

Northern Nigeria
PROCLAMATION Nos. 1-9 1910

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A PROCLAMATION.

Enacted by the Governor of Northern Nigeria.

H. HESKETH BELL,
Governor.



A PROCLAMATION to amend "The Wild Animals
Proclamation 1909."

BE IT ENACTED by the Governor of Northern Nigeria
as follows :—

1. This Proclamation may be cited as "The Wild
Animals (Amendment) Proclamation 1910" and shall be
read and construed as one with "The Wild Animals
Proclamation 1909" hereinafter referred to as the
principal Proclamation.

Short title.

2. The principal Proclamation is hereby amended as
follows :—

Amendment of
No. 4 of 1909.

(1) In section 5 (2) in the first line thereof substitute the word "regulation" for the words "notice in the Gazette."

(2) Section 9 is hereby repealed and the following substituted therefor:—

Sale of hides, horns, etc., of certain animals in Schedules 1 and 2.

Section 9. The sale, purchase or exposure for sale of the hides, horns, or flesh and eggs or of any trophies of any of the animals and birds included in the Schedules 1 and 2 hereto other than ivory and ostrich or marabout feathers not obtained in contravention of this Proclamation is absolutely prohibited.

Any person contravening this section shall be liable to a fine not exceeding £10 or to imprisonment not exceeding 2 months and all such articles as aforesaid shall be liable to confiscation.

(3) Section 11 (2) is hereby repealed and the following substituted therefor:—

Conditions under which holder of a Licence A may kill or capture animals or birds in Schedule 1.

Section 11 (2). A holder of a licence A in addition to hunting, killing and capturing such animals and birds as are included in Schedules 2 and 3, may at the time of issue of such licence obtain authority in advance to hunt, kill or capture any of the animals (not exceeding one Giraffe and one Ostrich and two of any of the species) included in Schedule 1 as the Licensing Officer may determine—provided that a fee of £1 shall subsequently be paid on each animal or bird in Schedule 1 so killed or captured.

(4) In section 11 (5) in the fifth line thereof substitute the word "under" for "nder."

(5) In section 11 (6) in the first line thereof substitute the word "regulation" for the words "notice in the Gazette."

(6) In section 11 (10) in the fourth line thereof substitute the words "of the species included" for the word "species"; the word "Schedule" for "Schdule" in the ninth line thereof and the word "record" for the word "account" in the twelfth, fourteenth and twenty third lines thereof.

(7) In section 11 (13) in the fifth line thereof substitute the word "record" for the word "account."

(8) In section 13 (1) delete the words "in the form C" in the first line thereof, and "C" in the eleventh line thereof.

(9) In section 13 (2) add the words "other than marabouts captured only to be deprived of their plumes and immediately liberated afterwards."

(10) In section 13 (5) substitute the word "regulation" for the words "notice in the Gazette" in the first line thereof, and the word "if" for the word "whether" in the third line thereof.

(11) In the marginal note to 13 (6) substitute the word "Natives" for "Native."

(12) In section 15 substitute the word "any" for the word "the" in the thirteenth line thereof.

(13) In section 16 between the words "fish" and "subject" insert the words "or any part or parts thereof."

(14) In section 19 (1) between the words "than" and "ostrich" insert the words "ivory and marabout or" in the fourth line thereof.

(15) In section 21 in the first line thereof substitute the word "regulation" for the words "notice in the Gazette."

3. This Proclamation shall commence and come into operation on the 28th day of February in the year of our Lord, One thousand nine hundred and ten. Commencement.

Given under my hand and the Seal of the PROTECTORATE of NORTHERN NIGERIA this 31st day of January in the year of our Lord, One thousand nine hundred and ten.

H HESKETH BELL,
Governor.

THIS PRINTED IMPRESSION has been carefully compared by me with the Proclamation which has been approved by the Governor and found by me to be a true and correct printed copy of the said Proclamation.

M. H. D. BERESFORD,
Secretary to the Administration

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A PROCLAMATION.

*Enacted by the Governor of Northern
Nigeria.*

H. HESKETH BELL,
Governor.



AS PROCLAMATION to prohibit the Distillation of
Spirits.

BE IT ENACTED by the Governor of Northern Nigeria
as follows :—

1. This Proclamation may be cited as "The Distilla- Short title.
tion of Spirits Prohibition Proclamation 1910."

2. In this Proclamation : (a) "Spirits" mean and Definition.
include Rum, Brandy, Gin, Whisky, Absinthe, Liqueurs
and all other potable distilled alcoholic liquors.

(b) "Court" means and includes the Supreme Court as defined by the Supreme Court Proclamation 1902, or a Provincial Court as constituted by the Provincial Courts Proclamation 1902.

Making of spirits prohibited.

3. After the date of this Proclamation no person shall within the Protectorate of Northern Nigeria either distil, rectify or make any spirits; or sell any spirits so distilled, rectified or made within the Protectorate. Provided that nothing in this Proclamation shall be construed to apply to the distillation, with the sanction of the Governor, of spirits for purely commercial and industrial purposes.

Penalty for contravention of Proclamation.

4. Any person contravening the provisions of section 3 of this Proclamation shall be guilty of an offence and on conviction shall be liable to a penalty for each offence not exceeding fifty pounds.

Procedure for recovery of penalties.

5. Any offence against this Proclamation shall be summarily heard and determined by, and all penalties shall be recoverable before a Court having jurisdiction to hear and determine such offence. Any penalty recovered if not forthwith paid may be levied by distress and sale of the offender's goods and in default of sufficient distress or without proceeding by way of distress, if the Court pronouncing sentence shall so order, it shall be lawful to commit the offender to prison for any term not exceeding six months unless such penalty be sooner paid.

Informer may receive a portion of penalty.

6. An informer on whose information a conviction is secured may, subject to the direction of the Governor, receive out of every penalty recovered under this Proclamation a sum not exceeding one-half thereof. Provided such informer shall not have himself committed an offence under this Proclamation.

Discharge of informer.

7. On the commission of an offence against this Proclamation, the offender who, before any information is lodged against him in respect of the offence, first discovers and informs against any other offender, shall on the conviction of the person against whom the information is given, be discharged and acquitted from all penalties or disqualifications to which at the time of giving information he may be liable by reason of the offence committed by him.

8 This Proclamation shall commence and come into operation on the 8th day of March in the year of our Lord, One thousand nine hundred and ten. Commencement.

Given under my hand and the Seal of the PROTECTORATE of NORTHERN NIGERIA this 8th day of February in the year of our Lord, One thousand nine hundred and ten.

H. HESKETH BELL,
Governor.

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THIS PRINTED IMPRESSION has been carefully compared by me with the Proclamation which has been approved by the Governor and found by me to be a true and correct printed copy of the said Proclamation.

M. H. D. BERESFORD,
Secretary to the Administration.





A PROCLAMATION.

Enacted by the Governor of Northern Nigeria.

H. HESKETH BELL,
Governor.



A PROCLAMATION to further amend "The Customs Tariff Proclamation 1904."

BE IT ENACTED by the Governor of Northern Nigeria as follows:—

1. This Proclamation may be cited as "The Customs Tariff (Amendment) Proclamation 1910" and shall be read and construed as one with "The Customs Tariff Proclamation 1904," hereinafter referred to as the principal Proclamation, "The Customs Tariff (Amendment) Proclamation 1906," "The Customs Tariff (Further Amendment) Proclamation 1908" and "The Customs Tariff (No. 2 Further Amendment) Proclamation 1908:"

Short title.

Amendment of
No. 20 of 1904.

2. The first Schedule to the principal Proclamation, as amended by The "Customs Tariff (Further Amendment) Proclamation 1908," is hereby further amended as follows:—

(1) Paragraph 1 is amended to read as follows:—

On brandy, gin, rum, liqueurs, perfumed, medicated and miscellaneous spirits or strong waters, not being sweetened or mixed with any article so that the degree of strength cannot be ascertained by Tralles' Hydrometer, for every imperial gallon not exceeding a strength of fifty per centum by such hydrometer.....5s. 0d.

And for every degree or part of a degree in excess of a strength of fifty per centum by such hydrometer, an additional duty per imperial gallon of.....2½d.

And for every degree below a strength of fifty per centum by such hydrometer a reduction of duty per imperial gallon of.....1¼d.

Provided always that the duty levied shall in no case be less than four shillings per imperial gallon.

(2) Paragraph 2 is amended to read as follows:—

On brandy, gin, rum, liqueurs, perfumed, medicated and miscellaneous spirits or strong waters, and on any compound containing spirits being sweetened or mixed with any article so that the degree of strength cannot be ascertained as aforesaid, the imperial gallon.....5s. 0d.

Repeal of No. 11
of 1909.

3. The Customs Tariff (Amendment) Proclamation 1909 is hereby repealed.

Commencement.

4. This Proclamation shall commence and come into operation on the 1st day of May in the year of Our Lord, one thousand nine hundred and ten.

Given under my hand and the Seal of the PROTECTORATE
of NORTHERN NIGERIA this 15th day of April
in the year of Our Lord, one thousand nine
hundred and ten.

H. HESKETH BELL,
Governor.

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THIS PRINTED IMPRESSION has been carefully
compared by me with the Proclamation which has been
approved by the Governor and found by me to be
a true and correct printed copy of the said Proclamation.

M. H. D. BERESFORD,
Secretary to the Administration



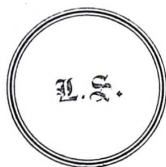




A PROCLAMATION.

*Enacted by the Governor of Northern
Nigeria.*

H. HESKETH BELL,
Governor.



A PROCLAMATION to prohibit the Manufacture, Sale,
and Importation of Matches made with White Phospho-
rus, and for other purposes in connection therewith.

BE IT ENACTED by the Governor of Northern Nigeria
as follows :—

1. This Proclamation may be cited as "The White Short title.
Phosphorus Matches Prohibition Proclamation, 1910."
2. For the purposes of this Proclamation the follow- Definitions.
ing terms shall have the meanings herein defined :—

*The White Phosphorus Matches Prohibition
Proclamation 1910.*

"White Phosphorus" means the substance usually known as White or Yellow Phosphorus.

"Police Officer" means any officer of the Police Force above the rank of Inspector.

