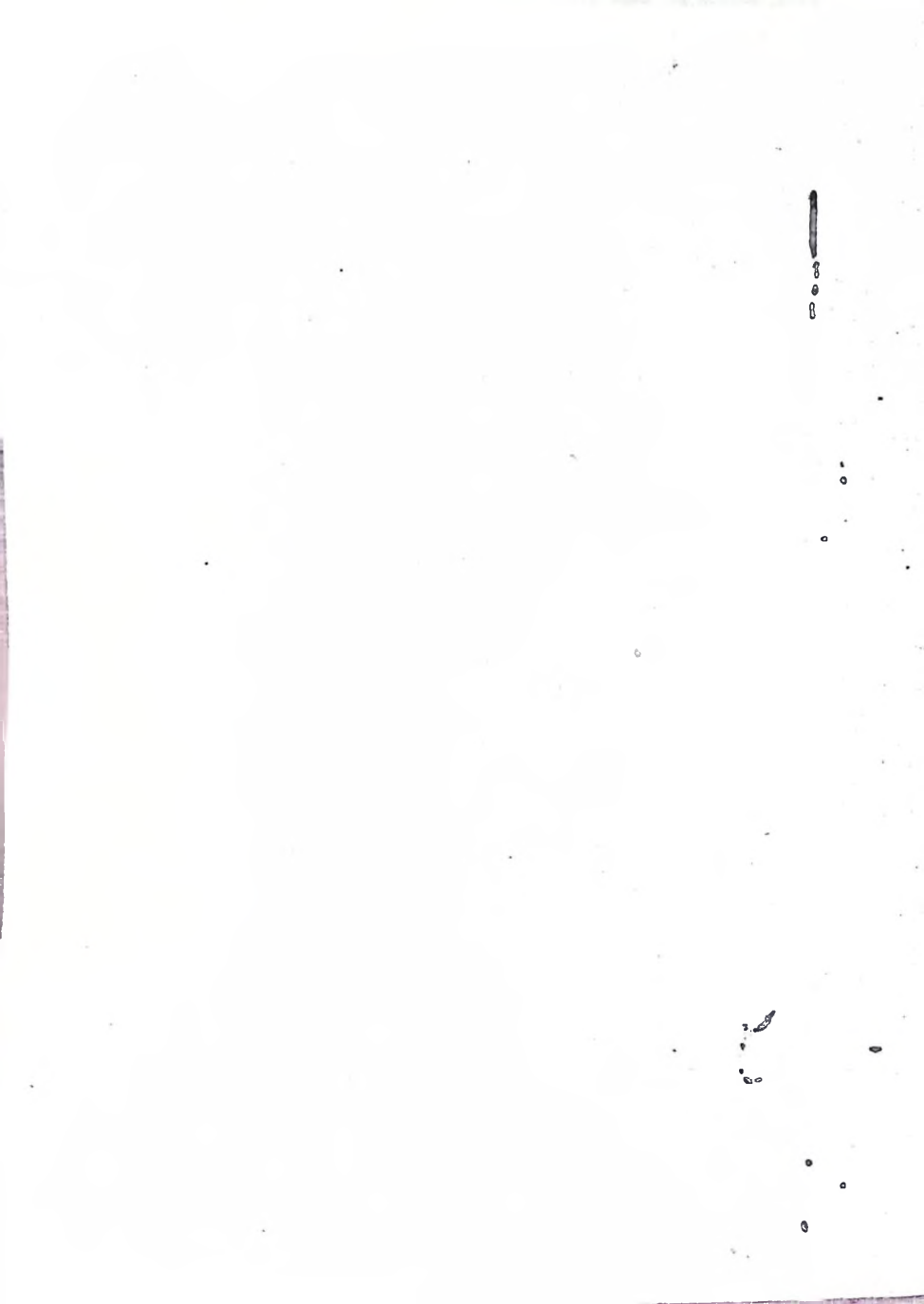


Colony of Lagos
ORDINANCES AND
SUBSIDIARY LEGISLATION
1897-1898
(Consolidated)

NIGERIAN SECRETARIAT
LIBRARY

Press.....No. 503A.....

OD
DT 515
L. 042
1897-1898



CD
DT 515
L. 042r
1897-1898

Pass 4
No 11

Secretary

GEORGE CHARDIN DENTON, ESQUIRE, C.M.G.,

Acting Governor.

No. 1.—1897.

An Ordinance to amend the Police Ordinance 1895 and make provision for the appointment of a Deputy Sheriff in the Lagos District. [15TH JANUARY, 1897.]

WHEREAS it is expedient to make provision for the appointment of a Deputy Sheriff in the Lagos District.

Be it enacted by the Governor of the Colony of Lagos with the advice and consent of the Legislative Council thereof as follows:—

1. The Senior or sole Assistant Commissioner of Police resident in Lagos shall *ex-officio* be Deputy Sheriff of the Lagos District, and, in the event of the absence from Lagos or of the illness or incapacity of the Sheriff of the Colony, the Deputy Sheriff may lawfully execute the office of Sheriff at any place within the jurisdiction of the Supreme Court. Such Deputy Sheriff shall be removeable from office at the discretion of the Governor.

Senior Assistant Commissioner to be Deputy Sheriff of the Lagos District

2. In the event of the removal of the Deputy Sheriff from office, the Governor shall have power to appoint a fit and proper person to act as Deputy Sheriff of the Lagos District.

Governor may appoint fit and proper person to act as Deputy Sheriff.

3. The person appointed, if any, to act as Deputy Sheriff as provided for by the last preceding section, may lawfully exercise the office of Sheriff at any place within the jurisdiction of the Supreme Court, and shall be removeable from office at the discretion of the Governor.

Powers of person appointed under last section.

4. This Ordinance shall be construed with and read as part of "The Police Ordinance 1895."

To be construed with No. 10 of 1895.

5. Nothing in this Ordinance enacted shall be construed as in any way invalidating existing appointments.

Saving Clause.

6. This ordinance may be cited for all purposes as "The Police Ordinance 1895 Amendment Ordinance 1897."

Short Title.

GEORGE STALLARD, ESQ.,

Deputy Governor.

No. 2.—1897.

An Ordinance to amend and consolidate
the various Ordinances relating to Customs
Duties. [1ST MARCH, 1897.]

Be it enacted by the Governor of the Colony of Lagos
with the advice and consent of the Legislative Council
as follows:—

Title and Extent.

1. This Ordinance may be cited as "The Customs
Tariff Ordinance 1897," and shall extend to the Colony
and Protectorate of Lagos.

Repealing clause.

2. The following Ordinances viz: No. 6 of 1892 intitled
"The Customs Tariff Ordinance 1892;" No. 5
of 1895 intitled "An Ordinance to amend the Customs
Tariff Ordinance 1892;" and No. 10 of 1896 intitled
"The Customs Drawbacks Ordinance 1896" shall be
and are hereby repealed: Provided always that nothing
in this Ordinance contained shall affect any liability to
duty which may have arisen in respect of any goods
which may have been imported into the Colony or Pro-
tectorate previously to the passing of this Ordinance,
and upon which duty may not have been paid.

Duties and Draw-
backs.

3. From and after the passing of this Ordinance and
in lieu and instead of all other Duties and Drawbacks
of Customs, there shall be raised, collected, levied and
paid unto Her Majesty for the use of the Colony of
Lagos, and allowed upon goods imported into or ex-
ported from any part of the Colony or Protectorate of
Lagos, the several Duties of Customs and Drawbacks as
the same are respectively inserted, described and set
forth in the first part of the Schedule to this Ordinance
annexed.

Exemptions.

4. The goods specified or included in the second part
of the said Schedule shall be exempt from Duty.

THE SCHEDULE.

THE FIRST PART.

Table of Duties and Drawbacks.

	£	s.	d.
On Wines; Liqueurs and Cordials of any sort, the Imperial Gallon	0	1	0

	£	s.	d.
On Spirits not being Liqueurs or Cordials, the Imperial Gallon	0	2	0
Such Spirits not exceeding the strength of proof by Syke's Hydrometer, and so in proportion for any greater strength.	0	0	3
On tobacco, the pound	0	0	3

The following duties shall be drawn back upon exportation by inland navigation or carriage to Porto Novo or to places beyond the Western limit of the Colony and Protectorate of Lagos, on such conditions as the Governor in Council may direct, or to parts beyond the seas, of spirits or tobacco on which the full duties of importation shall have been paid, viz—

Upon Spirits, all sums paid thereon for duties of importation exceeding one penny farthing per gallon;

Upon Tobacco, all sums paid thereon for duties of importation exceeding one farthing per lb.

And Spirits and Tobacco duly warehoused for security of duties or transhipped for exportation shall be exported to Porto Novo or to places beyond the Western limit of the Colony and Protectorate as aforesaid or to parts beyond the seas, upon payment of the following duties viz ;—

Upon Spirits, the gallon	0	0	1 $\frac{1}{4}$
Upon tobacco, the pound	0	0	$\frac{1}{2}$

Provided that all spirits and tobacco exported as aforesaid shall be deemed to be goods exported for drawbacks.

On beer and malt liquor of any sort, in bottles, per dozen.	0	0	9
On beer and malt liquor of any sort in wood, the Imperial Gallon	0	0	4 $\frac{1}{2}$
On cigars, the thousand	0	5	0
On cowries, the hundredweight	0	1	0
On salt, the ton... ..	0	5	0
On gunpowder, the barrel... ..	0	2	0
On guns, each	0	1	0
On pistols, each... ..	0	0	6

On all other goods of every description not enumerated, an *ad valorem* duty of 5 per cent on the value of the goods at the port from which the same shall have been imported.

Upon exportation by inland navigation or carriage to Porto Novo, or to places beyond the Western limit of the Colony or Protectorate of Lagos, on such conditions as the Governor in Council shall direct, or to parts beyond the seas, of goods, not being spirits or tobacco, on which the full duties of importation shall have been paid, there shall be drawn back three quarters of the duties of importation.

And goods, not being spirits or tobacco, duly warehoused for security of duties, or transhipped for exportation, shall be exported to Porto Novo, or to places beyond the Western limit of the Colony or Protectorate of Lagos as aforesaid, upon payment of one quarter of the duties payable upon importation thereof, or to places beyond the seas, upon payment of one quarter of the duties payable upon the importation thereof:

Provided that all goods exported as aforesaid shall be deemed to be goods exported for drawback.

THE SECOND PART.

Table of Exemptions.

All goods imported by the Governor for his private use.

All goods imported with the sanction of the Governor for the service of any Public Department of the Colony.

Books, Newspapers and printed matter.

Copy-books, Drawing-books, and materials and apparatus and other educational materials and apparatus imported with the sanction of the Governor, for the use of any School or Mission.

Mathematical, scientific, and surgical instruments.

Photographic apparatus and materials.

British coins and other coins current in the Colony.

Building and roofing materials including stone, bricks, timber, planks, doors, shutters, metal plates or piles, roof slates or tiles, white lime, cement, house-paint and paint-brushes, door locks, keys, hinges, nails, screws, bolts and bars, window frames, glass, and fastenings, artisan's tools, linseed oil, turpentine, coloured ochre and chalk, and all such other building or roofing materials or stores as the Governor by writing given under his hand and published in the Gazette shall have declared to be building or roofing materials or stores for the purposes of this Ordinance.

Passengers' Luggage.

Packages in which goods are usually imported.

Puncheon shooks, including the iron hoops and rivets or hooks required for making them up.

Telegraphic stores, instruments, machinery, plant and gear within the meaning of Ordinance No. 7 of 1891.

GEORGE CHARDIN DENTON, ESQ., C.M.G.,

Acting Governor.

No. 3.—1897.

An Ordinance to amend "The Prisons Ordinance 1876." [8TH APRIL, 1897.]

Be it enacted by the Governor of the Colony of Lagos with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as "The remission of sentences Ordinance 1897." Short Title.

2. The following shall be added after section 21 of the Prisons Ordinance 1876.

21A. A Prisoner who has by good conduct earned a remission of part of his sentence under any Rules or Regulations for the time being in force relating to the Mark System, shall be discharged upon the expiration of so much of his sentence as shall remain after deducting from it the part of which he has earned remission, but the Sheriff shall report the discharge to the Colonial Secretary.

GEORGE CHARDIN DENTON, ESQ., C.M.G.,
Acting Governor.

No. 4.—1897.

An Ordinance to consolidate and amend
the Ordinances relating to Railways.

[8TH APRIL, 1897.]

WHEREAS it is deemed expedient to consolidate
and amend the Ordinances relating to Railways..

Be it therefore enacted by the Governor of the
Colony of Lagos with the advice and consent of the
Legislative Council thereof as follows:—

Ordinances No. 3 of
1896, and No. 9 of
1896 repealed.

1. The following Ordinances shall be and are
hereby repealed viz: No. 3 of 1896, intituled "An
Ordinance to provide for the construction and main-
tenance of a Railway for the Colony of Lagos," and
No. 9 of 1896, intituled "An Ordinance to amend
and extend the Railway Construction Ordinance,
1896."

Incorporation of
Public Lands Or-
dinance 1876.

2. The expression "The Principal Ordinance" shall
mean the "Public Lands Ordinance 1876" which shall
be and is hereby incorporated with this Ordinance,
except in so far as the provisions hereinafter con-
tained shall alter or be inconsistent with the provisions
of the said Principal Ordinance.

Construction, Es-
tablishment and
Maintenance of
Railway.

3. It shall be lawful for the Government of Lagos,
to construct, establish and maintain a Railway for the
said Colony with terminal and intermediate stations
and all proper works and conveniences for the con-
veyance of passengers, animals and goods, and for that
purpose to appoint and authorize its officers with all
necessary workmen and other servants at all times
under the provisions of the Principal Ordinance to
enter upon lands belonging to the Crown or to private
persons, and to survey, set out, appropriate and take
so much of such land as may in the opinion of such
officers be required and expedient for the construction,
establishment, and maintenance of the said Railway.

Government may
enter on lands re-
quired 21 days after
notice.

4. In any case where notice shall have been given
under the provisions of the Principal Ordinance, that
lands are required for the public service, and whether
or not any dispute or doubt shall arise as to the
ownership of or compensation properly payable for

such lands, it shall nevertheless be lawful for the Government through its servants to enter upon such lands twenty-one days after service of such notice, and pending the decision of the Court as to ownership or compensation, to deal with such lands in all respects as if they had been conveyed to and become vested in the Government

5. It shall be lawful for the Government in all cases where it shall be deemed necessary or expedient, to enter upon any lands other than those appropriated, and within two hundred yards thereof, and

Power to enter on and use lands other than those taken.

- (1.) To stop or divert any public or private roads, ways, brooks or waters that may or might interfere with the construction or maintenance of the Railway.
- (2.) To make roads, ways, drains, canals or water ways or use those already made for the purpose of bringing or conveying any passengers, workmen, animals, goods, plant or carriages to or from the Railway.
- (3.) To erect and construct such temporary houses, offices, workshops, sheds and other buildings, and make such yards and enclosures as may be deemed necessary.
- (4.) To do and execute all other matters and things necessary for making, maintaining, altering, repairing and using the Railway. Provided always that in the exercise of the said powers as little damage shall be done as possible, and full compensation shall be paid to the owner or occupier of such lands for the actual damage, if any, occasioned in the course of such operations. In case of any dispute respecting the amount of such compensation, it shall be determined by the assessment of the Director of Public Works for the time being, or any competent Surveyor, or other person to be appointed by the Governor, and such assessment shall be final.

6. Plans of the portions of land to be taken or acquired for the purposes of the Railway shall be prepared from time to time by the Officer appointed

Plans to be prepared and deposited.

for the purpose by the Governor and copies thereof shall be deposited in the office of the Registrar General and shall be open to the inspection of all persons interested without charge.

Power to make regulations and bye-laws.

7. The Governor may with the advice and consent of the Legislative Council from time to time make, and when made, amend, vary, suspend or revoke regulations and bye-laws with regard to all or any of the following matters, that is to say :

- (a) For the guidance and conduct of the officers and workmen employed in the construction, maintenance, and working of the Railway.
- (b) For preventing the commission of any offences or nuisances in, on, or about any of the stations, works, plant or premises of the Railway :
- (c) For prevention of trespasses upon or injury to the Railway roadways, stations, works, plant, buildings, or premises attached or belonging thereto :
- (d) For regulating the charges to be paid by, and the conduct of, persons travelling upon the Railway : and the charges to be paid for the carriage of animals, produce and goods, and the conditions under which they will be carried.
- (e) For further or better effectuating any of the purposes of this Ordinance,

and may attach a penalty, which shall not exceed ten pounds, to any breach of any such regulation or bye-law.

Every such regulation or bye-law, or the alteration, suspension or repeal thereof, shall come into operation upon being published in the Government Gazette, and shall thereupon be binding upon all persons concerned, subject to disallowance by Her Majesty.

All penalties imposed under any regulations or bye-laws made under this section shall be recovered upon summary conviction.

Penalty for damage &c. done to Railway works &c.

8. Every person who shall wilfully damage, injure, or obstruct any work, way, road, building, fence, engine, tender, carriage, waggon, truck material or plant

acquired for or belonging to the Railway works, or who shall pull up, remove, deface or destroy or in any way interfere with any poles, stakes, flags, pegs, lines, marks or anything driven or placed in or upon the ground, trees, stones or buildings or any other of the materials belonging to the Railway works, or who shall wilfully molest, hinder or obstruct the Officer in charge of the Railway or his Assistants or workmen in the execution of any work done or to be done in reference to the construction or maintenance of the said Railway, or who shall commit any nuisance or trespass in or upon any land building or premises acquired for or belonging to the Railway works shall be liable on summary conviction before a Police Magistrate or District Commissioner to a penalty not exceeding Ten pounds, or in default of payment to imprisonment, with or without hard labour, for a term not exceeding three calendar months.

9. Whosoever shall unlawfully and maliciously pull or throw down or in anywise destroy any Bridge (whether over any stream of water or not), or any Viaduct or Aqueduct, over or under which Bridge, Viaduct, or Aqueduct any Highway, Railway, or Canal shall pass, or do any injury with intent and so as thereby to render such Bridge, Viaduct, or Aqueduct, or the Highway, Railway or Canal passing over or under the same, or any part thereof, dangerous or impassable, shall be guilty of Felony, and being convicted thereof shall be liable, at the discretion of the Court, to be kept in Penal Servitude for life or for any term not less than three years, or to be imprisoned for any term not exceeding two years, with or without hard labour, and with or without Solitary confinement, and, if a male under the age of sixteen years, with or without whipping.

Injury to a Public
Bridge &c.

10. Whosoever shall unlawfully and maliciously throw down, level or otherwise destroy, in whole or in part, any Turnstile, Gate or Toll Bar, or any Wall, Chain, Rail, Post, Bar, or other Fence, belonging to any Turnstile, Gate, or Toll Bar, or set up or erected to prevent Passengers passing by without paying any Toll directed to be paid by any Ordinance relating thereto, or any House, Building or Weighing Engine erected for the better collection, ascertainment, or security of any such Toll, shall be liable on summary conviction before a Police Magistrate or District

Destroying a Turn-
stile gate, toll bar,
&c.

