	30	6-5-29
Talakshi Mohan, Yala	"	30	15-5-29
Gurbad Singh, Yala	"	30	25-5-29

RETURN OF LICENCES ISSUED AT ELDAMA RAVINE UNDER THE TRADERS LICENSING
ORDINANCE (No 25 of 1919)

For the Quarter ended 30th June, 1929

LICENSEE	Nature of Licence	Licence Fee Shillings	Date of Issue
Mohonlal Jessa & Bros	Trading	300	16 4-29
Messrs Souji & Bros	"	30	18 4-29
Faiz Uddin	"	30	24 4 29
Kitowa wa Mutumba	"	30	8-5-29
Juma Hajee	"	30	15-5-29
Ali Omar	"	10	17-6-29
Ngorege wa Gutu	Hawker's	10	3-4 29
Theuri wa Gachiu	"	10	5-4-29
Muhu wa Katanga	"	10	10-5-29
Kaiuoki wa Kigeri	"	10	13-5-29
Mika wa Kachero	"	10	4 6-29
Onyango s/o Sukudu	"	10	25-6-29
Jethabhai and Narshibhai Patel	Transfer	10	17-4-29
Jethabhai and Nareshbhai Patel	"	10	17-4 29
Walli Mohamed & Bros	"	10	13-6 29
Mohamed Abdulheman	"	10	24 6-29

RETURN OF LICENCES ISSUED AT LAMU UNDER THE TRADERS LICENSING
ORDINANCE (No 25 of 1919)

For the Quarter ended 30th June, 1929

LICENSEE	Nature of Licence	Licence Fee Shillings	Date of Issue
Mohamed Kassamji	Trading	10	19-4-29
Bakru bin Khamisi	"	10	19-4-29
Mohamed bin Ali	"	10	19-4 29
Said bin Yislam Bahesmi	"	10	19-4-29
Sheikh Abdalla bin Sheikh	"	10	19 4-29
Said bin Mohamed Badkuk	"	10	19 4-29
Giga Duda	"	10	19-4-29
Giga Duda	"	10	19-4-29
Giga Duda	"	10	19-4-29
Hassan bin Kale	"	10	1-5-29
Ahmed bin Abud Bahussein	"	10	14-5 29
Mahfuth bin Mohamed bin Huizi	"	10	14-5 29
Bwana Mkuu bin Mzee	"	10	22 5 29
Mohamed bin Mzee	"	10	6-6-29
Ali Masitari	,	10	13-6-29
Mohamed bin Omar	"	10	13 6 29
Omar bin Waziri	"	10	20-6 29
Bwana Hami bin Bausi	"	10	20-6 29
Mohamed bin Yislam	"	10	20 6-29
Mbinu wa Musa	"	10	21 6-29
Shariff Abubakar bin Ali	"	10	29-6 29
Omar bin Mohamed Alamudi	"	10	29-6-29
Said bin Khamisi	"	10	29 6 29
Mzee bin Ahmed	"	10	29-6-29
Mahfuth bin Omar	"	10	29 6-29
Abdele wa Sheh Time	"	10	29-6 29
Bwana Ali bin Omar	"	10	29 6 29
Mohamed bin Said Basheeweth	"	30	16-4-29
Abdurasul Per Mohamed	"	20	19-4 29
Sheikh Said bin Ali	"	20	19 4-29
Salim bin Saleh Bashmele	"	20	19-4-29
Hamud bin Azzan	"	15	19-4-29
Nanjee Hemjee	"	30	19-4-29
Himjee Madajee	"	30	19-4-29
Mohamed Kassamji	"	30	19-4-29
Shariff Maulana bin Muth-hiri	"	20	19-4-29
Mohamed bin Said bin Amir	"	20	19 4-29
Sheikh Abdalla bin Mohamed	"	15	19-4-29
Sheikh Ali bin Ahmed	"	15	19-4-29
Sheikh Abdalla bin Sheikh	"	10	19-4-29
Titi bin Kombo	"	15	14-5-29
Shariff Ahmed bin Alwi	"	10	14-5-29
Lali bin Mohamed	"	10	20-5-29

GENERAL NOTICE NO 1216

THE REGISTRATION OF TRADE MARKS
ORDINANCE

APPLICATION No 89/29



To all whom it may concern

TAKE NOTICE that an application for the registration of the Trade Mark shown above in Class 47 of Part III of the Schedule to the above-mentioned Ordinance, in respect of common soap has been lodged by Atma Ram s/o Guranditta and Gurbasingh s/o Natha Singh, trading as Colonial Soap Factory, of River Road, Nairobi, General Merchants

Registration of this Trade Mark shall give no right to the exclusive use of the letters "A" "G" "S"

The said Trade Mark will be registered after the expiration of the period mentioned in section 13 of the said Ordinance, provided no notice of opposition is received

A specimen of the Trade Mark the registration of which is applied for, can be seen at the office of the undersigned at Nairobi

Nairobi,
31st August, 1929

W M KEATINGE,
Registrar of Trade Marks

THE FOLLOWING PUBLICATIONS ARE NOW OBTAINABLE AT THE GOVERNMENT PRESS

- Customs Trade Report for 1928 Price Sh 5, Posted, Price Sh 5/75
- Agricultural Department Report, 1928 Price Sh 5, Posted, Price Sh 5/75
- Agricultural Census Report 1928 Price Sh 2, Posted, Price Sh 2/10
- Judicial Report Price Sh 1, Posted, Price Sh 1/10
- Registrar General's Report, 1928 Price Cts 50, Posted, Price Cts 60
- Prisons Department Report, 1928 Price Sh 1, Posted, Price Sh 1/10
- Police Department Report, 1928 Price Sh 1/50, Posted, Price Sh 1/60
- Meteorological Records, 1298 Price Sh 1, Posted, Price Sh 1/10