"Court" means the Supreme or a Provincial Court as defined by "The Supreme Court Proclamation 1902" and "The Provincial Courts Proclamation 1902."

Prohibition of use
of white Phosphorus
in manufacture of
matches.

3. (1) It shall not be lawful for any person to use white phosphorus in the manufacture of matches.

(2) The occupier of any factory in which the manufacture of matches is carried on shall allow any Police Officer at any time to take for analysis sufficient samples of any material in use or mixed for use.

Provided that the occupier may, at the time when the sample is taken, and on providing the necessary appliances, require the Police Officer to divide the sample so taken into two parts and to mark, seal and deliver to him one part.

Prohibition of sale.

4. It shall not be lawful for any person to sell or to offer or expose for sale or to have in his possession for the purposes of sale any matches made with white phosphorus, but this provision shall not come into operation as respects any retail dealer until the first day of January, one thousand nine hundred and eleven.

Penalty

5. Any person offending against the provisions of this Proclamation or interfering with or obstructing any Police officer in the execution of his duty shall, on conviction before a Court, be liable to a penalty not exceeding fifty pounds; and all white phosphorus, or matches made with white phosphorus may be seized by any Police Officer and may subsequently be forfeited and destroyed by order of the Court.

Commencement.

6. This Proclamation shall commence and come into operation on the 1st day of May in the year of Our Lord, one thousand nine hundred and ten.

*The White Phosphorus Matches Prohibition
Proclamation 1910.*

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Given under my hand and the Seal of the PROTECTORATE
of NORTHERN NIGERIA this 15th day of April
in the year of Our Lord, one thousand nine hundred
and ten.

H. HESKETH BELL,
Governor.

THIS PRINTED IMPRESSION has been carefully
compared by me with the Proclamation which has been
approved by the Governor and found by me to be a true
and correct printed copy of the said Proclamation.

M. H. D. BERESFORD.
Secretary to the Administration





A PROCLAMATION.

*Enacted by the Governor of Northern
Nigeria.*

H. HESKETH BELL,
Governor.



A PROCLAMATION relating to the Police Force of the Protectorate of Northern Nigeria.

BE IT ENACTED by the Governor of Northern Nigeria as follows :—

1. This Proclamation may be cited as "The Police Proclamation 1910." Short title.

2. In this Proclamation unless the context otherwise requires :— Signification of certain terms.

" Resident " shall include " Acting Resident."

" District Superintendent " shall include " Acting District Superintendent."

"Superior Officer" shall mean and include the Inspector-General, the Deputy Inspector-General, a District Superintendent, a Political Officer detailed by the Resident to take charge of a Provincial detachment in the absence of a Police Officer, and also any Non-commissioned Officer.

"Non-commissioned Officer" shall mean and include any Inspector, Sergeant-Major, Sergeant, Corporal, or Lance Corporal.

The terms "Court," "a Court," "the Court," shall have the meanings attached thereto by "The Supreme Court Proclamation 1902," and "The Provincial Courts Proclamation 1902."

Appointment of
Inspector-General
and other officers
and constables.

3. It shall be lawful for the Governor to appoint an Inspector-General, a Deputy Inspector-General and a sufficient number of District Superintendents, Inspectors, Sergeant-Majors, Sergeants, Corporals, Lance-Corporals and constables who shall stand to each other in order of rank and command as herein named; and the Governor may from time to time fill up all vacancies that may occur by removal, death, absence, incapacity or other cause, by promotions or fresh appointments; and may authorize the Inspector-General at any time to appoint fit men as constables, and every such appointment shall be an appointment under this Proclamation.

Application of
Proclamation to
persons already
serving as con-
stables.

4. All the provisions of this Proclamation and all rules, orders and regulations made in pursuance thereof shall extend to all persons who, at the commencement of this Proclamation, shall be serving in the Police Force of the Protectorate in like manner as if such person had been appointed under this Proclamation.

Duties of Inspector
General.

5. (1) The Inspector-General, subject to the orders and directions of the Governor, shall be charged with the general inspection of the Police Force.

(2) It shall be lawful for the Inspector-General, with the approval of the Governor, to delegate to the Deputy Inspector-General, or to a District Superintendent, the duties set forth in the preceding sub-section.

6. (1) The District Superintendents, when stationed in any Province or Cantonment shall be charged with the command, direction, and superintendence of the Police from time to time stationed in such Province or Cantonment, subject to the orders of the Governor and of the Resident.

Powers and duties of Officers of Police.

(2) In any Province where there is a Force of Police but no District Superintendent the Resident in charge of the Province shall detail a Political Officer to act as District Superintendent who shall have the charge of the Police therein in respect of the discipline, duties, pay and distribution of the men, subject to the same limitations as in the preceding sub-section, and the expression District Superintendent in the following sections shall include such Officer.

Appointment of Acting D. S. P.

7. The Inspector-General shall be responsible for the control of all expenditure in connection with the Police Force, and shall be charged with, and accountable for, all public stores of whatever description belonging, or appertaining, to the Force in case they are lost, spoiled or damaged otherwise than by unavoidable accident, theft, robbery or actual service.

Inspector General responsible for public expenditure and stores.

8. Every District Superintendent shall be responsible for all public monies entrusted to his care or that shall come into his possession, and shall be charged with the arms, accoutrements, clothing and all other public stores issued and delivered for the use of the Force under his command and shall account for the same to the Resident, who in turn shall account for the same to the Inspector-General in case they are lost, spoiled, or damaged, otherwise than by unavoidable accident, theft, robbery or actual service.

Responsibility of District Superintendents and other Officers.

9. Every member of the Force shall on being appointed make the following declaration by oath in such manner as he may declare to be most binding on his conscience, and such oath and declaration shall be made before the Inspector-General or a District Superintendent :—

Declaration on appointment.

I, A.B., do hereby solemnly and sincerely declare that

I will be faithful and bear true allegiance to his Majesty King George the Fifth, his Heirs and Successors, and that I will faithfully serve his Majesty the King, his Heirs and Successors, and the Government of the Protectorate of Northern Nigeria during my period of service, and will obey all orders of his Majesty and of the Officers placed over me, and subject myself to all Proclamations and regulations relating to the Police of the Protectorate of Northern Nigeria now in force, or which may from time to time be in force within the said period.

.....
Signature of Declarant.

Declared at this day of 19

Before me.....

*Signature of Inspector-General,
 or District Superintendent.*

Delivery up of
 accoutrements &c.,
 on dismissal or
 when leaving the
 Force.

10. Every member of the Force who shall be dismissed from, or shall cease to hold and exercise, his office, and who shall not forthwith deliver over all the clothing, arms, accoutrements, appointments and other necessities which may have been supplied to him for the execution of his duty to the District Superintendent at such time and place as shall be decided by him, shall be deemed to have committed an offence against this Proclamation, and shall be liable, on being convicted thereof by a Court, to imprisonment for any term not exceeding six months; and it shall be lawful for any Court to issue a warrant to search for and seize all such clothing, arms, accoutrements, appointments, and other necessities which shall not be so delivered over, wherever the same may be found.

OFFENCES AGAINST DISCIPLINE.

Enumeration of
 certain offences.

11. Any Non-commissioned officer or Constable who—

(1) Begins, excites, causes or joins in any mutiny or sedition amongst the Police, or does not use his utmost endeavour to suppress the same, or conspires with any

other person to cause a mutiny, or acquiring knowledge of any such mutiny, or intended mutiny or sedition does not, without delay, give information thereof to his Superior Officer; or

(2) Strikes or uses or offers any violence against his Superior Officer; or

(3) Wilfully disobeys any lawful command of his Superior Officer; or

(4) Commits the offence of being drunk; or

(5) Without leave from his superior officer, absents himself from his quarters or station, or deserts from the Police Force; or

(6) Being a guard or sentry, is found sleeping on his post, or leaves it before being regularly relieved; or

(7) Being employed on duty is found sleeping on his beat, or leaves it before being regularly relieved (except in fresh pursuit of any offender whom he ought to apprehend); or

(8) Being under arrest or in confinement, leaves or escapes from his arrest or confinement before he is set at liberty by proper authority; or

(9) Neglects, or refuses to assist in, the apprehension of any member of the Police Force charged with any offence; or

(10) Protects any person not being a constable, from his creditor under pretence of his being a constable, or protects any constable in any manner otherwise than is allowed by this Proclamation, or fails to appear at any parade appointed by his superior officer; or

(11) Pawns, sells, loses by neglect, makes away with, or wilfully spoils his arms, accoutrements, clothing, or necessities, or any medal or decoration granted him for service or for good conduct; or

(12) Steals any money or goods the property of any member of the Police Force, or steals or embezzles any government money or goods, or receives any such money or goods knowing them to have been stolen or embezzled from any member of the Police Force or from the government; or

(13) Commits any act of plunder, or wanton destruction of property, or makes any false declaration or statement on enlistment; or commits any offence against the person or property of any inhabitant of the Protectorate; or

(14) Is guilty of any other act, conduct, disorder or neglect to the prejudice of good order and discipline, though not specified in the foregoing cases;

shall be deemed to have committed an offence against discipline, and shall suffer such punishment, according to the degree and nature of the offence, as may be awarded in accordance with the following provisions.

Punishment which may be awarded.

12. (1) The District Superintendent may examine into the truth of any such charge as aforesaid, and if his decision is against the accused, may, subject to any limitation made under section 6, impose on him any one or more of the following punishments:—

(a) Imprisonment for any period not exceeding three months;

(b) Fine not exceeding one pound, to be levied by stoppages from the offender's pay;

(c) Confinement to barracks for any period not exceeding twenty-one 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;

(2) The offence of drunkenness may be dealt with by the District Superintendent as follows:—

(a) For the first and second offences, the offender may be admonished, or confined to barracks, or both.

(b) For every subsequent offence, the offender shall be fined from one to five shillings, to be levied by stoppages from the offender's pay.

(c) If the offender was drunk on duty or parade, or when required for duty, he shall be liable to double the fines aforesaid.

(d) Where the offender has been guilty of drunkenness on not less than four occasions in the preceding twelve months, or has been guilty of drunkenness on duty on not less than two occasions during the preceding twelve months, he may be fined any sum not exceeding one pound, and may be reduced to a lower rank or to that of a constable, or he may be remitted to a Court for trial under the provisions of clause 13 of this Proclamation.

