

EAST AFRICA PROTECTORATE.

Minutes of the Proceedings
of the Legislative Council
of East Africa.

First Session.
1916.

January 25th, 1916.

Nairobi,

PRINTED BY THE GOVERNMENT PRINTER,

British East Africa.

Minutes of the Proceedings of the first Session of the Legislative Council, 1916.

Held at Nairobi on the 25th January, 1916.

The Council assembled on the 25th January, at 10 a.m. HIS EXCELLENCY THE GOVERNOR (SIR H. CONWAY BELFIELD, K.C.M.G.) presiding.

Present :—

THE HON. THE CHIEF SECRETARY (C. C. BOWRING, C.M.G.).
THE HON. THE ATTORNEY GENERAL (J. W. BARTH).
THE HON. THE TREASURER (H. P. ESPIE).
THE HON. THE MANAGER OF THE UGANDA RAILWAY (B. EASTWOOD).
THE HON. A. C. MACDONALD.
THE HON. R. BARTON WRIGHT.
THE HON. J. AINSWORTH, C.M.G.
THE HON. W. A. M. SIM.

Absent :—

THE HON. F. W. MAJOR, I.S.O.
THE HON. C. W. HOBLEY, C.M.G.

MINUTES OF MEETING.

THE HON. THE CHIEF SECRETARY moved that the Minutes of the Meeting of the Council held on the 2nd, 3rd and 4th December, 1915, which had been printed and circulated amongst Hon. Members, be taken as read, and be confirmed.

THE HON. THE ATTORNEY GENERAL seconded.
The question was put and carried.

QUARTERLY RETURN OF UNFORESEEN EXPENDITURE, 1914-15

THE HON. THE TREASURER proposed the following Motion:—

“Whereas it was found necessary to incur expenditure for which no provision was made in the approved Estimates for the year 1914-15, amounting to £40,140-5-2 during the period 1st January, 1915, to 31st March, 1915, as more particularly set forth in the Statement laid on the Table, it is hereby resolved that this Council do approve such expenditure.”

THE HON. THE CHIEF SECRETARY seconded.
The question was put and carried.

THE SALES BY AUCTION ORDINANCE, 1912.

THE HON. THE ATTORNEY GENERAL proposed the following Motion:—

“That the Rules under the Sales by Auction Ordinance, 1912, as published in the *Official Gazette* of February 3rd, 1915, be approved.”

THE HON. THE CHIEF SECRETARY seconded.
The question was put and carried.

THE MASTER AND SERVANTS AMENDMENT (No. 2) ORDINANCE, 1916.

THE HON. THE ATTORNEY GENERAL, in pursuance of notice given, introduced and moved the first reading of a Bill intituled “An Ordinance to amend the Law relating to Master and Servants.” He said that the provisions of the Master and Servants Ordinance, 1910, dealing with the punishment and prevention of desertion, had been found to be of less use to the employer of labour than they might have been, because in each case of desertion the master

had to make a complaint to a Magistrate or Justice of the Peace, and process had to be issued before an arrest could be effected. The purpose of Section 2 of the Bill was to make the offence of desertion a cognisable offence thereby enabling the Police to arrest without a warrant. The delay caused by the necessity for a complaint to be made to, and the issue of process by, a Magistrate had been found to afford the accused an opportunity of disappearing so effectually that, in the absence of any general system of identification, he might never be found again. It was hoped that, pending the application of the Registration of Natives Ordinance, 1915, the powers given to the Police by the Bill would do something to improve the value of the Principal Ordinance by rendering the punishment of deserters more certain. The last Section of the Bill had been added because it had been represented that the punishments provided by the Principal Ordinance did not afford in many cases either a sufficient punishment for offences created by Section 48 of the Principal Ordinance or act as a sufficient deterrent.

THE HON. THE CHIEF SECRETARY seconded, and the Bill was read a first time.

THE HON. THE ATTORNEY GENERAL gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE SUPPLEMENTARY APPROPRIATION ORDINANCE, 1916.