Commissioner to a penalty not exceeding Ten pounds or in default of payment to imprisonment, with or without hard labour for a term not exceeding three calendar months.

Placing wood &c. on Railway with intent to obstruct or overthrow any engine, &c.

11. Whosoever shall unlawfully and maliciously put, place or cast or throw upon or across any Railway any wood, stone or other matter or thing, or shall unlawfully and maliciously take up, remove or displace any Rail, Sleeper, or other matter or thing belonging to any Railway, or shall unlawfully and maliciously turn, move, or divert any points or other Machinery belonging to any Railway or shall unlawfully and maliciously make or show, hide or remove any signal or light upon or near to any Railway or shall unlawfully and maliciously do or cause to be done any other matter or thing, with intent in any of the cases aforesaid to endanger the safety of any person travelling or being upon such Railway or to obstruct, upset, overthrow, injure or destroy any engine, tender, carriage, or truck using such Railway shall be guilty of Felony, and being convicted thereof shall be liable at the discretion of the Court, to be kept in penal servitude for life or for any term not less than Three years, or to be imprisoned for any term not exceeding Two years, with or without hard labour and if a male under the age of sixteen years, with or without whipping.

Obstructing Engines or carriages or Railways.

12. Whosoever, by any unlawful act or by any wilful omission or neglect, shall obstruct or cause to be obstructed any engine, tender, waggon, or carriage using any Railway, or shall aid or assist therein, shall be guilty of a misdemeanor, and being convicted thereof shall be liable, at the discretion of the Court, to be imprisoned for any term not exceeding Two years, with or without hard labour.

Injuries to electric or magnetic Telegraphs.

13. Whosoever shall unlawfully and maliciously cut, break, throw down, destroy, injure or remove any Battery Machinery, Wire, Cable, Post, or other matter or thing whatsoever, being part of or being used or employed in or about any Electric or Magnetic Telegraph, or in the working thereof, or shall unlawfully and maliciously prevent or obstruct in any manner whatsoever the sending, conveyance, or delivery of any communication by any such Telegraph, shall be guilty of a misdemeanor and being convicted thereof

shall be liable at the discretion of the Court, to be imprisoned for any term not exceeding Two years, with or without hard labour: Provided that if it shall appear to the Police Magistrate or District Commissioner on the examination of any person charged with any offence against this section that it is not expedient to the ends of justice that the same should be prosecuted by Information, the Police Magistrate or District Commissioner may proceed summarily to hear and determine the same and the offender shall, on conviction thereof at the discretion of the Police Magistrate or District Commissioner, either be committed to Gaol, there to be imprisoned and kept to hard labour for any term not exceeding Three months, or else shall forfeit and pay such sum of money not exceeding Ten Pounds as to the Police Magistrate or District Commissioner shall seem meet.

14. Whosoever shall unlawfully and maliciously by any overt act, attempt to commit any of the offences in the last preceding section mentioned, shall on conviction thereof before a Police Magistrate or District Commissioner, at the discretion of the Police Magistrate or District Commissioner either be committed to Gaol, there to be imprisoned only, or to be imprisoned and kept to hard labour, for any term not exceeding three months, or else shall forfeit and pay such sum of money not exceeding Ten Pounds as to the Police Magistrate or District Commissioner shall seem meet.

Attempt to injure such telegraphs.

15. Whosoever shall unlawfully and maliciously throw or cause to fall or strike, at, against into, or upon any Engine, Tender, Carriage or Truck used upon any Railway, any wood, stone, or other matter or thing with intent to injure or endanger the safety of any person being in or upon such Engine, Tender, Carriage, Waggon or Truck or in or upon any other Engine, Tender, Carriage, Waggon or Truck of any Train of which such first mentioned Engine, Tender, Carriage, Waggon, or Truck shall form part, shall be guilty of Felony and being convicted thereof shall be liable at the discretion of the Court, to be kept in Penal Servitude for Life or for any term not less than Three Years, or to be imprisoned for any term not exceeding Two Years, with or without hard labour.

Casting stone, &c., upon a Railway Carriage with intent to endanger the safety of any person therein.

16. Whosoever by any unlawful act, or by any wilful omission or neglect shall endanger or cause

Endangering Passengers by Railway.

to be endangered the safety of any person conveyed or being in or upon a Railway, or shall aid or assist therein shall be guilty of a misdemeanor, and being convicted thereof shall be liable, at the discretion of the Court to be imprisoned for any term not exceeding Two Years, with or without hard labour.

Drivers of carriages injuring persons by furious driving.

17. Whosoever having the charge of any Carriage or Vehicle shall by wanton or furious driving or racing or other wilful misconduct or by wilful neglect do or cause to be done any bodily harm to any person whatsoever shall be guilty of a misdemeanor and being convicted thereof shall be liable, at the discretion of the Court to be imprisoned for any term not exceeding Two Years, with or without hard labour.

Application of Ordinance No. 7 of 1895.

18. The Chief Constructor, Manager, or Head of the Railway Department for the time being shall have all the powers conferred, and perform all the duties imposed upon Heads of Government Departments by "The Departmental Offences Ordinance 1895," and any rules or regulations made or hereafter to be made thereunder.

Application of Ordinance.

19. This Ordinance shall apply to the Colony and Protectorate and also to all land, ways, buildings, and sites acquired, or which may hereafter be acquired by the Government, for the purposes of the Railway wheresoever situate.

Short Title.

20. This Ordinance may be cited for all purposes as "The Railway Ordinance 1897."

GEORGE CHARDIN DENTON, ESQ., C.M.G.,
Acting Governor.

No. 5.—1897.

An Ordinance to legalize certain payments made in the year One thousand eight hundred and ninety-six, beyond the Expenditure authorised by law.

[9TH APRIL, 1897.]

WHEREAS certain expenses were incurred and payments made in the year One thousand eight hundred and ninety-six beyond the amounts granted by the

Legislature for the service of the Colony of Lagos, and it is desirable that such expenses and payments should be sanctioned by an Ordinance:

Be it therefore enacted by the Governor and Legislative Council of the Colony of Lagos as follows:—

1. The sums of money set forth in the Schedule hereto annexed having been expended for the services therein mentioned beyond the amounts granted for such services by the Ordinance passed for making provision for the expenditure of the said Colony for the year One thousand eight hundred and ninety-six the same are hereby declared to have been duly and necessarily paid, laid out, and expended for the service of the said Colony in that year, and are hereby approved, allowed and granted in addition to the amounts mentioned for such services in the Ordinance aforesaid.

Additional expenditure for 1896 as set out in the Schedule legalized.

2. This Ordinance may be cited for all intents and purposes as "The Supplementary Appropriation Ordinance 1897."

Short title

SCHEDULE.

Additional Expenditure for the year 1896 beyond the amount granted by Ordinance No. 6 of 1895.

	£	s.	d.
Governor... ..	43	14	5
Colonial Secretariat	545	10	8
Queen's Advocate	13	10	6
Treasury... ..	177	12	3
Customs	280	14	3
Post Office	88	15	9
Printing Office	484	14	6
Government Vessels... ..	102	1	0
Ecclesiastical	16	13	4
Charitable	55	3	3
Hausa Force (Special)	1624	7	2
Prisons	59	15	6
Medical	2640	16	6
Transport	4135	1	6
Aborigines	889	7	8
Miscellaneous	2444	14	3
Pensions & Gratuities	871	5	10
Rent	78	9	5
Public Works Recurrent	538	2	8
Total...£	15090	10	5

GEORGE CHARDIN DENTON, ESQ., C.M.G.,

Acting Governor.

No. 6.—1897.

An Ordinance to amend "The Lagos Constabulary Ordinance 1879." [20TH APRIL, 1897.]

Whereas it is expedient to amend "The Lagos Constabulary Ordinance 1879."

Be it therefore enacted by the Governor of the Colony of Lagos with the advice and consent of the Legislative Council as follows:

Powers conferred on the Inspector General may be exercised by Officer Commanding a detachment.

1. The Governor may, if he thinks fit, at any time and from time to time order that all or any of the powers by section 32 of the Lagos Constabulary Ordinance No. 3 of 1879 vested in the Inspector General for the investigation and punishment of aggravated or repeated offences shall be exercised by any Officer Commanding a detachment of Hausas at any station or district.

Officer Commanding detachment may award corporal punishment not exceeding 18 lashes.

2. Such order may extend and apply to a particular charge only or to any class or classes of offences or to all offences and the Governor may alter or revoke any such order as he may see fit. Provided that when corporal punishment is awarded by the said officer, eighteen strokes or lashes may be given without previously obtaining the approval of the Governor.

To be construed with No. 3 of 1879.

3. This Ordinance shall be construed with and read as part of "The Lagos Constabulary Ordinance 1879."

4. This Ordinance may be cited for all purposes as "The Lagos Constabulary Ordinance, 1897."

5. This Ordinance shall not come into operation unless and until the Governor shall notify by Proclamation that it is Her Majesty's pleasure not to disallow the same, and thereafter it shall come into operation upon such day as the Governor shall notify by the same or any other Proclamation.

HENRY EDWARD McCALLUM, ESQ., MAJOR.

R.E., C.M.G.,

Governor.

No. 7.—1897.

An Ordinance to make provision for
Public Holidays. [11TH JUNE, 1897]

Whereas it is expedient to make provision for rendering certain days Public Holidays and for enabling Public Holidays to be appointed :

Be it therefore enacted by the Governor of the Colony of Lagos with the advice and consent of the Legislative Council thereof as follows :—

1. The several days and each and every of them in the Schedule to this Ordinance mentioned shall be kept as Public Holidays.

Days to be kept as
Public Holidays

2. It shall be lawful for the Governor from time to time as may seem fit by Proclamation to appoint special days to be observed as Public Holidays in the Colony of Lagos and any days so appointed shall be kept as Public Holidays.

Appointment of
Special days to be
observed as Public
Holidays.

3. This Ordinance may be cited for all purposes as "The Public Holidays Ordinance, 1897."

Short Title.

SCHEDULE.

DAYS TO BE OBSERVED AS PUBLIC HOLIDAYS.

New Year's Day,

Good Friday,

Easter Monday,

Anniversary of the Birthday of Her Majesty
the Queen,

Anniversary of the Birthday of His Royal
Highness the Prince of Wales,

Christmas Day and 26th December.

HENRY EDWARD McCALLUM, ESQ., MAJOR;
 R.E., C.M.G.
Governor.

No. 8.—1897.

An Ordinance to provide for the control and management of the Race Course.

[22ND SEPTEMBER, 1897.]

Whereas it is expedient to afford facilities for making available that piece or parcel of land situate in the Island of Lagos and known as the Race Course for the use of the inhabitants of the said Island for exercise and recreation and to provide for the proper control and management of the same.

Be it therefore enacted by the Governor of the Colony of Lagos with the advice and consent of the Legislative Council thereof as follows:—

Short Title.

1. This Ordinance may be cited as “The Race Course Management Ordinance 1897.”

The ownership of the Race Course vested in a Board of Management.

2. The ownership of that piece or parcel of land situate in the Island of Lagos and known as the Race Course, the boundaries, dimensions and shape whereof are delineated and set out within red lines on a certain plan signed in duplicate as relative to this Ordinance by the Governor and the Clerk of the Legislative Council (one copy of the said plan to be deposited at the Secretariat and one copy at the office of the Director of Public Works), shall from and after the publication of a notice to that effect in the Government Gazette be vested in the Board of Management, to be appointed as hereinafter mentioned: and the said land shall be held in trust by the said Board of Management, for the perpetual use thereof by the public for exercise and recreation.

The Board of Management how constituted.

3. For the purposes of this Ordinance a Board of Management (hereinafter called “the Board”) shall be formed and shall consist of the following members:—

The Colonial Secretary for the time being,

The Director of Public Works for the time being.

The Unofficial members of the Legislative Council for the time being and two other persons not being employed in the Government service appointed by the Governor. The Colonial Secretary or in his absence the Director of Public Works shall preside as Chairman at each meeting of the Board and shall, as such Chairman and in addition to his vote as a member of the Board, have a casting vote.

4. The nominated members of the Board shall hold office for one year from the date of appointment: but retiring members may be re-appointed.

Term of service of the nominated member of the Board.

5. In the event of the death, resignation or absence from the Colony of any nominated member of the Board, the Governor may appoint such person as he shall think fit to be a member of the Board in the place of such member.

The Governor to fill vacancy on the Board.

6. The Board may with the consent of the Governor in Council from time to time make, alter and repeal bye-laws, which shall be duly published in the Government Gazette for all or any of the purposes following: (that is to say)

Power of making bye-laws.

- (1.) For the appointment and removal of officers and servants and for regulating the duties conduct and remuneration of such officers and servants:
- (2.) For the management control and regulation of the Race Course and for the use of the same by the public.
- (3.) For the removal of any person infringing the bye-laws by any officer of the Board or police constable.
- (4.) For the promotion of different forms of recreation other than Horse-racing.
- (5.) For regulating foot tracks and grazing of cattle.
- (6.) For preventing injury and damage to the land.
- (7.) And generally for carrying into effect the purposes of this Ordinance

Penalties.

and the said Board may fix such reasonable penalties as they think fit, not exceeding forty shillings together with the cost of repairing any damage or injury done to the said lands for each breach of such bye-laws.

Fund.

8. Such sum as may from time to time be voted by the Legislative Council for the maintenance and improvement of the land hereby vested in the Board together with all sums received from donations, subscriptions, and amounts received for damages shall form a Fund to be administered by the Board subject to such rules and regulations as the Governor may from time to time prescribe.

All fines recovered under this Ordinance shall be paid over by the Government to the Fund specified in this section.

Recovery of penalties.

9. All penalties, under this Ordinance, shall be recoverable upon summary trial and conviction and upon non-payment the same shall be enforced under the provisions of the Criminal Procedure Ordinance 1876 or of any enactment amending or extending the same.

Legal proceedings.

10. Any servant or officer appointed by the Board under bye-laws under this Ordinance may be authorized and required by order in writing to take all necessary legal proceedings in the name of the Board for the recovery of penalties or the punishment of any person for any offence under this Ordinance or any such bye-laws.

11. It shall be lawful for any member of the Police Force to arrest any person found infringing any bye-law made under Section 6 of this Ordinance.

HENRY EDWARD McCALLUM ESQ., MAJOR.

R.E. C.M.G.,

Governor.

No. 9—1897.

An Ordinance to make better provision for the protection of the Town of Lagos from fire. [22ND SEPTEMBER 1897]

Whereas no provision is made by law for regulating the means to be adopted for the control and extinction of Fires in the town of Lagos, and it is expedient to make such provision.

It is hereby enacted by His Excellency the Governor of Lagos, with the advice and consent of the Legislative Council thereof as follows:—

1. It shall be lawful for the Governor from time to time to appoint such person or persons (not exceeding four in number) as he may think proper to be Fire Commissioners, and to revoke any such appointment or appointments. In addition to the person or persons so appointed the Commissioner of Police, actual or acting shall be *ex-officio* a Fire Commissioner.

2. The duty of extinguishing fires and of protecting life and property in case of fire shall within the limits of the Town of Lagos, be deemed for the purpose of this Ordinance, to be entrusted to the Fire Commissioners, appointed under and by this Ordinance (hereinafter called the Fire Commissioners) who shall be at liberty, subject to the sanction of the Governor, to incur such expense as may be necessary for the due execution of the duties imposed on them by this Ordinance, and such expense shall be chargeable to the general revenue in the Colony. The Commissioner of Police shall be the senior Fire Commissioner and the other Fire Commissioners shall take rank amongst themselves according to the order and date of their respective appointments.

Duty of Fire Commissioners.

They may incur expenses with sanction.

Fire Engines &c.
to be handed over

3. All Fire Engines, stores, tools and implements for using the same in the possession of the Government shall be handed over to the Fire Commissioners and shall be maintained and used by the said Fire Commissioners.

Powers of Commissioners by whom may be exercised.

4. (a) Each and every Fire Commissioner and every Officer of the Police Force not otherwise specially engaged on duty shall on being informed of an alarm of fire or of an actual fire within the limits of the Town of Lagos with all speed proceed to the scene of the fire or of the alarm thereof.

(b) On every occasion when there is an alarm of fire or an actual fire within the limits of the Town of Lagos, the entire control of the measures to be taken shall be vested in the following persons in succession in the order in which they are named that is to say

- (1) In the Commissioner of Police, and in his absence,
- (2) In the Senior Fire Commissioner present at the scene of the fire or of the alarm thereof; and if no Fire Commissioner is present,
- (3) In the Senior member of the Police Force present at the scene of the fire or of the alarm thereof.

Fire Commissioner's powers in case of fire.

5. On the occasion of a fire, the Fire Commissioners may take the command of any volunteer Fire Brigade or other persons who voluntarily place their services at their disposal, and may remove, or order any person acting under their control to remove, any persons who interfere by their presence with the operations of those assisting at the fire, and generally they may take any measures that appear expedient for the protection of life and property, with power, by themselves or those acting under their control, to break into or through, or take possession of, or pull or throw down any premises for the purpose of putting an end to a fire.

Police Officers to be authorized to aid.

6. All members of the Police Force shall be bound to aid the Fire Commissioners in the execution of their duties under this Ordinance. Any officer of the

Police Force may close any street or streets in or near which a fire is burning, and remove any person or persons who interfere by their presence with the operations of those assisting at the fire; and any person assaulting, disturbing, hindering or interfering with any Fire Commissioner, or any member of the Police Force, or any person legally acting under the authority of the Fire Commissioners, in the execution of the duties entrusted to them by this Ordinance, shall be liable on conviction before a Police Magistrate to a penalty not exceeding ten Pounds.

Penalty for obstructing persons in Execution of duty.

7. Any damage occasioned by the Fire Commissioners, or by the Police, or by persons acting under the direction of the Fire Commissioners in the lawful execution of their duties under this Ordinance, shall be deemed to be damage by fire within the meaning of any Policy of Insurance against Fire.

Damage occasioned in extinguishing fires to be damage by fire under a Policy of Fire Insurance.

8. It shall be lawful for the Governor in Council from time to time to frame Rules and Regulations for the employment of persons engaged in, or whose services may be made use of to assist in, extinguishing and preventing the spread of fires, for the protection of life and property, for the nature of the means to be adopted for the said purposes, and for securing the most efficient application of those means, and generally for all such measures as may be necessary for efficiently carrying out the duties entrusted to the Fire Commissioners under this Ordinance.

Governor in Council may frame Rules, &c.

9. Any person committing a breach of any such Rule or Regulation after the same shall have been published in the Government Gazette shall be liable on conviction before a Police Magistrate to a penalty not exceeding five Pounds.

Penalty for breach of Rules.

