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EAST AFRICA PROTECTORATE.

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

First Session,
1917.

February 12th, 13th, 14th, 17th, and 23rd, 1917.

Nairobi.

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British East Africa.

Minutes of the Proceedings of the First Session of the Legislative Council, 1917.

Held at Nairobi on the 12th, 13th, 14th, 17th, and 23rd
February, 1917.

The Council assembled on the 12th of February, 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. F. W. MAJOR, I.S.O.
THE HON. A. C. MACDONALD.
THE HON. C. W. HOBLEY, C.M.G.
THE HON. R. BARTON WRIGHT.
THE HON. J. AINSWORTH, C.M.G.
THE HON. P. H. CLARKE.
THE RIGHT HON. LORD DELAMERE.
CAPTAIN THE HON. A. C. HOEY.
THE HON. W. C. HUNTER.
THE HON. W. MACLELLAN WILSON.

OATH OF ALLEGIANCE.

THE PRESIDENT administered the Oath of Allegiance to the RIGHT HON. LORD DELAMERE, CAPTAIN THE HON. A. C. HOEY, THE HON. W. C. HUNTER, AND THE HON. W. MACLELLAN WILSON.

MINUTES OF MEETING.

THE HON. THE CHIEF SECRETARY moved that the Minutes of the Meeting of the Council held on the 10th and 14th October, 1916, which had been circulated amongst Hon. Members, be taken as read and be confirmed.

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

THE PRESIDENT'S ADDRESS.

THE PRESIDENT delivered the following address:—
Honourable Members of the Legislative Council,

It is with a sense of profound satisfaction that I find myself privileged to-day to welcome to our Session the unofficial Members who have consented to accept nomination to the Council and have expressed their willingness to serve in that capacity during the period which must elapse before effect can be given to the acquiescence of the Secretary of State in the principle of elective representation. It is my desire that there be recorded upon the Minutes of this Council a note of my grateful appreciation of their acceptance of this duty and of my confident anticipation that their presence here and their participation in our deliberations will add materially to the value of our proceedings, and will thus redound to the benefit of the Protectorate.

It is now nearly four years since the unofficial Members representing our highland areas decided to emphasise their dissatisfaction with the system of nomination by resigning their seats. We regretted that decision but had no alternative but to accept it. We recognised that the absence of the unofficial Members would deprive the proceedings of this Council of much of their interest and value in the eyes of the community, but we have taken no advantage of their absence and have endeavoured to formulate with discrimination and moderation all measures which it has been necessary to place upon the Statute Book. But, now that a return to former conditions has been accepted and effected as an interim arrangement, I firmly believe that the present constitution of this Council will instil confidence into the minds of our people, and that we may look upon this meeting as a further step towards the ultimate accomplishment of that complete union and understanding between the community and the Government which I hope that we all desire.

It has been suggested to me that the history of the evolution of the administrative machinery of the Protectorate, and of the formation and development of this Council, is not generally known to the community of the present day, and that a short statement summarising that process of evolution may be appreciated by those who take an interest in our local politics.

When the charge of the Protectorate was first transferred to the British Government, in July, 1895, the administration was undertaken by the Secretary of State for Foreign Affairs, whose local representative was the Consul General at Zanzibar. This Officer was endowed, in 1897, with the additional title of Commissioner, and was empowered to frame laws of local application under the term "Queen's Regulations." In April 1902 the area of the Protectorate was enlarged by the transfer thereto of the old Eastern Province of Uganda, now known as the Provinces of Naivasha and Nyanza, and on the promulgation of the Africa Order-in-Council of August 1902 the Head of the Administration became His Majesty's Commissioner and ceased to perform consular duties or to be concerned with the affairs of Zanzibar.

The administration continued upon these lines until the control was transferred to the Colonial Office on April 1, 1905, in which year the local Colonists' Association forwarded to the Secretary of State for the Colonies a lengthy address, in the course of which they prayed for a nominated Legislative Council with unofficial representation, intimating that they would be satisfied with a Council on which the official members were in a majority, provided that the minority was appointed with the consent and concurrence of the majority of the white colonists.

In the following year the administrative system was further developed by the promulgation of the East Africa Order-in-Council, 1906, which replaced the Commissioner by a Governor and Commander-in-Chief and provided for the formation of an Executive Council and a Legislative Council, to which latter body was transferred the power of making ordinances hitherto vested in the Commissioner. Legislation thus enacted was made subject to the Governor's veto and to the assent of His Majesty. The Legislative Council held its first Session on August 17, 1907, and two of the gentlemen who were members of the original body are present to-day in the persons of Lord Delamere and Mr. Bowring.

The question of the election of the unofficial members was first brought up by resolution of the Convention of Associations, in July 1911, but a petition to the Secretary of State, forwarded in November of that year, elicited the reply that he was not prepared at that stage in the development of the Protectorate to accede to the request.

The subject was again pressed by a further memorial, in July 1913, when correspondence ensued which, notwithstanding the delay inseparable from the outbreak of war, has resulted, as all are aware, in concession of the principle as soon as a convenient time arrives for introducing it.

The return to the Council of a full complement of unofficial Members has made it possible for me to arrange for the immediate consideration of the steps to be taken to give effect to the principle of elective representation. There is a general desire that no time shall be lost in introducing the new procedure, but the Secretary of State has enumerated certain particulars necessarily appertaining to any electoral system which must be settled before that system can be constructed and adopted. I have therefore decided that a motion shall be submitted to this Council, during the present Session, to approve the immediate appointment of a Special Committee which will be asked to consider and report on the means by which the principle of elective representation may best be applied in practice. When by these means this Council has evolved a system of procedure, which is suited to the conditions of the Protectorate and is acceptable to the Secretary of State, I know of no reason why the introduction of the change should be further delayed.

I am the more gratified at having this opportunity of again presiding at a full and representative Council because it is possible that this may be the last occasion on which I shall have the honour of occupying the chair. I am to proceed to England on leave as soon as the present restrictions on travel have been relaxed, and by the time that leave expires I shall have held His Majesty's Commission as Governor of British East Africa for more than five years. That is almost the full period for which a Governor of a Colony usually holds office, and I am therefore prepared to hear that the Secretary of State has other arrangements in contemplation for the future administration of the Protectorate.

But, if my term of office comes to an end and I do not return, I shall always look back with interest to the period of my official connection with East Africa. It is undeniable that that period has been punctuated by intervals of anxiety and by phases of disappointment. There have been many difficulties to encounter, misunderstandings have arisen, and dissatisfaction has not infrequently been openly and forcibly expressed, but I have endeavoured—I hope not wholly without success—to surmount the difficulties, to remove the misunderstandings, and to dispel the dissatisfaction, having been actuated throughout by an earnest desire so to utilise the authority vested in me as to advance the legitimate aspirations of all sections of the people, and to render assistance wherever it has been possible for me to intervene with advantage and without the risk of giving offence.

The work of administration has been rendered unusually complex by the existence of a state of war, and the progress, which under normal conditions might be expected to be made year by year, has been hampered and delayed. The revenue of the Protectorate has naturally suffered, while all forms of expenditure have been severely curtailed by the necessity of appropriating large sums for special war expenditure. The enterprise of our settlers has been dislocated by the absence of a large number on active service, and for the same reason Government Departments and commercial firms have had to carry on as best they could with seriously depleted staffs. I trust however that the last stage of hostilities in East Africa is now in sight, that our friends on active service may shortly be in a position to return to civil life, and that the changed conditions which must result from occupation of the neighbouring enemy territory may, at no remote date, place within reach of our people a prospect of enhanced prosperity as a reward for their patience and their patriotism.

It would have been impossible for my own unaided effort to have helped the country to weather this time of stress. I find it difficult to speak with adequate appreciation of the generous assistance which have been rendered to me by all. More particularly would I mention with gratitude and admiration the immediate and unanimous response made by all classes to the call to arms at the commencement of the war, also the work performed later on by the Governor's War Council, and by those of my brother officers who have been closely associated with me in the despatch of my official duties.

The agenda paper relating to the business of the present Session includes the draft budget for the coming financial year, and certain other bills of considerable importance, the objects and reasons of which will be explained in due course by the Hon. Members who are in charge of the measures. The more important bills will be carried only through the preliminary stage in order that the fullest opportunity may be given for discussion in Committee at a later date.

