

DESPATCH

EAST AFR. PROT.  
No. 9567

C. O.  
9567  
Recd  
13 MAR 08

An expression of his  
Lordsship's sympathy  
may be communicated  
to the relatives of the  
deceased &c. &c.

RL4

Governor No.  
D. 1808

(Subject.)

1908

British Ordinance

Last previous Paper

The editor writes by Advocate explain  
points raised in C.O. despatch is a copy of  
letter to Mr. Bowen a few lines in terms of para. 6 of  
C.O. also will be sent to him stating nothing to add to above

(Minutes.)

Mr. Robert Anderson.

The clear line drawn in this  
matter is wholly indefensible; but  
even Mr. Bowen's case the wrong  
is a national one, as there is no  
reason to think he wishes to form  
clubs, or send ~~to~~ fight  
the matter.

H. G. R.  
1873

609  
1/10/08

Governor's office,

REC.

MAR 08

Nairobi.

February 18th 1908.

EAST AFRICA PROTECTORATE.

No. 55

(Incl. 2)

My Lord,

In reply to Your Lordship's despatch No. 2 of January 3rd, I have the honour to transmit herewith a Memorandum by the Crown Advocate explaining the points raised by Your Lordship and also a copy of a letter which I caused to be addressed to Mr. Bower.

P. A further letter will be sent to him in the terms of paragraph 6 of Your Lordship's despatch under reply informing him that I have nothing to add to the communication previously addressed to him.

I have the honour to be,  
With the highest respect,

My Lord,

Your Lordship's most obedient,

Humble servant,



(In the absence of H. E. the Governor)

H. E. PRINCIPAL SECRETARY OF STATE

FOR THE COLONIES,

BOWLING STREET,

LONDON, S.W.

In. Despatch No. 88 of Feb. 18, 1908

C. O.

9567581

REC'D  
18 MAR 08

(3)

WITH REFERENCE to the C.O. despatch No. 2 of 1908 on the subject of the "Ostrich Ordinance 1907".

1. Section 10 of the original draft of the above Ordinance was deleted on the vote of the majority of the members of the Legislative Council. To the best of my recollection the argument in favour of that deletion was that the provisions of that Section imposed an unnecessary burden on the honest ostrich farmer whilst it would be difficult to detect a dishonest farmer in an omission to make a correct return of the particulars required by that Section.

I was not impressed with the argument at the time and have since discovered no reason for altering the opinion which I then held that the requirements of the Section related were proper and useful. At present the persons engaged in ostrich farming are few in number so I do not think the matter is one of great importance at the present time. Should the industry become a large one it may be necessary at a later date to amend the Ordinance to the extent of requiring ostrich farmers to make returns of the number of birds and eggs taken and the feathers disposed of under these headings.

2. There is no justification for the omission of the words "not exceeding" in Section 11. The mistake which was made by me in my original draft escaped my notice when the bill was before the Council.

I will seek some convenient opportunity of amending the Ordinance in this respect.

3. Mr. Bowen addressed a letter to His Excellency when this Bill was before the Council urging the propriety of granting to coloured American Citizens the same rights

under the Ordinance as granted to persons of European birth or descent. The matter was brought to the notice of the members of the Council, but neither among the Official or Unofficial Members could any one be found who were in favour of conferring rights upon coloured Americans which the Ordinance denied to His Majesty's subjects of Asiatic or African parentage. I have not seen the reply which was sent to Mr. Bowen in a minute which I wrote on the subject I advised that His Excellency should inform Mr. Bowen that if and when he was satisfied that there were any coloured American citizens anxious to engage in coffee farming in this Protectorate he should consider the advisability of instructing his officers to introduce an Ordinance which would make such alteration in the Ordinance under consideration as would permit of such persons engaging in that industry. I believe that Mr. Mason is the only coloured American citizen in the Protectorate and as he is a doctor resident in Mombasa I do not think that there is any reason to suppose that His Excellency will be troubled with any such applications for some time to come.

J. P. M. Coube

ESQ. ADVOCATE.

1875

INCLOSURE No. 2

588

C O

9667

In Despatch No. 88 of 26.10.1908

REC'D  
18 MAR 08

Governor's Office,

Nairobi,

October 29th 1908.

Sir,

I am desired to acknowledge the receipt of your letter of the 24th instant and to express regret that it was impossible to send you a reply in time for yesterday's mail.

As regards the question of coloured persons being registered as Ostrich Farmers, I am to inform you that, in the event of a coloured American citizen taking up land in that part of the Protectorate which is suitable for ostrich farming and satisfying His Excellency that he intends to use it for that purpose, if permitted to do so, His Excellency would consider the desirability of issuing instructions for the introduction of a Bill to make the alterations in the existing enactment which would be necessary to allow of such a person being registered as an Ostrich farmer.

I have &c.,

Sd/- W.J. MONSON.

Secretary.

W.A. Bowen Esq, M.B.

Mombasa.