10. This Ordinance may be cited as the Fire Ordinance, 1897.

Short title.

HENRY EDWARD McCALLUM, ESQ.,
MAJOR, R.E., C.M.G.,

Governor.

No. 10—1897.

An Ordinance to provide for the Demarcation and survey of land.

[20TH OCTOBER, 1897.]

WHEREAS it is expedient to make provision for the appointment and licensing of Surveyors and for the demarcation and survey of land in the Colony.

Be it therefore enacted by the Governor of the Colony of Lagos with the advice and consent of the Legislative Council thereof as follows:—

Interpretation

1. In this Ordinance unless there shall be something repugnant to the subject or context: "Owner" includes the person for the time being receiving the rent of the lands or premises in connection with which the word is used whether on his own account or as agent or trustee for any other person or who would so receive the same if such lands or premises were let at a rent.

Power to appoint officers.

2. The Governor may from time to time appoint persons by name or by virtue of their office to carry into effect this Ordinance.

Surveyors.

Licensed Surveyors.

3. The Governor may appoint official Surveyors and may license private Surveyors.

Surveyor to be examined before license issued.

4. (1.) Any person applying to be licensed as a Surveyor shall

(a.) furnish testimonials or other evidence of good character to the satisfaction of the Governor and

- (b.) submit to an examination in the subjects set out in Schedule A. to this Ordinance by persons appointed by the Governor: Provided that such examination may be dispensed with in the case of persons producing to the Governor sufficient documentary evidence of the possession of professional qualifications.
- (2.) The examiners so appointed by the Governor if satisfied as to the proficiency of any such applicant in the subjects appointed for examination shall report to the Governor that such person has been found so qualified. Thereupon the applicant upon making the Declaration set out in Schedule B. to this Ordinance before a Police Magistrate or a District Commissioner, and upon payment of the sum of Five pounds into the Treasury shall receive a *License* in the form set out in Schedule C. to this Ordinance. The Colonial Secretary shall publish in the Gazette a notification of the granting of such licence.
5. (1.) Any Surveyor licensed under this Ordinance who intentionally or through negligence carelessness or culpable ignorance makes an incorrect survey or delivers an incorrect plan or diagram of any land or makes an untrue report or memorandum of any survey, shall be liable, on the complaint of any person aggrieved thereby and after an inquiry made in such manner as the Governor may direct, to have his license as a surveyor cancelled by order of the Governor or to be temporarily suspended from the exercise of his office as a Surveyor during such time as may be fixed by the Governor, and shall also be liable to a penalty not exceeding £20:

Misconduct of Surveyor.

Provided that no such order of cancellation or suspension shall be made unless

the Surveyor complained against has had an opportunity of being heard in his defence.

- (2.) Such Surveyor shall further be required to repay any fees which he may have received from any person in consideration of such survey or plan or diagram if it is so ordered by the Governor: Provided that no such order shall affect any liability to an action for damages which such surveyor may have incurred.
- (3.) Notification of any suspension or cancellation of a license under the provisions of this section shall be given by the Colonial Secretary in the Government Gazette.

Fees payable to Surveyors

6. It shall be lawful for any Surveyor appointed or licensed under this Ordinance to charge and receive for defining boundaries making surveys and preparing plans such fees as may be fixed from time to time by the Governor in Council and published in the Government Gazette.

Dispute as to Survey fee.

7. In the event of any dispute as to the amount of Survey fee payable to a Surveyor the same shall be determined by the District Commissioner or a Police Magistrate of the district in which the survey was undertaken.

Surveys by unqualified men.

8. (1) No map, plan or diagram of land which purports or bears to set out or define boundaries made or prepared after the coming into operation of this Ordinance shall be admitted in evidence in any Court of this Colony, unless such map, plan or diagram was made and prepared by a Surveyor appointed or licensed under this Ordinance,

- (2) Every person who not being a Surveyor licensed or appointed under this Ordinance makes for fee or reward a survey of any land for the purpose of defining boundaries, shall be guilty of an offence

and shall be liable on conviction before a Police Magistrate or a District Commissioner to a penalty not exceeding £10.

Public Survey.

9. The Governor may, whenever he thinks fit, by a notification in the Gazette direct that the boundaries of lands within such local limits as may be defined in such notification shall be demarcated under the provisions of this Ordinance. On the publication of any such notification, the Governor may appoint a Surveyor licensed or appointed under the provisions of this Ordinance (hereinafter called the Surveyor) to demarcate the boundaries of any such lands.

Power to direct demarcation.

10. The Surveyor may with his agents, servants and workmen forthwith enter upon all lands which he is appointed to demarcate and may make all enquiries and do or cause to be done all things necessary for effecting the demarcation of the boundaries of such lands.

Power to enter any land.

11. (1) The Surveyor may cause a notice to be served on any person owning, occupying or otherwise interested in any such land, and any land abutting thereon, or on any person employed on or connected with the management or cultivation of such land, requiring such person to attend personally or by agent before him at such time and place as may be stated in such notice for the purpose of pointing out the boundaries of such land, or of rendering such aid as may be necessary in setting up or repairing the boundary marks or of affording such assistance and information as may be needed for the purpose of demarcation.

Notice to procure attendance and clearing of boundary lines.

Every person upon whom such notice may be served shall be legally bound to attend as required by the notice, and, so far as he may be able, to do any of the things mentioned therein.

(2) The Surveyor may cause a notice to be served on any owner or occupier of the said lands requiring such owner or occupier to clear any boundary or other line which it may be necessary to clear for the purpose of the demarcation, of such lands by cutting down and removing any trees, bush, fences or growing crops

or otherwise to assist in the demarcation of such lands; and if it is necessary to employ hired labour for these and similar objects incidental to the demarcation, the Surveyor may assess and recover from such owner or occupier the cost of such labour.

Compensation for
work done by
clearance

12. If any demand for compensation is made in respect of the clearance of any line in accordance with a requisition under the last preceding section, the Surveyor shall assess the value of any trees, bush, fences, or growing crops, which may have been cut down or removed and shall pay or tender to the owners thereof the amount of compensation which in the opinion of the Surveyor should be allowed therefor.

Any dispute arising concerning the sufficiency of the amount so paid or tendered shall be finally determined by a District Commissioner or a Police Magistrate upon application made to him for that purpose by either of the disputing parties.

Power to summon
person to give in-
formation or pro-
duce documents.

13. The Surveyor may issue a notice calling upon any person who he has reason to believe is able to give any information respecting the boundaries of the land, or in whose possession or power any document relating to such boundaries is alleged to be, to attend before him and give such information or produce such document on a date and at a place to be mentioned in the notice.

Every person on whom such notice is served shall be legally bound to attend and to give such information or to produce such document as required by the notice.

Power to examine
on oath.

14. For the purposes of this Ordinance the Surveyor may examine upon oath or solemn affirmation having the force of an oath any person summoned under this Ordinance touching the ownership of any land or interest in such lands.

Boundary marks to
be erected.

15. The Surveyor shall, after making such enquiry as he thinks fit mark out the boundaries of the land and shall, unless permanent boundary marks of a suitable description have already been erected along such boundary, cause to be erected permanent

boundary marks, of some suitable material in such number and in such manner, as he may consider sufficient to distinguish such boundary.

16. If any objection to a boundary so demarcated shall be made to the Surveyor by a party concerned the Surveyor shall forward a report of the circumstances to the Commissioner of lands (hereinafter called the Commissioner). Provided that at any time before forwarding his report as aforesaid the Surveyor may for any sufficient reason to be stated in such report alter any boundary marked out by him.

Objections to boundaries to be reported.

17. All expenses incurred by the Surveyor in erecting boundary marks for any lands shall be apportioned amongst the owners of the holdings demarcated thereby in such proportions as the Surveyor may think fit subject to an appeal by owners to the Commissioner whose decision shall be final.

Apportionment of expense.

18. Where the expenses have been apportioned amongst such owners a notice shall be served on each of them specifying the amount payable by him in respect of such expenses and requiring him to pay such amount into the Colonial Treasury within one month from the service of such notice.

Demand for expenses apportioned

19. Any District Commissioner or Police Magistrate may cause a notice to be served on any owner or occupier placing under his charge any boundary marks erected on the boundary of his land. Every owner or occupier shall preserve such boundary marks as shall be placed under his charge under this section, and shall give immediate notice to the District Commissioner or Police Magistrate if any such marks are injured, destroyed, removed, or require repairs.

Power to place marks under charge of owners and occupiers.

20. It shall be the duty of every Stipendiary Chief or headman

Duties of stipendiary chiefs.

- (a) to prevent the destruction, injury, or alteration of any boundary mark within the local limits of his jurisdiction;
- (b) whenever he becomes aware that any such mark has been destroyed, injured or altered, to report immediately to the District Commissioner or Police Magis-

trate under whose jurisdiction he resides such destruction, injury or alteration.

Injuries to Survey marks, penalty.

21. If any person shall wilfully obliterate, remove or injure any survey-mark or without reasonable excuse any boundary mark which may have been made or erected by or under the direction of any authorised Officer of the Government he shall be liable on conviction thereof before a District Commissioner or Police Magistrate to a fine not exceeding a sum of £20 or to imprisonment, for three months or to both and may further be required by such District Commissioner or Police Magistrate to pay three times the cost of repairing and replacing such boundary-mark or survey-mark and of making any survey rendered necessary by the act for which such conviction was had, the amount to be levied by the process provided by law for the collection of fines.

Whenever it shall not be possible to detect the person who obliterated, removed or injured such boundary-mark or survey-mark the Commissioner may give directions for the restoration or repair of the same, and may order the cost thereof to be paid by the owners of the adjacent lands in such shares as may appear to him proper.

Execution of order at the expense of person disobeying it.

22. If any owner or occupier of any land, or any other person, being ordered in accordance with the provisions in this Ordinance contained, to perform any act, fails to perform such act within a reasonable time, the Officer who gave the order may after giving notice to such owner, occupier or other persons of his intention so to do, cause the act to be performed, and the expenses incurred in such performance shall be payable by such owner, occupier or other person.

Penalty for refusing or neglecting to comply with orders or notice.

23. Whoever being legally bound to comply with any lawful order or rule made under this Ordinance or with the requisition contained in any notice served upon him under this Ordinance, refuses or neglects to comply therewith, shall be punished with a fine which may extend to five pounds to be sued for summarily before a District Commissioner or a Police Magistrate.

Penalty for obstructing survey.

24. If any person shall wilfully obstruct or hinder

or resist any official or licensed private Surveyor in the execution of his duty in or about the ascertaining and marking out of boundaries of any land under the provisions of this Ordinance or any workman or other person acting in aid of any Surveyor, he shall on conviction thereof before a District Commissioner, or a Police Magistrate be liable to a penalty not exceeding ten pounds.

25. Every amount due under the provisions of this Ordinance may be sued for and recovered before a District Commissioner or a Police Magistrate. Recovery of amount due.

26. During, or as soon as may be after the demarcation of any lands in respect of which a notification has been issued under Section nine hereof, the Governor may, if he shall think fit, cause the same to be surveyed by a Surveyor appointed or licensed under this Ordinance, and a map or maps thereof to be prepared showing the various boundaries and holdings so far as the same have been ascertained. Preparation of maps.

27. As soon as any such maps have been completed a notice shall be published in the gazette informing all persons interested that such map is open to inspection at the office of the Commissioner and requiring any persons who may have any objections to make to any boundary as laid down therein to forward to such office a written statement of such objections within one month from the date of the publication of such notice. Public Inspection of Maps

Whenever there is reason to believe that any person interested is likely to object to any boundary as laid down in such map, a special notice shall be served on such person or his agent requiring him to forward to the Commissioner within the said period of one month, a written statement of his objections, (if any). Subject to such objections, (if any,) every boundary shown in such map shall, after the expiration of the said period of one month be deemed to have been finally ascertained.

28. When a period of one month from the date of such notice as in last section mentioned has expired, if there is no suit then pending in the Supreme Court Order of Commissioner.

for ascertaining the boundaries in respect of which objections are made, such objections shall be considered and enquired into by the Commissioner who shall make such order as he thinks fit confirming or modifying the decision of the Surveyor.

If any objection seems to him not to be well founded the Commissioner may direct that all expenses of the enquiry into such objection shall be paid by the person who made such objection.

Power to enforce attendance of witnesses &c.

29. For the purposes of this Ordinance the Commissioner shall have all the powers of the surveyor and also power to require by a summons under his hand any person being within any place in the Colony or Protectorate to attend before him in such colony and if necessary to produce all documents in his possession or power relating to any right to or interest in any land which has been or is being demarcated under the provisions of this Ordinance.

He may also examine upon oath or solemn affirmation having the force of an oath any person so summoned touching the right to any such land or interest in such land.

Every person so summoned or examined shall be legally bound to attend as required by the summons and to produce all such documents as aforesaid and to answer any lawful question put to him by the Commissioner.

Evidence to be reduced to writing.

30. All evidence taken before the Commissioner shall be taken down by him in writing and shall when complete be read over and explained to the witness giving the same and the deposition shall thereupon be signed by him or in the case of his refusal by the said Commissioner. And if any such witness shall in his examination knowingly and wilfully state any matter or thing which shall be false he shall be liable to punishment for perjury.

File to be made up.

31. The depositions taken by the Commissioner upon an enquiry under this Ordinance and any decision or order thereon and his reasons therefor shall be filed in the Office of the Commissioner. The file of the

proceedings so made up shall be open at all reasonable times to the inspection of any person interested or his duly authorised Agent who shall also be entitled to copies of such proceedings or any part thereof to be made at the expense of the party applying for the same

32. Pending the investigation of any dispute as to boundaries by the Commissioner no action or other proceeding at law or in equity shall be commenced by any of the parties concerned or any person claiming under any of them in respect of the matter in dispute.

No action at law to be brought pending investigation by Commissioner.

33. The order made by the Commissioner under section 28 hereof shall, unless and until it be set aside or modified in the manner next hereinafter provided, be final.

Effect of order of Commissioner.

34. If any person be dissatisfied with any order of the Commissioner made under section 28 hereof he may within one month after the pronouncing thereof appeal to a divisional court of the Supreme Court.

Appeal to Supreme Court.

35. Such appeal shall be brought by notice of motion, which shall be a fourteen days notice, stating whether the whole or part only of such order is complained of and in the latter case specifying such part.

Notice of Appeal.

36. The notice of appeal shall be served on all parties directly affected by the appeal and it shall not be necessary to serve parties not so affected; but the Court may direct notice of the appeal to be served on all or any parties to the proceeding or upon any other person and in the meantime may postpone or adjourn the hearing of the appeal upon such terms as may seem just and may make such order as might have been made if the persons served with such notice had been originally parties.

Service of Notice.

37. Upon the application of the party appealing the Commissioner shall transmit to the Registrar of the Supreme Court for the purposes of the appeal the file of the proceedings.

Commissioner to transmit file to Registrar.

38. Further evidence shall be admitted on any such appeal on special grounds only.

Further evidence.

Order. 39. The Supreme Court on the hearing of any such appeal shall have power to make any order which ought to have been made and to make such further or other order as the case may require.

Further appeal. 40. Any order made by the Supreme Court shall be appealable in the same way as though the proceeding in which such order was made had been originally instituted in the Supreme Court,

Power to make rules. 41. The Governor in Council may, from time to time, make rules consistent with this Ordinance ;

(a) For the collection and record of any information in respect of any land.

(b) Prescribing and limiting the powers and duties of officers conducting proceedings under this Ordinance.

(c) For the publication, issue, and service of all notices to be published, issued, or served under this Ordinance.

(d) For carrying out generally the purposes of this Ordinance.

All such rules shall be published in the Government Gazette, and shall thereupon have the force of law.

Short title and commencement. 42. This Ordinance, may be cited as "The Survey Ordinance 1897" and shall come into operation on such day as the Governor shall fix by proclamation.

SCHEDULE A.

Arithmetic, Algebra as far as Simple Equations, Plane Geometry, Plane Trigonometry, Practical Astronomy, Topographical Drawing, The practical use of the principal instruments used in surveying and their adjustment, and the theory and practice of Land Surveying.

SCHEDULE B.

Declaration to be made before issue of Surveyor's license.

I, A B, do hereby solemnly and sincerely declare that I will, to the best of my ability, and without partiality, favour, or affection correctly survey, demarcate and delineate the boundaries of such lands as may be entrusted to me to be so dealt with.

Taken before me this day of
189 .

District Commissioner or Police Magistrate,

SCHEDULE C.

This is to certify that A B, having satisfactorily proved his qualifications as a Surveyor is hereby licensed for the survey of lands within the Colony and Protectorate of Lagos under and subject to the provisions of the "Survey Ordinance 1897."

Dated this day of 189 .

Governor.

HENRY EDWARD McCALLUM ESQ.,
MAJOR. R.E. C.M.G.,

Governor.

No. 11—1897.

An Ordinance to amend the Uniforms Ordinance 1895. [20TH OCTOBER, 1897.]

Whereas it is expedient to amend the Uniforms Ordinance, 1895.

Be it therefore enacted by the Governor of the Colony of Lagos with the advice and consent of the Legislative Council thereof as follows:—

Principal Ordinance.

1. "The Uniforms Ordinance 1895" is hereinafter referred to as the Principal Ordinance.

Uniforms.

2. Section 2 of the Principal Ordinance shall be construed and have effect as if the words "Further it shall not be lawful for any person not holding any office or authority under the Government of the Colony to wear without the permission of Her Majesty or of the Governor, any Uniform or distinctive dress badge or mark calculated to convey the impression that such person holds any office or authority under the Government of the Colony" were inserted therein "after the words distinctive marks of any such Uniform."

Short Title.

3. This Ordinance may be cited for all purposes as "The Uniforms Ordinance 1895, Amendment Ordinance 1897."

HENRY EDWARD McCALLUM, ESQ.,
MAJOR, R.E., C.M.G.,

Governor.

No. 12—1897.

An Ordinance to amend the Inland Waters Navigation Ordinance, 1891.

[20TH OCTOBER, 1897.]

Be it enacted by the Governor of the Colony of Lagos with the advice and consent of the Legislative Council thereof as follows:—

Short Title.

1. This Ordinance may be cited as the "Inland Waters Navigation Ordinance 1891, Amendment Ordinance 1897."

Principal Ordinance.

2. The "Inland Waters Navigation Ordinance 1891" is hereinafter referred to as the Principal Ordinance.

3. Section 1 of the Principal Ordinance shall be construed and have effect as if the words "Inland waters means all waters in the Colony and Protectorate of Lagos navigable by any vessel, excepting the Harbour "of Lagos," were omitted therefrom, and as if the words "Inland waters means all waters in the Colony and Protectorate of Lagos navigable by any vessel, excepting that part of the Harbour lying outside a line drawn from the Village of Iro to the Southern entrance of the Ibekun Lagoon" were inserted therein after the words "the context requires otherwise."

