

1927

KENYA

1927

X. 10329

X. 10329

C0533/369

Authentication of Ordinances

Previous

Subsequent

	15/5
Room 24 S. 10/5	14/5
Parliamentary Dept	10/5
W. Small	10/6
Prof. R. P. C. G.	15/6
Mr. B. T. H. L.	18/6
Room 24	14/6
(S. 10)	11/6
Ch. Clerk's Dept	15/5
18/6	11/6
B. 9/6	

1. O.A.C. Denham — 16 April, 1927.
259.

Suggests procedure in authentication of Bills might be simplified by the omission of the signatures of the Col. Sec. and the Attorney General, in a inquiry whether there are any general instructions laid down as to the manner in which printed copies of the Bills are to be presented to the Governor for authentication.

Answer Dept.

For your notes, please

C.A. Chiff

16.4.27

We have no note of any, and so far as I am aware, that are of general instructions as to the form of authentication of Colonial Ordinances. As in the case of Kenya the Royal Instructions to Govs of Colonies require the Gov to transmit in duplicate a full and exact copy of the Ordinance duly authenticated under the Public Seal and by his own signature.

All collection of authenticated Ordinances received from various Colonies is insured. All are signed by the Gov & sealed with the Public Seal of the Territory. The practice as to certification of the correctness of the copy however varies considerably but

except Grenada
Jamaica } and some.
St Vincent }

but in no case shall these things
do the thing said signs be not
annexed.

? the requirements of the Royal Letters
would be satisfied by the signature
merely of the Gov + the Public Seal,
and it is within the Gov's discretion
to say how far the Ordinance is to be
authenticated by the officials - the Colony

CCP to
have other
disposal

W. H. S. R.

W. H. S. R.
10/6/27

I agree, but I presume that they will stick
to having these printed certified on account by
the Clerk of the High Council. We accept
very so.

W. H. S. R.

10/6/27

Yes - but para. 3 of the Ordinance
leaves little doubt that they will.

W. H. S. R.

10.6.27

W. H. S. R.

24
W. H. S. R.

Em 507 (Hans)

17 JUN 1927.

Mr. Chiffe 14. VI. 27

Mr. Jeffries 14/6

Mr.

Mr. E. J. Harding.

● C. Strachey.

Sir J. Shuckburgh.

Sir G. Grimle.

Sir O. Davis.

Sir S. Wilson.

Mr. Ormsby-Gore.

Lord Lons.

Mr. Amery.

DRAFT.

Kenya, No. 504

O.A.G.

X/0329/27
Kenya 27



See

17 June 1927.

Sir,

I have the pleasure to acknowledge the receipt of your despatch No. 259 of the 14th of April regarding the mode of authentication of Ordinances submitted to His Majesty, and to inform you that the requirements of the Royal Instructions

will be satisfied if
such Ordinances are
presented with the
signature of the Officer
Administering the Government
and the Public Seal of
the Colony.

2. No general instructions have
~~been laid down as to the manner in which~~
~~the circumstances under which~~ printed copies
~~of Bills are to~~ be presented
~~to the Gov. for~~ authentication,
~~and it is~~

to be certified as correct
by the Clerk to the Legislative
Council, but it will
be within the Governor's
discretion to decide how
far authentication by
the Chief Secretary, the
Attorney General or other
public officers is necessary

will be satisfied if
such Ordinances are
presented with the
signature of the Officer
Administering the Government
and the Public Seal of
the Colony.

2. No general instructions have
~~been laid down as to the manner in which~~
~~the Ordinances will be printed~~ printed copies
~~of Bills are to be presented~~ of Bills are to
~~be presented to the Clerk of the Legislative~~ be presented
~~Committee, but it will~~ to the Clerk for
~~be within the Committee's~~ authentication,
discretion to decide how
far authentication by
the Clerk is necessary.

