

Mr. Thompson
his friend

John G. Fidelity

Minutes

Memorandum - I intended to refer the
subject to Gov. of usual of the detail
for the case of the 1911 Court, but had
reference occasionally made, see the acts
on the 10th leaves of the 1911 draft Oct 22.
Then some have been acceptable to the E. A. S.
draftman, a way have been adopted,
(several for a graduated land tax)
for the state.

The following points in the memo -
Clause 36 & 37, some of them for town
further have been decided here to
have 999 years for all, the state
and here with the rest of the
then stand, & leave it to the
Gov. to get the history here for
town plots of the order.

Clause 38 - The S. P. S. referred to
the highway for which there to be
amount of \$36129. It is explained
in § 157

Clause 44 - I draw attention to the
greater of any clause, but can
add nothing to the memo.

Clause 76 & 77 - Clause 50 - Unless the
general vote is returned, then
proposals are not of great
importance, & the C. J. may

left out of the copy sent to the Gov.?

Memorandum as referred to § 80, I should not
be inclined to accept the view that there
might be racial discrimination in Rules.
Such law is not contained in the Ord. & chief
This would seem more proper after
discrimination by Ord. in use.

4/1/1944
No. 3960/14

Clause 124 was different and we
should have better decided means to
induce an arrangement that
might be necessary to be decided
later.

Memorandum - a new section should
be inserted to have a section
(down to infants) and required

draft - especially part of the
applying the power of rules to certain parts.
Please see Gov. 634/4

W.C.S.
H. J.R.

424

3184



40724
21.06.14

396

TELEGRAM:

The Governor of the East Africa Protectorate to the Secretary of State for the Colonies

Received Colonial Office 21.06.14

No. 321 With reference to your telegram of 9th October, under existing circumstances it is difficult to ascertain feeling of the community as to the transfer and introduction of a new law given to understand the question to stand over for the time being as the law is practically at a standstill and the bringing into operation of the new law is therefore not a matter of urgency.

UNFIELD.

Telegram Address
"BURIAL" STOCK
LONDON

TELEGRAM

Telephone
3582 LONDON WALL
LONDON E.C. 4

RC 1954

REPLIES TO BE ORDERED

20 OCT 1954



Sender's Name and Date	Transit Address	Remarks	No.
C. Hart	K...		

ZA 46 NAIROBI 55 20 RQ DDOVT PASMSA =
 CHAPELRIES LN =

337

RECEIVING YOUR STAGEPLATE ORGANIC THE CEPPICONE AMORPHYTE
 EFFUSONS AMNUTRIENT FEELING OFFERT COMMUNITY ANNULETTY
 RELATIVE MERITS OF FREE TRANSFER AND THEATRE VETO
 SHORLINGS SONIBRD AS DEALING IN LAND IS PITCHBEACH

0724

Telephone - Address
SIGNALS STATION
LONDON

TELEGRAM

Telephone
3802 LONDON WALL
(4 Lines)

FROM
TO
SEND TO TELEPHONE NO. OR NAME

Clerk's Name and Date

Time Received

Remarks

No.

HEREMA ALEJARON BRINGING INTO OPERATION OFFERT NEW LAW

AMOVEANT THEREFORE NOW MATTER OF URGENCY - BELFIELD -

STATIONS IN LONDON.

STATION	TELEPHONE ADDRESS	TELEPHONE NO.	TELEGRAPHIC ADDRESS	SIGNALLY STOCK, LONDON
1848 London Wall	Electra House, Finsbury Pavement, E.C.	1848 London Wall	"The Baltic," Bury St. Edmunds, E.C.	
2942 Hop	21, Old Broad Street, E.C.	2942 Hop	6, Dapman Street, Holborn, E.C.	
2516 Gerard	177, Strand, W.C. Charing Cross	2516 Gerard	41, 43, Parliament Street, W.C.	
1014 Holborn	8, Leadenhall Street, E.C.	1014 Holborn	17, Holborn Viaduct, E.C.	
	Market Buildings, 20, King's Lane, W.C.		Foreign Auction Mart, Covent Garden, W.C.	
	8, Ave. 45C			

Head Office:

Electra House, Finsbury Pavement, E.C.