Inland waters

4. All certificates of competency granted under the provisions of section 2. of the Principal Ordinance shall lapse and expire on the 31st December, 1897.

Cancellation of certificates granted before the coming into operation of this Ordinance.

5. Every person desirous of holding a certificate of competency under the Principal Ordinance after the 31st December, 1897, shall make application to the Pilotage Board and undergo such examination as the Pilotage Board may consider necessary.

Examination.

6. Every person holding a certificate of competency under the Principal Ordinance, which bears to be dated on or after 1st January, 1898, shall be deemed to be a Lagos Pilot in respect of the pilotage of any vessel in that part of the Harbour of Lagos, which lies in Inland Waters, and shall in and for that part of the Harbour aforesaid have all the rights and privileges of a Lagos Pilot.

Rights of Pilots.

7. This Ordinance shall come into operation on the 1st day of January, 1898.

Date of Commencement.

HENRY EDWARD McCALLUM, ESQ.,
MAJOR, R.E., C.M.G.,

Governor.

No. 13—1897.

An Ordinance to amend "The Prisons Ordinance 1876. [20TH OCTOBER, 1897.]

Be it enacted by the Governor of the Colony of Lagos with the advice and consent of the Legislative Council thereof as follows:—

Short Title.

1. This Ordinance may be cited as "The Prisons Ordinance 1876 Amendment Ordinance 1897."

Principal Ordinance.

2. "The Prisons Ordinance 1876" is hereinafter referred to as the Principal Ordinance.

Power to make additional Regulations.

3. Section 10 of the Principal Ordinance shall be construed and have effect as if the words "including regulations as to the remission of sentences to be "allowed to "prisoners who duly comply with the regulations to which "they are subjected and the conditions on which such remissions are made" were inserted therein after the words in the said Schedule."

Repeal.

4. "The remission of Sentences Ordinance 1897" is hereby repealed.

HENRY EDWARD McCALLUM, ESQUIRE,
MAJOR, R.E., C.M.G.

Governor.

No. 14.—1897.

An Ordinance to consolidate and amend the law relating to the Police Force in the Colony of Lagos. [27TH OCTOBER, 1897.]

WHEREAS it is expedient to consolidate and amend the law relating to the Police Force.

Be it therefore enacted by the Governor of the Colony of Lagos with the advice of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Police Short Title.
(Consolidation) Ordinance, 1897.

Interpretation.

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

“The Force or the Police Force” means the Lagos Police Force.

“The Commissioner” means the Commissioner of Police.

“Police Constable” means any Police Constable of the Force and includes Private.

“Officer of the Police Force” or “Police Officer” means any Officer of the Force above the rank of Sergeant Major.

“The Regulations” mean the Regulations relating to the Force made under this Ordinance and for the time being in force.

Constitution of the Force.

3. The Police Force which is established in the Colony under the name of the Lagos Police shall be hereafter called and known as the Lagos Police Force and shall be an armed force and shall be employed for the prevention and detection of crime the repression of internal disturbance, and the defence of the Colony and Protectorate against external aggression. Description of Force.

4. The Force shall consist of:—

One Commissioner of Police,

Two Assistant Commissioners of Police,

One Superintendent of Police,

Two Assistant Superintendents of Police,

Strength.

One Pay and Quarter Master of Police,
 One Sergeant Major of Police,
 Eight Sergeants of Police,
 Twelve Corporals of Police,
 Fifty First Class Police Constables,
 Seventy-five Second Class Police Constables,
 One hundred & seventy-eight Third Class
 Police Constables,
 One Master Tailor,
 One Schoolmaster,
 One Armourer.

Vacancies.

5. The Governor may from time to time fill up all vacancies that may occur in the Police Force; and may authorise the Commissioner at any time to appoint fit men as police constables, and every such appointment shall be an appointment under this Ordinance.

Change of Strength.

6. The Governor may from time to time and at any time by order or orders made with the consent of the Legislative Council increase or diminish the strength of the Force and appoint other necessary officers.

The Commissioner of Police.

Duty of Commissioner.

7. The Commissioner, subject to the orders and directions of the Governor, shall have the command, direction, and general superintendence of the Force and he shall be responsible to the Governor for the efficient administration and government of the Force and for the proper expenditure of all public moneys appropriated for the service thereof.

The Assistant Commissioners of Police.

Duties of Assistant Commissioners.

8. The Assistant Commissioners of Police when stationed in any District shall be charged with the command, direction, and superintendence of the Force from time to time stationed in such District subject to the orders of the Commissioner. In the absence of an Assistant Commissioner of Police, a District Commissioner shall have the charge of the Police Force in his District as far as regards the discipline, duties, pay, and distribution of the men.

Responsibilities of Assistant Commissioners.

9. Every Assistant Commissioner of Police shall be responsible for all public moneys entrusted to his care or that shall come into his possession and shall be charged with the custody of the 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 Commissioner in case of their being lost, spoiled or damaged.

The Pay and Quarter Master of Police.

10. The Pay and Quarter Master of Police shall be charged with all monetary transactions in connection with the Force and be responsible for all public moneys entrusted to his care or that shall come into his possession, and shall be charged with and accountable for all public stores of whatever description belonging or appertaining to the Force in case of their being lost, spoiled or damaged.

Pay and Quarter-master responsible for Public moneys and stores.

Officers of the Force.

11. Subject to the provisions of this Ordinance and of the Regulations, the duties of every Officer of the Police Force other than the Commissioner shall be such as may from time to time be determined by the Commissioner and subject as aforesaid, the relations of such Officers to one another shall be such as may from time to time be determined by the Commissioner with the sanction of the Governor.

Officers.

Declaration.

12. Every member of the Force shall on being appointed make the following declaration and shall confirm such 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 Commissioner, or a District Commissioner, or the Police Magistrate.

Declaration on appointment.

"I *A. B.* do hereby solemnly and sincerely
 "declare and promise that I will be faithful and
 "bear true allegiance to Her Majesty Queen
 "Victoria, Her Heirs and Successors, and that I
 "will faithfully serve Her Majesty the Queen
 "Her Heirs and Successors and the Government
 "of the Colony of Lagos during my period of
 "service, and will obey all orders of Her
 "Majesty and of the Officers placed over me and
 "subject myself to all Ordinances and Regula-
 "tions relating to the Police Force of the
 "Colony of Lagos now in force or which may

Police.

“from time to time be in force within the said
“period.

(*Signature or mark of declarant.*)

Declared and sworn at _____ this day of
18 _____

Before me

[*District Commissioner, or Commissioner
of Police or Police Magistrate.*]

Equipment.

Equipment

13. Members of the Force shall be provided with such equipment as may be authorised by the Governor in Council the same to be kept and used by them as the Commissioner shall determine.

Engagement of Police Constables.

First term of En-
gagement 6 years.

14. Every Police Constable shall be enlisted for the first term of his engagement to serve in the Police Force for six years to be reckoned from the day on which he shall have been approved for service and taken on the strength of the force.

Re-engagement.

15. (1) Any Sergeant Major, Sergeant, Corporal or Police Constable of good character who has completed or is within six months of completing six years' service may, with the approval of the Commissioner, re-engage for a second term of nine years from the expiration of his first period.

(2) Any Sergeant Major, Sergeant, Corporal or Police Constable of good character who has completed at least six years of such second term of engagement may, with the approval of the Commissioner re-engage for such period as shall complete a total period of 21 years' service reckoning from the time of the first enlistment.

Upon completing such period of 21 years' service he may if he shall so desire, and with the approval of the Commissioner, continue in the Police Force in the same manner in all respects as if his term of service was still unexpired except that it shall be lawful for him to claim his discharge at the expiration of any period of three months after he has given notice to the Commissioner of his wish to be discharged.

Pay.

Pay

16. Every member of the Police Force shall receive such pay and allowances as may from time to

time be assigned to him by the Governor with the consent of the Legislative Council.

Good conduct pay and pensions.

17. Every Corporal and Police Constable who shall have served two years without having incurred a sentence of

Rate of extra pay after 2 years good conduct.

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

(b.) Imprisonment with hard labour for any term; or

(c.) Fine in any sum exceeding five shillings shall be entitled to bear one good conduct badge and to receive extra pay at the rate of one penny a day.

18. Every Corporal and Police Constable who shall have served for six years, and shall for three years immediately preceding his claim have uninterruptedly borne one good conduct badge and received the corresponding extra pay, shall be entitled to bear two good conduct badges and to receive extra pay at the rate of two pence a day

Rate of extra pay after 6 years good conduct.

19. Every Corporal and Police Constable who shall have served for nine years, and shall for three years immediately preceding his claim have uninterruptedly borne two good conduct badges and received the corresponding extra pay, shall be entitled to bear three good conduct badges and to receive extra pay at the rate of three pence a day.

Rate of extra pay after 9 years good conduct

20. The Sergeant Major, and every member of the Force of inferior rank, at the termination of his original engagement if he does not re-engage, or at the termination of his final re-engagement if he does re-engage as provided for by section 15 shall be entitled to a pension during his life at a rate not exceeding one sixtieth of his pay for each year's service in the Force.

Pension.

Such pension shall be payable in place of any gratuities which may hereafter become due under section 24 of the Constabulary Ordinance 1879.

21. No pension shall be payable under this Ordinance to any native member of the Force unless

When entitled to pension.

(1) He shall have served 15 years, or

(2) He shall have been pronounced by the Medical Officer mentally or physically unfit for further service and have served for 5 years.

Pension if disable. 22. If any member of the Force shall be disabled by wound or injury received in the execution of his duty he shall receive such pension or gratuity in lieu of a pension as the Governor in Council may determine.

Saving for former service. 23. Every Police Constable who was before the 1st day of January, 1896, entitled to any good conduct pay under the Constabulary Ordinance 1879, shall remain entitled to the same as if he had earned it under this Ordinance, and any period of service served by any Police Constable under the said Ordinance of 1879 shall count as service under this Ordinance for the purpose of reckoning good conduct pay.

Saving in favour of gratuities. 24. Every member of the Force who enlisted prior to the 1st of January, 1896, and had not, prior to that date completed the term of service for which he enlisted shall be entitled on discharge if he so elect by notice in writing to receive at the termination of his engagement the gratuities in lieu of pension provided in the Lagos Constabulary Ordinance 1879, and shall not if he so elect be entitled to receive any pension under the provisions of this Ordinance.

The Payment of Gratuities Ordinance 1894, shall be held to apply to the case of any members of the Force who under the provisions of the Lagos Constabulary Ordinance 1879 or under this section would have been entitled to such gratuities.

Police Reward Fund.

Police reward fund. 25. All pay which shall be forfeited and fines inflicted on members of the Force by order of the Commissioner in the exercise of the powers contained in this Ordinance, or under the Regulations and all fines levied for assaults on members of the Force, shall be paid into a Fund to be called the "Police Reward Fund" which Fund shall be applied to the purpose of rewarding members of the Force for extra or special services, and to the procuring of any comforts or conveniences and advantages to the members of the Force which may not be chargeable on the Colonial Revenue and shall be administered by the Commissioner subject to the approval of the Governor.

Appointment of head-men as Police Constables.

Appointment of Bales to serve as Constables.

26. It shall be lawful for the Governor by notification in the Government Gazette to invest any Bale, Stipendiary Chief or Head-man of a village with the full powers of a police constable under this Ordinance

and such person shall upon the publication of such notification have the powers of a police constable.

Supernumerary Police Constables.

27. If in any case application is made to the Commissioner by any person for police constables to be employed in his service and on special duties the Commissioner may with the sanction of the Governor enlist men as Supernumerary police 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 Ordinance as regards the discipline, punishment, powers and immunities of regular police constables. Such supernumerary police constables shall make the declaration required under section 12.

Supernumerary
Police constables.

28. The pay and expenses of such supernumerary police constables shall be defrayed by the person requiring their services, and such pay shall be at a rate to be fixed by the Commissioner not exceeding four pounds per mensem for each supernumerary police 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 Colony.

Pay of Supernu-
merary Police Con-
stables.

Any sum payable under this section may be recovered before a police magistrate or a District Commissioner on the complaint of the Commissioner from the person liable to pay the same.

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

Discontinuance.

30. No supernumerary police constable shall have any claim on the police Reward Fund nor have any claim for a pension under this Ordinance.

Privileges.

Powers of arrest

31. Any Police Constable and all persons whom he shall call to his assistance may take persons into custody without a warrant in the following cases:—

Power to arrest.

- (1) Any person who within view of such constable shall commit any offence punishable on summary conviction.
- (2) Any person whom any other person positively charges:—
 - (a) With having committed any indictable offence not punishable on summary conviction, or
 - (b) With larceny, embezzlement, obtaining goods or money under false pretences, or feloniously receiving stolen goods.
- (3) Any person whom any other person suspects of having committed any offence specified in the preceding sub-section, if such other person is willing to accompany the constable to the nearest Police Station, and to enter into a recognizance to prosecute such charge.
- (4) Any person whom any other person positively charges with having committed any offence punishable on summary conviction, if such other person is willing to accompany the constable to the nearest Police Station, and to enter into a recognizance to prosecute such charge.
- (5) Any person who shall be charged by any other person with having committed an aggravated assault in any case in which such constable shall have good reason to believe that such assault has been committed.
- (6) Any person whom he shall have reasonable cause to suspect of having committed or being about to commit any indictable offence or any misdemeanour or breach of the peace.

Bail of persons
arrested without a
warrant.

32. A person taken into custody for an offence without a warrant shall be brought before the District Commissioner or Police Magistrate as soon as practicable after he is so taken into custody, and if it is not practicable to bring him before the District Commissioner or Police Magistrate within twenty-four hours after he is so taken into custody an Officer of Police or a Sergeant of police shall inquire into the case, and, except where the offence appears to such Sergeant or

Officer to be of a serious nature, shall discharge the prisoner upon his entering into a recognizance with or without sureties for a reasonable amount to appear before the District Commissioner or Police Magistrate at the day, time, and place mentioned in the recognizance.

Nothing herein-contained shall authorise any member of the Force to take bail for any person charged with felony, or with slave dealing.

Offences.

33. If any member of the Force below the rank of Police Officer shall be guilty of Disobedience of orders, Insurbordination, Intoxication, absence from duty without good cause, sleeping on duty, any neglect or violation of his duty, or any other misconduct as a member of the force the Commissioner shall have power to punish such offender by reduction of rank, by forfeiture of not more than one month's pay, and, in case of a police constable, by imprisonment in the police cells for any period not exceeding 14 days, or by confinement to barracks for any period not exceeding 28 days and subject to the approval of the Governor, the Commissioner may punish any such offender by summary dismissal, or by suspension from rank, pay and duty for any period not exceeding three months. Offences.

Provided always that if it shall appear that the offence is of such a grave character as to require a more severe punishment than that herein prescribed, the accused person may be charged by the Commissioner or an officer appointed by him before a Police Magistrate or District Commissioner and if convicted shall be liable to a fine of not more than ten pounds the amount of which fine may be deducted from any pay then due to such offender or, at the discretion of the Police Magistrate or District Commissioner by whom he shall be convicted he may be imprisoned for not more than three months with or without hard labour.

34. Every member of the Force below the rank of Police Officer who shall:— Mutinous or Seditious conduct.

- (a) Begin raise abet countenance or excite Mutiny, or
- (b) Cause or join in any sedition or disturbance whatsoever, or

- (c) Being present at any assemblage tending to riot, not use his utmost endeavour to suppress the same, or
- (d) Coming to the knowledge of any Mutiny rebellion or insurrection, not at once give information thereof to the Commissioner or officer acting as Commissioner or the Police Magistrate or a District Commissioner, or
- (e) Strike his superior officer or offer any violence against him or affront him,

shall be guilty of a misdemeanour and on conviction shall be liable to imprisonment with or without hard labour for any term not exceeding two years.

Every such member of the Force may be placed under arrest, and, if necessary, detained by force by any officer under whose order he may then be, until he shall have been tried for such offence.

Deduction from pay.

35. The Commissioner may deduct from the pay of any member of the Force below the rank of police officer such stoppages and fines as may be provided by the regulations respecting the Force.

Suspension Dismissal and Withdrawal from the Force.

Members not to resign without leave or notice.

36. No Member of the Force below the rank of police officer shall be at liberty to resign his office or to withdraw himself from the duties thereof unless expressly allowed to by the Commissioner in writing or unless he shall give to the Commissioner three months' notice of his intention; and every member of the Force who shall so resign or withdraw himself without such leave or notice, shall be liable on being convicted thereof before any District Commissioner or Police Magistrate to forfeit all arrears of pay then due to him or to a fine of not more than five pounds or to imprisonment for not more than two months, either with or without hard labour.

The Commissioner may from time to time suspend or with the approval of the Governor dismiss any police constable who is negligent in the discharge of his duty or otherwise unfit for the office of a police constable.

Delivery up of accoutrements on dismissal.

37. 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 accoutrements appointments and other necessities which may have been supplied to him for the

execution of his duty to the Commissioner, or to such person and at such time or place as shall be decided by the Commissioner, shall be liable on being convicted thereof, before any District Commissioner or a Police Magistrate to imprisonment for any term not exceeding one month, either with or without hard labour; and it shall be lawful for any District Commissioner or Police Magistrate to issue a Warrant to search for and seize all such clothing accoutrements, appointments and other necessaries which shall not be so delivered over wherever the same may be found.

38. Every person not being a member of the Force who shall have in his possession any article being part of the clothing, accoutrements or appointments supplied to any such Member of the Force and who shall not be able satisfactorily to account for the possession thereof shall be liable to a fine of not more than twenty-five pounds or to imprisonment for not more than three months, either with or without hard labour.

Unlawful possession of accoutrements.

Powers of search.

39. The Commissioner or any Assistant Commissioner of Police may by authority under his hand authorise any Police Constable to enter any house, shop, warehouse, store, yard or other premises in search of stolen property, and search and seize and secure any property he may believe to have been stolen, in the same manner as he would be authorized to do if he had a search warrant, and the property seized, if any, correspond to the property described in such search warrant.

Power to search.

In every case in which any property is seized in pursuance of this section, the person on whose premises it was at the time of seizure, or the person from whom it was taken if other than the person on whose premises it was, shall, unless previously charged with receiving the same knowing it to have been stolen, be summoned before a District Commissioner or Police Magistrate to account for his possession of such property, and such Court shall make such order respecting the disposal of such property, and may award such costs, as the justice of the case may require.

40. The Commissioner or any Assistant Commissioner of Police may give such authority as aforesaid in either of the following cases:—

Circumstances when search may be made.

- (1) When the premises to be searched are or

within the preceding twelve months have been, in the occupation of any person who has been convicted of receiving stolen property or of harbouring thieves.

- (2) When the premises to be searched are in the occupation of any person who has been convicted of any offence involving fraud or dishonesty, and punishable by penal servitude or imprisonment.

It shall not be necessary for such Commissioner or Assistant Commissioner of Police on giving such authority to specify any particular property, but he may give such authority if he has reason to believe generally that such premises are being made a receptacle for stolen goods.

