

THE LAWS

OF

NYASALAND

IN FORCE ON

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BY

SIR DONALD KINGDON, Q.C.

*( of the Inner l'emple),*

Cmv MISSIONER ]<'QR THE REVISION OF THE LAWS.

**IN** SIX VOLUMES.

**VOL.** I

CONTAINING ORDINANCES AND SUBSIDIARY LEGISLATION CHAPTERS 90 TO 113.

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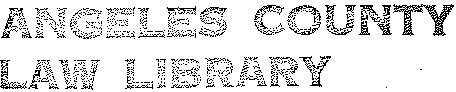
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*of Laws u-ithin the meaning of the Evidence (Colonial Statutes) Act,* 1907.l

N.-VoL. 3-1

LOS

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150 **Cap. 96]** *Townships*

ApprehensiOn of offenders:

D.iaclmrging fire-arms,etc.• prohibited

Lfo,biUty of occupier of house in which

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Any person found committing any offence punishable under this regulation may be taken into Cllilt-0dy 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 attth orized 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 mRY be, before a magistrate, to be dealt with according to law;

Provided that no person arrest.ed under this regulation shall be detained by any constable or other person longer than nee-OB.Sary for bringing him before a magistrate.

1. 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 re!'t.,U.lation.

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 mav extend to £10, or, in default of payment, to be imprisoned ±'<ir' a period which may extend to thirty days.

Beating drums, etc., without permission unlawful

Penalty on persons refusing to d£JBist.

1. It shall not be lawful for any person, without the per· mission 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 iruJtrnment, 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 hollJle, building, 1,,arden, yard, or place in which persons are assembled as aforesaid.

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 lOs.

*Townships* **[Cap. 96 1/H**

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 inc ur a fine which may ext.end to £2, and every drum, gong, tomtom, or other such instrument found in the premises shall be liable to forfeiture.

1. 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, tom­ toms 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 afore­ said, fails to comply with such requisition, shall, for every offence, incur a penalty not exceeding £2, and may be appre· hended by any constable without warrant.

Penalty on ocoupier of house, otc,

(burt roay prohibit drumming, et<'.,, during its sitting3

1. If anv house or building catches or is on fire, it shall be Demolition

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with the purpose of staying the spreading or communication of during fire,

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.

Such orders may be carried out by any constable or other person ; and if any person obstnwts in any manner of way the execution of any such order, he shall be liable to a fine which may extend t-0 £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 Xo co1;1-

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materials shall have been pulled as aforesaid, shall be entitled owno,, etc.,

on account thereof to compensati•on of any sort whatsoever.

o! housoo so demolliilied

1. Whoever, being called by any magistrate or surveyor or Penalty 00 by any constable to assist in extinguishing or staying the *;:[:;,* t-0 rogress of any fire, refuses or delavs to do so, or fails to use his a,.,mt in

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*J* extinguishlllg

best endeavours in carrying out the directions given for that fi=

purpose by any magistrate, surveyor, or constable, shall be liable to a fine which may extend to £5.