13. In every case of aggravated offence, or where the accused has been previously convicted of any offence under this Proclamation, the accused shall be tried by the District Superintendent or by a Court which may impose one or more of the following punishments, that is to say:—

Punishment for aggravated or repeated offences.

(a) Reduction to a lower rank, or to the rank of a constable of any non-commissioned officer.

(b) Fine, not exceeding one pound, to be levied by stoppages from the offender's pay.

(c) Imprisonment for any period not exceeding six months.

(d) Dismissal from the Police Force.

If any member of the Police Force pawns, sells, loses, by neglect or wilfully spoils his arms, accoutrements, clothing or necessities he may, in addition to any other punishment, be ordered to make good the amount of such loss or damage, to be recovered by stoppages out of the offender's pay.

14. Any non-commissioned officer or constable who shall desert from the Police Force, or aid or abet or be in any way accessory to the desertion of any non-commissioned officer or constable; or who commits or aids or abets or is accessory to the commission of any offence of mutiny, sedition, or wilful disobedience of any lawful command of a superior officer; or who, on enlistment, falsely states that he has never been convicted of or imprisoned for, a criminal offence, or that he has never served in the police, or the constabulary of a West African Colony or Protectorate or in the West African Frontier Force, may be tried by a Court which may impose all, or any of, the following punishments:—

Mutiny and Sedition.

- (a) Imprisonment for a period not exceeding two years;
- (b) Dismissal from the Police Force;
- (c) Reduction to a lower rank or to the rank of a constable, of any non-commissioned officer;
- (d) Forfeiture absolutely, for any period not less than 18 months, of any good conduct badge;

Any non-commissioned officer or constable may be proceeded against for desertion without reference to the time during which he may have been absent, and there-upon may be found guilty, either of desertion or of absence without leave.

Apprehension of deserters.

15 Upon reasonable suspicion that any person is a deserter any constable or other person may apprehend him and forthwith bring him before a Court having jurisdiction in the Province or Cantonment wherein he was found, which may deal with the suspected deserter or remit him to a Court having jurisdiction in the Province or Cantonment in which he has deserted.

Enlistment and Service.

16. (1) Every constable other than supernumerary constables shall be enlisted to serve in the Police Force for three years or such other period as may, from time to time, be fixed by the Governor.

(2) Any non-commissioned officer or constable of good character who has completed or is within six months of completing his engagement may, with the approval of the District Superintendent, re-engage to serve for a second term of three years, from the expiration of his first period, and may similarly re-engage for a third or fourth or any subsequent term.

(3) Any non-commissioned officer or constable who, being entitled to his discharge at the expiration of his first or second or subsequent period of service, re-engages for further service, with the approval of the District Superintendent, will be allowed to proceed on three months' furlough, and on his return will receive the half pay of his rank for that period.

(4) If a non-commissioned officer or constable offers to re-engage within six months after having received a certificate of discharge, he will, if his offer of service is accepted, on re-engagement be entitled to the advantages to which he was entitled with regard to good conduct badges and rank at the time of his discharge provided there is a vacancy in the establishment of that rank at the time he re-engaged; but his pay on re-engagement will be in accordance with the scale of pay of his rank, in operation at the date of such re-engagement. If, however, a longer period than six months from the date of his discharge has elapsed, then it will be discretionary with the District Superintendent to allow the service, or part of the service, of such person previous to the date of such re-engagement to reckon towards good conduct pay and badges; the question of the rank in which the non-commissioned officer or constable re-engages being also left to the discretion of the District Superintendent, provided that the establishment of each rank is not thereby exceeded.

(5) Any non-commissioned officer or constable whose period of service expires during a state of war, insurrection, or hostilities, may be detained and his service prolonged for such further period, not exceeding twelve months, as the Governor may direct.

17. Every District Superintendent hereinbefore empowered to enquire concerning offences under this Proclamation shall in any matter touching such enquiries have the power of summoning and examining witnesses on oath or affirmation and calling for documents in any matter before him under this Proclamation and of adjourning any hearing from time to time. In every such enquiry the proceedings and evidence shall be recorded in writing.

Power of summoning witnesses.

18. Nothing in this Proclamation shall be construed to exempt any non-commissioned officer or constable from being proceeded against by the ordinary course of law when accused of felony or of any crime or offences, other than the offences hereinbefore mentioned or referred to.

Ordinary course of Law not to be interfered with.

Persons acquitted by Court not punishable on same charge under this Proclamation nor if convicted, except by reduction.

19. No person having been acquitted by a Court of ordinary jurisdiction of any crime or offence shall be tried on the same charge or suffer any punishment on account thereof under this Proclamation. If any member of the Police Force has been convicted by a Court of ordinary jurisdiction, of any crime or offence, he shall not be liable to be punished for the same offence under this Proclamation otherwise than by loss of pay under section 28 and by reduction to an inferior rank or to the rank of a constable by order of the District Superintendent in case of a non-commissioned officer or by dismissal from the Police Force.

SUPERNUMERARY CONSTABLES.

Supernumerary constables.

20. If in any case application is made to the District Superintendent by any person for constables to be employed in his service and on special duties, the District Superintendent may, with the sanction of the Governor, enlist men as supernumerary constables, who shall be employed on such special service. The men so enlisted and employed shall be deemed to be for all purposes members of the force, and shall be subject to the Regulations and to all the provisions of this Proclamation as regards the discipline, punishment, powers and immunities of regular constables. Such supernumerary constables shall make the declaration required under section 9.

Pay of Supernumerary constables.

21. The pay and expenses of such supernumerary constables shall be defrayed by the person requiring their services, and such pay shall be at a rate to be fixed by the District Superintendent not exceeding three pounds per mensem for each supernumerary constable, and such person shall also defray the cost of uniform and any other reasonable expenses which the Governor may decide upon as necessary to be paid. Such pay and expenses shall be paid monthly into the Treasury to the credit of the Protectorate.

Any sum payable under this section may be recovered before the Supreme Court or a Provincial Court, on the complaint of the District Superintendent, from the person liable to pay the same.

22. Whenever it is desired by any person availing himself of the service of such supernumerary constables to have such services discontinued, he shall give one month's notice to the District Superintendent. Provided that the District Superintendent may in his discretion dispense with such notice.

EXECUTION OF SENTENCE.

23. Any sentence of imprisonment may be carried out in any of the prisons of the Protectorate. A sentence passed upon any person subject to this Proclamation shall be in no respect affected by such person ceasing to be subject to this Proclamation by discharge or otherwise.

Execution of sentence of imprisonment.

Every gaoler shall receive into his custody and carry out any sentence of imprisonment passed upon any member of the Police Force for any offence under this Proclamation upon an order in writing being delivered to him under the hand of the District Superintendent which shall specify the offence and the period of imprisonment.

Gaolers to carry out sentence on order of Officer.

Every person whilst undergoing any such sentence of imprisonment, shall be deemed to be, and be dealt with as, a criminal prisoner.

Persons undergoing sentences deemed criminal prisoners.

24. No pay shall accrue or become due to any member of the Police in respect of any period during which he is undergoing any sentence of imprisonment, or is detained in prison awaiting any trial which results in his conviction, either for any offence against discipline, or for any felony or other offence of whatsoever nature. Where he is detained in prison awaiting any trial which results in his acquittal, there shall be deducted from his pay accruing during such detention a sufficient amount to defray the expense of his diet and maintenance in prison, but no other deduction shall be made.

Pay not to accrue during imprisonment under sentence.

25. All fines imposed upon members of the Police for offences under this Proclamation or under any rules or regulations under this Proclamation shall be recovered by stoppage from the offender's pay due at the time of committing such offence, and thereafter

Fines to be recovered from constables by stoppages.

accruing due, and not from any other source or in any other manner, and such stoppage shall be made by the District Superintendent.

The amount of stoppage in respect of any fine shall be in the discretion of the officer authorised to impose fines, in no case exceeding one-half of the daily pay of the offender and whenever more than one order of stoppage for any cause is in force against the same person, so much only of his pay shall be stopped as shall leave him a residue of at least one half of his daily pay.

Where constable under more than one order of stoppage later orders may be postponed.

Where more than one order of stoppage is made upon the same person the order or orders later in date shall, if necessary, be postponed as to their enforcement until the earlier orders are discharged.

MISCELLANEOUS.

Compensation for injuries.

26. If any member of the Police be killed or disabled in action, or die of starvation or disease due to hardship or exposure or active service, he or his legal personal representative, as the case may be, shall receive the following rates of compensation:—

To members of the Force according to substantive ranks:—

A. For permanent total disablement:—

| | |
|------------------------------|------|
| Inspector | £42. |
| Sergeant-major | £36. |
| Sergeant | £30. |
| Corporal | £24. |
| Lance-corporal and constable | £18. |

In case of death in action, or from wounds received in action, the amount which would have been allotted for permanent total disablement shall be paid to the heir or heirs of the deceased.

Total blindness resulting from wounds shall be treated specially, and a separate award shall be made in each case.

B. For permanent partial disablement—i.e. loss of an eye, or a limb or injury equivalent to such loss :—

| | |
|------------------------------|-----|
| Inspector | £30 |
| Sergeant-major | £24 |
| Sergeant | £18 |
| Corporal | £15 |
| Lance-corporal and constable | £12 |

C. In case of all wounds of any other nature (i.e. involving temporary total or temporary partial, but not permanent, disablement) the following rate shall be awarded.

(a.) For wounds returned by a Medical Officer as severe.

| | |
|------------------------------|----|
| Inspector | £8 |
| Sergeant-major | £7 |
| Sergeant | £6 |
| Corporal | £5 |
| Lance-corporal and Constable | £4 |

(b) For all other wounds returned by a Medical Officer.

| | | | |
|------------------------------|----|----|---|
| Inspector | £1 | 0 | 0 |
| Sergeant-major | £0 | 17 | 6 |
| Sergeant | £0 | 15 | 0 |
| Corporal | £0 | 12 | 6 |
| Lance-corporal and Constable | £0 | 10 | 0 |

27. The District Superintendent in charge of the Police shall, upon the detachment first coming to any place where it is to remain in quarters, cause public proclamation to be made that if the inhabitants suffer the Police to contract debts, such debts are not recoverable from their due or accruing pay and will not be discharged by the officers, and he shall cause the said proclamation to be repeated once at least in every three months.