Miscellaneous.

Assaulting or resisting Police in their duty.

41. Any person who assaults or resists or aids or incites any other person to assault or resist any member of the Police Force while in the execution of his duty shall be liable to a fine which may extend to twenty pounds, or may be tried and punished upon information for a misdemeanour.

Unlawfully harbouring Constables penalty.

42. If any retailer, tavern-keeper, or keeper of any house, store, or place for the sale of any liquor, whether spirituous or otherwise, by himself or by any person in his employment, knowingly harbours or entertains any member of the Force, or permits him to abide or remain in his house, store-room, or other place, during any portion of the time appointed for his being on duty or service, such retailer, tavern-keeper or keeper of such house, store or place shall for every such offence be liable to a fine which may extend to five pounds.

Personating penalty.

43. Whoever, not being a member of the Police Force, or being a deserter therefrom, puts on the dress or accoutrements of a person serving in the Police Force, or part thereof, or any dress intended to simulate that of the Police Force, or part thereof, or any medal or badge which he is not authorized to wear or takes the name, designation, or character of a person appointed to or serving in the Police Force for the purpose of thereby doing or obtaining to be done any act which he would not be entitled to do or procure to be done of his own authority, or for any other unlawful purpose, shall be guilty of an offence punishable with imprisonment, either with or without hard

labour, for a term which may extend to six months, or with fine which may extend to fifty pounds, or with both.

44. Any powers or duties which by the following Ordinances are vested in or directed to be performed by the members of the Constabulary, shall after the passing of this Ordinance be vested in or performed by the members of the Police Force.

Certain powers &c., of Constabulary to be vested in the Police.

1. "An Ordinance for licensing boats and canoes in the Settlement of Lagos."
2. "The Supreme Court Ordinance, 1876."
3. "The Towns Police and Public Health Ordinance, 1878."
4. "The Weights and Measures Ordinance, 1889."
5. "The Dogs Ordinance 1890."
6. "The Spirit License Ordinance 1893."
7. "The Folded Woven Goods Consolidation Ordinance 1893."

45. The Commissioner may from time to time, subject to the approval of the Governor in Council make general Rules for the conduct of all assemblies and processions in public roads, streets and thoroughfares, for requiring previous notice to be given of the intention to hold such assemblies and processions, and for keeping order and preventing obstruction and overcrowding in the public roads, streets, bridges, thoroughfares, landing places, open spaces, and places of public resort, whether such places be on public or private land.

Regulation of public assemblies and processions.

Provided that it shall be lawful for the Commissioner with the sanction of the Governor, to prohibit any assembly or procession in any public road, street, or thoroughfare.

46. The Governor may, if he shall think fit, proclaim by Notice in the Government Gazette, any town or portion of a town, village or district, and it shall thereupon be lawful for any member of the Police Force to arrest without warrant all persons passing or being upon any street within the proclaimed area after an hour to be named in the said proclamation, who shall not be carrying a light or lighted lantern, and in the event of any such person being unable to give a good account of himself he shall be liable on conviction before a District Commissioner or Police Magistrate to a penalty not exceeding five pounds or to imprisonment for fourteen days.

Proclaimed District.

47. Notwithstanding anything in this Ordinance contained it shall be lawful for the Governor from time to

Police may be called upon to serve with Troops or the

Military Force of
the Colony.

time by order in Council to direct that the Police Force or such number of Officers and members thereof as shall be mentioned in such order shall serve with Her Majesty's Troops or with the Military Force of the Colony and Protectorate, either within or without the Colony and Protectorate for such time as shall be stated in such order. Upon such order being made and during such service in the said Force or the portion thereof mentioned therein shall be under the orders and command of such Commanding Officer as the Governor shall direct and be subject in all respects to all laws, Ordinances and Rules for the time being in force relating to the discipline of the Military Force of the Colony in like manner as if they were part of the said Military Force.

Commissioner and
Assistant Commis-
sioners to be Jus-
tices of the Peace.

48. The Commissioner and the Assistant Commissioners of Police shall be *ex-officio* Justices of the Peace and as such justices they shall at all times act ministerially for the purposes of the preservation of the peace the prevention of crime the detection and committal of offenders and for carrying out the other objects of this ordinance but they shall not in any way act judicially as Justices.

Officer may prose-
cute.

49. It shall be lawful for any Officer of Police present to prosecute in person all prosecutions for offences cognizable before a District Commissioner or Police Magistrate whether the information or complaint be laid in his name or not.

Members of Force.

50. Every person for time being serving in the Force shall be deemed a member of the Force and shall have and enjoy all the rights, powers, authorities and immunities conferred on a member of the Police Force by any enactment which is now in force or may hereafter be passed. Every member of the Force shall be a police constable in and for the whole Colony and Protectorate thereof and shall have all such rights, powers, authorities, privileges and immunities and be liable to all such duties and responsibilities as any constable duly appointed now has, or is subject or liable to the common law of England.

Protection of
Members of force.

51. (1.) No suit shall be commenced against any member of the Police Force for anything done by him in the execution of his duties as a member of the Force, until the expiration of one month after notice in writing has been served on him, clearly stating the cause of action, the name and place of abode of the intended Plaintiff, and of his Solicitor in the case, if any;

(2) On the trial of any such action, the Plaintiff shall not be permitted to go into evidence of any cause of action which is not stated in the notice so served; and unless

such notice is proved, the Court shall find for the Defendant;

(3.) Every such action shall be commenced within three months after the cause of action shall have arisen;

(4.) The Plaintiff shall not recover if tender of sufficient amends is made within one month after notice of action, or before action brought, by or on behalf of the Defendant. The Defendant may, by leave of the Court after action brought, and before trial, pay into Court such sum of money as he may think proper;

(5.) If a verdict passes or judgment is given for the Defendant, or if the Plaintiff be nonsuited or discontinues the action, the Defendant shall be entitled to full costs of suit.

Regulations.

52. The Governor may from time to time by any order make alter or revoke such rules and regulations consistent with this Ordinance, and subject to the provisions thereof, relative to the said Police Force, as may be necessary for the purpose of preventing neglect or abuse and to render the said Force efficient in the discharge of its duties, and for the discipline, good order and guidance of the Force, for the form and method of appointment of the persons constituting the same and for their general government, with respect to their classification and rank and the service required of them, and their conduct in the performance thereof, and their distribution, posting, and removal from station to station and their inspection and the description of the accoutrements, clothing and other necessaries to be furnished to them, and also with relation to the fiscal duties to be performed by the Officers as well of the Police Force as of the Treasury Department with relation to the said Force. Such order may affix for breach of any of the rules or regulations a penalty of not more than Forty shillings or imprisonment for not more than fourteen days either with or without hard labour. Every such order shall come into operation upon the publication thereof in the Gazette, or at such time as shall be in such order provided, and shall be subject to disallowance by Her Majesty.

Power to make rules for force.

Unless and until the "Rules and Directions for the guidance of the Constabulary in Criminal Matters" of the 31st July 1888, made under the Constabulary Ordinance 1879 shall be repealed, they shall remain in full force and effect in all respects as if they had been made under this Ordinance, and shall be applicable to members of the Police Force only.

Sheriff.

Sheriff.

53. The Commissioner shall *ex-officio* be Sheriff of the Colony and may lawfully execute the office of Sheriff at any place within the jurisdiction of the Supreme Court.

Senior Assistant
Commissioner to
be Deputy Sheriff
of the Lagos Dis-
trict.

54. In the event of the absence from the Lagos District of the Colony or of the illness or incapacity of the Sheriff the Senior or sole Assistant Commissioner of Police resident in the Colony shall *ex-officio* be Deputy Sheriff of the Lagos District and shall lawfully execute the office of Sheriff at any place within the jurisdiction of the Supreme Court. Such Deputy Sheriff shall be removable from office at the discretion of the Governor.

Deputy Sheriffs.

55. The Governor may appoint a person who shall be resident in each District to be Deputy Sheriff therein and every such Deputy Sheriff shall receive writs and process of the Court in the District in which he is stationed, directed to the Sheriff, and be charged with the execution thereof, and making return thereto and with the execution generally of the duties of the Sheriff in such District. Every such Deputy Sheriff shall be removable from office at the discretion of the Governor.

Unless and until such appointment as aforesaid is made the District Commissioner of any District shall be *ex-officio* Deputy Sheriff therein.

Sheriffs' fees.

56. All fees received by any Sheriff, Acting Sheriff, or Deputy Sheriff, in respect of his office as such shall be paid into the Treasury, and form part of the general revenue of the Colony.

Weights and Measures.

Commissioner Ins-
pector of Weights
and Measures.

57. The Commissioner shall *ex-officio* be Inspector of Weights and Measures. The words "every Assistant Commissioner of Police" shall be and are hereby substituted for the words "every Inspector or Assistant Inspector of Constabulary" in section 14 of the Weights and Measures Ordinance, 1889.

Prison.

Commissioner to
be in charge of
Prison Discipline.

58. The Commissioner shall be *ex-officio* Officer in Charge of Prison Discipline, and as such be responsible for the good management of the Prison, and the discipline of all officers employed in or in connection therewith, and of all prisoners committed or to be committed thereto or con-

fixed therein. From and after the passing of this Ordinance the Inspector General of Constabulary shall cease to be a visitor of Prisons and the Commissioner and Assistant Commissioners of Police shall be *ex-officio* Visitors of Prisons within the meaning of the "Prisons Ordinance 1876."

59. Ordinances No. 10 of 1895 (The Police Ordinance 1895), No. 4 of 1896 (The Police Ordinance 1896), and No. 1 of 1897 (The Police Ordinance 1895 Amendment Ordinance 1897), shall be and are hereby repealed. Repeal of Ordinances.

60. This Ordinance shall come into force on the 1st day of December, 1897. Commencement of Ordinance.

HENRY EDWARD McCALLUM, ESQUIRE,
MAJOR, R.E., C.M.G.

Governor.

No. 15.—1897.

An Ordinance for raising the sum of
£525,000. [27TH OCTOBER, 1897.]

WHEREAS it is expedient to raise a loan not exceeding £525,000 for the purpose of defraying the cost of certain Public Works and undertakings.

Be it enacted by the Governor of the Colony of Lagos with the advice and consent of the Legislative Council thereof as follows:—

1. The Governor may borrow a sum not exceeding £525,000 by the sale of inscribed stock under the provision of "The General Loan and Inscribed Stock Ordinance 1896," to provide funds for the further construction and equipment of a Railway from Otta to Ibadan. The Governor may borrow £525,000.

2. The contributions to the sinking fund contemplated by sections 6 and 7 of the Ordinance above referred to shall commence three years from the date of the first issue of Stock under this Ordinance. Contribution to sinking Fund.

3. This Ordinance may be cited as "The Railway Loan Ordinance 1897." Short title.

HENRY EDWARD McCALLUM, ESQUIRE,
MAJOR, R.E., C.M.G.

Governor.

No. 16.—1897.

An Ordinance to amend and extend the provisions of the Lagos Pilotage and Harbour Ordinance, 1878. [27TH OCTOBER, 1897.]

Whereas it is expedient to amend and extend the provisions of the Lagos Pilotage and Harbour Ordinance 1878.

Be it therefore enacted by the Governor of the Colony of Lagos with the advice and consent of the Legislative Council thereof as follows:—

Principal Ordinance.

1. "The Lagos Pilotage and Harbour Ordinance 1878" is herein-after referred to as the Principal Ordinance and this Ordinance shall be construed and have effect as if it were incorporated with the Principal Ordinance.

Repeal of Sections 39 and 42 of the principal Ordinance.

2. Sections 39 and 42 of the Principal Ordinance shall be and are hereby repealed.

Removal of wrecks.

3. (1) Where any vessel is sunk, stranded, or abandoned in the harbour of Lagos or in or near any approach thereto, in such manner as in the opinion of the Harbour Master to be, or be likely to become, an obstruction or danger to navigation in the harbour, or in any approach thereto, the Harbour Master shall give notice in writing to the owner thereof or his agent requiring him within ten days to remove the same out of the limits of the harbour and approaches thereto, and if such directions are not complied with, the Harbour Master may with the sanction of the Governor,

- (a) take possession of and raise, remove, or destroy the whole or any part of the vessel,
- (b) light or buoy any such vessel or part until the raising, removal, or destruction thereof, and,
- (c) sell in such manner as he thinks fit, any vessel or part so raised or removed, and also any other property recovered in the exercise of his powers under this Ordinance.

- (2) The Harbour Master may out of the proceeds of any such sale reimburse himself for the expenses incurred by him under this Ordinance.
- (3) If the owner of the vessel or his agent shall claim within four months after the date of any such sale he shall be entitled to receive the balance of any proceeds after payment of the expenses incurred.
- (4) If any part of the expenses remain unpaid the same may be recovered from the owner of the vessel or his agent, and in this subsection the words "the owner of the vessel" shall mean and include the owner of the vessel at the time the vessel was sunk, stranded or abandoned as the case may be.

4. In the event of any obstruction other than those mentioned in section 3 hereof being in the Harbour of Lagos or the approaches thereto, the Harbour Master shall have the same powers and duties, in dealing with such obstruction, as are conferred on him in the last preceding section with respect to vessels. Removal of other obstructions.

5. If the owner or some agent of the owner of any such vessel or obstruction is not found in Lagos the Harbour Master may deal with such vessel or obstruction without giving the notice set forth in section three hereof. Notice dispensed with if owner cannot be found.

6. The provisions of Section three hereof shall apply to every article or thing or collection of things being or forming part of the tackle, equipments, cargo, stores or ballast of a vessel, in the same manner as if it were included in the term 'vessel.' Powers of removal to extend to tackle cargo &c.

USE OF STEAM WHISTLES IN HARBOUR.

7. No steam whistle or other steam sound signal shall be sounded on any steam ship within the limits of the Harbour of Lagos while and so long as such steam ship is at anchor or is moored to any quay or wharf. No steam whistle to be used while ship is at anchor.

The master or any other person in charge of any steam ship on which a steam whistle or other steam sound signal shall have been sounded in contravention of this section shall incur a penalty not exceeding ten pounds. Penalty.

8. All penalties shall be recovered upon summary trial and conviction, for which purpose the Police Recovery of penalties.

Magistrate of Lagos shall have jurisdiction in all prosecutions under this Ordinance, and upon non-payment the penalty shall be enforced under the provisions of the Criminal Procedure Ordinance 1876, or any enactment amending or extending the same.

The term for which any person may be imprisoned in default of payment of any penalty under this Ordinance shall not exceed twenty-one days.

Power of making rules

9. The Governor in Council may make, and when made, amend, vary, suspend or revoke rules and regulations for further or better carrying into effect the purpose of this Ordinance and may appoint a penalty which shall not exceed five pounds in respect of the breach of any such Rules.

FISHING STAKES.

Governor with consent of Legislative Council to make rules.

10. (1) It shall be lawful for the Governor with consent of the Legislative Council to make Rules and Orders for the erection, maintenance, managing, and working of fishing stakes in the Harbour of Lagos, prescribing the places where the same may be erected, the distances to be observed from the shore and from other stakes, the nature of the nets and stakes to be used, the depth of water for stakes, the length of time to be kept in the same place, the removal when out of repair, or not used, lighting of stakes at night, the removal, repairing, and cleaning of stakes, and otherwise generally for all purposes connected with the erection, maintenance, and working of such stakes.
- (2) Any person committing a breach of any rule or order made under this Section shall on conviction before a Police Magistrate be liable to a penalty not exceeding £10.
- (3) Any fishing stakes established, renewed, altered or repaired contrary to any rules and regulations so made, may be removed by the Harbour Master, and the owner or occupier of such fishing-stakes shall be required to pay the expenses of such removal, and further shall be liable on conviction for each breach of such rule

or regulation to the penalty prescribed in subsection (2) hereof.

11. (1) It shall not be lawful for any person on and after the 1st day of January 1898, to erect, maintain, manage or work in any way any fishing-stakes or to catch fish by means of stake nets in the Harbour of Lagos without a license for that purpose granted by the Colonial Treasurer, upon the certificate of the Harbour Master. Licenses necessary to work fishing stake.
- (2) It shall be lawful for the Governor in Council to establish Tables of Fees to be charged for licenses for fishing-stages.
- (3) Provided always however that any person who shall prove to the satisfaction of the Governor in Council, that he has a right to catch fish in any fixed and determined place in the Harbour of Lagos, by means of fishing-stakes or stake nets, shall be entitled without payment of any fee to receive a license to exercise any such rights.

12. This Ordinance may be cited for all purposes as the Lagos Pilotage and Harbour Ordinance 1878 amendment Ordinance 1897. Short title.

HENRY EDWARD McCALLUM, ESQUIRE,
MAJOR, R.E., C.M.G.

Governor.

No. 17.—1897.

An Ordinance to provide for the service of the Colony during the year One thousand eight hundred and ninety-eight.

[11TH NOVEMBER, 1897.]

WHEREAS it is requisite to make provision for the expenses of the Civil Government of the Colony during the year one thousand eight hundred and ninety-eight.

Be it therefore enacted by the Governor of the Colony of Lagos, with the advice and consent of the Legislative Council thereof as follows:—

Expenditure of
1898-99 authorised.

1. The Treasurer may, on the warrant of the Governor, pay out of the revenue of the Colony for the purposes of the service of the Colony during the year one thousand eight hundred and ninety-eight the sum of one hundred and ninety-two thousand, eight hundred and twenty-five pounds.

Appropriation
thereof to be as
per Schedule.

2. The said sum of one hundred and ninety-two thousand eight hundred and twenty-five pounds shall be appropriated to the purposes and in the manner expressed in the Schedule annexed to this Ordinance.

Balance unissued
to lapse.

3. The moneys granted by this Ordinance are intended for the services in respect of which moneys will become payable within the year one thousand eight hundred and ninety-eight and any balances thereof remaining unissued at the end of that year shall lapse and not be available for making payments in any subsequent year.

Short title.

4. This Ordinance may be cited for all purposes as "The Supply Ordinance 1898."

SCHEDULE.

Expenditure 1898.

Governor	...	...	£	5224	
Colonial Secretariat	...	...	...	3593	
Queen's Advocate	...	...	...	918	
Treasury	...	...	...	1930	
Customs...	...	...	...	6237	
Do.	Special	...	...	60	
Audit Office	...	...	...	1172	
Post Office	...	...	...	1729	
Do.	Special	...	...	130	
Printing Office	...	...	...	939	
Do.	Special	...	...	300	
Harbour Master	...	...	...	2382	
Do.	Special	...	...	850	
Government Vessels	...	...	...	3051	
Do.	Special	...	...	600	
Engineer	...	...	...	4839	
Supreme Court	...	...	...	7039	
Ecclesiastical	.....	...	...	40	
Charitable	...	...	...	211	11 7
Educational	...	...	...	3521	
Hausa Force	...	...	...	30365	
Police Force	...	...	...	12746	
Do.	Special	...	...	1550	

Prison	2669
Medical	10602
Botanic and Agricultural Department	824
Registrar General	321
Transport	5300
Interior Department	10573
Miscellaneous	4153
Pensions and Gratuities	2852 8 5
Rent	500
Land and Survey Department	2206
Public Works Department	10267
Do. Recurrent	6200
Charge on Account Public Debt	8925
	<hr/>
Public Works Extraordinary	154870
	22955
	<hr/>
Works chargeable to Surplus Balances	177825
	15000
	<hr/>
Total.....£	192825
	<hr/>

HENRY EDWARD McCALLUM, ESQUIRE,
MAJOR, R.E., C.M.G.