- Mr.
- Mr.
- Mr.
- Mr. E. J. Harding.
- Mr. Sturges.
- Sir J. Sturges.
- Sir G. Grenville.
- Sir C. Davis.
- Sir S. Wilson.
- Mr. Ormsby-Gore.
- Earl of Clarendon.
- Mr. Amery.

DRAFT.

officials in the Colony is
necessary. I presume that,
if it is decided to alter
the practice in Kenya in
this respect, the prints
will at all events
continue to be certified as
correct by the Clerk of
the Legislative Council.

(Signed) L. S. AMERY

Colonies

Capital to be a court city
by

Korea	Dist of legs. Alt.
Bulgaria	Alt. Sec. & city hall
Britain	No such certification
Barbados	Regimental Band of Home Court
Bermuda	Dist. Sec.
Bay of	Dist. Sec.
Lombia	No such certification
Gibraltar	Alt. Sec. & city hall
	No such certification
	but the Commission is continued by
	Alt. Sec.
Gold Coast	Dist. of legs. Alt.
Guatemala	Alt. Sec.
Hong Kong	No such certification
Jamaica	Alt. Sec. & city hall
Leeward	Dist. of the Council
Antigua	No such certification
Nevis	No such certification
Norfolk	Dist. of legs. Alt.
Norwich	No such certification
St. Lucia	Administrator
St. Vincent	Do
St. Leon	Dist. of legs. Alt.
Tongareva	No such certification
Trinidad	— 30 —
Uganda	— 30 —
Togo	— 30 —
Falklands	— 30 —
Typhoon	— 30 —

AS
KENYA
No. 139



REC'D
7 MAY 1927
GOVERNMENT HOUSE
COL OFFICE
NAIROBI
KENYA

14 April, 1927.

17 JUN 1927
And 507

Sir,

I have the honour to refer to Article XXXVI of the Instructions passed under the Royal Sign Manual and Signet to the Governor and Commander in Chief of the Colony and Protectorate of Kenya on the 11th September, 1920, in which it is provided that duly authenticated copies of Ordinances shall be transmitted to His Majesty.

2. As you are aware, the form of presentation of an Ordinance to the Governor for authentication in this Colony is as follows:-

"Passed in the Legislative Council the day of in the year of Our Lord One thousand nine hundred and This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and found by me to be a true and correct printed copy of the said Bill.

(Signed)

Clerk of the Legislative Council."

-Presented-

THE RIGHT HONOURABLE
LIEUTENANT COLONEL L.C.M.S. AMERY, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S.W.

"Presented for authentication and assent as a correctly and faithfully printed copy of the Bill as passed by the Legislative Council.

(Signed)
Colonial Secretary.

(Signed)
Attorney General. "

3. Researches into the records of this Colony have failed to disclose the source from which this form of authentication was derived, and I am given to understand that in some other Colonies it is not usual for the authenticated copy of an Ordinance to contain the signatures of the Colonial Secretary and the Attorney General.

4. The form adopted in this Colony appears to go beyond the practice followed in England, where I gather copies of Bills finally passed by both Houses are certified by the signature of the Clerk of the Parliaments as accurate copies of the Bill to which both Houses have agreed, and it appears to me that procedure in the authentication of Bills in this Colony might be simplified by the omission of the signatures of the Colonial Secretary and the Attorney General.

5. I have the honour to enquire whether there are any general instructions laid down as to the manner in which printed copies of Bills are to be presented to the Governor for authentication. The Attorney General's opinion as to whether, under


6
END

Article XXIV of the Royal Instructions, the Governor may properly assent to a Bill is, of course, contained in the Legal Report, not in the certificate at present subscribed to by the Colonial Secretary and the Attorney General in the copies submitted for authentication.

I have the honour to be,

Sir,

Your most obedient, humble servant,



ACTING GOVERNOR.