Crying down credit.

28. The pay of any non-commissioned officers or constable shall not be arrestable upon any civil process except in respect of any debt or liability which he may have incurred within three years next before being appointed to the Police and for such debt or liability when constituted by decree his pay may be arrested to an extent not exceeding one half thereof

Pay of constables not arrestable for debt; exception.

Fines.

29. All fines recovered from members of the Police Force shall be paid to the Treasurer and be applied to the general revenue of the Protectorate.

Good Conduct Pay.

30. (1.) Every non-commissioned officer under the rank of sergeant, and every constable, who shall have served for three years without having incurred a sentence of :—

(a.) Imprisonment or confinement to barracks for more than seven days ;

(b.) Fine in any sum exceeding five shillings ;
shall be entitled to wear one good conduct badge, and to receive extra pay at the rate of one penny a day ; and for every subsequent period of three years which he shall have served under like conditions he shall be entitled to wear one additional good conduct badge and to receive extra pay at the rate of one additional penny a day for each badge ; provided that no non-commissioned officer or constable shall receive more than six good conduct badges.

(2.) Forfeiture of one good conduct badge and one penny a day of good conduct pay shall be involved in and deemed a part of :—

(a.) Imprisonment or confinement to barracks for more than seven days ;

(b.) Fine in any sum exceeding five shillings ;
and every such forfeiture shall be entered on the offenders defaulter sheet.

(3.) A District Superintendent may, in any case of aggravated offence, recommend to the Court that the offender forfeit all or any good conduct badges and pay that he may be in possession of, or have earned, and all or any decorations or honorary rewards which he may have earned by past services, and such effect may be given to such recommendation as the Court may determine ; provided that no decorations or honorary rewards aforesaid shall be forfeited without the sanction of the Governor.

(4.) Any non-commissioned officer or constable, who has forfeited any period of past service qualifying towards good conduct badges may have such service restored to him by the Court, with the sanction of the Governor on the recommendation of the District Superintendent at any time as a reward for conspicuous gallantry in the field or other notable service, or when he has served with uninterrupted good conduct for two years (in case of a first conviction entailing loss of service), for five years (in case of a second conviction of the same nature), and for seven years (in case of a third conviction of the same nature, or should circumstances of an aggravated character have attended the offence on account of which his service was forfeited). Such period of probation shall be reckoned from the release of the person convicted from imprisonment or other completion of his punishment, and his return to duty.

31. The Governor may from time to time by any Order make, alter or revoke such rules and regulations consistent with this Proclamation and subject to the provisions thereof relative to the said Police as may be necessary for the purpose of preventing any prevalent neglect or abuse, or to render the said force efficient in the discharge of its duties, or for the discipline, good order and guidance of the Force, or the form and method of appointment of the persons constituting the same, or for their general government with respect to their classification and rank and the services required of them and their conduct in performance thereof, or their distribution, posting, and removal from station to station, or their inspection and the description of accoutrements, clothing and other necessities to be furnished to them, or with relation to the fiscal duties to be performed by the officers as well of the Police as of the Treasury Department with relation to the said Force.

Governor to make regulations for the Force.

Such rules and regulations may contain a penalty for the breach thereof by any non-commissioned officer or constable of not more than ten shillings or imprisonment for not more than ten days with or without reduction in rank, such rules and regulations shall come into operation upon the publication thereof in the Gazette.

Repeal.

32. The Police Proclamation 1908 and the Police (Amendment) Proclamation 1908 are hereby repealed.

Date of
Proclamation.

33. This Proclamation shall commence and come into operation on the 1st day of June in the year of Our Lord, one thousand nine hundred and ten.

Given under my hand and the Seal of the PROTECTORATE of NORTHERN NIGERIA this 25th day of May in the year of Our Lord, one thousand nine hundred and ten.

H. HESKETH BELL,
Governor.

—:0:—

THIS PRINTED IMPRESSION has been carefully compared by me with the Proclamation which has been approved by the Governor, and found by me to be a true and correct printed copy of the said Proclamation.

M. H. D. BERESFORD,
Secretary to the Administration.





A PROCLAMATION.

*Enacted by the Governor of Northern
Nigeria.*

H. HESKETH BELL,
Governor.



A PROCLAMATION to provide for the establishment of
a Public Officer's Guarantee Fund for the Protectorate.

WHEREAS it is expedient to enable all Public Officers
in the service of this Protectorate, who are required to
give security for the faithful performance of their duties,
to furnish such security without inconvenience, and for
that purpose to establish a Guarantee Fund.

BE IT ENACTED by the Governor of Northern
Nigeria therefore as follows:—

1. This Proclamation may be cited as "The Public Short Title.
Officers' Guarantee Fund Proclamation, 1910."

*The Public Officers Guarantee Fund
Proclamation 1910.*

Interpretation :

2. In this Proclamation, where not inconsistent with the context—

“Fund” means the Fund established by this Proclamation;

“Directors” means the Directors appointed under this Proclamation;

“Officer” means any officer holding an office in the public service of the Protectorate.

Fund established,

3. A Fund which shall be called the Public Officers' Guarantee Fund shall be established and shall consist of the contributions herein directed to be made and the interest accruing thereon.

Governor may require public officers to give security.

4. It shall be lawful for the Governor to require any officer employed in the collection, receipt or disbursement of any public revenues, or in charge of any Government stores, to give security for the faithful performance by such officer of the duties of his office, and the Governor may from time to time determine the amount for which security is to be given by such officer, and the amount from time to time determined by the Governor shall be the amount for which security is to be given by such officer.

Officers hereafter appointed to contribute to Fund.

5. Every officer who is required to give security for the faithful performance of his duties shall pay into the Fund in the manner provided and subject to the terms and conditions contained in this Proclamation, or any regulations framed hereunder, one pound per centum per annum of the amount for which security is required to be given by such officer.

Governor may require officers previously appointed to give security by contributing to Fund.

6. Any officer appointed to any office in the public service of the Protectorate before the commencement of this Proclamation, and who is required to give security for the faithful performance of his duties, may be required by the Governor to give such security by contributing to the Fund, and such officer shall thereupon contribute to the Fund as if he had been appointed on the day when he is required by the Governor to contribute to the Fund:

provided that the Fund shall be in no way liable to make good any amount payable in respect of any act or default of such officer done or made before the day on which such officer actually makes his first payment to the Fund.

7. Every officer contributing to the Fund shall be relieved from all further liability to give security for the faithful performance of his duties, unless the Governor otherwise directs, or unless the amount for which security is required exceeds the sum of five hundred pounds, in either of which cases the officer shall be bound to give security, or to give security for the amount required in excess of the said sum of five hundred pounds, to the satisfaction of the Governor.

Effect of contributing to the Fund.

8. Every officer holding a substantive appointment shall, on appointment, pay in advance to the Fund a sum equal to the first year's contribution payable in respect of the office held by him, and a like contribution in advance each year during the time he is actually performing the duties of his office.

Mode of paying contributions.

9. Where an officer is provisionally appointed, he shall pay the same contribution to the Fund as if he were substantively appointed, but should the appointment not be confirmed, then if he be not in default such portion of the contribution paid in advance as is proportionate to the period of the year during which he has not drawn the salary of the office shall be returned to him.

Officers provisionally appointed.

10. The contributions of officers on leave shall be deducted from their salary in such manner as the Governor shall direct.

Officers on leave.

11. Where any person is appointed to act for an officer, the person so acting shall only pay a monthly contribution to the Fund at the rate of one-twelfth part of one per centum per annum of the amount for which security is required from the holder of such office. An officer holding a substantive appointment in respect of which he is contributing to the Fund, who is temporarily

Acting officers.

*The Public Officers' Guarantee Fund
Proclamation 1910.*

appointed to perform the duties of another office, shall be deemed to be an acting officer: and during the time he is so performing the duties of another office shall, in the event of the security required from the holder of the new office being greater than that of his substantive appointment, pay contributions at the greater rate in lieu of the rate fixed for his substantive appointment: provided that where the security required from such acting officer exceeds five hundred pounds he shall be bound to give security for any amount in excess of five hundred pounds to the satisfaction of the Governor.

Entrance fee.

12. Every officer, on first contributing to the Fund, shall, if his annual salary does not exceed one hundred pounds, pay an entrance fee of five shillings, and, if his annual salary exceeds one hundred pounds, pay an entrance fee of ten shillings.

Contributions payable in advance.

13. (1) All contributions shall be payable in advance.

(2) Where an officer is appointed to an office, either temporarily or otherwise, on any day of a month other than the first, he shall forthwith pay the same contribution to the Fund as if he had been appointed from the first day of that month.

Collection of contributions.

14. The Treasurer shall collect all sums due to the Fund, and shall deduct from the salary of each officer contributing to the Fund the amount due to the Fund by such officer, and shall forthwith pay all contributions so collected or deducted into the Treasury Chest.

Directors.

15. The Fund shall be under the management of two persons holding office in the public service of the Protectorate, to be appointed by the Governor from time to time during pleasure, and such persons shall be styled the Directors.

Clerical assistance.

16. The Directors may employ such clerical assistance, subject to the approval of the Governor, as may be necessary, and the expense thereby incurred shall be a first charge on the Fund.

17. No moneys of the Fund shall be appropriated or paid except by an order signed by both Directors.

Mode of dealing with moneys of Fund.

18. The moneys paid as aforesaid into the Treasury shall, so far as practicable, be invested in such one or more securities yielding interest, as the Directors, with the sanction of the Governor, shall from time to time approve.

Investment of moneys received under this Proclamation.

19. Where an officer is in default of duly accounting or duly delivering to the official entitled thereto all property which ought to be delivered, or is otherwise in default, the amount due by such officer for such default shall be certified by the Treasurer, and the amount so certified shall be deemed to be due by such officer. A certificate signed by the said Treasurer, stating that the amount specified in the certificate is due to the Protectorate of Northern Nigeria by any officer shall, without proof of signature, or any other matter or thing, be deemed *prima facie* evidence in all Courts of Law that the sum specified is due to the Protectorate by such officer.