The multifarious and urgent calls which have to be made on the prospective revenue of the forthcoming year, and which arise from exceptional conditions over which we have little or no control, have, to my great regret, made it impracticable to provide funds to commence the very necessary and pressing work of reorganising and expanding the present rudimentary and inadequate system of education which obtains in the Protectorate. The Government is fully alive to its responsibility in respect of this important question. It is indubitable that the tax-paying communities have a right to expect that a proper proportion of the revenues which they annually contribute shall be laid out for the purpose of equipping the young generation which is growing up in our midst with the means of taking their places with credit to themselves among the active ranks of a progressive people. It is not in my opinion a question which can be effectively dealt with by doling out funds in small instalments or by concentrating attention on individual local needs while disregarding the wider aspect of a co-ordinated system satisfying the needs of all classes and capable of automatic expansion in accordance with the growth of requirements. Very considerable expenditure, both initial and recurrent, will be required to establish and maintain such a system. It is therefore useless to contemplate immediate action, but I would take this opportunity of recording my considered opinion that the question of education is one of the first matters which should be taken up and dealt with in a broad-minded and liberal spirit as soon as the rehabilitation of our finances enables us to find the wherewithal to commence and continue its development.

Hon. Members will no doubt expect that I should make somewhat more than passing allusion to the bill to regulate the residence of natives on farms, which was introduced at the last Session and has evoked general comment of a critical nature throughout the Protectorate. It cannot be too well and too widely known that it is the declared policy of the Government to give the fullest encouragement to settlers and natives alike to arrange for the introduction and maintenance on farms of a supply of labour sufficient to meet the varying requirements of different proprietors. If any impression still exists that the legitimate requirements of the farmer are to be subordinated to the policy of confining the native to his reserve, I trust that these words may be sufficient to dispel that impression once for all. It is apparent that the amount of labour required by the settler must vary materially in accordance with the size and situation of his holding and the nature of the work which is being carried on. It is therefore desirable that authority should exist to exercise control over the tide of immigration and to ensure that the influx of natives is not in excess of the number sufficient to satisfy the farmer's needs.

How this may best be accomplished, how the demand for labour may be most efficiently and expeditiously met, and how the necessary control may be exercised with the least possible inconvenience to all concerned, are matters for future careful deliberation. The bill as introduced is in the form of a tentative measure only. Certain of its provisions are undoubtedly deficient in elasticity, and I am personally convinced that the draft will require material amendment before it will meet either the aims of the Government or the views of the employers. It will only be possible to give effect to those aims and to ensure compliance with those views by co-operation and consultation between the parties concerned.

I hope that the bill will finally become law in a form which will prohibit natives from squatting outside their reserves as idlers. That is the main object of the measure. I admit that we shall have to trust the employer not to institute large settlements of natives on his land so as to solve his own particular labour difficulties for some years in advance of his present requirements. But I believe that the more we trust the employer the more he will help in the solution of the labour problem generally.

I am prepared to state definitely that we desire to make of the native a useful citizen, and that we consider the best means of doing so is to induce him to work for a period of his life for the European, and that in order to arrive at this condition we propose to control the residence of natives outside their reserves in such a way as to ensure that they are not idling. We further desire, by humane and properly regulated pressure within the reserves, to induce natives to go out and work either as individual labourers or as residents with their families on occupied farms.

The motion for the second reading of the bill, which appears on the Order of the Day, is therefore in the nature of a formality only, necessarily precedent to the commitment of the measure to the care of a Special Committee of this Council who will, I trust, be able so to remodel its provisions as to produce an enactment of real practical value, innocuous to the needs of the farmer while investing the proper authority with power to check the occurrence of possible abuses and to ensure that the movement of natives is regulated in accordance with the needs of the country and not by the prompting of their personal inclinations.

In view of the possibility of the early severance of my official relations with the Protectorate, and of the fact that the operation of this bill must depend largely for its future success upon the nature of the machinery by which it is to be administered, I should like to take this opportunity of informing Hon. Members that I have been engaged for a long while past in an endeavour to elaborate a scheme of provincial administration which shall more adequately fulfil the requirements of the present day than that which has hitherto obtained.

So long ago as August, 1913, the Labour Commission put forward the following recommendations:—

That the duties of officers in charge of native areas be confined to native administration.

That such officers should exercise jurisdiction over natives only.

The appointment of resident magistrates over areas of white occupation.

The appointment of a Chief Native Commissioner and staff with whom officers in charge of native areas should correspond directly.

These recommendations commend themselves to myself as being sensible and practical, and in February, 1914, I discussed the proposals at length with the Provincial Commissioner of Nyanza, as the result of which Mr. Ainsworth submitted later on a tentative scheme, accompanied by maps showing the suggested redistribution of the Protectorate into areas of white settlement and native occupation respectively.

These proposals received such attention as we were able to give to them amidst the complexities which followed the outbreak of war, and were eventually submitted to the Secretary of State as a general indication of the nature of the alterations which I was anxious to introduce. As a result of observations and enquiries made by the Colonial Office in reply, the whole scheme as originally presented was examined, elaborated, and improved by a Committee of experienced officers, with His Honour the Chief Justice as Chairman. The principles embodied in the recommendations of the Labour Commission were rigidly adhered to, and details were worked out with an exactitude which has enabled me to present to the Secretary of State full particulars of a comprehensive system which can be introduced, without giving rise to confusion, at any date after approval has been received.

I have asked that the new arrangements may come into operation as from April 1st next, and should that request be favourably received it will be necessary to recast the draft Estimates of the provincial administration and of the judiciary so as to effect the required redistribution of emoluments and expenses. The change will not, however, involve the Protectorate in any additional expenditure. It will establish once for all what I believe to be a sound and self-contained system of native administration under officers who will specialise in this particular work. On parallel lines with this system the interests of the white communities will be entrusted to resident magistrates who will devote their whole time to matters affecting the European population and persons of other races who may for the time being be settled within the areas of their special jurisdiction.

It will therefore be desirable that the provisions of the bill under discussion should be formulated with due regard to the proposed change, so as to enable the resident magistrates to satisfy themselves regarding the extent of the labour requirements of persons settled in the areas under their control, and to communicate accordingly with the staff of the native administration. Similarly the officers of the latter branch should be authorised to take such steps as may be justifiable to ensure that all tribal districts and villages contribute according to their respective capacities to the output of emigrant labour, and to impose such conditions of employment as may safeguard the interests of the labourer during the period of his engagement.

I am in complete accord with views which have been elsewhere expressed that this is not a measure which should be hastily imposed upon the community. Some considerable time must elapse before the Special Committee will be in a position to present its report, and under any circumstances I am of opinion that the bill, even when remodelled and pronounced to be acceptable, should not become law until all our settlers are absolved from military service, and are again free to return to their farms, unless some unexpected movement of natives should necessitate the immediate imposition of a system of control for political reasons.

May I hope that these observations will serve to allay apprehension regarding the proposed measure, and that the public will now realise that we have no object in view but the promulgation of an enactment acceptable to settlers and so framed that it may operate to universal advantage.

Hon. Members will observe that a motion, which stands in the name of the Hon. Chief Secretary on the Order of the Day, relates to a proposal to appoint a Commission to enquire into the possibility of elaborating a scheme of land settlement for the benefit of members of His Majesty's Forces who have served in any sphere of operations during the present war, and who may be desirous of settling in this country when their term of service has expired. I had occasion to refer briefly to the subject in the course of my address to this Hon. Council on the occasion of its last Session, and being convinced that the time has now arrived when the question should be pursued to a practical conclusion, I have obtained the consent of the Secretary of State to the disclosure of the correspondence which has taken place on the subject, which will be laid on the table at the time that the motion is submitted.

As my views are recorded in the despatches which form part of that correspondence, it is not necessary that I should trouble you with a recapitulation of them here, but I desire to say, with all the emphasis with which I can drive my conviction home, that no labour, no trouble, no deliberation on our part should be spared, and no concession withheld, which may possibly place the means of securing a healthful, peaceful, and profitable future within the reach of those who have unhesitatingly sacrificed their former positions and prospects in the cause of the nation's need.

The correspondence leaves little room for hope that the scheme can be aided by any comprehensive grant of financial assistance, or by the outlay of any substantial sums on the construction of additional means of communication, but I should be very reluctant to estimate that deficiency as an obstacle fatal to the elaboration of a practical and successful system. The land is here awaiting occupation and development. The lack of monetary aid can be materially discounted by the reduction or remission of charges and fees and by the limitation of conditions of tenure to such as will encourage the settler's industry instead of taxing his pocket.

Set aside once for all the idea, if such exists, that the Government contemplates making profit out of such a scheme. It is a case in which loss should be faced with equanimity if it becomes apparent that we can thereby place such advantages as we are able to offer at the disposal of those who have earned the right to assistance in some degree proportionate to the unlimited hardships which they have undergone, and the unstinted sacrifices which they have cheerfully made on behalf of our country and ourselves.

MOTIONS.

THE HON. THE CHIEF SECRETARY proposed the following motion:—

That a Special Committee of this Honourable Council be appointed to inquire into and report generally on the legislative steps to be taken to provide for the election by the public of the European Non-Official Members of this Honourable Council and specially on the qualifications of electors, the qualifications of candidates for membership, the division of the Protectorate into electoral areas and the representation on this Honourable Council of the interests of the Asiatic, Arab, and Native communities.