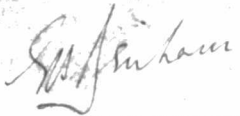
8
Eno

Article XXIV of the Royal Instructions, the Governor may properly assent to a Bill is, of course, contained in the Legal Report, not in the certificate at present subscribed to by the Colonial Secretary and the Attorney General in the copies submitted for authentication.

I have the honour to be,

Sir,

Your most obedient, humble servant,



ACTING GOVERNOR.

PUBLIC RECORD OFFICE

END

TOTAL EXPOSURES →

PUBLIC RECORD OFFICE

C0533/370

ORDER NO. ⇨ FN/E207
CAMERA NO. ⇨ 19
OPERATOR. ⇨ SP
REDUCTION. ⇨ 12
EMULSION NO. ⇨ 321022
DATE. ⇨ 29/2/72

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1. ----- Ag. Gov's Dep. Northcote ----- 25th April, 1927.
282.

Tre. copy of the Minutes of the opening of the Māru Native Council by His Excellency Sir Edward Grigg on the 6th January.

Sir C. Stodley.

As I was present, I may say that there were Māru chiefs were the least intelligent lot I saw. The only man with a real head was the Wānāriāto spokesman - the others were supposed to be wild men.

As to the Tharaka land question - I had it much in mind when I had the meeting that in my opinion a complete clearing up of land matters must precede further discussion.

? Putley

W. B. Stodley

25.5.27.

C.S. 27.5

Stodley

Putley
9.16

at well

10.6.27

KENYA

No. 282



GOVERNMENT HOUSE,

NAIROBI,

KENYA.

RECEIVED
23 MAY 1927
COL. OFFICE

th
25 April, 1927.

Sir,

I have the honour to transmit to you a copy of the Minutes of the opening of the Meru Native Council by His Excellency Sir Edward Grigg on the 6th January.

2. I regret that delay in submitting the enclosure has been occasioned by the consideration of the question of the Meru District boundary abutting on the Theraka location referred to in page 5. This matter is still receiving my attention and will be dealt with separately in my reply to paragraph 5 of your Confidential Despatch of the 3rd March last on the subject of Native Reserve boundaries.

I have the honour to be,

Sir,

Your most obedient, humble servant,

J. G. ...
ACTING GOVERNOR.

THE RIGHT HONOURABLE
LIEUTENANT COLONEL L.C.M.S. AMERY, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, LONDON, S.W.

Minutes.

Mo 5
X.F. 7637
26

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MINUTES OF PROCEEDINGS
AT THE
OPENING OF THE MERU LOCAL NATIVE COUNCIL
BY
HIS EXCELLENCY THE GOVERNOR -

JANUARY 6TH, 1927.

His Excellency addressed the Native Council-
lors as follows:-

Chiefs and Members of the Native Council of
Meru.

I have come here to-day because I wished to meet you face to face, because I wished to open this Council Hall which has just been built with your funds, and because I wished to tell you what are the desires of Government about your people and to hear what you have to say to Government on any subject which you may wish to raise. It is the desire of Government always to improve the lot of the people and King George's Government has done that whenever King George's Government reigns.

Government wishes to teach you to grow food plentifully in order that there may be no more famine among you; it wishes you also to earn money by growing crops which you can export and it wishes your young men to work outside the Reserve in order to earn money to erect dispensaries to improve your health and schools to improve your mind. In all these things Government will help you but it cannot help you unless you help yourselves.

Meru people have always suffered and are still suffering from three great evils; the first is ignorance. Look at this Hall; this Hall is built entirely of materials from your own land, bricks made from Meru earth, the roof and furniture made from the wood of Meru trees. But you did not know how to do these things, how to use ^{these} materials until King George's Government came to teach you. If you want to progress you must learn to use the riches of your rich land. I am very glad therefore to hear that this

