

MEETING HELD AT NAIROBI ON 17TH DECEMBER 1908

Present: H.E. The Governor ( Sir J. Hayes Sadler)  
The Lt. Governor ( Mr Jackson)  
The Treasurer ( Mr Bowring )  
The General Manager Uganda Railway ( Mr Currie)  
The Land Commissioner ( Col. Montgomery)  
The Crown Advocate ( Mr Combe)  
Mr A.C. MacDonald.  
Mr G.K. Watts.  
Mr A.C. Hollis  
Captain Cowie,  
Major Leggett.

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MINUTES

The Minutes of the previous meeting were confirmed.

QUESTIONS 15 & 16

Captain Cowie:

To ask the Government whether the Notice dated 7th May 1908 published by the Honourable the Commissioner of Lands was submitted for the consideration of the Land Board and published on their recommendations.

To ask the Government whether applications for land sent in prior to June 1907 are now treated as applicants under the Crown Lands Ordinance 1908.

To ask the Government to consider the question of withdrawing the Notices of June 1907 and May 1908 ( the latter of which is based on the Ordinance not yet promulgated ) and to continue to issue the land under the provisions of the Crown Lands Ordinance 1902 until such time as the new Ordinance comes into force.

REPLY

The Land Commissioner replied:-

The Notices referred to appear to be:-

First that published in the Gazette of 15th June 1907 stating that the area of ~~been~~ homestead farms would be ordinarily

restricted to 320 acres, and that grazing land would be given on leases for 21 years with the option to renew for another 21 years if development has been effected.

Second, that published in the Gazette on the 15th May 1908 giving the conditions on which land could be taken in future.

In both cases Notices were issued after receipt of orders from the Secretary of States.

The answers to the questions are as follows:-

1. The Land Board was not consulted before the Notice of May 1908 was published.
2. Applications for land made prior to June 1907 are treated under the rules existing at the time the applications were made.
3. All the notices which have been published heretofore have been issued under the Crown Lands Ordinance 1902 which is the Ordinance at present in force. The conditions now imposed on lessees are not inconsistent with the provisions of that Ordinance.

#### MEDICAL PRACTITIONERS

Captain Cowie asked His Excellency if a Medical Practitioners Bill could be on the agenda for the next meeting.

His Excellency in reply said that there was a Bill in course of being drafted.

#### NATIVE INTOXICATING LIQUOR ORDINANCE 1907 (AMENDMENT)

Mr Hollis moved the First Reading of a Bill to amend the Native Intoxicating Liquor Ordinance 1907.

The Crown Advocate seconded and this was agreed to. The Bill was read a First time.

SUSPENSION OF STANDING ORDERS

The Crown Advocate moved the suspension of Standing Orders in order to pass this Bill through the Second and Third Reading.

The Treasurer seconded and this was agreed to.

Mr Hollis moved that the Bill be ~~read~~<sup>read</sup> a Second time.

The Crown Advocate seconded and this was agreed to.

Mr Hollis moved that the Council go into Committee to consider this Bill.

The Crown Advocate seconded and this was agreed to.

There being no amendments to the Bill Mr Hollis moved to report the Bill to the Council.

The Crown Advocate seconded and this was agreed to.

Mr Hollis moved that the Bill be read a Third time.

The Crown Advocate seconded and this was agreed to.

The Bill was read a Third time.

CUSTOMS ORDINANCE 1904 (Amendment) BILL

The Crown Advocate moved the First reading of a Bill to amend the Customs Ordinance 1904.

The Treasurer seconded and this was agreed to.

The Bill was read a First time.

The Crown Advocate gave notice that he would move the Second Reading of this Bill at the next meeting of the Council.

COFFEE LEAF DISEASES ORDINANCE 1904 (Amendment) BILL

Mr MacDonald moved the First Reading of a Bill to amend the Coffee Leaf Diseases Ordinance 1904.

The Crown Advocate seconded and this was agreed to.

The Bill was read a First time.

SUSPENSION OF STANDING ORDERS

Mr MacDonald moved the suspension of Standing Orders in order to pass this Bill through the Second and Third Readings on the ~~grounds~~<sup>grounds</sup> that no important amendments were proposed.

The Crown Advocate seconded and this was agreed to.

Mr MacDonald moved that the Bill be read a Second time.

The Crown Advocate seconded and this was agreed to.