THE RIGHT HON. LORD DELAMERE seconded.

The question was put and carried.

The following Special Committee was appointed:—

THE HON. THE ATTORNEY GENERAL. (*Chairman*)
 THE HON. THE CHIEF SECRETARY.
 THE HON. A. C. MACDONALD.
 THE HON. F. W. MAJOR, I.S.O.
 THE HON. P. H. CLARKE.
 THE RIGHT HON. LORD DELAMERE.
 CAPTAIN THE HON. A. C. HOEY.
 THE HON. W. C. HUNTER.
 THE HON. W. MACLELLAN WILSON.

THE HON. THE CHIEF SECRETARY proposed the following motion:—

That His Excellency the Governor be asked to consider the advisability of appointing a Commission under the Commissions of Inquiry Ordinance, 1912, to inquire into and report on the practicability of a land settlement scheme in the Protectorate unaided by public funds for members of His Majesty's forces of European extraction who have served during the present War either in East Africa or elsewhere and the conditions under which and the means by which such settlement can be carried into effect.

CAPTAIN THE HON. A. C. HOEY seconded.

The question was put and carried.

THE PRESIDENT said that he was prepared to appoint a Commission under the Commissions of Inquiry Ordinance, in accordance with the terms of the motion, and that he proposed to take opportunity of consulting Hon. Members individually before making any suggestion as to its constitution.

QUARTERLY RETURN OF UNFORESEEN EXPENDITURE, 1916-17.

THE HON. THE TREASURER laid on the Table a Statement of Unforeseen Expenditure for the Quarter ended the 30th June, 1916, and 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 1916-17 amounting to £7,697-2-5 during the period from 1st April, 1916, to 30th June, 1916, as more particularly set forth in the statement laid on the table, it is hereby resolved that this Council do approve such expenditure.

He said that, before proceeding to give the details of the expenditure, a statement of which he had laid on the table, he thought it was desirable, for the information of Honourable Members who had not hitherto sat in the Council, to state briefly the nature of the motion.

As Honourable Members were aware, the Estimates must be prepared several months before the commencement of the year to which they applied. In these circumstances it was inevitable that certain expenditure would be incurred on services that had not been foreseen and consequently not provided for in the Estimates, and in accordance with the Colonial Service Regulations a quarterly return of such unforeseen expenditure must be laid before Council for approval.

While on that subject he might explain that it generally happened that, towards the close of a financial year, it became apparent that certain votes would be exceeded. That contingency was met by a Supplementary Estimate. Finally, when the accounts for the year were closed and actual figures were available, the excess expenditure on votes, if any, was covered by a Supplementary Appropriation Ordinance.

THE RIGHT HON. LORD DELAMERE requested that Hon. Members be furnished with a copy of the statement and asked that the question might be adjourned until they had had an opportunity of considering it.

This was agreed to.

QUESTIONS AND ANSWERS.

THE HON. P. H. CLARKE put the following questions:—

1. What was the cost of the trial of wood blocks on the length of road from the National Bank of India Ltd., to the Mombasa Railway Station.
2. Is this experiment considered a success.
3. If not, what is the explanation.
4. What experience of wood pavement laying had the Road Foreman who was in charge of this particular piece of work.

THE HON. THE CHIEF SECRETARY replied:—

1. The cost was Rs. 10,600 or 14s. 2d. a square yard.
2. Apart from its financial aspect, yes. The experiment has established that wood blocks would provide a comparatively dustless, noiseless and non-glaring carriageway of higher resistance to wear under traffic than any other material hitherto used in the Island, and one probably inferior only to a bitumen surface.
3. On the financial side it has to be reported that the cost could not be met on any general scale from funds at present available.
4. The Executive Engineer, under whose instructions the overseer was acting, had had experience with wood block surfaces in England and the United States of America.

THE HON. P. H. CLARKE put the following question:—

1. How much Government money has been spent on roads since the commencement of the War, (a) in the Township of Nairobi, (b) in the Township of Mombasa, (c) in the Provinces of Ukambani, Kenya and Seyidie respectively.

THE HON. THE CHIEF SECRETARY replied:—

The amount of Government money spent since the beginning of the war in the districts mentioned has been as follows:

	£
(a) In the Township of Nairobi	17,011
(b) In the Township of Mombasa	3,689
(c) In the Province of Ukamba	20,946
In the Province of Kenia	6,546
In the Province of Seyidie	4,577

The figures quoted include expenditure up to the end of November, 1916.

It will be observed that the expenditure in Mombasa, with 8½ miles of road open to cart traffic, is 32 per cent. higher per mile than that in Nairobi with 52 miles of road.

THE HON. P. H. CLARKE put the following questions to the Attorney General:—

1. When he will be ready to submit the new Bankruptcy Bill which is said to be in preparation.
2. Whether it is necessary at present to search some fifteen badly indexed volumes in order to find out the law of this country and if it will be possible in the near future to publish properly indexed volumes containing all the laws in force in East Africa.
3. Is it correct that both Uganda and Nyasaland Protectorates have published complete compendiums of the law in force.

THE HON. THE ATTORNEY GENERAL replied:—

1. A bill to amend the law relating to insolvency is being prepared and will be introduced at the next meeting of this Honourable Council.

2. The answer to the Hon. Member's question as drawn is in the negative. It is a fact that the local enactments of this Protectorate are at present contained in fourteen volumes. It is also a fact that a comprehensive index has been prepared and is now in process of being published, which should obviate the Hon. Member's difficulty in finding his way about. The necessity for statute revision has long been recognised, but the exiguity of the staff of the legal department of the Protectorate compared with the work which falls upon it has rendered it necessary from time to time to postpone its provision for more essential measures. It is, however, hoped that it will be undertaken during 1917.

3. The Uganda Protectorate published a compendium in 1910 containing the ordinances and regulations to 31st December, 1909, and Nyasaland in 1913, containing the ordinances and regulations to 31st March, 1913.

THE MERCHANT SEAMEN DISCIPLINE ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to provide for the discipline of the crews of vessels chartered or requisitioned by the Admiralty."

He said that the provisions of the Bill were similar to those in force in the United Kingdom under the Defence of the Realm Regulations for the purpose of adequately dealing with cases of drunkenness and failure to join on the part of merchant seamen engaged in vessels requisitioned or chartered by the Admiralty. The regulations had been a success in combating the evils referred to in the United Kingdom, and as cases had occurred in British ports overseas in which it would have been an advantage if the masters of Admiralty transports had been in a position to invoke similar powers it had been considered desirable that legislation should be enacted in the Protectorate similar to that provided by the Defence of the Realm Regulations, Section 39a, in the United Kingdom.

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 APPROPRIATION ORDINANCE, 1917.

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, 1918."

He said that the estimated expenditure for the year 1917-18 was £1,484,075, being an increase of £233,738 on the original estimate for the current year. The estimated expenditure was balanced by a similar amount of estimated revenue, showing an increase of £191,397 on the original estimate for the current year. The excess of assets over liabilities at the commencement of 1917-18 was estimated to amount to £214,603, a figure which exceeded by £94,961 the surplus which had been anticipated at the time of the preparation of the current year's estimates. This surplus was estimated after making allowance for charging off two sums aggregating £136,810 in respect of the Protectorate share of War Expenses in addition to the normal military expenditure. This result was chiefly due to enhanced Customs revenue and earnings of the Railway Department during the current financial year. As copies of the Budget Statement and draft Estimates had been furnished to Honourable Members he would make no further remarks at that stage beyond moving that the Bill be read a first time.

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 CRIMINAL LAW AMENDMENT ORDINANCE, 1917.

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 Criminal Law."

He said that the object of the Bill was to make it punishable for any person to advertise certain classes of advertisements or to print or publish such classes of advertisements. The advertisements dealt with were, shortly, those dealing with the recovery of lost or stolen property and which in fact offered or suggested that any offence committed in relation to the article which the advertiser sought to recover should not be further enquired into and that no arrest should be made on the production of such article. There was a further provision in the Bill making it illegal to promise or offer in a public advertisement to any pawnbroker or any person who might have bought or advanced money by way of loan on any property of which any person had been deprived by an offence or which had been lost to return the money so paid or advanced. The object of the Bill was the prevention of crime. If such advertisements were not punishable, then there was an additional incentive to acquire property illegally in the hope that a reward would be advertised for the recovery of the article, and that the advertisement would also contain a provision that no questions would be asked or arrest made. Instances of the class of advertisements which it was sought to suppress had already appeared in the press of the Protectorate, and it was in the general interests of the community that the practice of such advertisements should be stopped at the earliest possible occasion.

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 CIVIL PROCEDURE ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to make provision for procedure in Civil Court."