THE HON. THE TREASURER in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to supply a further sum of money for the service of the year ended the 31st of March, 1915." He said that the object of the Bill was to obtain legislative sanction for excesses which had occurred on certain heads of expenditure during the year 1914-15. Explanations of the excesses were contained in the Financial Report, copies of which had been furnished to Hon. Members and laid on the Table, and it was therefore not necessary to make any further remarks on them except to state that the excesses were more than covered by savings on other heads of expenditure. Hon. Members would observe from the Financial Report that at the close of last financial year the assets exceeded the liabilities by £149,507 of which a sum of £27,484 would be required in the current year to finish certain uncompleted works.

THE HON. THE CHIEF SECRETARY seconded and the Bill was read a first time.

THE HON. THE TREASURER gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE APPROPRIATION ORDINANCE, 1916.

THE HON. THE TREASURER in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to apply a sum of money for the service of the year ending the 31st day of March, 1917." He said that copies of the Budget Statement, together with the draft Estimates, had been furnished to Hon. Members, and as these contained very full particulars it was scarcely necessary for him to enlarge on them. The burden which would ultimately fall upon the Protectorate on account of war expenses was of course at present an unknown quantity, and the draft Estimates contained provision in this respect only for the payment of interest on advances received to meet the Protectorate share. It was anticipated that an early revival of trade would follow upon the cessation of local hostilities, but great economy would have to be observed in expenditure. While therefore the revenue was estimated at £1,292,418, it was considered wise to limit the expenditure to £1,250,988, leaving a surplus of £41,430, which, added to existing balances, was estimated to bring the surplus balances up to £161,072 at the end of 1916-17.

THE HON. THE CHIEF SECRETARY seconded, and the Bill was read a first time.

THE HON. THE TREASURER gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE MASTER AND SERVANTS AMENDMENT (No. 2) ORDINANCE, 1916.

THE HON. THE ATTORNEY GENERAL moved that the Bill intituled "An Ordinance to amend the Law relating to Master and Servants" be read a second time.

THE HON. THE CHIEF SECRETARY seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, HIS EXCELLENCY THE GOVERNOR presiding.

In Committee.

The Bill was read clause by clause and was adopted without amendment.

The Council resumed its Sitting.

THE HON. THE ATTORNEY GENERAL moved that the Bill without amendment be reported to Council.

THE HON. THE CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. THE ATTORNEY GENERAL gave notice that he would move the third reading of the Bill at a later stage of the Session.

THE SUPPLEMENTARY APPROPRIATION ORDINANCE, 1916.

THE HON. THE TREASURER moved that the Bill intituled "An Ordinance to supply a further sum of money for the service of the year ended the 31st of March, 1915," be read a second time.

THE HON. THE CHIEF SECRETARY seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, His EXCELLENCY THE GOVERNOR presiding.

In Committee.

The Bill was read clause by clause and was adopted without amendment

The Council resumed its Sitting.

THE HON. THE TREASURER moved that the Bill without amendment be reported to Council

THE HON. THE CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. THE TREASURER gave notice that he would move the third reading of the Bill at a later stage of the Session.

THE APPROPRIATION ORDINANCE, 1916.

THE HON. THE TREASURER moved that the Bill intituled "An Ordinance to apply a sum of money for the service of the year ending the 31st day of March, 1917," be read a second time.

THE HON. THE CHIEF SECRETARY seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, His EXCELLENCY THE GOVERNOR presiding.

In Committee.

THE HON. THE TREASURER moved that the Bill be left in Committee until such date as might subsequently be decided on.

THE HON. THE CHIEF SECRETARY seconded.

The question was put and carried, and the Bill was left in Committee.

*The Council resumed its sitting.*THE MASTER AND SERVANTS AMENDMENT (No. 2)
ORDINANCE, 1916.

THE HON. THE ATTORNEY GENERAL moved that the Bill intituled "An Ordinance to amend the law relating to Master and Servants" be read a third time.

THE HON. THE CHIEF SECRETARY seconded.

The question was put and carried, and the Bill was read a third time and passed.

THE SUPPLEMENTARY APPROPRIATION ORDINANCE, 1916.

THE HON. THE TREASURER moved that the Bill intituled "An Ordinance to supply a further sum of money for the service of the year ended the 31st of March, 1915," be read a third time.

THE HON. THE CHIEF SECRETARY seconded.

The question was put and carried, and the Bill was read a third time and passed.

Adjournment.

The Council adjourned until the third Monday in March, or such other date as might be duly notified.
