

MEETING HELD AT NAIROBI On 3RD DECEMBER 1909

Absent: Mr Hollis,
Lord Delamere.

TAXATION OF NATIVES BILL--THIRD READING

The Crown Advocate moved the Third Reading of this
Bill.

The Land Commissioner seconded and this was agreed to.
The Bill was read a Third time.

REMOVAL OF NATIVE POLITICAL OFFENDERS BILL

The Crown Advocate moved the Third Reading of this
Bill.

The Land Commissioner seconded and this was agreed to.
The Bill was read a Third time.

GAME BILL

The Report of the Special Committee was read by the
Clerk.

The Lt. Governor moved the second reading of this
Bill.

The Treasurer seconded and this was agreed to.
The Lt. Governor 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 Lt. Governor moved to delete in the definition
of " Resident" the words " and that he has resided for atleast
nine months. To add at the end of Section 2 " District Commissioner
includes an Assistant District Commissioner." " Private land"
means any land privately owned without a title from the Crown,
and any land held or occupied under a conveyance, lease or
licence from the Crown. Provided however that the term shall not
include land occupied by the members of a native tribe or any
land sold or leased or otherwise alienated by the Crown
with the reservation of game thereon".

The Treasurer seconded and this was agreed to.

Section 6

The Lt. Governor moved to delete " whether beast or
bird" in the third line and to substitute " the" for " these"
at the end of the line 2 of subsection 2.

The Treasurer seconded and this was agreed to.

Section 10

The Lt. Governor moved to insert " skin" after " tusks" in the 3rd and 9th line. To add at the end of the section and second paragraph " or to make it an offence for any person to remove any part of any carcass or remains of any animal if such person is a holder of a licence which would authorise him to kill an animal of the same species, sex or variety; provided however that in such case the animal shall count towards the number of animals which such person is entitled to kill under his licence".

The Treasurer seconded and this was agreed to.

Section 11

The Lt. Governor moved to substitute " forfeited" for " confiscated" on the fifth line of subsection 2. And in the last line of this subsection to delete " Regulations or". In subsections 2 and 4 to delete " East Africa" before " Protectorate ".

The Treasurer seconded and this was agreed to.

Section 12

The Lt. Governor moved to delete line 1 and 2 of subsection 1 and substitute therefor " who shall possess, sell or transfer, export or attempt ". In line 4 to substitute " three thousand" for " one thousand" and in line 6 to substitute six months" for " two months". To insert " not" after " shall" in the second line of the 1st paragraph of subsection 2.

The Treasurer seconded and this was agreed to.

Section 14

The Lt. Governor moved to substitute " 40" for " 43" in the last line.

The Treasurer seconded and this was agreed to.

Section 15

The Lt. Governor moved to delete the proviso to the second subsection.

The Treasurer seconded and this was agreed to.

Section 16

The Lt. Governor moved to insert a heading " Game Licences" to this section. To substitute " 750" for " 600" in subsection 2. In subsection 6 line 2 to insert " Justice of Peace " after " Magistrate". In line 3 after " Magistrate" to insert " Justice of Peace, Game Ranger".

The Treasurer seconded and this was agreed to.

Section 17

The Lt. Governor moved to insert the following section :

" A Resident's Licence shall not be granted to a resident or to an officer in public service of the Protectorate, or to an officer of one of H.M. 's ships on the East Africa Station".

The Treasurer seconded and this was agreed to. The previous section 17 now becomes Section 18.

Section 19 (new section)

The Lt. Governor proposed the insertion of the following:

" Any game other than animals mentioned in the 3rd Schedule killed or captured by the holder of a Sportman's licence or Resident's licence upon private land with the consent of the owner or occupier of land shall not count towards the number of animals which the holder of a licence is entitled to kill or capture under his licence"

The Treasurer seconded and this was agreed to.

Section 18 (now section 20)

The Lt. Governor moved to insert before " animals" in line 2 " on land other than private land". At the end of the section to delete " only" after "Fourth Schedule " and to add " and on private land with the consent of the owner or occupier any animals mentioned in the Third Schedule"

The Treasurer seconded and this was agreed to.

Section 19 (old section)

The Lt. Governor moved the deletion of this section.

The Treasurer seconded and this was agreed to.

Section 20 (now section 21)

The Lt. Governor moved to delete subsection (b) and (c) and substitute the following:

"(b) with the sanction of the owner or occupier on private land.

To delete subsections 3 and 5 and substitute the following:

" (3) the licence shall not authorise any animal mentioned in the First Schedule to be hunted, killed or captured, saving only the holder of a licence may hunt, capture any Eland"

(4) the licence shall not authorise the holder to kill any Eland".