Telephone: 1122 LONDON WALL. Telegraphic Address: "EASTERN AVE." LONDON

60724

3183



Gov/4072/14 E.A.P.

330

Ans 40468



Ans 17438

Downing Street,

7 Nov October, 1914

SECRET

INDIA PROTECTORATE

CONFIDENTIAL

Governor
MINUTE. Sir B. Comay, Belfield, E.C.M.G.
 cc. cc. cc.

Mr. Bottomley 29.10.14

Mr. Thompson 2.10.14 Sir,

in Book 4

Mr. Sir G. Field 5

Sir H. Jam

Sir J. Anderson

Lord Emancipator

Mr. Harcourt

for action

...

...

...

...

...

...

...

...

...

I have the honour to acknowledge the receipt of your confidential despatch No. 144 of the 26th of August, on the subject of the draft Crown Lands Ordinance which accompanied your confidential despatch No. 3 of the 8th of January. I have given careful consideration to the reports of the Joint Committee of the Landholders' Association and the Committee of Associations, and of the Special Committee of the Legislative Council as well as to the views expressed in your despatch.

despatch, and I have been able on most of the questions of principle involved to accept your representations. Accordingly, I approve of the enactment of the Ordinance subject to the modifications indicated in the following paragraphs of this despatch and its enclosures.

2. As you are aware, I have accepted with much reluctance those departures from previous policy which are already embodied in the Ordinance, and I have only agreed to the further changes of policy which are now in question because of your representations, based on the experience of local conditions which you have gained during the last two years, and of the extreme desirability of putting an end to the uncertainty and discontent which have *so long been felt in the Protectorate* ~~been felt for so many years.~~

3.

3. The most important of these changes is the extension of the period of agricultural lease from 99 to 999 years, with reassessment of rent every 30 years. My reason for preferring the shorter period has been that I was unwilling to commit future residents of the country to a form of tenure which might be unsuitable for their conditions but as it appears that this is unduly retarding the development of the Protectorate, owing to the hesitation which landholders feel in entering into lease agreements on this basis I have to alter this but to approve of the extension to 999 years.

I concur in the principle of enactment of the Ordinance. It is also to be noted that provision for arbitration, on the lines indicated in clause 157, affords all

possible

possible protection to the lessee against
over-valuation on re-assessment, and
that there is no necessity to give him
power to surrender his lease if he is not
satisfied with the valuation or to grant
protection for improvements on such
provisions.

To improve of the proposal to
submit for the clauses (39-41)
relating to occupation a simple condition
that the consent of the Governor
to clause (41) shall be required for the
appointment of a non-European as a
member of a board. I should have pre-
ferred to retain here safeguard against spec-
ulation except that of expenditure on
development, but, in
concerns are in detracting from the
value of the lease as a security, I do not
desire

desire to insist on them.

6. Part VIII of the Ordinance, dealing with the power of veto on transfers, has already been the subject of telegraphic correspondence.† In your

despatch you propose that it should be recast so as to remove all restrictions

on transfer, subject to a proviso that

no such transaction shall be registered

or recognized which relates to agricultural or planting properties in the

highlands, and to which any person of Asiatic or African birth is a party,

without the consent of the Governor in Council. I am not able to approve of

any provision which discriminates against Asiatics by name, especially if the same

and I note further

that the form of modification suggested to be in the form which you

suggested by you strikes the same

ground contained in the clause of

the draft Ordinance, under which the

provision that the

Governor in Council have a power of veto

which

Confined on the Governor in Council

~~must be completed within a given time.~~

7. There is however another aspect of the question which may be considered.

I am not satisfied that, if the general power of veto is modified as you propose, the Ordinance would give the Government any means of protecting the sub-

European landholder - i.e. in the non-highland districts - from making improvident bargains with Europeans of the type which in other parts of the Empire has been active in obtaining land from native owners in adequate consideration. In order to meet both con-

tingencies I suggest for your consideration

VIII

that the Part should be modified so as to provide for the maintenance of the power of veto in all transactions of agricultural or planting land, whether in the

highlands

highlands or elsewhere, to which the parties are a European and a non-European. This modification could be effected by a simple amendment of clause 7, the other clauses remaining unaltered.