Provision where officer in default.

20. (1) Subject to the next succeeding sub-section, on the application of the Treasurer, the Directors, if the Fund be sufficient to enable them to do so, shall pay to the Treasurer from the Fund the amount certified to be due, unless the amount certified to be due exceeds the amount for which the officer gave security, in which case the Directors shall pay an amount equal to the amount for which security was given.

Directors to pay amount certified to be due by officers.

(2) Where a person appointed to act in an office in respect of which the actual holder of such office has given security by contributing to the Fund and in respect of which such person has not given security, is in default, the Fund shall be liable for such default to the extent of the security given by the actual holder of such office.

Fund liable for default of acting officer to extent of security of actual holder of office.

21. If the whole amount at the credit of the Fund is not sufficient to pay all amounts certified by the Treasurer to be due from officers contributing to the Fund, the Director shall pay the claims so far as they are able to

Provision where Fund not sufficient to meet claims.

The Public Officers' Guarantee Fund
Proclamation 1910.

do so, and for this purpose shall realise all securities held by them on account of the said Fund, and the Treasurer shall thereafter retain all contributions paid by officers, and appropriate the same in liquidation of such claims until they are fully paid.

Liability of officer.

22. The liability of an officer in default for the amount certified to be due shall continue and may be enforced against all or any part of his property in the same manner as if he had not contributed to the Fund, and, notwithstanding any payment made by the Directors from the Fund in respect of the amount due by such officer. No person, other than the Governor or the Treasurer, shall be entitled to claim that the amount due by an officer in default shall be paid by the Directors from the Fund, and no person, other than the Governor or the Treasurer, shall be entitled to claim that process shall be issued against the officer or his property for the recovery of the amount due by him.

Provision where amount due by officer is recovered from officer.

23. Where the Treasurer deems it expedient to proceed against any officer in default and is able to recover the whole or any part of the amount due by the officer in default, the Treasurer, if he has received from the Fund the whole amount due by the officer, shall return to the Fund an amount equal to the amount recovered from the officer. Where the Treasurer has not received from the Fund the whole amount, but a part only, he shall repay to the Fund any amount he may have in hand after deducting from the amount received from both sources the amount due by the officer in default.

Year for the fund.

24. The year, for the purpose of the Fund, shall be from the first day of January to the thirty-first day of December in the same year.

Income.

25. The amount received within the year for:—

(1) Entrance fees ;

(2) Contributions from officers holding substantive appointments ;

(3) Contributions from acting officers and officers provisionally appointed; and

(4) Interest on Investments;

shall be deemed the income of the Fund, and the claims payable out of the Fund in any year shall be paid out of such income so far as the same is sufficient for that purpose, and any surplus shall be carried to and form a reserve.

26. If the income of the Fund is not sufficient to pay the claims in any year, the Directors shall have recourse to the reserve.

Provision where income insufficient to meet claims becoming due within the year.

27. After an officer holding a substantive office has contributed to the Fund for five years in respect of such office, he shall not be called upon to contribute more than one-tenth part of one per centum per annum of the amount for which security is required to be given by such officer unless the Directors consider the charges against the Fund require him to contribute the full amount, and, with the approval of the Governor, require the full contribution to be continued or resumed, as the case may be.

Contributions may be reduced after five years.

28. (1) The Directors shall in each year place in their books to the credit of each officer contributing to the Fund nine-tenths of the amount contributed by him, and in the event of such officer leaving the service, either for employment in the Civil Service elsewhere, or after being pensioned, or after having received a gratuity, or having been permanently invalidated on account of ill-health not caused by his own misconduct, or in cause of his death, the Directors shall, at their discretion, and if the state of the Fund shall admit, pay to such officer leaving the service as aforesaid, or, if dead, to his legal representative, the whole or such portion of the amounts placed to his credit in accordance with this section as the Directors shall think fit. The Directors shall also, at their discretion, pay to any officer serving under temporary agreement on his leaving the service on the expiration of his agreement, such portion not exceeding one-half of the amount contributed by him to the Fund, as the Directors shall think fit.

Refund granted under certain circumstances.



*The Public Officers' Guarantee Fund
Proclamation 1910.*

Provision as to
refund.

(2) The last preceding sub-section is subject to the following provisions:—

(a) No refund of contributions shall be made to an officer who has been in default;

(b) No refund of contributions shall be made unless and until the reserve shall amount to one thousand five hundred pounds.

Contributors to the
fund not entitled
to interfere.

29. No officer paying into the Fund shall be deemed to have any interest in the Fund or its management entitling him to take legal proceedings in respect of the Fund or its management or against the Directors in respect thereof.

Annual Report.

30. The Directors shall cause to be prepared and laid before the Governor, as soon after the thirty-first day of December in each year as may be practicable, a full statement showing the working of the Fund, and all claims thereon, and containing full particulars of all transactions connected with the working of the Fund.

Regulations.

31. The Directors may make, and when made may alter or revoke, regulations for the proper working of the Fund, and such regulations when approved by the Governor, shall be binding on all officers.

32. This Proclamation shall commence and come into operation on the 31st day of December in the year of Our Lord, one thousand nine hundred and ten.

GIVEN under my hand and the Seal of the PROTECTORATE
of NORTHERN NIGERIA this 13th day of June
in the year of Our Lord, one thousand nine
hundred and ten.

H. HESKETH BELL,
Governor.

—:0:—

THIS PRINTED IMPRESSION has been carefully
compared by me with the Proclamation which has been
approved by the Governor and found by me to be
a true and correct printed copy of the said Proclamation.

M. H. D. BERESFORD,
Secretary to the Administration.





A PROCLAMATION.

*Enacted by the Governor of Northern
Nigeria,*

H. HESKETH BELL,
Governor.



A PROCLAMATION to empower the Governor to make rules for the proper and efficient control of cotton growing in the Protectorate, and for the importation or exportation of cotton or cotton seeds.

BE IT ENACTED by the Governor of Northern Nigeria as follows:—

1. This Proclamation may be cited as "The Cotton Proclamation, 1910." Short title.

2. The Governor may make rules for maintaining or improving the quality of cotton in the Protectorate, either in reference to the distribution and use of seed or to the inspection of seed, crops, cotton (unginned or ginned), ginneries or factories, and may prohibit the use of seeds of any particular kind or specify any particular kind of seed as the only kind to be used, and may prohibit the

Governor may
make rules.

NO. 8.



A PROCLAMATION.

*Enacted by the Governor of Northern
Nigeria.*

H. HESKETH BELL,
Governor.



A PROCLAMATION regulating the right to search for minerals and also to dig for, mine and work minerals, and for other purposes relating thereto.

BE IT ENACTED by the Governor of Northern Nigeria as follows :—

1. This Proclamation may be cited as "The Minerals Proclamation 1910." Short Title

2. In this Proclamation unless the context otherwise requires :— Interpretation

"Person" includes a corporation.

Person

- Holder.** "Holder" of a prospecting right or exclusive licence to prospect means the person to whom such right or licence was granted in the first instance, but in the case of an exclusive licence to prospect includes a person to whom such licence or a part of the rights thereunder have become vested by transfer, assignment, or otherwise.
- Lessee.** "Lessee" of a mining lease includes all persons having any right or interest in or under a mining lease whether by transfer, assignment or otherwise.
- Treasurer.** "Treasurer" includes any officer appointed by the Governor to perform any act or duty or to exercise any authority which by this Proclamation may be done by or is imposed upon the Treasurer.
- Government Inspector of Mines.** "Government Inspector of Mines" includes any officer appointed by the Governor to perform any act or duty or to exercise any act or authority which by this Proclamation may be done by or is imposed upon or may be exercised by the Government Inspector of Mines.
- Court.** "Court" means the Supreme Court or any Provincial Court.
- Minerals.** "Minerals" means and includes the following classes hereunder (a) (b) (c) and (d).
- Metalliferous Minerals.** (a.) Metalliferous Minerals, including Antimony, Arsenic, Bismuth, Copper, Cobalt, Chromium, Cadmium, Gold, Iron, Iridium, Lead, Manganese, Mercury, Molybdenum, Nickel, Platinum, Silver, Tin, Tungsten, Uranium, Zinc and all others of a similar nature to any of them and all ores or combinations of any of them with each other or with any other substance, excepting only those that occur in the form of precious stones.
- Carbonaceous Minerals.** (b.) Carbonaceous Minerals including Anthracite, Asphalt, Brown Coal, Bitumen and its compounds, Coal, Graphite, Lignite, and all substances of a like nature to any of them, or combinations of any of them with each other or with any other substance.
- Earthy Minerals.** (c.) Earthy Minerals including Asbestos, Barite, Clays, Gypsum, Infusorial Earth, Sandstone, Marble, Mica, Phosphates, Potash, Rock Salt, Soda, Sulphur, Steatite, Slate, Talc and all other substances of a like nature to any of them.

(d.) Precious Stones including Amber, Amethyst, Beryl, Cat's Eye, Chrysolite, Diamond, Emerald, Garnet, Opal, Ruby, Sapphire, Turquoise and all substances of a similar nature to any of them. Precious Stones

3. Nothing in this Proclamation shall prevent any person from quarrying stone for building purposes, or any native of the Protectorate from mining for iron, salt, soda or potash, except in any area over which a mining lease has been granted. Saving as to quarrying, etc

4. (1.) It shall not be lawful for any person to prospect for minerals without having first obtained a prospecting right or an exclusive licence to prospect in the prescribed form. No person to prospect without a prospecting right, or exclusive licence

(2.) An exclusive licence to prospect shall not be granted to any applicant who has not either by himself or his duly authorised agents examined the area over which an exclusive licence to prospect is applied for.

(3.) It shall be in the discretion of the Governor for good cause to refuse an application for a prospecting right or an exclusive licence to prospect.

5. A prospecting right shall entitle the holder to prospect, for any minerals in those parts of the Protectorate which are not included in any exclusive licence to prospect, and which the Governor has not by government notice in the Gazette declared to be closed to prospectors. Prospecting Right.

In the case of a company or corporation employing prospecting engineers or prospectors each prospecting engineer or prospector shall be required to take out an individual prospecting right. Prospectors employed by corporations.