Mr MacDonald moved that the Council go into Committee to consider this Bill.

The Crown Advocate seconded and this was agreed to.

COUNCIL INTO COMMITTEE

Section 2

The Crown Advocate moved to delete in Section 2 the words " in transit for Uganda Protectorate " and substitute " for transit through the Protectorate "

Major Leggett seconded and this was agreed to.

Section 3

Major Leggett moved to delete Section 3 and substitute therefor the following :

" The Governor may from time to time, as he may think fit, prohibit by proclamation in the Official Gazette the introduction into East Africa Protectorate of coffee beans or coffee plants for sale, consumption or use in East Africa Protectorate or place named in such Proclamation. "

The Crown Advocate seconded and this was agreed to.

Section 4

The Crown Advocate moved to insert in Section 4, line 1 after " ordinance " " or any proclamation under this Ordinance " and in line 3 to insert " or of any such proclamation "

Mr Hollis seconded and this was agreed to.

Mr MacDonald moved to report the Bill to the Council.

The Crown Advocate seconded and this was agreed to

Mr MacDonald moved that the Bill be now read a Third time.

The Crown Advocate seconded and this was agreed to.

The Bill was read a Third time.

VOLUNTEER RESERVE BILL -- FIRST READING

The Crown Advocate moved the First Reading of a Bill to make better and further provision for the formation of a Volunteer Reserve in the East Africa Protectorate.

The Land Commissioner seconded and this was agreed to.

The Bill was read a First time.

SUSPENSION OF STANDING ORDERS

The Crown Advocate moved the suspension of Standing Orders in order to pass the Bill through the Second and Third readings.

Captain Cowie seconded and this was agreed to.

The Crown Advocate moved that the Bill be <sup>now</sup> ~~see~~ read a Second time.

Mr Hollis seconded and this was agreed to.

The Crown Advocate moved that the Council go into committee to consider this Bill.

Mr Hollis seconded and this was agreed to.

Section 9

The Crown Advocate moved to insert in Section 9 after " Vice President" " whose election shall be submitted to the President for approval and who if approved shall be gazetted and hold....." and <sup>second</sup> ~~insert~~ paragraph, line 6 after "elected" to insert " and approved and gazetted ".

Major Leggett seconded and this was agreed to.

Section 5

The Crown Advocate moved to insert in Section 5, subsection 2, line 11 after " shall be gazetted and " and in line 12, after " elected " " and approved ".

Mr Hollis seconded and this was agreed to.

Section 6

The Crown Advocate moved to insert in Section 6, subsection 2 " and may be allowed by the Deputy President to transfer from one ~~unit~~<sup>unit</sup> to another ".

The Land Commissioner seconded and this was agreed to.

Section 14

The General Manager Uganda Railway moved to insert in Section 14 paragraph 2 after " 300" " additional".

The Crown Advocate seconded and this was agreed to.

The Crown Advocate then moved that the last sentence of the same paragraph be a fresh paragraph and read as follows:

" All ammunition issued or sold under this section shall be used only for the purposes of practice or match shooting at ranges authorised by the Deputy President ."

The General Manager Uganda Railway seconded and this was agreed to.

Section 16

The Crown Advocate moved to add to Section 16 the following :

" The Vice President shall thereafter in each year issue to each member such number of rounds, not exceeding in any year 300, as shall make the number of rounds in the possession of the member 300 ."

The General Manager Uganda Railway seconded and this was agreed to.

Section 23

Major Leggett moved to delete the last part of Subsection (e) in Section 23 after " showing" and substitute the following :

- (1) All ammunition received by the President
- (2) how distributed to the members.
- (3) how expended by members
- ( balance in hand of each member,

(5) balance in hand of the President.

Mr Watts seconded and this was agreed to.

Section 28

The General Manager Uganda Railway moved to delete in Section 28 " Vice President ".

Mr Watts seconded and this was agreed to.

The General Manager Uganda Railway moved that the Bill should come into force on 1st April 1909.

Section 1 & 40

The Crown Advocate therefore moved that to Section 1 be added " and shall come into operation on the 1st day of April 1909 " and the beginning of the repeal ( section 40 ), on the coming of the operation of this Ordinance.

Mr Hollis seconded and this was agreed to.

Section 32

The Crown Advocate moved to insert in Section 32 after " Governor and.. " " such nomination shall be ".

The General Manager Uganda Railway seconded and this was agreed to.