8. I am prepared to leave to your judgment the question whether this limited power of veto might not also be retained in the case of town plots. I have no intention of departing from the policy by which Asiatics may even in the highlands acquire such town sites as are necessary for their business or residence but it is a matter for consideration whether the exigencies of town planning may not make it desirable for the Government to retain the means of controlling the disposal of these sites.

*See sub 11
for 1/2 1/2 1/2*

9. I have carefully considered the provisions of the Ordinance in the matter of native reserves and I am satisfied

that,

that, as before, they will afford
 adequate safeguards to the interests
 of the natives concerned. I concur in
 your view that the inclusion of
 reserves in the definition of Crown
 Lands is in no way injurious to the
 natives and offers the only satis-
 factory means of exercising the necessary
 Government control.

10. I enclose copies of two
 memoranda which have been prepared by
 my direction. The first contains
 comments on various detailed points of

principle raised by the draft Ordinance and
 amendments which ~~it is proposed to make~~ *have been proposed*

The second memorandum sets out in
 tabular form the particular clauses
 in which amendment is required and
 may be of use when the draft is re-
 vised before enactment.

11. In conclusion, I desire to
 express my cordial appreciation of the

DRAFT

pains which you have devoted to this
 question since you assumed the government
 of the Protectorate and my recognition
 of the difficulty of your position with
 regard to it in view of the conflict of
 the interests of the present residents
 with the more cautious policy which I
 wished to adopt. The Ordinance will
 be essentially different from that which

I had had in view, but, if the result
 of its enactment is to give an immediate
 stimulus to the prosperity of the
 Protectorate, which could not have been
 hoped for from a more restricted
 measure, and to end the dissatisfaction
 and friction of the past, I shall have

little cause to regret the concessions
 of principle which I have made
 in this and former despatches.

I am, &c.,

W. G. ...

with the alterations which are to be made
that, as amended, they will afford

the most
every possible safeguards to the interests
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your view that the inclusion of
reserves in the definition of Crown
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10. I enclose copies of two
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of its enactment is to give an immediate
stimulus to the prosperity of the
Protectorate, which could not have been
hoped for from a more restricted
measure, and to end the dissatisfaction
and friction of the past, I shall have
no objection to set at the concessional
points of principle which I have made
in this and former despatches.

I have, &c.,

W. G. B. COURT

Emilio

~~EAST AFRICA PROTECTORATE~~

Draft Crown Lands Ordinance.

Memorandum I.

Clause 4(3)

This is taken from the 1911 draft, where, however, there was a proviso that the unoccupied land was to be subject to special assessment for graduated land tax. That proviso having disappeared there seems to be no reason for not maintaining the power of forfeiture under the 1902 Ordinance. The provisions of the new draft as to forfeiture (ss 72, 75) only apply to leases.

Clause 5. Definition of Crown Land. Mr. T.K. Harvey, U.P. objected to the inclusion of Native reserves. The point is dealt with in paragraph 13 of the Special Committee's report and the definition may stand.

Clause 16. It has been decided that leases for 999 years shall be given for agricultural land, but no suggestion has been made that this term shall be adopted in the case of town plots and it is assumed that the 99 years term will stand.

Clauses 22(1) and 23. The payment of the balance will be postponed till the lease is executed - see paragraphs 18 and 19 of the Special Committee's report. This will meet the Joint Committee's point.