He said that the law relating to civil procedure in existence at the present time was the Indian Code of Civil Procedure of 1882. That Act had been applied to the Protectorate in 1897 and was well adapted for the requirements of the country during its infancy. With the advance of the Protectorate the legal problems of its inhabitants became more complicated and more difficult, and the issues to be dealt with became of more importance. It was therefore necessary to enact a law which would allow matters of judicature to keep up to date with the Protectorate's requirements. The Bill followed the method adopted in the English Judicature Acts and also in the Indian Code of Civil Procedure, 1908, which had repealed the Act of 1882, but which had not been applied to the Protectorate. That was, the Ordinance itself dealt with principles and powers and gave a wide authority to make orders and rules to the Court. The schedules to the Bill contained the orders and rules which might be varied without further legislation. Three important deviations from the existing law had been provided in the Bill. They were:—

The introduction of rules of English pleading in the High Court to which the Courts had in practice been gradually approximating.

The extension of summary procedure from actions on negociable instruments only to actions for the recovery of a liquidated amount on the lines of the English Order XIV in actions on a specially endorsed writ.

The empowering of registrars to sign judgment in uncontested cases and to make formal orders for attachment and sale of property in execution of decrees.

It was hoped that the Bill would be subjected to the well considered criticism of the legal practitioners in the Protectorate before it was enacted.

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 future Session of the Council.

THE BANK AMENDMENT ORDINANCE, 1917.

THE HON. THE TREASURER, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to amend the law relating to Banking."

He said that the object of the Bill was so to amend the existing law as to remove the disabilities which at present existed in regard to British Colonial Banks trading in the Protectorate. Under the present law they were regarded as foreign banks, and had to comply with the provisions applicable to banks of alien countries. The Bill classed such British Colonial banks as the Governor might from time to time sanction as British Banks, and applied the procedure to be adopted in their case.

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 CROWN LANDS AMENDMENT ORDINANCE, 1916.

THE HON. R. BARTON WRIGHT asked that the presentation of the Report of the Special Committee appointed on the 10th October, 1916, might be deferred to a later stage of the Session. He said that the Hon. P. H. Clarke had unfortunately been prevented from attending the meetings, and the Committee desired to ascertain his views regarding the Bill before presenting its Report.

This was agreed to.

THE RESIDENT NATIVES ORDINANCE, 1916.

THE HON. J. AINSWORTH moved that the Bill intituled "An Ordinance to regulate the residence of Native Families on farms and on areas not included in Native Reserves" be read a second time.

In submitting this motion he remarked that the President in his address had put forward the intentions of the Government in a manner that should relieve the minds of any persons who might have entertained doubts as to the intentions of the Government in introducing the Bill. The desire was to meet what Government understood to be the requirements of the settlers. It was true that requirements must and did differ in different localities. There never had been, however, any intention to do other than put forward a tentative measure in the first instance, and to invite full discussion by all interested and then to submit the Bill on the second reading to a Special Committee to be composed of members of that Honourable Council. Between the time of introduction and that Session of the Council considerable discussion had ensued and been welcomed. Such discussion had shown that a variety of opinions existed in connection with certain clauses of the Bill, but in general the underlying principles of the proposed measure seemed to be accepted. He thought they, one and all, recognised the necessity which existed for bringing the movements of natives anywhere under some recognised form of control, both in their own interests and in the interests of the white population. It was also both necessary and desirable to prevent either the continuance or growth of what was known as "Kaffir farming." These practically covered the main intentions Government had in view. As the President had said, the Bill as then before Council did leave considerable room for improvement in the way of meeting both the requirements of settlers and the intentions of the Government. He felt, however, that there were no insuperable difficulties in the way of so amending the Bill as to meet all reasonable objections and the bringing forward of a measure which would fit into the general scheme of native administration and at the same time provide for improved discipline amongst natives when resident on farms. In the Nyanza Province Government had already done something in the way of working resident labour on lines similar in part to those provided in the Bill with, he believed, a certain measure of success. With every confidence in the general principles involved, and in every hope that the Bill could be made a useful instrument, he begged to move the second reading.

THE RIGHT HON. LORD DELAMERE said that some of them were very strongly of opinion that a Bill of that nature ought not to come into operation during the War. It was a fact that a great many people thought that it should not be brought in at all. On the other hand, some of the unofficial members had come down with a direct mandate from the people they represented asking them to get something done in the matter because they could not obtain squatters. They had considered the matter, and they had decided that perhaps the most useful course would be for all of them to assist in amending the Bill into a measure which would be acceptable, but they first wished to ask the President whether he would give them two assurances in the matter before they went on with it.

Notwithstanding the Governor's orders, squatters were undoubtedly being prevented from going out on to farms. They would therefore like an assurance from the President, if possible, that squatters should be allowed to come out until such time as the Bill became law so that people would be unable without unnecessary interference to get squatters on to their farms, and they would also like an assurance if it were possible, that after the Bill had been in Committee and thoroughly discussed, it should then be held over until such time as the opinion of the country had been taken on the matter.

THE HON. W. MACLELLAN WILSON said that while agreeing with the remarks made by the Right Hon. Lord Delamere, he would go a step further. He referred more particularly to the effect of this Bill as regarding the whole labour question. So far as the people whom he represented were concerned, they saw that this Bill was only one part of the whole question. They realised that the Government was face to face with its responsibility in the matter of labour for the country, and had brought out a Registration Ordinance.

That, he understood, was the out come of the Labour Commission Report. Now that Registration Ordinance, in the minds of many of them, would be futile unless the Government, or those whom His Excellency placed in authority, was in a position to exercise control over the natives who might leave the native districts. Therefore they were glad to agree that the principle of the Bill was right. The details he would not enter into. The President had mentioned that amendments would be made to it, and that these would be dealt with in Committee. But he thought that they should go a little bit farther than the Government did in the matter. As far as they saw, the Bill was only permissive: that was to say, permission could be obtained to get squatters on to the land. It was, however, necessary that there should be outside labour—casual labour. They had the President's assurance that humane and properly regulated pressure would be put upon the native. They were very thankful for that consideration and that concession, but if that pressure were exercised it would only produce casual labour. Therefore when labour had been induced to come out to work he would suggest, and others would suggest with him, that the Government should be responsible for the placing of that labour. There must be a labour department. They were coming to a crisis in the labour conditions of the country. The industry which he might say he particularly represented was the coffee industry, and already there was grave trouble and difficulty in getting the coffee reaped, and they saw ahead of them in another year's time a possible complete failure of the industry unless the labour were organised and handled in the proper way.

THE HON. W. C. HUNTER said that his position in the matter was very much the same as Lord Delamere's. Personally he felt strongly that the Bill ought not to be brought in at the present time, being so controversial a measure, but in view of the fact that some of the unofficial members had decided to support it if properly amended, he did not consider that any useful purpose would be served by actually voting against it, provided the President would give the assurances which Lord Delamere had asked for, viz (1) that while the Bill was being considered no obstacle would be put in the way of squatting; and (2) that when the Committee reported to Council no further steps would be taken to make the Bill law until the opinion of the country as a whole had been obtained. He asked whether His Excellency could give those assurances.

THE PRESIDENT said that he was obliged to the unofficial members for their willingness to support the Bill in certain circumstances.

The Right Hon. Member had asked for two assurances from him. So far as the question of the introduction of the measure at a later date was concerned, in the course of his address to the Council he had already intimated his personal view to the effect that the Bill should not be introduced even when it had been accepted as an Ordinance for future administration until such time as more normal conditions had returned, and the country was ready for it. He desired, however, to point out that the request might more properly take the form, after the report of the Special Committee had been tendered, of a recommendation by the Special Committee. Regarding the second question asked by the Right Hon. Member, he might tell Hon. Members that he had already issued executive instructions to officers of the provincial and district administrations that pending the introduction of further legislation upon the subject it was his desire that no facilities which had been hitherto granted to employers of labour for the recruitment of their boys should be in any way restricted, obstructed, or otherwise interfered with during the interval which must elapse before it would be possible for the measure to be further advanced.

THE RIGHT HON. LORD DELAMERE said that Mr. Hunter and himself considered that until they were given an assurance from the President that the Bill would not be brought into force at the present time, they ought to vote against it.

THE PRESIDENT said that having expressed a personal opinion, he could only give the assurance in respect of himself. He could not pledge those who came after him. The position was that he would be ready to defer any Ordinance so far as it was within his personal jurisdiction to do so. It was quite out of his power to go further than that.

THE HON. CHIEF SECRETARY said that the Right Hon. Member and the Hon. W. C. Hunter had laid great stress on the controversial nature of the Bill.