Section 39

Major Leggett moved to delete Section 39.

Mr Hollis seconded and this was agreed to

Section 40 now becomes Section 39 and so on.

Schedule II

The Crown Advocate moved to add to Schedule 2 " Using in an unauthorised manner or disposing of ammunition not to exceed 20 cents per round. "

The General Manager Uganda Railway seconded and this was agreed to.

Section 26

Major Leggett moved to begin Section 26 " The Deputy President or the " and in the last line to insert " Deputy President or the "

The Crown Advocate seconded and this was agreed to.

The Crown Advocate moved that the Bill be now reported to the Council.

The Land Commissioner seconded and this was agreed to.

The Crown Advocate moved that the Bill be now read a Third time.

Mr Hollis seconded and this was agreed to.

The Bill was read a Third time.

THE JURY BILL -- THIRD READING ( COMMITTEE)

The Crown Advocate moved that the Council go into Committee to consider the Bill to amend the procedure on trial by jury in criminal cases.

Capt. Cowie seconded and this was agreed to.

The Crown Advocate moved to report the Bill to the Council after the following amendment had been agreed to  
Section 2

Section 2, provision 305 the words " in a case tried by the High Court " to be deleted.

The motion to report the Bill to the Council was seconded by the Land Commissioner and agreed to.

The Crown Advocate moved that the Bill be now read a Third time.

Mr MacDonald seconded and this was agreed to.

The Bill was read a Third time.

MINING BILL -- SECOND READING

Mr Watts moved to postpone the Second Reading of this Bill

This was agreed to.



PRISONS BILL-- SECOND READING

The Land Commissioner stated that the Special Committee on this Bill had not yet met.

CROWN LANDS BILL-- SECOND READING

The Land Commissioner moved that this Bill be read a Second time and sat stated that he would propose afterwards that the Bill be referred to a Special Committee.

Mr MacDonald second.

Major Leggett and Capt. Cowie opposed this.

The Land Commissioner under the circumstances withdrew his motion and proposed to postpone the Second Reading of this Bill and that a Special Committee be appointed to consider the Bill, consisting of the Crown Advocate, the Director of Agriculture, the Treasurer, Major Leggett, Captain Cowie and the Commissioner of Lands.

Major Leggett seconded and this was agreed to.

KING'S AFRICAN RIFLES ORDINANCE 1902 ( Amendment ) BILL

The Crown Advocate moved that this Bill be read a Second time.

The Treasurer seconded and this was agreed to.

The Crown Advocate moved that the Council go into Committee to consider this Bill.

The Treasurer seconded and this was agreed to.

COUNCIL INTO COMMITTEE

Section 2

The Crown Advocate moved to insert in the last paragraph of Section 2, after " restored to him... " " and to receive the extra pay in respect thereof in the Principal Ordinance provided. "

Mr MacDonald seconded and this was agreed to.

Section 3

The Crown Advocate moved to insert " any " in line 8 of Section 3 after " regard to "

Mr Hollis seconded and this was agreed to.

Section 5

The Crown Advocate moved to delete Section 5. Major Leggett seconded and this was agreed to. Section 6 to become Section 5.

The Crown Advocate moved to report the Bill to the Council.

Mr Hollis seconded and this was agreed to.

REMOVAL OF NATIVES BILL-- SECOND READING

The Crown Advocate moved the second reading of this Bill to make provisions for the removal of natives from one district to another within the East Africa Protectorate.

Mr Hollis seconded and this was agreed to.

The Crown Advocate moved that the Council go into Committee to consider this Bill.

Mr Hollis seconded and this was agreed to.

COUNCIL INTO COMMITTEE

Section 5

The Crown Advocate moved to insert a comma in Section 5, line 1 after " removed" and in line 2, after " Protectorate ".

Mr Hollis seconded and this was agreed to.

The Crown Advocate moved to report the Bill to the Council.

Mr MacDonald seconded and this was agreed to.

SUSPENSION OF STANDING ORDERS

The Crown Advocate moved the suspension of Standing Orders in order to pass this Bill through the Third Reading.

The Land Commissioner seconded and this was agreed to.

The Crown Advocate moved that the Bill be now read a Third time.

Mr MacDonald seconded and this was agreed to.

The Bill was read a Third time.

ADJOURNMENT

The Council adjourned to 9.15 a.m. on Friday 18th December 1908.