Clause 27(c)

Clause 27(c) Limitation of bidding to Europeans. This is in practice, and is not a discrimination against Asiatics ex nomine.

Clause 28(2) The Joint Committee object to the prohibition of assignment till the whole of the purchase money has been paid. The Special Committee do not agree and there seems no reason for removing the prohibition. The clause should stand.

Clauses 32 et seq. Will be revised so as to provide for a 99 years term with revision at intervals of thirty years - i.e. in specific years. It is assumed that in clause 33 "99 years" will be altered to "99 years."

Clause 38 The Joint Committee urge that if a lessee objects to the terms of reassessment he should, on relinquishing his lease, be compensated for improvements. The Special Committee dissent, and point out that provision is made for arbitration as to the new assessment.

This view is approved. The arrangements for arbitration are set out in §157(2). ^{(The subsection (2) is} It is provided that where the arbitrators cannot agree, even as to the selection of an umpire, the High Court shall appoint an umpire.

Clause 37 et seq. It has been decided to waive the covenants as to occupation, except that the appointment of a non-European Manager will require the consent of the Governor in Council. The clauses will be revised accordingly.

Clause 43(b). The Joint Committee ask that compensation may be given for improvements at the termination of the lease. The Select Committee point out that this is immaterial for a lease of 999 years. This view may be accepted.

Clause 44. "Not to divide the land leased and assign any portion thereof".

The Joint Committee suggest that the sub-lease of a portion should also be excluded. The Special Committee do not consider it necessary. They have probably been guided by the fact that sub-leases for a short period may be harmless and perhaps desirable and that in such cases there is no necessity for the machinery of § 45 for surrender of the original lease and re-grant.

but sub-leases (for perhaps the whole term less one day) might conceivably defeat the law and it would be desirable to add to § 44 the words

"and not without the consent of the Governor in Council to divide the land leased and sublet any portion thereof",

leaving § 45 etc., to deal with cases of assignment only, as at present.

Clause 45 (1) The Joint Committee, in the name of the whole firm (§ 29 (4)), object to assignment of a part being put off till the purchase money has been paid in full. See above.

Clause 56. Resignation of Land for Native.

All reference to dedication is to be omitted - see the Governor's despatch. The

alterations

alterations thus necessitated may be settled locally. Apparently § 62 and § 64 can be omitted entirely.

The Special Committee propose to omit § 61 because, as native reserves are Crown Lands, it is unnecessary. It may however be desirable to add a clause after § 57 to the effect that "no reservation shall confer on any tribe or member of a tribe any right to alienate the land reserved or any part thereof." The Ordinance contains no general prohibition against the alienation of Crown Lands otherwise than under the provisions of the Ordinance, and it is possible that trouble might arise if a speculator appeared who purported to have bought from a native tribe.

As regards § 58 - alteration of reserves - the Committee which considered the 1911 draft recommended a proviso that the consent of the Secretary of State and of the Legislative Council should be first obtained. The present clause contains no reference to the Legislative Council, and no ~~reference~~ ^{such reference} seems to be required as the approval of the Secretary of State will be sufficient safeguard.

As regards § 59, Mr. Harvey expressed the fear that the taking over of parts of native reserves for public purposes might unduly diminish the area reserved. This possibility is dealt with by the proviso which the Special Committee (paragraph 11 of their report) propose to add to the clause. This proviso, with the addition of the words "and unreserved" after "unalienated" proposed by the Governor, may be accepted.

Clause 67. The Joint Committee object to the absence of compensation for buildings on the termination of the lease. The Special Committee, as on § 43 (4), point out that this is immaterial in the case of a 999 year lease. But the clause applies to town plots to which, apparently, the 999 year term will not apply. This point requires clearing up.

Clauses 75 - 80. Governor's Veto on transfer.

This part has formed the subject of telegraphic correspondence, ^{and is referred to} ~~the Secretary of State's Department.~~ It is now suggested that ~~the power of veto might be retained in cases where the parties to a transfer are a European and a non-European.~~

[If ~~however~~ the general veto is to remain, two points, to which attention was drawn on the 1911 draft, may be noticed.