Governor.

No. 18.—1897.

An Ordinance to amend “The Travelling Ordinance, 1885.” [17TH NOVEMBER, 1897.]

WHEREAS it is expedient to amend the law regulating the grant of certain allowances whilst travelling, to Government Officers.

Be it therefore enacted by the Governor of the Colony of Lagos with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as “The Travelling Ordinance 1885, amendment Ordinance 1897.”

Short Title.

2. The Travelling Ordinance 1885 is hereinafter referred to as the Principal Ordinance.

Principal Ordinance.

3. The principal Ordinance shall be construed and have effect as if the Schedule to that Ordinance were deleted therefrom, and as if the Schedule to this Ordinance were inserted therein.

Change of Schedule

SCHEDULE.

Classification and allowance of Officers.

Class.		Allowances for each twenty-four hours.
		£ s. d.
First.	Officers in receipt of salaries at rates per annum amounting to £1200 and upwards.	1 0 0
Second.	Officers in receipt of salaries at rate per annum, amounting to £600 and under £1200.	0 15 0
Third.	Officers in receipt of salaries at rates per annum amounting to £240 and under £600.	0 10 0
Fourth.	Officers in receipt of salaries at rates per annum amounting to £96 and under £240.	0 5 0
Fifth.	Officers in receipt of salaries at rates per annum amounting to £48 and under £96.	0 2 6
Sixth.	Officers in receipt of salaries at rates per annum under £48.	0 1 0
Seventh.	Sergeant-Majors of Hausa or Police Forces ...	0 0 6
Eighth.	Non-Commissioned Officers and Privates of Hausa or Police Forces Boatmen, Canoe-men, Hammock men and labourers ...	0 0 3

ORDERS AND RULES

UNDER

Ordinances.

At an Executive Council held the

30th day of JANUARY, 1897.

Whereas by an Ordinance intituled the "Foreign Recruiting Ordinance 1884" it is *inter alia*, enacted that the Governor in Council may from time to time by General Order notified in the Gazette either prohibit recruiting for the service of any foreign state or impose upon such recruiting any condition which he may think fit;

And whereas by a General Order in Council dated the 10th day of April 1889, the Governor did prohibit recruiting for the service of any foreign state without or contrary to the permission of the Governor in Council;

And whereas it is expedient that permission be given to ALFRED HENRY TURNER, to recruit and enrol five hundred men (not being Hausas) for service in the Niger Coast Protectorate;

Now, therefore, I, GEORGE STALLARD, Deputy Governor of the Colony of Lagos, in exercise of the power in that behalf in the said Ordinance and Order contained, do by this present Order, by and with the advice of the Executive Council, grant unto the said ALFRED HENRY TURNER permission to recruit and enrol five hundred men (not being Hausas) for service in the Niger Coast Protectorate.

Published in Extraordinary Gazette for 1897, No. 1.

At an Executive Council held the

8th day of APRIL, 1897.

No. 10 of 1897.

THE PROBATES
(BRITISH AND COL-
ONIAL ORDI-
NANCE, 1893.

WHEREAS by the first section of "The Probates (British and Colonial) Ordinance 1893" it is enacted as follows

"The Governor may, on being satisfied that the Legislature of any British Possession has made, or is about to make, adequate provision for the recognition in that Possession of probates and letters of Administration granted by the Supreme Court of this Colony, direct by Order in Council published in the Gazette, that this Ordinance shall apply to that possession."

And whereas I am satisfied that the Legislatures of the British possession hereinafter mentioned have made or are about to make adequate provision for the recognition in that possession of Probates and letters of Administration granted by the Supreme Court of this Colony of Lagos.

Now therefore I, GEORGE CHARDIN DENTON, ESQUIRE, C.M.G., Acting Governor of the Colony of Lagos with the advice and consent of the Executive Council of the said Colony do hereby order and direct that the "Probates (British and Colonial) Ordinance 1893." shall apply to the British Possession hereinunder mentioned.

STRAITS SETTLEMENTS.

Published in Gazette for 1897 p. 186.

At an Executive Council held the

9th day of APRIL, 1897.

No. 10 of 1876.

PRISON ORDI-
NANCE.

WHEREAS it is provided by section 10 of Ordinance No. 9 of 1876, that it shall be lawful for the Governor in Council to draw up prison regulations respecting the good government of prisons as regards matters not provided for or not fully provided for by the said Ordinance:

Now, therefore, I, George Chardin Denton, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the

Colony of Lagos, by and with the advice of the Executive Council of the said Colony, do order, and it is hereby ordered as follows:—

The following Rules shall come into operation on the first day of May, in the year of our Lord one thousand eight hundred and ninety-seven.

MARK SYSTEM.

Rules:—

1. Every Convict sentenced to penal servitude or imprisonment for two years or upwards shall have his time of detention represented by a certain number of marks, and if, in accordance with these rules, he shall by hard and steady labour earn that number of marks before the expiration of the term for which he is sentenced, he may thereupon be released if the Governor shall so order.

2. Every Convict may earn a remission of one-fourth part of his sentence.

3. No marks will be granted for conduct (except as hereinafter provided), as it is only on condition of good conduct and strict obedience that Convicts are allowed to earn any remission of sentence.

4. If a Convict's conduct is bad, he will be liable to be fined by the Sheriff a certain number of marks according to the nature and degree of the offence, and will thus lose by his misconduct the whole or portion of the remission he may have gained by his industry.

This rule does not affect the power of the Sheriff to punish by other legal means, as an alternative or in addition to the forfeiture of marks, and the Sheriff's power to fine Convicts for any offence is restricted to 720 marks representing a remission of three months.

5. The Scale of marks shall be as follows:—

8 marks for a full day's hard and steady labour.

7 " " a less degree of Industry.

6 " " a fair but moderate day's work.

6. No marks shall be granted for the first three months, which period is passed by the Convict on

probation upon hard labour of the first class within the Prison walls; marks are therefore to be calculated at the rate of six per diem as commencing three months from the date of conviction.

If a Convict's period of probation is extended, 6 marks for every day will be awarded to him during the period of such extension.

7. If by hard and steady labour a Convict gains 8 marks every day and loses none for misconduct, he may receive a remission of one fourth part of his sentence and a proportionate remission for any less number of marks, provided he earns more than an average number of six marks a day.

8. Convicts on light labour shall only be able to earn seven marks at the most, unless specially otherwise ordered by the Sheriff, who shall give special attention to cases in which Prisoners are losing marks by being kept upon light labour.

9. Convicts undergoing punishment for Prison offences shall receive only six marks a day during the period of such punishment.

10. Convicts in Hospital shall receive only six marks a day, unless otherwise ordered by the Sheriff.

11. On Sundays and other non-working days, marks must be given for conduct.

12. Convicts who have been convicted a second time will not be allowed to earn any remission of sentence during the first year of such imprisonment, but if their conduct and industry during such first year be approved by the Sheriff, they may be allowed, at the expiration of such period, to earn a remission of the fourth or a less part of their remaining sentence on the same terms as other Convicts.

13. Convicts who have been convicted for a third time or more will not be allowed to earn any remission of sentence.

14. Convicts who by misconduct have forfeited the whole of their remission, will be liable to be kept in separate confinement during the last month of their sentence.

15. Whenever any Convict shall have gained a remission of any part of his sentence, the Sheriff shall at once report the same to the Colonial Secretary for the Governor's directions.

16. The Register of marks shall be kept by the Chief Warder.

17. The marks shall be awarded by the Officer in charge of each working gang and entered by him in his gang book at the end of each day's work. The Officer will, on his return to the Prison, hand in his record of marks for the day to the Chief Warder, who will file the same and enter the marks in the Register on the following morning. The Hospital Dresser shall also keep a record of marks, which he shall hand in daily to the Chief Warder.

18. The Sheriff shall enter in each Convict's record sheet any forfeiture of marks he may inflict, and the Chief Warder shall exercise great care in transferring the same to the marks Register.

19. The Sheriff shall carefully inspect and initial the Register of marks once a week.

20. No Officer shall be appointed to take charge of a working gang until the Sheriff is satisfied that he thoroughly understands the system of marking.

21. It shall be the duty of the Keeper of the Prison to take every means of seeing that the Officers award the marks fairly, and he shall frequently explain the system to them and shall be responsible for their understanding their duty in this respect.

22. Any case of an Officer not executing this duty efficiently shall be at once reported to the Keeper of the Prison, who shall report accordingly to the Sheriff.

23. Any Convict shall be allowed a reasonable time to have his mark sheet explained to him, and the whole system generally shall be explained to all the Convicts by the Keeper of the Prison or Sheriff at least once a month.

24. Convicts who have earned a remission of sentence will be allowed a gratuity, calculated at the rate of one penny for every hundred marks earned, which shall be paid to them on their release.

25. The Sheriff shall inspect the mark sheets at the end of every twelve months with a view of forming a "Special Class" to consist of those Convicts who have obtained the highest possible number of marks during such period. A Convict so placed and continuing in the "Special Class" shall wear a blue stripe across the right sleeve of his jumper, an additional stripe being added for each full year passed in the said "Special Class," and shall be entitled to receive one extra visit of half an hour's duration during each three months, and shall be eligible for an extra gratuity upon his release, to be calculated according to the proportion of his sentence passed in the "Special Class," such extra gratuity not to exceed 10/.

26. The attention of the Sheriff and Deputy Sheriffs is directed to the importance of paying constant attention to the details of this system, and the utmost care must be used in awarding and recording the marks gained by Convicts. It is essential that Convicts should have confidence in the fairness and accuracy of the working of the system.

Published in Gazette for 1897, p. 188.

At a Legislative Council passed the

8th day of April, 1897.

SCHEDULE 2, ORDER 53, RULE 11.

Limitation of Time for Appeals.

WHEREAS by reason of the uncertainty of the times or intervals at which the Full Court of Appeal of the Colony sits it is expedient to amend rule 11 of order 53 of Schedule 2 of the Supreme Court Ordinance, 1876.

Now, therefore, I GEORGE STALLARD, Acting Chief Justice of the Colony of Lagos under the power vested in me by section 100 of the said Ordinance do hereby make the following Rule;

11A. Provided also that if there shall be no sitting of the Appeal Court within six months from the date of a decision on the merits, and notice to move the Appeal Court shall have been given within such period, the motion may be dealt with, and leave to appeal granted at the next sitting of the Appeal Court whenever the same may be held.

At an Executive Council held the

1st day of June, 1897.

WHEREAS the S.S. "IBADAN" is a Steamship having its head-quarters at Lagos;

Now therefore, I, HENRY EDWARD McCALLUM, MAJOR, R.E., Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of Lagos, with the advice of the Executive Council of the Colony, do hereby declare and proclaim the S.S. "IBADAN" to be a local Steamer within the meaning of the Order of the 11th day of April, 1895, and subject to the provisions of the said Order, to be exempt from the payment of Light dues.

At an Executive Council held the

19th day of July, 1897.

WHEREAS by the 3rd Section of the Prison's Ordinance, 1876, it is amongst other things enacted, that

the Governor in Council may, by order published in the Gazette, declare any buildings within the limits in the said Ordinance stated, to be a prison under the said Ordinance, and by the same or any subsequent order, declare the province, district or place for which any such building shall be used for the purposes of a prison, and that every prison shall include any lock-up house or place of security which may be sanctioned by any order as aforesaid, for the temporary detention or custody of prisoners newly apprehended or under remand, or awaiting trial, and be in such order declared to form a part of such prison.

Now, the Governor, by and with the advice of the Executive Council, and by virtue of the authority committed to him by the said recited Ordinance, doth order and it is hereby ordered, that the following premises at the district hereinafter mentioned shall be a prison under the said Ordinance, viz: All that building or tenement situate at Leckie in the Eastern District of the Colony of Lagos and known as the New Lock-up (with the Court yard and all the out-buildings within the curtilage of the same.)

And it is also ordered, that the said premises may at all times be used as places of temporary detention or custody of prisoners in transit in any direction to or from other districts.

RULES FOR EUROPEAN NURSES, 1897.

1. The Staff of European nurses shall consist of a Matron or Senior Nurse and such other nurse, or nurses, as may from time to time be appointed.

2. The other nurse or nurses are to obey the orders of the Matron or Senior Nurse and to perform whatever duties she may detail them for.

3. The nurses are to obey all orders given them by the Medical Officers.

4. The nurses are to look after the European Patients specially, but at the same time, they are to exercise supervision over the native wards and see the native nurses carry out any special directions as to the treatment of any particular case

5. In the case of European Patients the nurses are in serious cases to administer all medicines and nourishment ordered by the Medical Officer and either

enter themselves, or see the native nurse on duty enters the time and nature of such administration.

6. One nurse is to be always on duty unless the Medical Officer considers it unnecessary.

7. The nurses are to visit both European and native wards every morning at 7 a.m. and to see that they are clean and tidy.

8. The nurses are to report at once to the Medical Officers any neglect of duty on the part of the native nurses or any damage to furniture or appliances which have occurred through their carelessness.

9. The Matron or Senior Nurse is to take charge of all bed linen furniture and appliances in the European Wards and take an Inventory of the same at least every 3 months.

10. The nurses are to instruct the native nurses under them in the European wards in their duties, and as occasion requires, those in the native wards paying special attention to the native female nurses.

11. The Matron or Senior nurse shall every morning inspect the stores supplied by the contractors for the use of European Patients.

12. The nurses are not to leave Lagos without the permission of the Chief Medical Officer, and they are only to leave the Hospital at such times as the Medical Officer may authorize.

13. The nurses are to go round the European wards morning and evening with the Medical Officer, and whenever he may require them.

At a Legislative Council passed the

15th day of September, 1897.

AMENDMENT OF EREKO DISPENSARY
RULES, 1889.

WHEREAS by Section 14 of the Hospital and Dispensaries Ordinance 1889 it was enacted that the Governor may with the advice of the Legislative Council make and when made amend, vary or revoke rules and regulations with regard to the general management and discipline of hospitals and dispensaries and all matters incidental thereto, or connected therewith.

And whereas under the said Section certain rules

were made on the 7th day of November 1889, for the management of the Ereko Dispensary.

And whereas it is expedient to amend the same.

It is hereby enacted by His Excellency the Governor of Lagos, with the advice and consent of the Legislative Council as follows:—

Rule 11 is hereby repealed and re-enacted so as to read "The Medical Officer in charge shall be in attendance on week days from 8 to 10 a.m., and from 3 to 4.30 p.m., and on Sundays from 8 to 10 a.m.

The following addition shall be made to Rule 12; after the words "Hospital Form 23," "and shall forward each day to the Chief Medical Officer a return on the form supplied, of Officers who are on the sick list, and shall supply to each of them a daily sick certificate."

At a Legislative Council passed the

15th day of September, 1897.

Amendment of Slaughter House Rules, 1882.

WHEREAS by Ordinance No. 10 of 1878 it is enacted among other things that the Governor by and with the advice and consent of the Legislative Council may make, revoke or alter Regulations for the management of Slaughter Houses.

And whereas certain rules were made under the said Ordinance on the 2nd day of December, 1882.

And whereas it is expedient to alter the same.

It is hereby enacted by His Excellency the Governor of Lagos, with the advice and consent of the Legislative Council thereof as follows:—

1. Section 1 of the rules of the 2nd day of December 1882, shall be and is hereby repealed and the following section substituted therefor.

2. The public slaughter house provided for the town and Island of Lagos, situated at Itolo, Offin, Lagos, shall be open for the slaughter of animals, and the dressing of carcasses for the food of man, every day in the year, between the hours of 3 a.m. and 7 a.m., and at no other time.

At a Legislative Council passed the

15th day of September, 1897.

RULES MADE UNDER ORDINANCE No. 10.
OF 1878.

WHEREAS by an Ordinance entitled "Towns Police and Public Health Ordinance 1878" it is *inter alia* enacted that it shall be lawful for the Governor by an Order approved by resolution of the Legislative Council to make such Rules for further or better carrying into effect any of the purposes of the said Ordinance as he may from time to time deem necessary.

And whereas it is expedient in the interests of Public Health that measures should be taken and Rules made for the disposal of night soil and excrementa.

Now therefore, I MAJOR HENRY EDWARD McCALLUM, R.E., Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of Lagos, with the approval of the Legislative Council thereof signified as aforesaid, do hereby make the following Rules:

1. From and after the First day of October 1897, and until a notice to the contrary shall have been published in the Government Gazette, the contents of latrine pans or buckets shall be thrown or discharged into the Lagos lagoon from the farther end of the piers or wharves mentioned in the Schedule hereto annexed and between the hours of 9 p.m., and 12 midnight and at no other time or times.

2. All persons making use of any pier or wharf for the purposes mentioned in Rule 1 shall take every precaution to prevent the deposit or accumulation on the said pier or wharf of any portion of the contents of latrine pans or buckets.

3. Any person who shall fail to conform to the above Rules or who shall deposit or discharge excrementa or night soil in or into any creek of the Lagoon or any swamp or any dustbin or into any place other than those specially appointed for the purpose by these Rules, shall be liable to a penalty not exceeding five pounds.

4. Nothing in these Rules contained shall be taken to apply to any part of the Colony beyond the Island of Lagos: nor to any part of the said Island beyond the Districts of Ehin Igbeti, Faji, and Oke Ete, namely from Appogbon Street, to the Petroleum Magazine.

SCHEDULE.

Piers or Wharves to be used for the purposes mentioned
in Rule 1.

The pier or wharf of the Customs House	Marina
" Messrs Holt & Welsh	"
" The Lagos Stores & Tomlinson Ltd.,	"
" M. Konigsdorfer & Co.	"
" The Mail Agency.	"
" Messrs Witt & Busch.	"
" G. L. Guiser (Eastern pier.)	"
" The Public Works	"
" Fabre & Co.	"

At a Legislative Council passed the

15th day of September, 1897.

LAGOS MEAT MARKET RULES, 1897.

Recital of S. 67 of
Towns Police and
Public Health
Ordinance.

Whereas by section 67 of the Towns Police and Public Health Ordinance 1878, it is enacted that it shall be lawful for the Governor by an order, approved by resolution of the Legislative Council, to make rules for further and better carrying into effect any of the purposes of the said Ordinance.

Recital of S. 41.