He wished to make it perfectly clear to Hon. Members that the principles on which the Bill was founded had been admitted by the European community generally when the Labour Commission had presented its report in 1913. Since that time, no doubt, a change had taken place. In 1913, there had been a general feeling throughout the country that the Government was not doing all that it could do to induce natives to go out to work. Now, possibly owing to increased activity on the part of the District Commissioners the natives had been induced to come out to work to an extent they had never done before. It also appeared that in some respects at least they had left their reserves and squatted not only on occupied farms, but on unoccupied unalienated Crown lands. The effect of that was obvious. It seemed that in certain districts where farmers had in the past experienced very great difficulty in obtaining an adequate labour supply the problem was for the time being solved, and it appeared to him that, should such unrestrained emigration from the reserves be allowed to continue, the result would be that they would have on farms a large native population over which the Government could exercise no control for labour purposes. He was in entire agreement with the Right Hon.

Member that the measure should not be brought into force during the war, his reason not being so much that it was a controversial question, but because if it were rigidly enforced it would mean complete dislocation of existing labour conditions on many farms the owners of which were away on active service. For that reason he would most cordially support any proposal that the operation of the Bill be postponed until after the war. He was not so certain that unrestricted squatting should be allowed and encouraged pending the promulgation of the measure. The order which His Excellency had given to all District Commissioners was that, pending consideration of the Bill, no restrictions were to be imposed which had not been in force before the Bill had been introduced, and instructions had recently been issued to the Provincial Commissioner, Ukamba, that, as regards Kyambu district and sub-districts, in the case of natives who had gone out to work and wished to get their women folk and families to join them, the only restriction that should be placed on them should be that they should produce from their employer a letter to the effect not only that he was desirous that these persons should bring their wives and families, but that he was willing to accommodate them when they arrived.

THE HON. J. AINSWORTH having replied,
THE HON. THE CHIEF SECRETARY seconded the motion.
The question was put and carried by 12 votes to 2.

The following Special Committee was appointed to enquire into and report upon the provisions of the Bill:—

THE HON. J. AINSWORTH (Chairman).
THE HON. THE CHIEF SECRETARY.
THE HON. THE ATTORNEY GENERAL.
THE HON. A. C. MACDONALD.
THE HON. P. H. CLARKE.
CAPTAIN THE HON. A. C. HOEY.
THE HON. W. MACLELLAN WILSON.

THE KING'S AFRICAN RIFLES AMENDMENT ORDINANCE, 1916.

THE HON. ATTORNEY GENERAL moved that the Bill intituled "An Ordinance to amend the Law relating to the King's African Rifles" be recommended to Council.

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 following amendments were agreed to:—

Delete Clause 2 and substitute:—

2. S.L.O-section 1 of section 40 of the Principal Ordinance is hereby repealed and the following sub-section is hereby substituted therefor:—

(1). Where he deals with the case summarily, he may

(A) Save in the case of absence without leave or drunkenness, if the offender is a soldier, impose on the offender any one or more of the following punishments:—

(a) Award to the offender imprisonment, with or without hard labour, for any period not exceeding forty-two days.

(b) Reprimand, severely reprimand, or reduce any non-commissioned officer to a lower rank or to the rank of a private.

(c) Award corporal punishment not exceeding twenty-four lashes. The Governor shall by regulation prescribe the instrument with which such punishment shall be inflicted.

(d) Dismiss the offender from the regiment.

(e) Impose a fine not exceeding twenty-one days' pay, to be levied by stoppages from the offender's pay.

(f) Order the offender to suffer any deduction from his ordinary pay to make good the amount of any loss or damage he may have caused.

(g) Order confinement to barracks for any period not exceeding twenty-eight days, such confinement involving the taking of all duties in regular turn, attending parades and punishment drills, not exceeding one hour at a time nor four hours in all on the same day, inclusive of ordinary parades, and also liability to employment on duties of fatigue.

(h) Order extra guards and piquets, but only for minor offences or irregularities when on or parading for guard or piquet.

(B) In the case of any offence under this Ordinance, if the offender is a follower:—

(a) Award to the offender any of the punishments described in Clauses (a) (c) or (d) of part A of this sub-section.

(b) In addition to or without any other punishment, impose a fine not exceeding rupees ten.

Add new Clauses 3 and 4 as follows:—

3. To section 27 sub-section 8 of the Principal Ordinance shall be added the following proviso:—

“ Provided that in the event of any Native Officer, non-commissioned officer or private owing to injuries received on active service against an enemy or to disease contracted while on such active service or as a result thereof becoming before the expiration of 9 years continuous service totally or partially permanently disabled to such an extent as materially to affect his wage earning power the Commanding Officer may recommend and the Governor may sanction the exemption of such native officer, non-commissioned officer or private, as the case may be, from the payment of poll tax in respect of himself for life.”

4. Clause (f) of section 38 of the Principal Ordinance is hereby repealed and the following proviso is hereby added to the provisos contained in such section:—

(5) In addition to or without any other punishment in respect of an offence an offender convicted may be sentenced to corporal punishment not exceeding 24 lashes.

The Council resumed its Sitting.

THE HON. THE ATTORNEY GENERAL moved that the Bill as amended be re-submitted to the President.

THE HON. THE CHIEF SECRETARY seconded.

The question was put and carried.

THE BOILERS, PRIME MOVERS, AND MACHINERY ORDINANCE, 1916.

THE HON. THE ATTORNEY GENERAL moved that the Bill intituled “ An Ordinance to make provision for the safety and inspection of Steam Boilers, Prime Movers, and Machinery ” be recommitted to Council for the purpose of amending Clause 10 of the Bill.

He said that the reason for the recommitment of the Bill was that Clause 10 provided a penalty for not producing a certificate issued under the Ordinance, and Clause 13, sub-section (2) provided another penalty for the same offence. That fact had escaped the notice of Hon. Members when the Bill was before the Council, and it was desirable that only one penalty be prescribed for the same offence.

THE HON. THE MANAGER OF THE UGANDA RAILWAY 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 following amendments were agreed to:—

Clause 1—For “ 1916 ” read “ 1917.”

Clause 10—Delete the words “ or having obtained a certificate shall at any reasonable time during the period for which the same may be in force fail to produce it on demand by an Inspector duly appointed under this Ordinance or by a Magistrate having jurisdiction in the place where such steam boiler, prime mover, or machinery is situated.”

The Council resumed its Sitting.

THE HON. THE ATTORNEY GENERAL moved that the Bill as amended be re-submitted to the President.

THE HON. THE MANAGER OF THE UGANDA RAILWAY seconded.

The question was put and carried.

The Council adjourned till 10 a.m. on the 13th February, 1917.

SECOND DAY.

The Council assembled on the 13th of February, 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. F.W. MAJOR, C.M.G., I.S.O.
 THE HON. A. C. MACDONALD.
 THE HON. C. W. HOBLEY, C.M.G.
 THE HON. R. BARTON WRIGHT.
 THE HON. J. AINSWORTH, C.M.G.
 THE HON. P. H. CLARKE.
 THE RIGHT HON. LORD DELAMERE.
 CAPTAIN THE HON. A. C. HOEY.
 THE HON. W. C. HUNTER.
 THE HON. W. MACLELLAN WILSON.

COMMUNICATION FROM THE CHAIR.

THE PRESIDENT said that it gave him great pleasure to announce to Council that His Majesty the King had been pleased to appoint the Hon. F. W. Major, Chief of Customs, to be a Companion of the Most Distinguished Order of Saint Michael and Saint George. He was sure that Hon. Members would join with him in congratulating Mr. Major upon this well deserved honour.

LAND SETTLEMENT SCHEME.

THE PRESIDENT announced the constitution of the Commission which would be appointed under the Commissions of Inquiry Ordinance, 1912, to elaborate a scheme of land settlement. The names were as follows:—

THE HON. THE ATTORNEY GENERAL (Chairman).
 THE HON. THE MANAGER OF THE UGANDA RAILWAY.
 THE HON. A. C. MACDONALD.
 THE HON. P. H. CLARKE. ...
 THE RIGHT HON. LORD DELAMERE.
 CAPTAIN THE HON. A. C. HOEY.
 THE HON. W. MACLELLAN WILSON.
 MESSRS. F. W. BAILLIE, R. CHAMBERLAIN, A. C. TANNAHILL, and J. E. ALEXANDER
 (Land Office), Secretary.

Hon. Members would understand that the appointment of Messrs. F. W. Baillie, R. Chamberlain, and A. C. Tannahill was subject to their acceptance.

MOTIONS.

THE HON. THE CHIEF SECRETARY proposed the following motion:—

That the Special Committee appointed on the 12th of February, 1917, to enquire into and report on the provisions of a Bill intituled " An Ordinance to regulate the residence on Native Families on farms and on areas not including in Native Reserves " be augmented by the addition of the Hon. C. W. Hobley, C.M.G., the Right Hon. Lord Delamere, and the Hon. W. C. Hunter.

THE HON. THE ATTORNEY GENERAL seconded.

The question was put and carried.

QUARTERLY RETURN OF UNFORESEEN EXPENDITURE, 1916-17.