6. An exclusive licence to prospect shall entitle the holder thereof, and his duly authorised agents, to the sole right of prospecting for minerals within an area not less than one square mile and not more than 16 square miles in extent, and for a period of one year from the date thereof, subject to renewal in accordance with the prescribed regulations for further terms of one year each but so as not to exceed a period of three years in the whole. Exclusive Licence to prospect.

Right to enter
upon land to
prospect.

7. A prospecting right and an exclusive licence to prospect shall, subject to the terms thereof and to the prescribed regulations, entitle the holder thereof to enter upon any land and prospect for minerals, and any person interfering with or obstructing such holder in the exercise of any rights hereby conferred upon him shall be guilty of an offence and shall be liable to a penalty not exceeding £25 or to imprisonment for a term not exceeding three months.

Settlement of
disputes.

8. All disputes between holders of exclusive licences to prospect in respect of the exercise of the rights granted by such licences shall be submitted through the Government Inspector of Mines to the Governor for his decision, which shall be final and conclusive between the parties, provided always that the Governor may in his discretion refer any particular matter in dispute to a court for its decision.

Penalty for
prospecting
without a right or
licence.

9. Any person prospecting without a prospecting right or licence to prospect shall be guilty of an offence and shall on conviction before a court be liable to a penalty not exceeding fifty pounds or to imprisonment for a term not exceeding six months.

Transfer of rights
and licences.

10. A prospecting right shall not be transferable, but an exclusive licence to prospect or any portion of the rights granted under such licence may be transferred with the consent in writing of the Governor, signified by endorsement thereon.

Revocation of
licences.

11. In case of any breach by the holder of a prospecting right or exclusive licence to prospect or by any attorney, agent or employee of such holder, of any of the provisions of this Proclamation or of any rule or regulation made thereunder, the Governor may summarily revoke the said right or licence and thereupon all privileges and rights conferred thereby or enjoyed thereunder shall as from the date of such revocation cease; provided always that the fact of such revocation shall not in any way affect the liability of such holder, attorney, agent or employee, in respect of the breach of any provision of this Proclamation or of any such rule or regulation committed by him before such revocation.

12. An exclusive licence to prospect or any portion of the rights granted under such licence may be surrendered at any time after three months notice in writing has been given of the intention to surrender; provided that such surrender shall not affect any liability incurred by the holder before such surrender shall have taken effect.

Surrender of licence.

13. (1) It shall not be lawful for the Governor to grant a mining lease to any person other than the holder of a prospecting right or an exclusive licence to prospect nor to any person who could not show to his satisfaction that he has either himself or by his duly authorised agents carried on bona fide prospecting operations on the area applied for.

No grant except to holder of prospecting right or exclusive licence.

(2) The holder of an exclusive licence to prospect who has fulfilled all the conditions attached thereto shall be entitled to the grant of a mining lease in respect of any portion of the area covered by such licence subject to the conditions relating to the grant of such leases.

Right of exclusive licence holder.

14. The Governor may require an applicant for a mining lease to show to his satisfaction that he possesses or commands sufficient working capital to ensure the proper development and working of the mine; and may require any reports on the matter made by competent engineers to be submitted for his information. In the event of such applicant failing to satisfy the Governor as aforesaid the Governor may refuse the application but the applicant may renew his application at any time.

Applicant must show sufficient working capital.

15. Any applicant for a mining lease wilfully or recklessly giving false information as to any of the matters in respect of which information is or may be required to be given under this Proclamation shall be guilty of an offence and shall be liable on conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding six months.

Giving false information as to above matters an offence.

16. (1) A mining lease may be granted for any term not exceeding 21 years,

Duration of lease.

(2) If at the expiration of the term originally granted the lessee or his assigns shall be carrying on work in a

Renewal

normal and business-like manner under the lease and the lease shall not at that time be liable to be declared void under any of the provisions of this Proclamation, and the lessee or his assigns shall have given to the Government six months' notice in that behalf, then the lessee or his assigns shall be entitled to obtain a renewal of the lease for a further term not exceeding 21 years upon the conditions which are then generally applicable to new mining leases.

Different kinds of mining leases.

17. Mining leases shall be of the following kinds: viz :—

(1) Lode Mining leases, the unit of area being one claim of 80,000 square feet, rectangular, and of such dimensions that the width shall not be less than one-half the length. No greater area than 30 claims shall be included in one lease. The rent payable under such lease shall be at the rate of four pounds per claim per annum.

(2) Alluvial Mining leases, which shall not exceed 800 acres in area with a minimum width throughout of 400 yards. The rent payable under such lease shall be at the rate of five shillings per acre per annum.

(3) Stream mining leases, which shall not be granted, in cases where an alluvial mining lease is applicable, shall be confined to the bed of a stream and shall not exceed one mile in length. The rent payable under such lease shall be at the rate of twenty shillings per annum for each 100 yards or part thereof.

(4) Iron mining leases.

(5) Carbonaceous Minerals leases.

(6) Earthy minerals and precious stones leases.

(7) Dredging leases.

Leases of the kinds (4) (5) (6) and (7) shall be granted subject to regulations to be made by the Governor under section 34 of this Proclamation.

(8) Water power leases, which shall be the subject of special agreements with the Governor; and such agreements shall make provision inter alia :

(a) As to the rate to be charged to consumers for the supply of power, such rate to be specified in each agreement and not increased without the consent in writing of the Governor;

(b) As to the compensation to be paid by the beneficiaries thereunder in respect of interference with pre-existing individual rights of any kind whatever;

(c) To ensure under penalty of revocation the adequate development of the available power; and

(d) To ensure the supply of power on equitable terms to all consumers.

Provided that (1) no such agreement shall be concluded until at least three months after reasonable advertisement of the application for the lease; and (2) the Governor shall at all times have the power to determine any such agreement subject to reasonable notice and to the payment of adequate compensation in respect of expenditure incurred.

18. The Governor may in any case where he shall deem it necessary, before granting a mining lease, require that the boundaries of the land affected shall be surveyed by a surveyor approved by the Governor, and the cost of such survey shall be paid by the person applying for the lease.

Governor may order survey, at cost of Applicant.

19. In the event of any areas the subject of mining leases or exclusive licences to prospect being found to overlap, the ground in dispute shall be considered as within the area first granted, and no claim whether for compensation or otherwise shall be allowed in respect thereof to the lessee or licensee of the area subsequently granted.

Overlapping areas

20. Every mining lease and every instrument by or under which the rights, or any portion thereof, granted, by such lease shall be transferred or assigned, shall be registered as an instrument affecting land under the provisions of the law for the time being in force with regard to the registration of such instruments.

Registration

Penalty for mining
without a lease.

21. Any person digging for, mining or working any mineral without a mining lease shall be guilty of an offence and shall be liable upon conviction thereof to a penalty not exceeding £500 or to imprisonment for a term not exceeding twelve months.

Use of water.

22. The lessee of a mining lease shall be entitled to the use of all water within the area of his lease but he shall not without the consent in writing of the Government Inspector of Mines treat any river or other flowing water or stream in such a manner as to prevent its return to its natural channel before it leaves the said area.

Proviso as to
existing rights.

Provided that nothing herein contained shall be construed to affect or prejudice the existing rights of any person to the reasonable use of the water flowing in a natural bed or channel through, or along the margin of, land occupied by him, or naturally deposited within such land.

Penalty for
improper use of
water.

23. Any person diverting any river, flowing water or stream without consent as aforesaid or diverting water in such a manner as to render it unavailable for use by another person legally entitled to the use thereof shall be guilty of an offence and shall be liable to a penalty not exceeding £25 or to imprisonment for a term not exceeding 3 months.

Provisions as to
surface rights.

24. (1) A mining lease shall not of itself confer any rights in or over the surface of the area included in the lease, but, if the lessee shall apply to the Governor for a right of occupancy over the whole or any portion of the area included in his lease and shall show to the satisfaction of the Governor that the exclusive use and enjoyment of the said area or portion thereof is necessary to the full and effective exercise of the rights conferred by the lease, the Governor shall grant a right of occupancy over such area or portion thereof subject to the provisions of the law for the time being in force with regard to such rights, and to such reservations as he shall think fit to make in respect of any railway, tramway, public road, building, burial ground, or land appropriated to any public purpose or land in the legal occupation of any other person.

(2) A right of occupancy granted as aforesaid shall run concurrently with the mining lease and shall be renewable on application with each renewal of the mining lease, and no rent shall be payable thereunder over and above the rent payable under the mining lease, but compensation shall be payable in respect of any disturbance of native rights.

(3) In the event of any application being received from a third party for any rights in or over the surface of an area included in a mining lease, the Governor shall give notice thereof to the lessee, and if the latter shall within 6 months of the date of such notice show to the satisfaction of the Governor that the application cannot be granted without loss or damage to him in respect of the rights conferred by the said mining lease the Governor shall assess reasonable compensation to be paid by the applicant to the lessee as a condition precedent to the grant of the application. If, however, the lessee shall fail to satisfy the Governor as aforesaid the Governor may thereupon grant the application and no action shall lie in respect of any loss or damage that may ensue, in respect thereof.

25. Compensation shall be made to the legal occupier by the holder of a prospecting right or exclusive licence to prospect and by the lessee of a mining lease other than the holder of a right of occupancy for all damage done by himself, his agents or employees, to the surface of any land upon or under which prospecting or mining operations are being carried on, or to any house or building upon any such land, and the amount of such compensation shall be decided by the Resident of the province in which such land is situated: provided that if either party is dissatisfied with the decision of such Resident he may within 14 days appeal to the Governor who may either decide the matter, in which case such decision shall be final, or refer it to a Court for decision.

Compensation for
damage

26. There shall be paid by all holders of mining leases a royalty to the Government on all ores, minerals and metals won, which royalty shall be at such rate as may be laid down in the regulations made under section

Royalty to be paid
according to
regulations.

34. and may be collected in the form of an export duty or in such manner and subject to such conditions as may be laid down in such regulations. Provided that no royalty shall be paid under this section by holders of mining leases before January 1st 1911.

Disputes between holders of mining rights as to mining operations.