And whereas by section 41 it is further enacted that whenever the Governor provides any public market he may, by rules to be made in the manner aforesaid, make regulations for all or any of the purposes specified in the said section, and may annex and appoint penalties for the breach of any of such regulations.

Revocation of
other Rules.

Now therefore, I Henry Edward McCallum, Major in the Corps of Royal Engineers, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of Lagos, with the approbation signified as aforesaid, do hereby revoke all other rules and orders in that behalf, and make the following order.

Short title and
application of Rules

1. These rules may be cited as the "Lagos Meat Market Rules, 1897," and shall apply to the Meat Markets hereinafter declared to be provided as aforesaid, and to such other Public Markets as may hereafter be declared to be provided for the town and

island of Lagos for the sale of carcasses intended for the food of man.

2. The following Public Markets are hereby declared to be provided for the town and island of Lagos for the sale of carcasses intended for the food of man, that is to say, Ereko Meat Market. Marina Meat Market. Faji Meat Market. Public Meat Markets declared.

3. The public meat markets provided for the town and island of Lagos shall be open for the sale of carcasses for the food of man every Sunday between the hours of 6 a. m., and 9 a. m., and on every other day in the year between the hours of 6 a. m., and 5 p. m., and at no other time. Markets when to be opened.

4. No person shall be permitted to make use of the said markets for the above recited purpose until he has obtained a license in the form hereinafter set forth, and has paid the following charge, viz., for each stall, table or place in the said market at the rate of five shillings per month for the period respectively during which such licenses are authorized by these rules and for no other periods. Licenses to be obtained by Sidesmen.

5. All applications for Licenses shall in the first instance be made to the Collector of Customs, and every person applying for a license shall at the same time pay to the Collector the amount fixed by these Rules to be paid in respect of such license for the use of such stall, table or place in the said market, and the Collector shall in each case give a receipt in the form contained in Schedule A. to these Rules, which amount in case such application shall be refused such Collector of Customs shall forthwith on demand and on production of the said receipt repay to the person who paid the same without any deduction whatsoever. Applications for Licenses in the first instance to whom to be made.

6. No License shall be granted for a less period than three calendar months nor for a longer period than six calendar months and every such License shall continue in force from the date of the granting thereof until the thirtieth day of June or the thirty-first day of December respectively in the case of half yearly Licenses or until the twenty-fifth day of March the thirtieth day of June the twenty-ninth day of September or the thirty-first day of December in the case of quarterly Licenses respectively, of the year in which any such License shall have been granted. Duration of Licenses.

No person shall be entitled as of right to the use either by himself or by any other person acting for him or

on his behalf of more than one such stall, table or place.

Applications for allotment of Stalls &c. to whom to be made.

7. Applications for allotment of such stalls, tables or places shall be made to the Inspector of Nuisances or to such other person as the Governor shall for that purpose appoint and the Inspector of Nuisances or such other person as aforesaid shall on production by the applicant of the before-mentioned receipt of the Collector of Customs allot, subject in all cases to the approval of the Governor, the available space in the said markets to applicants according to priority of application.

Form of License.

8. Previous to any such allotment as in the last preceding rule mentioned, the Inspector of Nuisances or such other person as aforesaid shall prepare and submit to the Governor for approval as aforesaid a License in form contained in Schedule B. to these Rules.

Notice to discontinue use of Stall &c., not required.

9. It shall not be necessary for any person in the occupation of any such stall, table or place, to give notice of his intention to discontinue the use thereof.

Occupier to cleanse Stall and unoccupied space.

10. Every occupier of a stall, table or place in the said Markets shall, on every day on which he shall use such stall, table or place, keep the same in a perfectly clean state, and at the close of every day's selling, and before leaving, brush, sweep and clean away all dirt, filth and rubbish from such stall, table or place and thoroughly wash and cleanse and wipe dry the same, so that no blood, water or dirt shall be left or seen thereon, and shall also sweep and clear away all dirt, filth and rubbish from the unoccupied space adjoining such stall, table or place as may be allotted to him by the Inspector of Nuisances as his fair portion to keep clean of the unoccupied space common to all in the markets aforesaid, and all such dirt, filth, rubbish and sweeping shall by such occupier immediately thereupon be conveyed to, and deposited in, such place as may be selected and appointed by the Health Officer or the Inspector of Nuisances:

And no person whatever and no occupier as aforesaid shall bring or cause to be brought into the markets aforesaid or have therein, the offal of any animal, or the skin of any animal, unless such skin shall be dry or properly cured.

Weights and Measures to be tested and adjusted.

11. It shall be the duty of the Sub-Inspector of Weights and Measures or other person appointed by

the Governor frequently to examine, test and adjust the scales, weights and measures used in the 'markets aforesaid, and any person found using light, unjust or defective scales, weights or measures, will be dealt with under the law of the Colony in that behalf provided.

12. No baskets, boxes, cases or other packages or articles, shall be placed in the avenues or passages of the market.

Avenue of Markets to be kept clean.

13. Meat, when sold, shall remain on the salesman's stand or stall until taken away by the buyer, and shall not be put in the avenues or passages of the market.

Sold meat to be kept on stalls.

14. No board, basket, meat or anything whatever shall be placed so as to project over the line of frontage of any adjoining stand or stall, whether such adjoining stand or stall be occupied or not, or be placed beyond the limit of the space allotted to such tenant.

Space allotted to licensee only to be occupied.

15. Every person using the said markets shall obey the reasonable directions of the Inspector of Nuisances or other person appointed by the Governor for the purpose of preserving order and regularity in the market and facilitating the despatch of business therein.

Person using Public Markets to obey directions of Inspector of Nuisances.

16. Every person who makes default in complying with any of the foregoing rules or wilfully obstructs any person in the execution thereof, shall unless his punishment is otherwise provided for, be liable to a penalty not exceeding for any one offence the sum of forty shillings; and in the case of continuing breaches or offences not exceeding the sum of ten shillings for every day such breach or offence is continued after conviction therefor.

Penalties

17. Any complaint or information founded upon a breach of any of the foregoing rules shall, unless otherwise provided for, be made or laid within two months from the time when the matter of such complaint or information arose, and not afterwards, and such complaint or information may be made or laid by the Health Officer or Inspector of Nuisances or such other person as the Governor shall for that purpose appoint.

Complaints of Infringements when and by whom to be laid.

18. All penalties, costs, and expenses for the breach of any of the foregoing rules shall, unless otherwise provided for, be recoverable according to

Penalties how recoverable.

Orders and Rules

the provisions of the 63rd section of the "Towns Police and Public Health Ordinance 1878."

Date when Rules
come into
operation.

19. These rules shall come into operation on publication in the Gazette.

SCHEDULE A.

No.	Custom House,	No.	Custom House,
£	Lagos, 189 .	£	Lagos, 189 .
This is to certify that I have		Received from	
this day paid into the hands		the sum of £ being for	
of the Collector of Customs the		a license to use one stall at	
sum of £ being for a license		the Meat Market for	
to use one stall at the		the ending	
meat market for the			
ending		<i>Collector of Customs.</i>	

SCHEDULE B.

No.		No.	
Date	189 .		Sanitary Department, Lagos, 189 .
Name of Licensee			License is hereby granted to
Address			of for the use
Stall No.			of Stall No. in the Public
Meat Market at			Meat Market Situate at
from	to		from the to the day
Recommended			of 189 , subject to the
			provisions of the Towns
			Police and Public Health
			Ordinance No. 10. of 1878 and
			any Rules or regulations duly
			made thereunder.
Approved:		Approved:	Recommended
			<i>Governor.</i> <i>Health Officer.</i>
			Fee paid to Collector of
Fee paid <i>vide</i>	Custom	Customs <i>vide</i>	Receipt No.
Receipt No. dated	, 189 .	dated	189 .

At a Legislative Council passed the

15th day of September, 1897.

RULES FOR NATIVE NURSES
MALE AND FEMALE.

1. The hours of attendance for day duty shall be from 6 a. m., till 6 p. m., with intervals in all amounting to 3 hours for meals; and whilst on night duty no nurse will be required to act for more than 3 hours on one night.

2. The nurse especially employed in dressing the out-patients shall commence the dressing at 7 a.m. After the out-patients have been dressed he shall be available for other work.

3. Each nurse shall have charge of one or more wards.

4. The nurse is to attend to the cleanliness and comfort of the patients, to see that all their wants are supplied and that a supply of filtered water is kept in each ward for drinking purposes; to wait upon the patients at their meals and to enter in the case book if the food be rejected by the patient and in case of extras being ordered to see that they are duly supplied.

5. When extras are ordered the nurse must attend with the bed-head ticket and receive the same from the Steward.

6. The nurse is to assist the Medical Officer and Dispenser in dressing surgical cases, and in operations.

7. In the event of a patient dying, the body must be immediately removed to the dead house.

8. A report must be made to the Resident Medical Officer or Dispenser of any change or noticeable feature in the condition of a patient.

9. Medicines must be punctually administered, the time of Administration being recorded in the case book. If the Medicine be ejected or rejected by the patient the fact must be reported at once to the Resident Medical Officer or Dispenser.

10. Before administering any medicine the direction on the label should always be read. The dose is to be measured accurately by a measure glass or by the marks on the bottle.

11. The medicine glasses must be cleaned after using and all oily or strongly flavoured medicines

must be given in a measure kept separate for the purpose.

12. External or poisonous applications must be kept in a locked press away from the other medicines. The key of this press must be in the nurse's charge.

13. The nurse is to keep himself informed as to the treatment of each patient in his charge by constant reference to the bed-head ticket and prescription book.

14. The ward case book is to be kept by the nurse. The general remarks, at the commencement of each case will be made by the Resident Surgeon, the nurse keeping the following record :—

- (a) The temperature as taken in the mouth.
- (b) The pulse and respirations time by the minute glass.
- (c) A note of the number and condition of the motions if there be anything abnormal such as parasites presence of mucus, blood, diarrhoea or constipation.
- (d) The colour and quantity of the urine, noting any deposit.
- (e) The state of the skin as to colour (if jaundiced &c.) or as to the presence or not of perspiration, heat, or appearance of eruption.
- (f) Under the heading of head symptoms, note the presence of the head-ache or delirium.
- (g) The hours of sleep.
- (h) Loss of appetite, thirst, presence of vomiting must be noted in column for stomach symptoms.
- (i) The condition of the tongue as to fur, colour and moisture.
- (k) A special note will be made of the food if extras are ordered.
- (l) The hours at which medicines are given.

15. In the remark column will be entered any note for which provision has not been made in the form.

16. The nurse is responsible for the state of the ward, that it is properly cleaned, white washed, ventilated, lighted of a night and supplied with the requisites for nursing.

17. The filters are to be taken to pieces and cleaned once a month,

18. The wards are to be swept out twice daily and the sweeping are not to be thrown out of the window or over the verandah but are to be carried to the dust-

bin, in which receptacle will be placed also the disused dressing &c., after disinfection.

19. The wards are to be scrubbed at least once a week.

20. All bedding is to be aired twice weekly.

21. The patients' clothing is to be changed twice a week and the bed linen once as a rule but when required as often as necessary to ensure cleanliness. The soiled clothing must be given to the washerman without delay and the nurse is responsible that they be returned in time and in proper condition.

22. The nurse has charge of all articles of clothing, bedding, furniture and instruments in the ward, a list of which will be found on the inventory board. All boards, notices, copies of rules, bed head-tickets, case and prescription books must be kept in their proper places in the ward.

23. All instruments, dressing basins, urinals, night stools &c., are to be kept in a state of perfect cleanliness and some disinfectant is always to be kept in the night stools.

24. The patients are to be properly and decently clothed. The nurse to see that no injury is done to the clothing, bedding or furniture.

25. On admittance each patient is to have a bath excepting when a contrary order has been given by the Resident Medical Officer. Those who are unable to take a daily bath should have their hands faces and when requisite the whole body washed with warm water and soap, night and morning.

26. When required the patient is to be supplied with a waterproof sheet to prevent soiling of the bedding.

27. On no account is any patient to dress his own sores or apply any poultice or in fact perform any duties for which nurses are provided.

28. The strictest order is to be maintained in the wards and compound. The introduction of tobacco spirits or provisions for the patients is strictly prohibited.

29. The nurses are to see that patients observe all the Rules of the hospital and are to report any infraction of them to the Resident Medical Officer.

30. Nurses are not permitted to leave the hospital or their ward when on duty without permission and then not before they are relieved by another nurse who then has charge of the ward.

31. Nurses must sleep in the hospital and when required in the wards.

32. All orders of the Resident Medical Officer or dispenser are to be obeyed.

33. The female nurse shall in addition to the ordinary duties repair the clothing and bedding under the supervision of the Steward.

34. The nurse in charge of the Contagious Diseases Hospital shall see that there be no communication between the patients and the outside public, that no bedding or furniture be removed from the hospital without a special order of the Resident Medical Officer, that every article of bedding and clothing be thoroughly disinfected, that all patients be thoroughly washed with Carbolic soap immediately before leaving and that they do not receive their clothing till this moment.

35. The nurse who has charge of the Meteorological observations is responsible for the instruments used for this purpose, that the registers are properly kept and all calculations correctly made. The hours for reading the instruments shall be 8 a.m., and 4 p.m.

At an Executive Council held the

27th day of September, 1897.

Whereas by *Section 79 of the Customs Ordinance, 1876*, it is enacted that the Governor in Council may from time to time make such rules as shall be necessary for regulating the importation by *inland carriage or navigation* of any goods which may lawfully be so imported, and the form and method of the report and entry of goods so imported and may appoint ports on inland waters or stations at or through which only it shall be lawful so to import goods, and also as occasion may require, may alter amend, or revoke all or any of such rules and appointments, and all such rules and appointments and alterations, amendments and revocations, thereof shall be published in the Gazette and have the same force and effect for all purposes as if the same had been made by Ordinance and be subject to disallowance by Her Majesty.

Now therefore, I Henry Edward McCallum, Major, R.E. Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of Lagos, by and with the advice of the Executive Council of the said Colony do order and it is hereby ordered as follows:—

The following Rules shall come into operation on the 1st day of October, one thousand eight hundred and ninety-seven.

1. No Spirits shall be removed to or imported into the Colony of Lagos or the Protectorate thereof from the French Colony of Dahomey without a permit as hereinafter provided for.

2. Every person desiring to remove or import Spirits from the French Colony of Dahomey into the Colony of Lagos or the Protectorate thereof shall deliver to an Officer of Customs stationed in the Western District a Request Note in the form in Schedule A signed by such person specifying the quantity kind and strength of the Spirits he may desire to remove or import.

3. The Officer of Customs to whom such Request Note is delivered shall thereupon sign and deliver or cause to be delivered to the person so desiring to remove or import spirits a permit for the removal of the same and every such permit shall contain all the particulars specified in such Request Note and the time during which such permit shall be in force.

There shall be endorsed on such permit a notice to the effect that the packages mentioned therein must be produced along with such permit at such Customs station as may be mentioned in such permit.

4. Every permit shall accompany the packages for which such permit was granted, and no person shall be liable to any penalty or forfeiture if the time during which a permit shall be in force has expired before the removal of the spirits mentioned in the permit has been completed, on satisfactory proof being given that such spirits were unavoidably detained.

SCHEDULE A.

Form of Request Note.

I. A. B. (a) of	to	desire to remove from (b)	(a) State name in full occupation and residence of applicant.
	(d) containing	(c) gallons of	(b) Place from and to which.
of	proof	dated the	(c) No. and description of packages.
		18	(d) Quantity, kind and strength of spirits.
To		A. B.	
	<i>The Officer of Customs. Western District.</i>		

At an Executive Council held the

11th day of October, 1897.

Whereas by section 20 of the Dogs Ordinance, 1893, it is enacted that the provisions of the said Ordinance relating to licenses, badges or the payment of duty shall only have force with reference to such area or areas within the limits of the Colony and of the Territories described in the said section and during such time and to such extent as the Governor-in-Council shall at any time or from time to time determine.

And whereas by an Order-in-Council dated the 18th day of April 1891, the said provisions of the said Ordinance were applied, until further order, to the island of Lagos:

And whereas it is expedient that the said provisions of the said Ordinance should extend and apply to the whole Colony of Lagos.

Now therefore, I, Henry Edward McCallum, Major, R. E., Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of Lagos, with the advice of the Executive Council thereof do hereby revoke the said Order-in-Council dated the 18th day of April 1891, and do hereby order that all the said provisions of the said Ordinance shall have force and apply in and to the whole Colony of Lagos on and from and after the 1st day of January, 1898, until further Order.

At an Executive Council held the

11th day of October, 1897.

Whereas by section twenty-two of the Supreme Court Ordinance 1876, it was enacted that the Governor-in-Council may at any time by Order published in the Government Gazette provide in such manner and subject to such regulations as to him may seem meet for the appointment of the place and time at which sittings of Divisional Courts, are to be holden.

And whereas by section twenty-five of the said Ordinance, it was further enacted that subject to any appointment by the Governor, each of the Puisne Judges appointed to exercise jurisdiction in any Province should sit as a separate Divisional Court

in such Province, at such place as the Governor may appoint, on the first Monday of every month, or if Monday were a *dies non*, then on the lawful day next following for the trial of criminal and civil causes, and the disposal of all other legal business pending and that such sittings should be called the Assizes.

Now therefore, I, Henry Edward McCallum, Major, R. E., Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of Lagos with the advice and consent of the Executive Council thereof do hereby order and appoint that from and after the date of the publication of this Order in the Government Gazette, the Assizes before mentioned shall be holden in Lagos on the first Monday in the months of January, April, July and October in each year or if any such Monday be a *dies non* then on the lawful day next following.

At an Executive Council held the

11th day of October, 1897.

Whereas by section 3 of the "Lagos Pilotage and Harbour Ordinance 1878," it was enacted that the Governor-in-Council may from time to time define and declare or vary the extent and boundaries of the Harbour of Lagos.

Now therefore, I, Henry Edward McCallum, Major, R. E., Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of Lagos with the advice and consent of the Executive Council thereof, do hereby order and declare that from and after the date of the publication of this Order in the Government Gazette the limits of the Harbour of Lagos shall be the following:—

Within a line drawn from a point one and a quarter miles due Magnetic South from the Light House to the Light House, thence proceeding along the foreshore to the entrance of the Abekun Lagoon, thence to Apapa Point, thence following the foreshore to the mouth of the Agboyi Creek, thence proceeding in a straight line from the right bank of the Agboyi Creek to the land at Kuramo Island touching the most easterly point of Lagos Island, thence following the southern foreshore of Five Cowrie Creek and the

eastern foreshore of the main Lagoon to the Signal Station, thence to a fixed Harbour Limit mark near the Signal Station, thence due Magnetic South Seaward one and a half miles, and thence in a westerly direction to the point first hereinbefore mentioned, excluding the Island of Lagos and Iddo Island.

At a Legislative Council passed the

27th day of October, 1897.

Towns Police and Public Health Ordinance.

No. 10 of 1878,
Section 3, Towns
Police and Public
Health Ordinance.