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 1916-17 amounting to £7,697-2-5 during the period from 1st April, 1916, to 30th June, 1916, 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 Council resolved itself into a Committee of the whole Council, HIS EXCELLENCY THE GOVERNOR presiding.

In Committee.

The Statement of expenditure was discussed in detail and was approved without amendment.

The Council resumed its Sitting.

The question was put and carried.

THE MERCHANT SEAMEN DISCIPLINE ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL moved that the Bill intituled "An Ordinance to provide for the discipline of the Crews of Vessels chartered or requisitioned by the Admiralty" 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 with the following amendment:—
Clause 1—For "1916" read "1917."

The Council resumed its Sitting.

THE HON. THE ATTORNEY GENERAL moved that the Bill as amended 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 APPROPRIATION ORDINANCE, 1917.

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, 1918," be read a second time.

THE HON. THE CHIEF SECRETARY seconded.

The question was put and carried by 13 votes to 1.

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

In Committee.

Vote XVI. Education.—It was unanimously agreed that consideration of this vote should be deferred in order that it might be first ascertained whether additional sums for the purposes of European education could be found from other schedules.

Vote XXII E.—"Uasin Gishu Experimental Farm." It was agreed to delete the whole of the provision of £600.

Vote XXII K.—Agricultural Department, Veterinary Division.

THE RIGHT HON. LORD DELAMERE proposed the reduction of this vote by £100 as a protest against the existing system of administering the Veterinary Division.

CAPTAIN THE HON. A. C. HOEY seconded.

The motion was lost by 6 votes to 8.

The Committee adjourned until 10 a.m. on the 14th of February.

THIRD DAY.

The Council assembled on the 14th of February, 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. F. W. MAJOR, C.M.G., I.S.O.

THE HON. A. C. MACDONALD.

THE HON. C. W. HOBLEY, C.M.G.

THE HON. R. BARTON WRIGHT.

THE HON. J. AINSWORTH, C.M.G.

THE HON. P. H. CLARKE.

THE RIGHT HON. LORD DELAMERE.

CAPTAIN THE HON. A. C. HOEY.

THE HON. W. C. HUNTER.

THE HON. W. MACLELLAN WILSON.

THE APPROPRIATION ORDINANCE, 1917.

In Committee.

Vote XX, item 55.—"Carriage of mails by sea and bounty fees." It was agreed to reduce the provision made by £200.

Item 57.—“ Internal carriage of mails.” It was agreed to reduce the provision made by £800.

Vote XXa, item 7.—“ Gobwen-Yonte telephone line.” It was agreed to delete the whole of the provision of £500.

Vote XXII K.—Agricultural Department, Veterinary Division.

THE HON. THE CHIEF SECRETARY announced that after careful consideration of the representations made by unofficial Members at the sitting of the Committee held on the 13th of February, it was the intention of the Governor to recommend to the Secretary of State that reversion be had to the previous system of administering the Veterinary Division of the Agricultural Department, and that as from the 1st of April next complete control of all divisions of the Department be re-vested in the Director of Agriculture.

Vote XXIV.—Game Department.

THE RIGHT HON. LORD DELAMERE suggested that the post of Game Warden should remain unfilled until the conclusion of the War.

This was agreed to.

The Council resumed its Sitting.

As it was considered desirable that the Director of Public Works should be present to give information on any points that might arise in connection with the Public Works Vote,

THE CLERK having read the order of appointment,

THE PRESIDENT administered the Oath of Allegiance to the Hon. W. MacGregor Ross (Director of Public Works) as an Extraordinary Member of the Council.

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

In Committee.

THE APPROPRIATION ORDINANCE, 1917.

Vote XXIX, item 1.—Public Works Recurrent.

THE RIGHT HON. LORD DELAMERE moved the reduction of this vote by £100.

CAPTAIN THE HON. A. C. HOEY seconded.

The motion was lost by 5 votes to 9.

Vote XXX, item 4.—Public Works Extraordinary. “ New Post Office, Kisumu.”

THE HON. W. C. HUNTER moved the deletion of this item.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

Vote XXX, item 9.—Public Works Extraordinary. “ New Roads and Bridges.”

The details of expenditure prepared by the Hon. W. M. Ross were amended and unanimously approved, the final provision being £19,320, as against the original figure of £20,000.

Vote XVI.—Education.

CAPTAIN THE HON. A. C. HOEY moved that a Special Committee be appointed to consider the question of European education.

THE HON. P. H. CLARKE seconded.

The question was put and carried.

THE HON. CHIEF SECRETARY proposed that the Special Committee should be composed of

THE HON. THE GENERAL MANAGER OF THE UGANDA RAILWAY (Chairman).

THE HON. W. M. ROSS.

CAPTAIN THE HON. A. C. HOEY.

THE HON. W. MACLELLAN WILSON.

THE HON. ATTORNEY GENERAL seconded.

The question was put and carried.

The Council resumed its Sitting.

THE CRIMINAL LAW AMENDMENT ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL moved that the Bill intituled “ An Ordinance to amend the Criminal Law ” 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.

The Bill was read clause by clause and was adopted with the following amendment:—

Clause 1.—The short title was altered to read “ The Criminal Law Amendment (Advertisements) Ordinance, 1917.”

The Council resumed its Sitting.

THE HON. THE ATTORNEY GENERAL moved that the Bill as amended 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 BANK AMENDMENT ORDINANCE, 1917.

THE HON. THE TREASURER moved that the Bill intituled " An Ordinance to amend the Law relating to Banking " be read a second time.

THE HON. THE CHIEF SECRETARY seconded.

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 Council adjourned till 10 a.m. on the 17th of February, 1917.

FOURTH DAY.

The Council assembled on the 17th of February, at 10 a.m., THE HON. THE CHIEF SECRETARY (C. C. BOWRING, C.M.G.), presiding, in the absence of HIS EXCELLENCY THE GOVERNOR.

Present:—

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. F. W. MAJOR, C.M.G., I.S.O.

THE HON. A. C. MACDONALD.

THE HON. C. W. HOBLEY, C.M.G.

THE HON. R. BARTON WRIGHT.

THE HON. J. AINSWORTH, C.M.G.

THE HON. W. M. ROSS.

THE HON. P. H. CLARKE.

THE RIGHT HON. LORD DELAMERE.

CAPTAIN THE HON. A. C. HOEY.

THE HON. W. C. HUNTER.

THE HON. W. MACLELLAN WILSON.

THE PRESIDENT said he regretted to announce that His Excellency the Governor was temporarily indisposed. He therefore devolved upon him to preside during such time as His Excellency was absent.

The Council resolved itself into a Committee of whole Council, THE HON. THE CHIEF SECRETARY (C. C. BOWRING, C. M. G.), presiding.

In Committee.

THE APPROPRIATION ORDINANCE, 1917.

THE HON. THE MANAGER OF THE UGANDA RAILWAY laid on the Table and read the Report of the Special Committee appointed to enquire into and report upon the matter of European education, as follows:—

REPORT OF THE SPECIAL COMMITTEE APPOINTED TO REPORT TO THE LEGISLATIVE COUNCIL ON THE MOST URGENT NEEDS OF EDUCATION FOR EUROPEAN CHILDREN IN THE EAST AFRICA PROTECTORATE.

The Committee held a meeting on the 15th February, 1917, when there were also present:—

MR. J. R. ORR, Director of Education.

MR. A. J. TURNER, Head Master, European School, Nairobi.

After the consideration of the educational facilities of the Protectorate as they exist at the present time, and also as they are provided for in the Draft Estimates for the financial year 1917-18, it was felt that the two centres that require the most immediate attention and whose needs are the most urgent and pressing are Nairobi and Eldoret.

The Committee, in determining what action should be recommended in each case, had the benefit of the information contained in the following papers:—

- (a) Figures showing the probable number of European children requiring education compared with the number actually receiving education.
- (b) The Director of Education's report dated 18th August, 1916, and recommendations contained therein concerning education on the Uasin Gishu Plateau.
- (c) The report of the Education Department for the financial year 1915-16.
- (d) Statements of the staff sanctioned during the present financial year and the staff at present employed against such sanction.
- (e) A statement by the Head Master of the European School detailing the most urgent requirements in connection with Nairobi.

From information available it is estimated that the total number of European children in the Protectorate is approximately 1,597, and the number of children of school age is about 1,062.

The number of children shown on the rolls of Government and private schools at the present time is 358.

THE UASIN GISHU PLATEAU.

The greatest importance was attached to the provision of both schools and boarding accommodation being given to the children living upon the Uasin Gishu Plateau. The number of children is given as:—

Under 15 years of age	348
Over 15 years of age	108

The seating accommodation at the Eldoret Schools (according to Departmental Regulations) is sufficient for 73 scholars, and the maximum boarding accommodation (including extensions at present under construction) is sufficient for 13 scholars only. It is necessary that boarding accommodation must be provided if the number of scholars is to be enlarged, otherwise they cannot attend the school, as, with a large and sparsely populated area, boarding accommodation cannot be provided other than that which is provided by the Administration in the Township of Eldoret.