this Native Council is ready to devote money for dispensaries to improve the peoples health and schools to teach you craftsmanship. Government will help you with dispensaries and schools and you, Chiefs and Native Councilliers, must do your utmost to dispel the ignorance of your people. You not only suffer from ignorance but your people suffer greatly and have always suffered greatly from idleness. In the old times your young men at least used to fight and defend your villages when the enemy invaded your country. There is now no more War, King George has stopped raids into your country, you have peace and your boundaries are fixed. Your young men therefore have no more call to fight and they will be idle unless they learn to use the land. You are ignorant largely because you have been idle. You have never thought how to ~~use~~ use materials, like you see in this Hall, for yourselves. Our people - all King George's people - were once like you. They were ignorant and did not know how to use their wealth but by work they got knowledge, by work they got wealth, by work they got power. It will be the same with you. You cannot get the things you desire unless you get your ^{young} men to work. There is only one way to alter this ignorance, to alter this idleness; that is if Chiefs will obey the Government and make the people obey themselves. King George has sent you Officers here who will guide you and teach you, if you will obey their orders. The orders and instructions which you get from your Officers, you must give to your people and see that they are obeyed. No people can progress unless the elders are strong and make themselves obeyed. I am very glad you have built this Council House; it will enable you to say to Government ~~what you want to say~~ all the things you want to say about your people, and to learn from the Government what it wants you to do. It will also teach you to work together, to share ideas with each other and

and to co-operate. This Hall itself is a sign of what you can do when you work together under Government, and in this Hall you must always, in the same way, work together for your people's good and learn to understand the orders of Government, and you, Chiefs and Native Councilors, must always remember this. It is no good coming here merely to talk; when you leave this Hall you must make your people understand the orders given them; you must make them understand that the orders are for their own good and when you go away, see that these orders are understood and obeyed.

I declare this Hall open for the Native Council of Meru and I trust that all Councilors who come to speak and work in it may always speak and work for the welfare of their own people as well as loyally to King George.

Major C.E.V. Buxton, M.C., Ag. District Commissioner, Meru, replied on behalf of the Native Council as follows:-

Your Excellency,

We are very honoured by your presence here to-day and on behalf of the Native Council I thank your Excellency for opening the Council House. We shall remember your Excellency's words when we meet here for Council. This Council House is built on the site of an old native forge which was removed only a month ago. We shall hope in the future to forge new weapons to help us along the path of peace and prosperity. Your Excellency has shown us the path and we shall endeavour to forge new weapons to enable us to follow the path which Your Excellency has shown us. I wish again to thank Your Excellency for coming to open our Native Council House.

I also wish to express our delight at seeing Mr. Bottonley here to-day as he is always helpful

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-4-

helpful and takes a great interest in East African Affairs.

His Excellency replies:-

I thank the Native Council for greeting me in this manner. Before the Chiefs and ~~Sanstiters~~ Headmen come in I should like to know if you have any questions to ask me.

A Member:-

We would like to raise the question of Schools. We want teachers in this district to show us how to improve ourselves by giving us a technical education.

His Excellency:-

Speak again when all the Chiefs are here. It is a matter of interest to everybody.

A Member:-

We should like Government Officers to have Motor Cars and thus avoid the use of porters on safari.

His Excellency:-

I leave that entirely to the discretion of Government Officers.

Native worked walking sticks were then presented to His Excellency and to Mr. Bottomley, the Councillors expressing the hope that when the donkeys walked with the sticks they would remember where they came from.

His Excellency:-

Thank you very much for this gift. I shall always keep in memory of the fact that the stick came from Meru.

Mr. Bottomley:-

I thank you for the gift of this walking stick which will always remind me of my visit to this country.

The Chiefs and Headmen sat on the

4

the Native Council were then summoned to come into the Hall. His Excellency addressed them as follows:-

Chiefs, Elders and Headmen of Meru.

I have come here to meet you face to face and to learn to know the Meru people. I am very glad you have come here in such numbers this morning. It is the desire of King George's Government to help in every way it can the Meru people.

I have come here to listen to anything you may have to say about the needs of your people. I hope therefore you will take this opportunity of telling me anything you may desire to say.