27. If the holder of any right acquired under this Proclamation shall consider himself injuriously affected by the mining or prospecting operations of another, he shall report the matter in writing to the Government Inspector of Mines. The Government Inspector of Mines shall forward a copy of the report to all persons concerned and after due consideration shall give his decision thereon.

Any person may appeal from the decision of the Government Inspector of Mines to the Governor, after first notifying the Government Inspector of Mines of his intention to do so and stating the grounds of his dissatisfaction. The Government Inspector of Mines shall at once report the matter to the Governor who may either decide the matter himself in which case his decision shall be final or refer it to a court which upon such reference shall decide the matter in dispute as though it came before it in the ordinary course of law.

Interference with railways, public lands &c. forbidding.

28. No person entitled or claiming to be entitled to any rights under a prospecting right or an exclusive licence to prospect or under a mining lease shall in the exercise of any such rights, without the consent in writing of the Governor, disturb or interfere with any railway, tramway, public road or building, burial ground or land appropriated by law to any public purpose, and any person guilty of any such disturbance or interference shall be liable on conviction before a court to a penalty not exceeding one hundred pounds and in addition may be ordered by the court to pay the costs of making good any damage caused by him.

Forfeiture for breach of regulations, &c.

29. If there shall be a breach on the part of the lessee of a mining lease of any condition or provision of this proclamation or of any regulation made thereunder or of any of the terms of his lease, and if the lessee shall not make good such breach within three months from receiving notice in writing from the Governor so to do, or

if the lessee shall wholly discontinue operations under the lease during a continuous period of 6 months without the consent in writing of the Governor, then the lease may be determined by the Governor without prejudice to any claim against the lessee which shall already have accrued. The decision of the Governor determining the lease shall be sufficiently notified to the lessee by its publication in the Gazette, and shall operate to vest in the Government all the plant, buildings and other property of the lessee in connection with the land leased without any payment or compensation to the lessee in respect thereof.

30. Any person who shall place or deposit, or be accessory to the placing or depositing of any metal, ore, or mineral in any spot or place for the purpose of misleading any person as to the nature, quality or quantity of the mineral naturally occurring at such spot or place, or who shall mingle or cause to be mingled with any sample of metal, mineral or ore, any valuable metal or any substance whatsoever which will increase the value or in any way change the nature of the said metal, mineral or ore, with intention to defraud any person, shall be guilty of felony, and shall be liable, on conviction, to a penalty not exceeding five hundred pounds or to imprisonment for a term not exceeding five years.

Fraudulent deposit of metal, and fraudulent sampling.

31. There shall be kept at the principal office within the Protectorate of the lessee of a mining lease or his attorney (1) accurate and regular accounts containing full entries of all minerals raised or got under such lease, together with all such particulars as may be necessary to form an estimate of the quantity and value of such minerals; and (2) correct plans and sections of all mines worked under the rights conferred by his said lease, and of all the workings thereof, and of all veins or lodes which shall have been discovered therein upon which the extent, position and actual condition of the works shall at least once in every half year be accurately delineated. The scale of plans and sections shall be for underground plans 1 in 500 and for surface plans 1 in 5,000.

Accurate accounts and plans to be kept.

32. No officer whether civil or military shall while in the service of the Government of the Protectorate, acquire or hold any right or interest under any prospecting right,

Government officers prohibited from acquiring rights.

licence to prospect or mining lease, and any licence or lease purporting to confer any such right or interest on any such officer shall be null and void.

Right of entry to inspect.

33. The Government Inspector of Mines may at any time enter and inspect any land over which an exclusive licence to prospect or a mining lease has been granted for the purpose of ascertaining the condition thereof and may inspect and take copies of or extracts from any books or papers, plans, etc. dealing with the operations of the licensee or lessee, and required by this Proclamation to be kept.

Power to make rules and regulations.

34. The Governor shall have power to make rules and regulations for carrying this Proclamation into effect and in particular for all or any of the following matters:

(a.) The manner in which applications for prospecting rights, exclusive licences to prospect and mining leases shall be made, the forms to be used and the fees payable in respect thereof:

(b.) The information to be supplied by the applicants:

(c.) The shape of areas over which exclusive licences to prospect may be granted and the manner in which the same shall be surveyed and beacons:

(d.) The manner in which the right of entry upon land shall be exercised: and the conditions on which shafts, pits, temporary buildings and other works may be made or erected for the purpose of prospecting:

(e.) The amount of work to be done under an exclusive licence to prospect:

(f.) The construction of roads, tramways and railways:

(g.) The construction and erection of houses, machinery and other works to be used for mining purposes:

(h.) The fencing off or rendering secure of any of the works constructed, erected or made for prospecting or mining purposes:

(i.) The grazing of cattle and other animals, and the cutting down and use of timber for the purpose of carrying on prospecting operations:

(k.) For securing the safety of persons employed in mines and for the carrying on of mining operations in a safe, proper and effectual manner:

(l.) The reference of disputes to a court for decision:

(m.) The transfer and assignment of rights under licences and leases:

(n.) The amount of royalty payable to the Government and the form and manner in which such royalty shall be collected and paid; and

(o.) The grant of leases of the kinds numbered (4), (5), (6), and (7), in Section 17: and may attach to the breach of any such rule or regulation a penalty not exceeding fifty pounds or imprisonment for a term not exceeding 6 months for each such breach.

Until further or other provision be made under this section the rules and regulations set forth in the schedules hereto shall be and remain in force.

35. Nothing in this Proclamation shall be construed to refer to or to sanction the prospecting or mining for mineral oil of any kind.

Mining for oil not included in provisions of Proclamation.

36. Nothing in this Proclamation shall be construed to affect any rights existing at the date of its commencement.

Saving for existing right.

37. The enactments mentioned in Schedule II to this Proclamation are hereby repealed to the extent mentioned in the third column of that Schedule, and the provisions of this Proclamation shall apply in lieu of the provisions so repealed.

38. This Proclamation shall commence and come into operation forthwith.

SCHEDULE. I.**RULES AND REGULATIONS.**

Application for
prospecting right.

1. (1) Any person desiring to obtain a prospecting right shall apply in writing for the same to the Governor through the Secretary to the Administration and in making such application shall give the following particulars:—

(a) The name, nationality and description of the applicant and an address in the Protectorate at which notices etc. may be served;

(b) The parts of the Protectorate in which the applicant desires to travel; and

(c) A copy of the memorandum and articles of association of any syndicate or corporation on behalf of which the applicant is applying as aforesaid.

(2) The applicant shall show, if required by the Governor to do so, that he possesses sufficient money or credit to enable him to pay all reasonable travelling and prospecting expenses likely to be incurred in the exercise of the rights conferred by a prospecting right.

Form.

2. A prospecting right shall be in Form 1 of the Appendix hereto.

Prospecting right;
fee to be paid, and
duration.

3. The fee to be paid for a prospecting right shall be Five pounds and its duration shall be for one year from the granting of the right.

Application for
exclusive licence
to prospect.

4. Any person desiring to obtain an exclusive licence to prospect may apply in writing to the Governor through the Secretary to the Administration and in making such application shall give the following particulars:—

(a) The name, nationality and description of the applicant, and if representing a corporation or company the like information with regard to the Directors thereof, and the amount of cash working capital and nominal capital of such corporation or company, and an address in the Protectorate at which notices etc. may be served;

(b) Copies of the memorandum and articles of association of any corporation syndicate or company represented by the applicant;

(c) The class, or combination of classes, of minerals for which the applicant desires to prospect; and

(d) The boundaries, area and situation of the ground over which an exclusive licence is desired: provided that

(1) The boundaries shall be defined in such a manner as to be a sufficient guide to others desiring to locate contiguous areas, and shall have been demarcated to the satisfaction of the Inspector of Mines;

(2) A sketch plan shall be furnished on the scale of $\frac{1}{25000}$ showing the topography and main drainage in such a manner as will illustrate the position of the boundaries and enable them to be identified upon the ground; and

(3) No statement of latitude and longitude shall be considered as defining an exclusive prospecting area

5. Applications under the preceding Regulation shall be submitted in duplicate, and one copy shall be filed in the office of the Secretary to the Administration (or at such other place as the Governor may appoint); and the file shall be open to inspection at all reasonable times.

Applications to be in duplicate and to be filed.

6. The shape of an area over which an exclusive licence to prospect may be granted shall be such that the average width, as determined by dividing the area by the greatest length, is not less than one-third of the greatest length.

Shape of area of exclusive licence to prospect.

7. An exclusive licence to prospect shall be in Form 2 of the Appendix hereto.

Form.

8. The fee to be paid for an exclusive licence to prospect shall be five pounds per square mile or part of a square mile per annum.

Fee to be paid.

9. (1) The holder of an exclusive licence to prospect shall, under penalty of revocation of such licence under the provisions of section 11 of the Proclamation, during the whole of the period for which such licence is granted, either by himself or his agents carry on bona fide prospecting operations.

Obligation of exclusive licensee.

(2) The Governor may refuse to renew any exclusive licence if satisfied that bona fide prospecting operations have not been carried on.

Renewal.

10. The holder of a prospecting right or an exclusive licence to prospect may in respect of the land subject to his right or licence exercise the following rights for the purpose of prospecting :—

Rights of prospector.

(a) Enter upon the said land unless the Governor shall by Government Notice declare any part thereof to be closed to prospectors :

(b) Erect temporary buildings or set up camp thereon :

(c) Use any water thereon or divert any water course provided that no stream of a greater width from bank to bank than 20 feet shall be diverted without the consent in writing of the Government Inspector of Mines;

(d) Sink shafts or wells or dig trenches; and

(e) Cut timber for any purpose essential to the work of carrying on prospecting operations in an efficient manner.

Licences and authorities to be shown to Government Inspector of Mines.

11. A prospecting right, an exclusive licence to prospect and any licence granted under the provisions of the proclamation or of these regulations, and a written authority given by the holder of an exclusive licence to any person to prospect upon his area, shall be produced to the Government Inspector of Mines demanding to inspect the same, and any person who shall fail to produce such licence, right or authority, when demanded as aforesaid shall be guilty of an offence and be liable to a penalty not exceeding twenty-five pounds.

Application for mining lease.