" (5) save as in this section otherwise provided the holder of landholder's licence may hunt, kill or capture any game. "

The Treasurer seconded and this was agreed to.

Sections 21, 23 and 24

The Lt. Governor proposed that these sections be deleted from the Bill.

The Treasurer seconded and this was agreed to.

Section 25 (now section 23)

The Lt. Governor moved to substitute " for scientific reasons " for " in particular cases", in line 6 to delete " in a game reserve" and in the last line of the first paragraph to delete " of anyone or more species mentioned in the Schedules" and substitute " In a game reserve". To delete the second paragraph of the section.

The Treasurer seconded and this was agreed to.

Section 26 (now section 24)

The Lt. Governor moved to delete " tusk ivory" at the end of subsection 1 and to substitute " tusks". To substitute " 30 lbs each" for " 60 lbs". In subsection 4, line 4 to delete " on oath" after " declaration".

The Treasurer seconded and this was agreed to.

Section 27 (now section 25)

The Lt. Governor moved to substitute " 150" for " 75" in line 1. To delete " and Embu District" in the second paragraph and to add there at the end of the paragraph " or in the machakos district of Ukamba Province".

The Treasurer seconded and this was agreed to.

Section 29 (now section 27)

The Lt. Governor moved to substitute "24 and 25" for " 26 and 27".

This was agreed to.

Section 30 (28)

The Lt. Governor moved to substitute "24" for "26" in line 2.

This was agreed to.

Section 31 (now section 29)

The Lt. Governor moved to delete the third paragraph and in the first line of the 4th paragraph to insert before ranger the words " Magistrate" and " Justice of Peace" and in the 6th paragraph to delete " Sportsman's Licence " in the first line.

The Treasurer seconded and this was agreed to.

Section 34(now section 32)

The Lt. Governor moved to delete " his term" in line 2 and the substitution therfor of " ther therm of the licence lost or destoryed. "

The Treasurer seconded and this was agreed to.

Section 35(now section 33)

The Lt. Governor moved to substitute " on private land" for " privately owned land or occupied land"

The Treasurer seconded and this was agreed to.

Section 37 (now section 37) and section 38

The Lt. Governor moved to delete these two sections and substitute therefor the following:

" 35. It shall be unlawful to hunt with dogs any game on land any other than private land. Every person concerned in a breach of the provision of this section shall be guilty of an offence against this Ordinance. "

The Treasurer seconded and this was agreed to.

Section 39 (now section 36)

The Lt. Governor moved the insertion of a headnote " Penalties and Procedure " after section 36.

The Treasurer seconded and this was agreed to.

Section 40 (now section 37)

The Lt. Governor moved to insert the words " Magistrate Justice of Peace " in the third line before " police" and in the fifth line before " officerf ".

The Treasurer seconded and this was agreed to.

Section 41(now section 38)

The Lt. Governor moved to insert " Magistrate, Justice of Peace " before " Police Officer" in line 1 and in the same line to insert " Game" before " Ranger" and in line 7 to insert " Magistrate, Justice of Peace " before " Officer ".

The Treasurer seconded and this was agreed to.

Sections 32, 43, 44, & 45

Sections 43, 44 and 45 become sections 40, 41, and 42.

The Treasurer seconded and this was agreed to.

Schedules I, II, III, IV and V.

The minor amendments proposed by the At. Lt. Governor were agreed to after being seconded by the Treasurer. The Lt. Governor moved to report the Bill to the Council.

The Treasurer seconded and this was agreed to. The Lt. Governor gave notice that he would move the Third Reading of this Bill one day next week.

APPROPRIATION BILL--SECOND READING

The Treasurer moved the Second Reading of this Bill.

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

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

The Land Commissioner seconded and this was agreed to.

COUNCIL INTO COMMITTEE

Schedule(Division 2)

The Treasurer moved that " £ 1,142" be substituted for " 1,162 ".

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

Division 11

The Treasurer moved to substitute " £ 14,001" for " £ 13,601"

The General Manager seconded and this was agreed to.

Division 27

The Land Commissioner moved that " the Land Office" should read " Land Department".

This was agreed to.

Total

The treasurer moved that " 722,485 " be substituted for " 722,105".

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

The Treasurer moved to report the Bill as amended to the Council.

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

The Treasurer gave notice that he would move the

Third Reading of this Bill at some future date, probably during the March Session.

ADJOURNMENT

The Council adjourned until 10 a.m. on 4th December 1909.