1st Deputation.

We are anxious about only one thing - our boundary. When Mr. Horne was here he told us that our boundary extended to the West Morania. Since then Whites have been given shambas between the Western and Eastern Morania Rivers. Now the District Commissioner tells us that our boundaries are being further curtailed. His Excellency:-

As far as the Western boundary is concerned I am satisfied that it is a fair boundary as at present fixed and it will not be changed. The Meru people have got plenty of land for their members to cultivate and I cannot therefore consent to discuss the Western boundary again. It has been fixed and will not be changed. With regard to the Eastern boundary, is the Chief speaking about the Tharaka tribes?

Chief of Deputation.

Yes, we are including the Tharaka because they are our companions.

His Excellency:-

The Tharaka are few in numbers and own a great deal of land. They are asking for land from which they were turned away by King George's Government

Government some years ago, but I desire that the Theraka people like all the rest of the Meru people should have enough land to cultivate and prosper on. I have therefore told the officers to represent their needs to me and when I have their statements I will go into them carefully. I will see that the Theraka people have enough land, but I cannot promise to extend their boundary in the direction they want. But the Chief may rest assured that the Theraka people will be given enough land for all their needs.

2nd Deputation.

The roads in this Reserve are constantly being cut up by cars and carts belonging to the Dukas. Our people have to mend them. Cannot the owners pay something for the upkeep of the roads?

His Excellency:-

Are not the wagons from the Dukas bringing stuff which the Meru people want to buy and taking stuff the Meru people want to sell. If the Meru people want schools and dispensaries they must have trade and if they have trade they should help to keep the roads in repair themselves. I know however that the big road round the Mountain is used by many from all parts of the country and Government will take over that road, but the other roads are for the Meru people to make and keep up and Chiefs must teach their people that the roads are for their own advantage and good.

3rd Deputation.

We want some advice on the depredations done by Game to our shambas which are constantly being damaged and destroyed by pigs, Rhine and Elephants.

His Excellency:-

Were there no pigs, Rhino and Elephants before King George's Government came?

Deputation.

These animals were certainly here before

before Government came but in those days we killed them. Now we are not allowed to kill.

His Excellency:-

You are allowed to kill game within the shambas. I will see if Government can do anything to help but you must start by helping yourselves. Government does not wish Game to be allowed to destroy shambas and will try and prevent it. Game is of use to the Meru because numbers of Europeans come and spend money among the Meru people by paying porters. The Meru would lose this if all the Game were destroyed. But if the Game does bad damage among the crops, you should tell your Officers who will tell Government and Government will do what it can.

A Headman raised the question of the boundary again and expressed the fear that the Meru would not have enough land for the development of the people.

His Excellency:-

The Meru people have enough land. Their borders are fixed and will not be altered. I cannot undertake to extend the boundaries of the Theraka people. There is no danger that your land will ever be taken away, if you learn to make use of it yourselves,

The Wanderobe tribe in the Meru Reserve sent a deputation to complain that their cattle were all dying and as they relied on the cattle for their livelihood the tribe would be ruined if all their cattle perished.

His Excellency:-

I will see if Government is able to help. It is very difficult when disease comes and

..XXX

The White men's cattle as well as those of the Wanderobe are affected. I hope that the Wanderobe will not depend on cattle alone but will cultivate at least a little.

11
END

The Deputation.

We have no other employment but cattle; if they die our people die too.

His Excellency:-

You can learn.

A Snuff Box was then presented to His Excellency the Chief expressing the hope that he would not forget them as they looked on him as a father.

A Snuff Box was also presented to Mr. Bottomley.

His Excellency replied:-

I thank you for this present and shall keep it in memory of this day. I will not forget the Meru people and will always try and listen to their needs. I have great confidence in the Officers of Government here and trust that you will obey them in order that the progress of the Meru may be assured.

The Proceedings then terminate