The Committee therefore recommend that the expenditure as detailed in the following items shall be sanctioned and incurred:—

(a) That a sum of £2,000 shall be expended in providing a permanent boarding house at Eldoret and the necessary accommodation and facilities for school children of both sexes.

(b) That a sum of £500 shall be expended in the extension of the present class room accommodation, and in the provision of furniture.

(c) That additional expenditure to the amount of £900 shall be incurred in providing the staff necessary to deal with the larger number of scholars that will be in attendance.

The staff considered necessary for the proper working and control of the school is given in the following statement:—

	£
1 Head Master, £250 to £400	250
1 Head Mistress	150
1 Assistant Master, £200 to £250	200
2 Assistant Mistresses, £135	270
1 House Allowance	60
2 House Allowances, £40	80
1 Matron	80
Menials	125
Maintenance	120
Total proposed expenditure	£1,335

Expenditure included in the Draft Estimates for 1917-18:—

Item 20 Head Master	£200
Item 21 Mistress	100
Item 22 Menials	75
Item 43 Maintenance	60
Total amount already provided	£435
Additional expenditure recommended for staff and maintenance	£900
Total additional expenditure recommended for the Uasin Gishu Plateau	£1,340

NAIROBI.

The Committee are convinced that the accommodation at the Central Schools, Nairobi, is inadequate and insufficient, and recommend that expenditure additional to the amount already provided for in the Draft Estimates for 1917-18 shall be sanctioned and incurred, as detailed in the following items:—

- (a) That a sum of £800 shall be expended in the construction of a boarding house necessary for the accommodation of 30 children.
- (b) That a sum of £330 shall be expended in extending the dining room accommodation to provide accommodation for the increased number of scholars that will be in attendance.
- (c) That a sum of £250 shall be expended in the construction of a new class room to provide accommodation for 50 junior scholars.
- (d) That a sum of £50 shall be expended in the construction of a lavatory for the staff.
- (e) That an amount of £350 shall be sanctioned for increases in salaries and additional staff rendered necessary by the increased number of scholars.

The details of the recommendations contained in clause (c) are:—

Increase in the salary of the present Assistant Master from the grade of £200 to £250 to the grade of £250 to £400 in view of past services	£30
2 Assistant Mistresses at £135	£270
Increase of menial staff	£50
Total additional expenditure for staff	£350
Total additional expenditure recommended for Nairobi	£1,780

The Committee do not consider it is necessary to put forward any recommendations at the present time in connection with school accommodation at Nakuru. The Committee also do not consider it would be right at the present time to press for the appointment of additional staff other than that already recommended, although they are of the opinion that the administrative staff is insufficient for the complete and efficient control of the Department, but as the work of the Department can be carried out in the immediate future as it has been in the past, the additional expenditure that would be required does not come within the terms of reference of this Committee.

The amount placed at the disposal of the Committee for their consideration as to what should be expended in meeting and remedying the most pressing and urgent needs of the Protectorate with regard to the education of European children was ... £5,680

The Committee consider that these needs can be met by an immediate expenditure of

For the Uasin Gishu plateau	£3,400
For Nairobi	£1,780
Total	£5,180

and they therefore recommend that the unavailed of balance of £500 shall be replaced for the use of the most important Head of Work from which it was deducted in order that it might be placed to the enlargement of the vote for Education.

(Signed) B. EASTWOOD, *Chairman.*

THE HON. THE ATTORNEY GENERAL moved the adoption of the Report.

THE HON. A. C. MACDONALD seconded.

The question was put and carried.

THE HON. W. MACLELLAN WILSON moved that Item 1 of Schedule XXIIa (Agricultural Department, Special Expenditure, "Continuation of the Dipping Scheme") be reduced by £500 and that the amount be transferred to the Education Vote.

THE HON. W. C. HUNTER seconded.

The question was put and carried.

Vote XXII.—It was agreed to insert a sum of £600 to provide for the salary and expenses of an additional entomologist for coffee.

The Bill was adopted with the following amendments to the Schedule:—

Vote XVI. Education.—For £9,095 read £10,345.

Vote XX. Post Office and Telegraphs.—For £60,770 read £60,270.

Vote XXa. Post Office and Telegraphs—Special Expenditure.—For £3,600 read £3,100.

Vote XXIIa. Agricultural Department—Special Expenditure.—For £2,500 read £2,000.

Vote XXX. Public Works Extraordinary.—For £55,567 read £55,817.

The Council resumed its Sitting.

THE HON. THE TREASURER moved that the Bill as amended be reported to Council.

THE HON. THE ATTORNEY GENERAL seconded.

The question was put and carried.

(At this stage the Hon. W. McGregor Ross left the meeting).

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

THE CROWN LANDS AMENDMENT ORDINANCE, 1916.

THE HON. R. BARTON WRIGHT submitted and read the Report of the Special Committee appointed to enquire into and report on the provisions of the Bill intituled "An Ordinance to amend the Law relating to Crown Lands," as follows:—

INTERIM REPORT.

The Committee after a full consideration of the provisions of the Bill is of the opinion that the presentation of its report should be deferred to the next session of this Council.

Fresh points have at its meeting on the 12th inst. been brought forward, which the Committee consider it would be desirable to embody in the proposed amendments to the Bill, and which would necessitate considerable redrafting by the Hon. the Attorney General.

The Committee further consider in view of the appointment of additional non-official members of the Legislative Council that it would be desirable to appoint an additional non-official member to the Select Committee.

To provide relief in the interim period before the Bill becomes law it is recommended that the Rs. 15 consent fee in respect of transfer imposed by covenant in the leases under the 1902 Ordinance shall be waived and that the Land Officer shall not withhold consent to transfer except in the case of sub-divisions or transfers between parties of different races.

On the motion of the HON. ATTORNEY GENERAL, seconded by the Hon. R. Barton Wright, the Hon. W. C. Hunter was appointed an additional member of the Special Committee.

THE MERCHANT SEAMEN DISCIPLINE ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL moved that the Bill intituled "An Ordinance to provide for the discipline of the crews of vessels chartered or requisitioned by the Admiralty" be read a third time.

THE HON. THE TREASURER seconded.

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

THE CRIMINAL LAW AMENDMENT (ADVERTISEMENTS) ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL moved that the Bill intituled "An Ordinance to amend the Criminal Law" be read a third time.

THE HON. THE TREASURER seconded.

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

THE BANK AMENDMENT ORDINANCE, 1917.

THE HON. THE TREASURER moved that the Bill intituled "An Ordinance to amend the Law relating to Banking" be read a third time.

THE HON. THE MANAGER OF THE UGANDA RAILWAY seconded.

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

ENEMY PROPERTY IN EAST AFRICA.

THE PRESIDENT said that in pursuance of instructions received by the last mail from the Colonial Office it would be necessary to introduce, under a Certificate of Urgency, special legislation dealing with enemy property in East Africa. He therefore suggested that the Council adjourn till 10 a.m. on Friday, the 23rd day of February, 1917.

THE HON. THE ATTORNEY GENERAL moved accordingly.

THE HON. THE MANAGER OF THE UGANDA RAILWAY seconded.

The question was put and carried.

The Council adjourned until 10 a.m. on Friday, the 23rd of February, 1917.

FIFTH DAY.

The Council assembled on the 23rd of February, 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. F. W. MAJOR, C.M.G., I.S.O.
 THE HON. A. C. MACDONALD.
 THE HON. C. W. HOBLEY, C.M.G.
 THE HON. R. BARTON WRIGHT.
 THE HON. J. AINSWORTH, C.M.G.
 THE HON. P. H. CLARKE.
 THE RIGHT HON. LORD DELAMERE.
 CAPTAIN THE HON. A. C. HOEY.
 THE HON. W. C. HUNTER.
 THE HON. W. MACLELLAN WILSON.

THE ENEMY PROPERTY (DISPOSAL) ORDINANCE, 1917.

THE CLERK having read the Certificate of Urgency,

THE HON. THE ATTORNEY GENERAL moved the suspension of Standing Orders in order that the Bill intitled "An Ordinance to make further provision with regard to the disposal of Enemy Property" might be passed through its various stages at that Session.

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

THE HON. THE ATTORNEY GENERAL introduced and moved the first reading of the Bill. He said that the purpose of the Bill was to make provision for the sale of immoveable property which belonged to enemy firms in process of liquidation in the Protectorate. The Bill gave power to the Governor to vest in the liquidator of an enemy firm immoveable property belonging to that firm, and gave power to the liquidator to sell it. The Bill contained provisions safeguarding the title of any property sold under the Bill, and it also made very full provision against any enemy firm or corporation, which were fully defined in the second clause of the Bill, obtaining possession of any property sold under the Bill. There was provision for persons who had rights in such property to obtain compensation from the proceeds of the sale by making application to the Court in whom the purchase money was vested until such claims, if any, had been met. The Bill provided for sale either by private treaty or by auction. In any case conditions could be made in order to limit the sale to any particular class of persons, whether British subjects or British allied subjects or otherwise.