(1) Clause 76 ^(b) ~~(a)~~. The 1911 Committee proposed to omit this, on the ground that where freehold lands had been disposed of without condition as to transfer it was not equitable to impose such a condition subsequently.

(2) Clause 80. The 1911 Committee proposed to omit this on the ground that it might be undesirable for Asiatics to acquire land in the highlands even on short lease.

(3) Clause 83 (2) Provision will be made for compensation for damage done and any interference with rights of occupancy.

Clause 86. Access Roads. Temporary legislation has already been enacted. Its provisions will be brought in here, the separate Ordinance being repealed.

Clauses 81 - 82. The Special Committee propose

*These points are referred to in the text
accompanied the draft Ordinance.*

to provide that the powers of resumption given in the draft to the Governor should be vested in the Governor in Council - i.e. the Executive Council. It is a question whether this will satisfy the Joint Committee, who asked that the powers should be exercised in Legislative Council. But it is hardly necessary in every case of this kind to have a resolution of the Legislature.

Clause 93 (2). Mr. Harvey feared that pressure might be brought to bear on natives to vacate their land. This will be met by the proviso proposed by the Special Committee (paragraph 42 of their report) that a certificate by the Provincial Commissioner shall be necessary.

Clause 103 (1). The Governor after full consideration has agreed to more than one Registry being established (see despatch) and provision will be made in this place.

Clause 124. Mr. Harvey considered that the interests of a party to a transfer who knew no English might be injured by the requirement of an English translation of a non-English document. In the Land Titles Ordinance of 1910 documents in Arabic and Swahili are accepted without translation, i.e. on the same footing as English.

It is not quite clear whether the Special Committee (paragraph 46 of report) recommend that all documents shall be executed in English or that ^{only} a certified English translation of the ~~executed~~ document ~~attested in a language other than English~~ shall be accepted for registration.

In the former case provision should be made

for

for execution by natives in the presence of a District Commissioner, who would satisfy himself and certify that the document was understood.

In any case there does not seem to be sufficient reason for refusing to accept Arabic and Swahili documents if accompanied by certified translations.

It is not easy to suggest any wording which would at once give every possible safeguard to the non-European and at the same time be simple in administration, but the above note may indicate the lines on which the clause might run in the first instance, amendment being made if necessary after a year or two. But in any event an exception must be made in favour of existing non-English documents which (S 112) are to be registered under the Ordinance.

Clause 141. The reasons for this clause are fully explained in the marginal note on page 31 of the 1911 draft. It recognises Mohammedan law titles by occupation acquired prior to our administration but lays down that after that date new titles shall only be acquired under the Protectorate law.

Clause 147. A Clause (133) which appeared in the 1911 draft has been omitted. It provided that persons seeking to acquire land must do so for their own use or benefit. This would be out of place now that the personal aspect has been given up.

The clause would have no practical value now that a lease can be granted for a term of years.

The

for execution by natives in the presence of a District Commissioner who would satisfy himself and certify that the document was understood.

In any case this does not seem to be sufficient reason for refusing to accept Arabic and Swahili documents if accompanied by certified translations.

It is not easy to suggest any wording which would at once give every possible safeguard to the non-European and at the same time be simple in administration, but the above note may indicate the lines on which the clause might run in the first instance, amendment being made if necessary after a year or two. But in any event an exception must be made in favour of existing non-English documents which (§ 112) are to be registered under the Ordinance.

Clause 141. The reasons for this clause are fully explained in the marginal note on page 32 of the 1911 draft. It recognises Mohammedan law titles by occupation acquired prior to our administration but lays down that after that date new titles shall only be acquired under the Protectorate law.

Clause 147. A Clause (133) which appeared in the 1911 draft has been omitted. It provided that persons seeking to acquire land must do so for their own use or benefit. This would be out of place now that the system of auction is in vogue. In any case, however, the personal aspect has been given up.