12. An application for a mining lease shall be made through the Secretary to the Administration and shall contain the following particulars and information:—

(a) The name, nationality and description of the applicant, and if a syndicate or corporation the like information with regard to the members or directors thereof and the amount of the nominal and subscribed capital of such syndicate or corporation, and an address in the Protectorate at which notices etc., may be served;

(b) A map on a scale of $\frac{1}{5000}$ showing the boundaries, extent and situation of the area in which it is desired to mine and containing sufficient topographical information to enable the position of the area to be easily located;

(c) The length of term desired;

(d) Whether it is desired to dig for, mine and work all minerals and precious stones, or some one or more and which of them; and

(e) A copy of the memorandum and articles of association of any syndicate or corporation applying as aforesaid.

Form of lease and assignment thereof.

13. A mining lease shall be in the Form 3 and an assignment thereof in the Form 4 set forth in the Appendix hereto, or as near thereto as circumstances admit.

Boundaries.

14. All mining areas shall be bounded by straight lines and vertical planes from the surface boundary lines downwards to an unlimited depth from the surface.

Permanent beacons to be erected.

15. Within a period not exceeding twelve months from the date of the commencement of a mining lease there shall be erected by the Lessee beacons of a permanent character,

(a) In the case of a lode mining lease at the corners of each claim, and

(b) In the case of an alluvial lease at each angular point of the polygon formed by the boundary lines and at such other points as may be necessary to secure that no two consecutive beacons shall be more than 2000 feet apart: provided that where for any reason it may be impracticable to comply strictly with these provisions the Government Inspector of Mines may authorize the placing of beacons at such other points as may in his opinion most conveniently define the boundaries of the area.

16. A lessee of a mining lease shall keep his beacons and boundary marks in good condition and repair so that they shall be at all times a reasonable guide for persons desirous of marking out contiguous areas.

Beacons to be kept in good repair

17. The lessee of a mining lease shall within 12 months of date of granting of such lease, or within such further time as the Governor by writing under his hand may grant, commence mining operations upon the lands subject to his said lease.

Commencement of working.

18. The lessee of a mining lease will at all times during the continuance thereof, except during the first 12 months, and unless prevented by any disturbances, or by unavoidable accident, effectually and vigorously work and develop and carry on mining operations on the land subject to the said lease.

Mines to be effectually worked.

19. No mine shall be considered to be effectually or properly worked within the meaning of the preceding regulation unless it can be shown that an expenditure per annum has been incurred in respect of working on the ground of at least £2 per acre in the case of an alluvial and £100 per claim in the case of a lode mining lease.

Conditions of adequate working.

Provided that in the case of contiguous leases held by the same person or corporation, the Governor may, on cause being shown, allow any two or more of the said leases to be regarded as one for the purpose of calculating the expenditure required by this regulation.

Concentrated working.

20. In any case where tailings or any other products whatever from the operations of mining or metallurgy are being discharged, or about to be discharged, in such a manner as to hinder or injuriously affect any other person in the execution of his legal mining rights, or the future development of mining it shall be lawful for the Government Inspector of Mines to order the disposal of such products or tailings in some other manner not detrimental to present or future mining.

Deposit of tailings and waste matter

Explosives.

21. It shall not be lawful for any person to construct underground any magazine for the storage of explosives or erect a magazine for such purpose upon the surface of the ground without previously having obtained permission in writing from the Government Inspector of Mines. Any such magazine shall be erected subject to the following conditions.

(a) It shall be constructed at a distance of at least 100 yards from any occupied building, public road, bridge, aqueduct, railway, or structure that might sustain damage in the event of an explosion.

(b) The walls shall be of suitable and substantial construction.

(c) The roof shall be as light as possible but fire proof.

(d) It shall be provided with a reliable lightning conductor which shall have its lower end attached to a metal plate at least 4 square feet in area which shall be buried at least three feet in the ground, and the point at which the conductor enters the ground and the ground in which it is buried shall be as far as possible kept damp.

(e) It shall have no windows.

(f) The door shall be provided with a stout lock and be kept fastened when not in use.

(g) The ground within a radius of sixty yards shall be kept clear of bushes and grass.

Monthly reports to Government.

22. On or before the eighth of each month, or as soon after as circumstances will permit, every manager or person in charge of mining operations shall lodge with the Government Inspector of Mines a written statement setting forth:—

(1) The name and designation of the property;

(2) The name of the owners of the mine;

(3) The nature of the mine;

(4) The output of mineral in the preceding month;

(5) A statement of working costs;

(6) The number of employes and labourers in the preceding month, and the total amount of wages paid to the labourers and the total amount of salaries of Europeans that are a charge on the mine, including those on leave;

(7) The particulars of any deaths or accidents that may have occurred during the preceding month; and

(8) Any further particulars that may be required by the Government Inspector of Mines for the purposes of compiling statistics.

Royalty.

23. (1) There shall be payable to the Government by all lessees of mining leases a royalty of £5 per centum upon the value of all metal won, as and from January 1st 1911.

(2) If such metal or any ore containing metal be exported from the Protectorate such royalty shall be collected in the form of an export duty payable upon exportation at any customs station in the Protectorate. Form of collection.

(3) The value of such metal shall be deemed to be the actual market price of the metal in the London market on the 1st day of January, April, July or October next preceding the exportation. Value how computed

(4) The value of tin ore shall be deemed to be at the rate of 70 per centum of the value of metallic tin computed as aforesaid. Tin ore.

24. Any person wilfully committing a breach of these regulations or refusing to obey an order lawfully given under any of the provisions thereof shall in addition to any liability to forfeiture provided by the proclamation be liable to a penalty not exceeding £50 or in default to imprisonment for a term not exceeding 6 months. Penalties

SCHEDULE II.

| No. and year. | Short Title. | Extent of Repeal. |
|--------------------|--|---|
| No. 5 of 1902 ... | The Minerals Proclamation 1902 | Sections 1 to 20, 22 to 54 and Regulations made thereunder. |
| No. 13 of 1907 ... | The Minerals (Amendment) Proclamation 1907 | All. |
| No. 6 of 1909 ... | The Minerals (Amendment) Proclamation 1909 | All. |

APPENDIX.

FORM I.

The Minerals Proclamation 1910, (Northern Nigeria.)
Prospecting Right. No.

Licence, subject to the provisions of the said Proclamation and of the rules and regulations made thereunder, is hereby granted for 12 months from the date hereof to E.F. [*here insert name, address and description of licensee*] to prospect for minerals [*or as the case may be*] in such parts of the Protectorate as may not from time to time be closed to prospectors by Government Notice in the Gazette.

This

day of

191

(Signed)

Governor

FORM II.

The Minerals Proclamation, 1910, (Northern Nigeria.)
Exclusive Licence to Prospect No.

The Exclusive right, subject to the provisions of the said Proclamation and of the rules and regulations made thereunder, for one year from the day of is hereby granted to A.B. [*here insert name, address and description of licensee*] to prospect for minerals [*or as the case may be*] within the following limits [*here insert boundaries of area*] as the same are delineated on the map attached hereto and coloured.

This

day of

191

(Signed)

Governor.

FORM III.

The Minerals Proclamation, 1910 (Northern Nigeria.)
Mining Lease (insert nature of Lease, see s. 17.)

This lease is granted to of for mining purposes upon or under (*here describe area with boundaries*) as the same is delineated on the map attached hereto for the period of years from the date hereof according to the true intent and meaning of the said Proclamation and subject to the provisions of the said Proclamation or of any Proclamation amending, altering or repealing the same, and to all such rules and regulations as may from time to time be made under such Proclamation or Proclamations.

Dated this

day of

191

(Signed)

Governor

FORM IV.

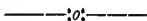
The Minerals Proclamation 1910, (Northern Nigeria) Assignment of Mining Lease.

WHEREAS under the provisions of the above mentioned Proclamation a lease for mining purposes upon or under (*here describe area with boundaries &c. as in original lease*) was on the _____ day of _____ 19____, granted to _____ of _____ for a term of _____ years from the date thereof, and duly registered in Vol. _____ page _____ of the register of instruments affecting land. Now these presents witness that in consideration of the sum of _____ the said (lessee) doth hereby assign to _____ of _____ all his right title and interest in and under the said lease as from the _____ day of _____ for the remainder of the term thereof.

In witness &c.,

Given under my hand and the Seal of the PROTECTORATE
of NORTHERN NIGERIA this 12th day of November
in the year of our Lord, One thousand nine
hundred and ten.

H. HESKETH BELL,
Governor.



THIS PRINTED IMPRESSION has been carefully compared by me with the Proclamation which has been approved by the Governor and found by me to be a true and correct printed copy of the said Proclamation.

M. H. D. BERESFORD,
Secretary to the Administration.

Repeal of existing enactments.

Saving for validity of acts done under repealed enactments.

Chapters of Schedule to be construed as separate Proclamations.

2. All Proclamations and all Orders, Rules, Regulations and Bye-laws made under or by virtue thereof, in force in the Protectorate on the 31st day of July, 1910, are hereby repealed and revoked, save as is expressly provided in the schedule hereto, and the provisions contained in the schedule hereto are hereby substituted therefor. Provided that nothing herein contained shall be construed to affect in any way the validity of any act done or of any right or liability acquired or incurred under or by virtue of the Proclamations, Orders, Rules, Regulations and Bye-laws hereby repealed and revoked or any of them.

3. Each of the chapters of the schedule hereto shall be construed as though it were a separate Proclamation, and may be cited as such by the title therein set forth and provided, and the said chapters and each of them shall take effect as from the date of the commencement of this Proclamation in all respects as though each of them were enacted as a Proclamation enacted in the manner provided by the Northern Nigeria Order in Council, 1899.

THE SCHEDULE.

(BEING THE REVISED EDITION OF THE LAWS OF THE PROTECTORATE).

GIVEN under my hand and the Seal of the PROTECTORATE of NORTHERN NIGERIA this 31st day of December in the year of our Lord, One thousand nine hundred and ten.

C. L. TEMPLE,

Deputy for Governor.

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THIS PRINTED IMPRESSION has been carefully compared by me with the Proclamation which has been approved by the Governor and found by me to be a true and correct printed copy of the said Proclamation.

BERTRAM HODGES,

Acting Secretary to the Administration.