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

THE HON. THE ATTORNEY GENERAL moved that the Bill be read a second time.

THE HON. THE CHIEF SECRETARY seconded.

The question was put and carried.

The Council resolve 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 with the following amendments:—

Section 1, line 2—Insert "1917" after the word "Ordinance."

Section 2, line 2—For "corporative" read "corporate."

Section 3 (2), line 2.—For "right" read "rights."

Section 6 (1), line 4—After the word "newspaper" insert the words "and in the Gazette."

Section 6 (2), line 11—Insert the words "and summons (if any)" after the first word in the line.

Section 10, line 18—For "five thousand pounds" substitute the words "seventy-five thousand rupees."

Section 11, line 6—Before the word "subject" insert the word "enemy."

Section 11, line 9—Before the word "subject" insert the word "enemy."

Section 11, line 18—Before the word "subject" insert the word "enemy."

Section 11, line 20—Before the word "subject" insert the word "enemy."

Section 12, lines 1, 2—Delete "in whom any person."

Section 12, line 4—Insert the words "or shall become" before the word "vested."

Section 13 (1), line 9—Before the word "subject" insert the word "enemy."

Section 13 (1), line 12—Before the word "subject" insert the word "enemy."

Section 13 (2), line 4—For "£100" read "fifteen hundred rupees."

Section 13 (3), line 11—Before the word "subject" insert the word "enemy."

Section 13 (3), line 14—Before the word "subject" insert the word "enemy."

Section 14, line 2—For "by" read "with" and for "Land" read "Principal."

The Council resumed its Sitting.

THE HON. THE ATTORNEY GENERAL moved that the Bill as amended be reported to Council.

THE HON. THE CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. THE ATTORNEY GENERAL moved that the Bill 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 CROWN LANDS AMENDMENT ORDINANCE, 1916.

THE HON. R. BARTON WRIGHT submitted and read the Report of the Special Committee appointed to enquire into and report upon the provisions of the Bill intituled "An Ordinance to amend the Law relating to Crown Lands." The report was in the following terms:—

INTERIM REPORT.

A further meeting of the Special Committee appointed to consider the provisions of the Bill was held on Wednesday, the 21st instant.

Owing to representations made by the non-official members that the Bill in its present form had been the subject of considerable criticism by bankers, lawyers, and other members of the public, it was considered that it would be of considerable assistance to the Committee in making their final recommendations if these gentlemen were given the opportunity of expressing their views, and, in order that these may be collected and fully considered, it is recommended that the presentation of the Report be deferred for a further six months.

The presentation of the Report was deferred as proposed by the Special Committee.

ADJOURNMENT.

THE HON. THE CHIEF SECRETARY moved that the Council be adjourned until the third Monday in March or such other date as might be duly notified.

THE HON. THE ATTORNEY GENERAL seconded.

On the motion for the adjournment the RIGHT HON. LORD DELAMERE addressed the Council in the following terms:—

He expressed the thanks of the unofficial members for the opening words of His Excellency in which he welcomed back the unofficial members to the Council, and to register their gratitude to him and to the Chief Secretary for the part taken in getting for this country the long-delayed right to elect its own members to represent it.

The country had undoubtedly suffered from lack of representation, and he was sure that this change would increase efficiency and do away with friction between the official and non-official sections of the population.

His Excellency had announced that it was likely that his term of office would come to an end shortly. Notwithstanding actual regret at this announcement this could hardly come as a surprise to those who remembered his term of long service here and the amount of hard work he had done and the state of his health of late. They must register their regret that he had decided to decline any form of public or social recognition of the fact of his impending departure.

It was a surprise to them that no direct allusion was made to the war in the Address, and they could only suppose that this was because His Excellency considered, as they considered, that questions arising directly from the war were best dealt with by the War Council, a body called together for that purpose, and on which there were members elected by the people of this country.

But they would like to register their opinion that there were many matters arising from the war which required dealing with as soon as possible, and if these matters were not taken up by the Governor and his War Council, then it would be the duty of the unofficial members of the Legislative Council to raise these matters at the next session. In any case it was probable that legislation might be required to give effect to recommendations of the War Council in which case the Legislative Council would have opportunity of discussing matters connected with the war of vital import to this country.

They were glad to find that after examination of the estimates it was possible to procure the money for the immediate wants of education, and they hoped that this important question might be given into the hands of a strong Commission to deal with on a wide reference, as soon as the war was over.

A country like this, where so much depended on the wise handling of native races, should make a speciality of giving to the children of its ruling race the very best possible education to enable the coming generation to deal adequately with racial questions, which were puzzling many of the great brains of the world.

This finding of the money for education, after it had been believed unprocureable by the executive, emphasised the necessity of proper control of the estimates by the Legislature. They had tried during this Session to establish and uphold this principle. On this question the unofficial members thought at one time it would be necessary to send home a petition to the Secretary of State, but this was obviated by the attitude taken up by the President and the Hon. Chief Secretary, and they hoped that in future no friction would arise on this principle, which they considered should be upheld on every occasion.

They wished to record their approval of the President's decision with regard to the complete subordination of the Veterinary Department to the Director of Agriculture, who was responsible to the Legislature for the policy of this branch of the Agricultural Department as of others, and, therefore, should control the policy. They voted unanimously on that principle, and their opinion was strengthened in this matter by the fact that, notwithstanding the excellent professional qualifications of many of the officers in that Department, they considered that expert specialists were not the right persons to deal with questions of administration and policy.

They wished to record their regret at the retirement of the Veterinary Pathologist. They did not raise this question on the estimates as the control of the whole Department was in the melting pot, but they hoped that strenuous efforts would be made to fill Mr. Montgomery's place by someone capable of carrying on his work, and that in future the question of the emoluments of an expert specialist, whose work intimately affected every farmer and native in this country, would be placed before the Legislative Council when necessary for revision before a change was made.

This was not an administrative post. It was filled by a specialist whose work affected many thousands of pounds yearly, and might make the whole difference to some of the premier industries of the country: and it seemed to them that no question of salary within reason should stand in the way of filling the post with the best man obtainable, or of his retention if the question arose. The successful exploitation of nearly all the industries of Africa depended largely on the capability of various experts, and the greatest care should be taken in the choosing of these specialists, and every effort should be made to retain their services when they had proved they could fill the different posts.

It was found possible to add to the number of specialists a man to deal with coffee diseases.

The Squatters Bill was in Special Committee, but he would like to say that the opinions of many people must be greatly altered with regard to this Bill, when it was known that it was only part of a large scheme for divorcing the control of the settled areas from the Provincial Administration. But he would press again that no steps be taken to bring this Bill into force, at any rate on the farms of those away at the front.

The important question of Land Settlement for soldiers was greatly complicated by the terms of reference to the Commission having been narrowed within the limits of certain points fixed by a Departmental Committee and agreed to by the Secretary of State.

It seemed to them a great pity that the original recommendation of the War Council was not carried out and the matter put into the hands of a Commission at once on a wide reference unhampered.

It seemed an extraordinary procedure for the recommendations of a Departmental Committee to limit the powers of a Commission to deal broadly with this matter. It would have been better if the officials concerned had given evidence before the Commissioners so that their recommendations and findings could have been sifted before being sent to the Secretary of State. But the land was there, and a way must be found.

He wished to repeat that they regretted His Excellency's decision to refuse any public recognition on the occasion of his departure, and they hoped he would regard their remarks there as indicating their gratitude for work he had done, and they hoped he would be able to arrange when he was at home that this country should be represented on the Economic Conference of the Empire.

At this stage Lord Delamere, on a matter of urgency, referred to the administration of the town of Nairobi, specially with regard to the outbreak of plague. He pointed out that it was the intention of the unofficial Members to put a motion forward in this connection, but notice had to be given.

He now gave notice that this matter would be brought forward at the next meeting of the Council. It had been said that this matter should not be brought forward during the war. He was afraid he could not agree with that. The matter of sanitation and hygiene was one of the few things, in his opinion, that should not be affected, if possible, by anything.

It was necessary for the carrying on of the country that the capital should be kept in a proper condition. This was a matter in which the whole country was interested. It could not be said that this was a matter purely for the Municipal Committee to decide, except in matters of detail, because the monies were largely given for the country at large.

More especially was this so with regard to the question of the administration for dealing with the outbreak of plague being in the hands, if possible, of one person—one medical person.

Here, he gave notice again that the matter would be brought up at the next session of Council.

The motion for adjournment was put and carried.