It is considered unnecessary in the system of auction. In any case, however, the personal aspect has been given up.
It is considered unnecessary in the system of auction. In any case, however, the personal aspect has been given up.
and the clause would have no practical value now that a lease can be granted for property at once.

will be sent

The Joint Committee objected to § 8 147, 148 on the ground that the ~~the~~ matter ^{was} rather one of common law. The Special Committee support the clauses, which are taken from the New Zealand Land Act, 1892. Provision will be made, presumably in this portion of the Ordinance, for the recovery of rent, on the lines indicated in paragraph 15 of the Governor's despatch.

Clause 152 and 153. The 1911 draft proposed a penalty of Rs.150 for diverting water and Rs.1500 for obstructing roads. Here Rs.1500 is proposed for both offences. Certainly the former ^{is} not less serious than the latter and it is possible that the 150 in the 1911 draft (where it was given in figures) was a misprint.

Clause 155. The Joint Committee ask that the right to outspan on private land shall be abolished, public outspans being provided. The Special Committee consider that the time is not ripe for this but point out that sub-clause (3) provides relief when public outspans are available.

Clause 156 (1) viii. The omission of this sub-clause is recommended by the Special Committee who consider that the powers it gives are too wide. They do not however agree with the Joint Committee that all power to make rules should be vested in the Legislative Council. Their view that the power to make rules for certain

certain specified matters which are subject to variation is a proper one for the Governor to exercise appears to be correct.

Clause 156.(3) The provision that rules should be subject to the power of disallowance ~~subject to disallowance is the phrase used, but is it correct?~~ by His Majesty and be laid before the Legislative Council was recommended by the Bill Committee.

First Schedule

The Secretary of State, in agreeing to the abolition of occupation licences, required that the development conditions should be strengthened. The additional conditions are those indicated in the last two columns of the table. The conditions appear to be satisfactory.

Second Schedule

For "clay" read "clay (other than Kaolin)". This will agree with the policy laid down in the case of native Estates in Uganda.

EAST AFRICA PROTECTORATE

DRAFT CROWN LANDS ORDINANCE

MEMORANDUM II.

354

Table of amendments required.

Clause

- 1 The date must be altered.
- 2 Part VIII. See on clauses 76 et seq.
"Constantly reside" &c omit definition.
"Crown land" omit "or dedicated to"
Insert definitions of "Licensed Surveyor"
and "Live stock"
- 6 (v) In marginal note, read "lease" for "licence".
- 13 For "During the day time" read "between sunrise
and sunset".
- 15 Omit "or as the Governor directs".
- 19 After (b) insert
"(c) the amount of the survey fees and the
cost of deeds for each plot"; and re-letter
the last two items accordingly.
- 20 For "Auctioneer" read "Auctioneer".
- 21 In line one, insert "the lease of" after "for".
- 22 In the same line, insert the words proposed in paragraph
18 of Report of Select Committee.
- 23 Prefix the words "subject to the proviso contained
in Section 22(1)".
- 27 (c) Insert "the lease of" after "for" in the
second line.

- (f) Insert "and the cost of the deeds" after "fees".
- 28 To be replaced by clauses similar to clauses 20 and 21.
- 29 (3) In line 2 for "ten" read "nine". The provision as to endorsement will be altered and the balance of purchase money will be shown in the lease itself. See Report of Special Committee para.24.
- 32 Line 2. After "1913" add "or any subsequent Rules" under 4 and 5. Omit "if he shall have complied with the conditions of the licence".
- 33 } See Memorandum I
- 34 at } 187
- 39 et seq. See Memorandum I
- 40 } See Memorandum I
- 41 (1) In line 3 after "Governor" insert "in Council".
- 42 (1) In line 1 after "Governor" insert "in Council".
- (2) For "expected" read "excepted".
- 50 For "56" read "53".
- 56 Delete "aboriginal" in line 4.
- 59 Delete "1. For or in connection with mining purposes" and re-number.
- 56 - 64 See Memorandum I
- 65 (b) The phrase "without lawful interruption..... except so far as the lawsmay permit" is not clearly understood. Apparently the word "lawful" might be omitted.
- 67 Omit "Save as in this Ordinance otherwise provided".

