



# THE LAWS OF NYASALAND

IN FORCE ON  
THE 1ST DAY OF JANUARY, 1957.

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REVISED EDITION

PREPARED UNDER THE AUTHORITY OF  
THE REVISED EDITION OF THE LAWS ORDINANCE, 1957,

BY

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*(of the Inner Temple),*

COMMISSIONER FOR THE REVISION OF THE LAWS.

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IN SIX VOLUMES.

## VOL. III

CONTAINING ORDINANCES AND SUBSIDIARY LEGISLATION CHAPTERS 90 TO 113.

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Apprehension  
of offenders

Any person found committing any offence punishable under this regulation may be taken into custody without warrant by any constable or person whom he may call to his aid, or by the owner or occupier of the property on or with respect to which the offence is committed, or by his servant or any person authorized by him, and may be detained until he can be delivered into the custody of a constable, who shall carry such person, as soon as conveniently may be, before a magistrate, to be dealt with according to law:

Provided that no person arrested under this regulation shall be detained by any constable or other person longer than necessary for bringing him before a magistrate.

Discharging  
fire-arms, etc.,  
prohibited

**23.** Whoever discharges any fire-arms, or throws or sets fire to any firework in any street, or in any house or building or within the curtilage thereof shall, for each offence, in addition to any liability for damage at the suit of any person aggrieved, incur a fine which may extend to £10, or, in default of payment, be imprisoned for a period which may extend to three months, and may be taken into custody without warrant, as provided in the last preceding regulation.

Liability of  
occupier of  
house in  
which  
fire-arms  
discharged

If it is proved that a fire-arm has been discharged in or within the curtilage of any house or building, and the person doing so has not been identified or discovered, the occupier of such house or building, if within the premises at the time the offence was committed, shall be liable for each offence to a fine which may extend to £10, or, in default of payment, to be imprisoned for a period which may extend to thirty days.

Beating  
drums, etc.,  
without  
permission  
unlawful

**24.** It shall not be lawful for any person, without the permission in writing of the Governor or a magistrate to assemble or be in any street, house, building, garden, yard, or other place beating any drum, gong, tomtom, or other instrument, or dancing thereto; and any constable by himself, or with such assistance as he may take to his aid, may warn the persons so unlawfully assembled to depart, and for this purpose may enter into such house, building, garden, yard, or place in which persons are assembled as aforesaid.

Penalty on  
persons  
refusing to  
desist

Any person who, after being so warned, shall not depart forthwith (except the persons actually dwelling in such house or building), may be apprehended without warrant by any constable or person acting in his aid, and shall incur a fine which may extend to 10s.

The occupier of such house, building, garden, yard, or place who shall have permitted such persons unlawfully to assemble or be therein as aforesaid, shall incur a fine which may extend to £2, and every drum, gong, tomtom, or other such instrument found in the premises shall be liable to forfeiture.

Penalty on occupier of house, etc.

25. Any court may prohibit, during the hours of its sitting, and at any place within a radius of 300 yards from the building where such sitting is held, any beating of drums, gongs, tomtoms or other instruments, or other loud noises of any kind or description; and whosoever, being required by any constable or officer of the court to desist from beating drums, gongs, tomtoms, or other instruments, or from making any other noise as aforesaid, fails to comply with such requisition, shall, for every offence, incur a penalty not exceeding £2, and may be apprehended by any constable without warrant.

Court may prohibit drumming, etc., during its sittings

26. If any house or building catches or is on fire, it shall be lawful for any officer of police, magistrate, or surveyor to order, with the purpose of staying the spreading or communication of the fire, that any near or adjacent houses or premises to which the fire is likely to communicate shall be demolished, or the roofs thereof broken down, or the thatch or other inflammable roofing pulled or broken from the roofs or other suitable means used for interrupting the communication; but no order for the demolition of any house or premises, or for breaking down the roof, or pulling the roofing material therefrom, shall be given unless the officer is present at the fire and satisfied to the best of his judgment, upon personal view, that such order appears necessary for staying the progress or communication of the fire.

Demolition or unroofing of building during fires

Such orders may be carried out by any constable or other person; and if any person obstructs in any manner of way the execution of any such order, he shall be liable to a fine which may extend to £10, or to imprisonment which may extend to sixty days, or to both.

Penalty on obstruction

No occupier, owner, or other person interested in any house or premises demolished or unroofed, or from which the roofing materials shall have been pulled as aforesaid, shall be entitled on account thereof to compensation of any sort whatsoever.

No compensation due to owner, etc., of houses so demolished

27. Whoever, being called by any magistrate or surveyor or by any constable to assist in extinguishing or staying the progress of any fire, refuses or delays to do so, or fails to use his best endeavours in carrying out the directions given for that purpose by any magistrate, surveyor, or constable, shall be liable to a fine which may extend to £5.

Penalty on persons refusing to assist in extinguishing fires