

EAST AFR. PROT.
No. 36075

36075
3 00 08

No. 657
1908
10 Sept.
Last previous Paper.

(Subject)
Order 6 1908
Township Fees & Concessions

Submits

Memorandum (Minutes)

Mr. Ristey

M/6/10

Mr. Ristey

Issue the 1st Report to the Commission

25th 8/10

M/6/10

Wh. Oct-7
at once!

Last previous Paper.

28 685
19

Governor's Office,

Nairobi,

September 10th 1908.

EAST AFRICA PROTECTORATE.

No. 457

(incl. 2)

36075

Recd

3 OCT 08

My Lord,

I have the honour to transmit herewith two authenticated and 6 printed copies of an Ordinance to enforce the payment of Conservancy Fees in all Townships in this Protectorate, as passed by the Legislative Council to which I have assented in the name of His Majesty as an urgent measure.

Ordinance
6 copies

W. L. G. G.
Sept. 10th

2. The accompanying Memorandum by the Acting Crown Advocate explains the necessity for the enactment of this Ordinance which is a temporary measure only to meet the refusal, chiefly of the Indian Community, to pay their conservancy fees.

3. This action supported as it has been by the decision of the High Court has nearly reduced the Municipality of Nairobi to a state of bankruptcy and it is to remedy this state of affairs that this Ordinance has been introduced.

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

My Lord,

Your Lordship's most obedient,

Humble servant,

H. M. PRINCIPAL SECRETARY OF STATE

FOR THE COLONIES,

DOWNING STREET,

R.

LONDON, S.W.

In Despatch No. 487 of Sept. 13, 1908.

MEMORANDUM.C. O.
36075

3 OCT 08

The object of this Ordinance is to enable the Municipal Council of each Township to collect conservancy fees. Certain test cases were taken to recover assessment rates under the Township Ordinance 1903 and rules thereunder 1904 (7-20) in which the rates have been held by the High Court to be illegally imposed. The Municipal Council could not carry out the conservancy work of the Town. If the assessment rates had been amended it would have taken months before the rates could have been legally applied as the rate payers would have had to have time to appeal against the assessment. When the new Municipal Ordinance comes into force there will also be enforced a new rating Ordinance dealing with the whole case of rating. This Ordinance only deals with a fee for services rendered, and is only a temporary measure.

S. D. A. G. Young

AG: CROWN ADVOCATE.

14. 9. 08