As

*I raised this point at the meeting in
 name, but Mr. [Name] has pointed
 out to me that the same point was
 raised in 1902 of the 1902 Ordinance
 I think we may leave it here
 until the next Saturday.*

- (f) Insert "and the cost of the deeds" after "fees".
- 28 To be replaced by clauses similar to clauses 20 and 21.
- 29 (3) In line 2 for "ten" read "nine". The provision as to endorsement will be altered and the balance of purchase money will be shown in the lease itself. See Report of Special Committee para. 24.
- 32 line 2. After "1913" add "or any subsequent Rules" lines 4 and 5. Omit "if he shall have complied with the conditions of the licence".
- 33 See Memorandum I
- 34 et seq. See Memorandum I
- 39 et seq. See Memorandum I
- 44 See Memorandum I
- 45 (1) In line 3 after "Governor" insert "in Council".
- 46 (1) In line 1 after "Governor" insert "in Council".
- (2a) For "expected" read "excepted".
- 5b For "56" read "53".
- 56 Delete "aboriginal" in line 4.
- 59 Delete "1. For or in connection with mining purposes" and re-number.
- 56 - 64 See Memorandum I
- 65 (b) The phrase "without lawful interruption.... except as far as the lawsmay permit" is not clearly understood. Apparently the word "lawful" might be omitted.
- 67 Omit "Save as in this Ordinance otherwise provided".

I raised this point at the meeting as above, but Mr. Patterson has now pointed out to me that the same provision exists in S.O. of 1902. I think we may leave it alone. R. S. 18/11/1902

Clause

- As regards compensation for buildings
See Memorandum I.
- 72 & 73 For "21 days" read "30 days"
- 76 to 80 See Memorandum I and the Secretary of State's despatch.
- 81 In line 2 insert "spring" between "any" and "river"
- 83 (2) See Memorandum I
- (3) In line 2 after "1902" insert "or the Land Regulations, 1897"
- 85 See Memorandum I
- 87-92 After "Governor" in each place insert "in Council"
- 89 Provision to be made for trigonometrical stations.
- 93 (2) See Memorandum I.
- 98 (1) Add at the end "or on the plan or map referred to in the grant surveyors lease or licence."
- (3) For "the sum of 500 rupees" read "a sum not exceeding five hundred rupees or such smaller sum as the Land Officer may demand"
- 102 For "effect" read "affect".
- 103 (1) See Memorandum I
- 106 For "book" read "Register".
There does not appear to be any reason for the words at the end of the first proviso
- 119

~~should be brought into line with the~~
language of 113 (3) and 123(2) ~~and~~ to
state "at its entry in the day-book"

The variation between
do from the
times when it
was first presented
for registration

for

Clause

for "when it was first presented for registration".

120(2) The reference to a plan seems unnecessary in view of 119(2)

124. See Memorandum I

125(1) The references to "document or memorandum" here and elsewhere and to "document" in other places ^{might lead to the inference} should be carefully checked ~~that memoranda are not included in~~ ~~before the Ordinance is enacted.~~

128

For "129" read "124"

147-155

Prohibitions and penalties. A clause is required as to collection of rent. See the Governor's despatch.

158(1)

In line 2 read "prescribed" in inverted commas.

(1) For "certificates" read "licences".

An addition will be made as to fixing the fees for computing the work of licensed surveyors.

(viii) Omit and renumber (ix).

Second Schedule For "86" read "83" or whatever number is correct after the draft is amended.

For "clay" read "clay (other than Kaolin)"

Third Schedule Amend "23" as above.