Whereas by the "Towns Police and Public Health Ordinance," it was amongst other things enacted, that it shall be lawful for the Governor by proclamation made by and with the consent of the Legislative Council, to order at any time as he may think desirable, that the said Ordinance as respects the whole or any one or more of its provisions, should, from a date mentioned in such proclamation, apply to any town or place or part thereof, within the Colony of Lagos, or within the protected territories;

And whereas the Governor by and with the consent of the Legislative Council on the 13th day of January 1879, ordered and directed that the said Ordinance as respects the whole of its provisions should from the 1st day of February, 1879, apply to and be deemed to apply to the Town of Lagos.

And whereas the Governor by and with the consent of the Legislative Council on the 5th day of November, 1880, ordered and directed that the said Ordinance as respects the whole of its provisions should from the 1st day of December, 1880, apply to and be deemed to apply to the Eastern and Western Districts of the Colony of Lagos.

And whereas it has seemed desirable that the said Ordinance should apply to the whole Colony of Lagos.

Now, therefore, His Excellency the Governor by and with the consent of the Legislative Council and in exercise of the power in that behalf in the said Ordinance contained doth by this present proclamation order and direct that the said Ordinance as respects the whole of its provisions shall, from the 1st day of November, one thousand eight hundred and ninety-seven apply to and be deemed to apply to the whole Colony of Lagos.

At an Executive Council held the

30th day of December, 1897.

WHEREAS it is enacted by the Prisons Ordinance, 1876, that subject to the provisions of that Ordinance it should be lawful for the Governor in Council to draw up prison regulations respecting the good Government of the said prisons as regards matters not provided for or not fully provided for or reserved by the regulations in the first schedule thereto and likewise from time to time to repeal and alter any regulation so made and make other regulations in addition thereto or in substitution therefor and every such regulation or any repeal or alteration thereof, shall on being published in the Gazette be binding upon all parties subject to disallowance by Her Majesty.

And whereas it is provided by the twenty-second Regulation in the said Schedule that every prisoner maintained at the expense of the Colony shall be allowed a sufficient quantity of plain and wholesome food, regard being had to the nature of labour required from or to be performed by them to be regulated by the Governor in Council;

And whereas on the 24th day of March, 1887, an Order in Council was made in virtue of the herein before recited power contained in the said Ordinance regulating the scale of prison diet;

And whereas it is expedient to repeal the portions of the said Order numbered III and IV which provide respectively for the scale of Light or Agidi Diet for Native Prisoners and the scale of Punishment or Reduced Diet for native prisoners and to make a fresh order substituting another scale of diet in their place as hereinafter provided.

Now therefore, the Governor, by and with the advice of the Executive Council and by virtue of the herein before recited power in the said Ordinance doth order and it is hereby ordered that all that part of the said Order of the 24th day of March 1887, numbered III and IV which prescribes Light or Agidi Diet for Native Prisoners and Punishment or Reduced Diet respectively, shall be and the same is hereby repealed and that the following Scales of diet shall be substituted in lieu thereof, viz:—

Scale of Light or Agidi Diet for Native Prisoners.

The same as scale II but 6 balls of 70 cowry agidi (the balls to average 13 ozs.) instead of Farina, Rice or Yams.

Scale of Punishment or Reduced Diet for Males and Females undergoing Hard Labour.

		Yoruba or other Tribes.	Kroomen.
A.	1 to 3 days.	Rice $\frac{1}{2}$ lb. Salt $1\frac{1}{2}$ drams.	Yams $1\frac{1}{2}$ lbs. Salt $1\frac{1}{2}$ drams.
B.	after 3 days up to 6 days.	Yams $1\frac{1}{2}$ lbs. Palm Oil $\frac{1}{2}$ oz. Salt 3 drams.	Rice $\frac{1}{2}$ lb. Palm Oil $\frac{1}{2}$ oz. Salt 3 drams.
	after 6 days up to 14 days.	B and A alternately.	A and B alternately

At an Executive Council held the

30th day of December, 1897.

WHEREAS by section 41 of the Survey Ordinance 1897 it is enacted that the Governor in Council may from time to time make rules consistent with this Ordinance for *inter alia*.

- (a) Prescribing and limiting the powers and duties of Officers conducting proceedings under this Ordinance.
- (b) For the publication issue and service of all notices to be published issued, or served under this Ordinance.
- (c) For carrying out generally the purposes of this Ordinance and that upon publication of such rules in the Government Gazette they shall thereupon have the force of law.

Now therefore, I Henry Edward McCallum, Lieutenant Colonel, R. E., Companion of the Most Distinguished Order of Saint Michael and Saint George,

Governor and Commander-in-Chief of the Colony of Lagos, by and with the advice of the Executive Council of the said Colony, do hereby make the following rules.

1. These rules may be cited as the "Survey Rules 1898."

No. 10 of 1897, ss. 41 and 23.

2. In these Rules unless the contrary intention appears. "The Ordinance" means the Survey Ordinance 1897.

Interpretation.

Words importing the masculine gender shall include females and words in the singular shall include the plural and words in the plural shall include the singular.

3. When and as soon as the Governor has directed the boundaries of any lands to be fixed in pursuance of section 9 of the Ordinance the Surveyor appointed by him for the purpose may in his discretion call upon the owner or occupier as the case may be of any lands or houses in the district to make a declaration in [Form A.] of the Schedule to these rules.

Declaration by owner or occupier to be made at request of Surveyor.

4. Before the Surveyor enters either alone, or with his agents, servants and workmen upon any land in pursuance of section 10 of the Ordinance he shall give two clear days notice in writing [Form B.] to the owner or occupier as the case may be of his intention so to do; provided that the Surveyor, may with the consent of the owner or occupier as the case may be enter upon any land for the purpose of demarcating the boundaries thereof between the hours of six in the morning and six in the evening on any lawful day.

Notice to be given before entering on land unless with consent of owner or occupier.

5. All owners, occupiers and others capable of assisting the Surveyor shall as provided by section 11 of the Ordinance when required by reasonable notice [Form C.] so to do attend either personally or by agent at such time and place as may be appointed for the purpose of aiding the Surveyor in the execution of the Ordinance and shall if and when required so to do produce to him all documents in their custody, possession or control relative to the land or lands to be demarcated.

Owners and occupiers to attend the Surveyor after notice.

6. The notice referred to in section 11 subsection 2 of the Ordinance requiring the clearing of boundary lines shall be in writing and fix a time not being less than 24 hours within which the owner or occupier as the case may be is required to complete the work. If the person to whom the notice is given makes default in complying with any of its requirements then the Surveyor or any one authorized by him in writing may together with workmen and others enter upon the land in question and do whatever may be necessary to

Notice to be given by Surveyor before proceeding to clear boundary lines.

- clear the land for the purpose of demarcating the boundaries thereof.
- Limitation of time for recovery of compensation. 7. Any demand for compensation under section 12 of the Ordinance must be in writing and delivered to the Surveyor within one month after the injury complained of has taken place after which date the owner or occupier as the case may be shall forfeit any right to compensation in respect of any disturbance or injury to his property.
- Boundary marks. 8. In default of any wall, party wall, marked tree, masonry drain, masonry corner, masonry post or other feature which may in the opinion of the Surveyor be accepted as a permanent boundary mark of a suitable character, artificial permanent boundary marks shall be erected of one or other of the following descriptions as may be directed by the Surveyor or of such other description as may be prescribed from time to time by an order in the Government Gazette namely:—
- (a) Brick pillars in cement mortar (4 of sand to one of cement) 14 inches square, two feet below ground level and one foot six inches above ground level.
- (b) Iroko posts 6" x 6" x 5' long 3' in the ground and marked with a broad arrow.
- Notices, &c. 9. Any notice summons or other document required by these rules to be in writing may be partly written and partly printed or wholly written or printed as the case may be.
- Forms in appendix to be incorporated with rules. 10. The forms in the Appendix hereto or forms to the like effect may be used in all matters and proceedings under the Ordinance to which they are applicable with such variations as circumstances require.
- Service of Notices. 11. Any notice summons order or other document required or authorised to be served under the Ordinance or these rules may be served either
- (a) By delivering it or a true copy of it at the usual or last known place of that person; or
- (b) If addressed to the owner or occupier of premises by delivering it or a true copy of it to some person on the premises or if there is no person on the premises who can be so served then by fixing it or a true copy of it on some conspicuous part of the premises.
- Notices to owner or occupier how to be addressed. 12. Any notice summons order or other document by the Ordinance or these rules required or authorised to be given to or served on the owner or occupier of any premises may be addressed by the description of

the "Owner" or "Occupier" of the premises (naming them) without further name or description.

13. These rules shall come into operation on publication in the Government Gazette. Commencement of Rules.

THE 'SCHEDULE.

FORM A.

"DECLARATION OF OWNER OR OCCUPIER UNDER RULE II."

I do declare that I
am the* of all that piece of land situate at
ment containing by admeasure-
and acres roods
on the poles and bounded as follows that is to say:—
on the by
on the by
on the by
and on the by

Together with the message and buildings erected thereon.

Dated 189 .

Signed
Owner.

FORM B.

Notice to owner or occupier before entering under Section 10.

"THE SURVEY ORDINANCE, 1897."

Take Notice that I shall attend on day the instant,
at of the clock in the noon upon your land situate
at and known as for
the purpose of demarcating the boundaries thereof.

Dated this day of 189 .

Surveyor.

To

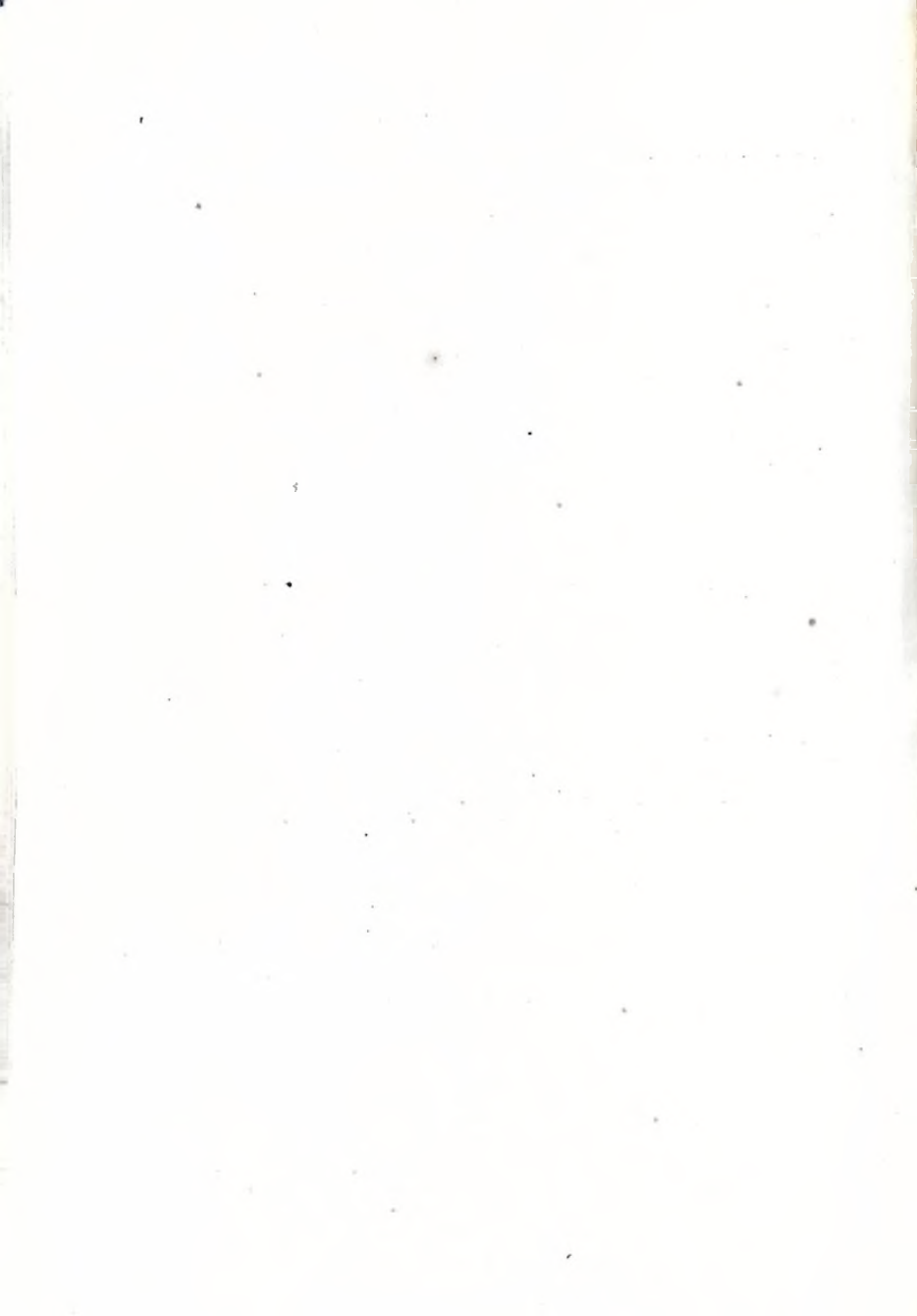
FORM C.

Notice to attend under Section 11.

"THE SURVEY ORDINANCE, 1897."

Take Notice that you are hereby required to attend personally or
by Agent before me at upon the day
of 18 at o'clock in the noon,
for the purpose of pointing out the boundaries of the land situate

Insert the word* owner or occupier as the case may be.



HENRY EDWARD McCALLUM, ESQ.,
 MAJOR, R.E., C.M.G.

Governor.

No. 1—1898.

An Ordinance to change the duties of Customs payable on certain Imports into the Colony or Protectorate of Lagos. Title.

[7TH JANUARY, 1898.] Date.

WHEREAS it is desirable to change certain of the Customs Duties now payable in the Colony of Lagos. Preamble.

Be it enacted by the Governor of the Colony of Lagos with the advice and consent of the Legislative Council as follows:— Enactment.

1. This Ordinance may be cited as “The Customs Tariff Ordinance 1897 Amendment Ordinance 1898” and shall extend to the Colony and Protectorate of Lagos. Title and extent.

2. Upon and from and after the passing of this Ordinance, in lieu and instead of the Duties of Customs at present levied in respect of the merchandize set forth in the Schedule to this Ordinance, there shall be raised levied collected and paid upon the same unto Her Majesty for the use of the Government of the Colony of Lagos the several Duties of Customs as the same are respectively inserted described and set forth in the Schedule to this Ordinance annexed. Duties of Customs in Schedule to be paid.

SCHEDULE.

TABLE OF DUTIES.

On Wines, Spirits Liqueurs, and Cordials of every sort and kind, for each Imperial Gallon or part thereof. ... }	£	s.	d.
	0	2	

Harbour and Pilotage.

Such Spirits not exceeding the strength of proof by Syke's Hydrometer and so in proportion for any greater strength.

On Gunpowder, for every pound or part thereof.	0	0	2
On Guns, each	0	1	6

GEORGE CHARDIN DENTON ESQ., C.M.G.,

Acting Governor.

No. 2—1898.

Title. An Ordinance to amend Ordinance No. 16 of 1897 intituled "An Ordinance to amend and extend the provisions of the Lagos Pilotage and Harbour Ordinance 1878."

Date. [22ND JUNE, 1898.]

Enactment. BE it enacted by the Governor of the Colony of Lagos with the advice and consent of the Legislative Council thereof as follows:—

Titles and construction. 1. This Ordinance may be cited as "The Lagos Pilotage and Harbour Ordinance 1898"; the Lagos Pilotage and Harbour Ordinance 1882; Amendment Ordinance may be cited as "The Lagos Pilotage and Harbour Ordinance 1882;" the Lagos Pilotage and Harbour Ordinance 1878, Amendment Ordinance 1897; may be cited as "The Lagos Pilotage and Harbour Ordinance 1897"; and all the aforesaid Ordinances and the present Ordinance shall so far as is consistent with the tenor thereof be read and construed as one with the Lagos Pilotage and Harbour Ordinance 1878 and cited together as "The Lagos Pilotage and Harbour Ordinances 1878 to 1898."

Amendment of Section 3 of Ordinance No. 16 of 1897.

2. Section 3 of Ordinance No. 16 of 1897 is hereby amended by striking out the words "The Harbour Master shall give notice in writing to the owner thereof or his Agent requiring him within ten days to remove the same out of the limits of the harbour and approaches thereto and if such directions are not com-

plied with" appearing in the 4th, 5th, 6th, and 7th lines of the section, and by adding at the end thereof the following proviso.

Provided as follows,

- (I) A sale shall not (except in the case of property which is of a perishable nature, or which would deteriorate in value by delay) be made under this section, until at least seven clear days' notice of the intended sale has been given by advertisement in some one or more of the local newspapers circulating in Lagos; and
- (II) At any time before any property is sold under this section, the owner thereof shall be entitled to have the same delivered to him on payment to the Harbour Master of the fair market value thereof, to be ascertained by agreement between the Harbour Master and the owner, or failing agreement, by some person to be named for the purpose by the Governor, and the sum paid to the Harbour Master as the value of any property under this provision shall, for the purposes of this section, be deemed to be the proceeds of sale of that property.

GEORGE CHARDIN DENTON, ESQ., C.M.G.,

Acting Governor.

No. 3—1898.

An Ordinance to amend the Firearms Ammunition and Gunpowder Ordinance 1892 and to regulate the sale of firearms, trade gunpowder, and lead in bars in the Colony and Protectorate of Lagos.

Title.

[22ND JUNE, 1898.]

Date.

Be it enacted by the Governor of the Colony of Lagos with the advice and consent of the Legislative Council thereof as follows:—

Enactment.

Firearms, Ammunition and Gunpowder.

Short Title.

1. This Ordinance may be cited as the "Firearms Ammunition and Gunpowder Ordinance 1898" and shall be read and construed as one with the Firearms Ammunition and Gunpowder Ordinance 1892 (in this Ordinance referred to as the "Principal Ordinance") and the two Ordinances may be cited together as the "Firearms Ammunition and Gunpowder Ordinances 1892 and 1898."

Book to be kept by
keeper of Public
Warehouse.

2. Section 1 of the Principal Ordinance is hereby amended by adding at the end thereof.

"A book to be called the Firearms Ledger shall be kept by the keeper of every public warehouse so appointed by the Governor in which entries shall be made from time to time under the name or names of the person or persons depositing the same, of all firearms ammunition and gunpowder deposited by him or them in accordance with this section.

All withdrawals in accordance with section 4 of this Ordinance shall be entered in the Firearms Ledger against the name of the person or persons in whose name or names the same may have been deposited."

Duplicate of authority to be sent to
keeper of warehouse.

3. Section 4 of the Principal Ordinance is hereby amended by adding at the end thereof.

"A duplicate of every authority to withdraw firearms ammunition or gunpowder shall be sent by the Collector of Customs in Lagos or at an outstation by the District Commissioner to the keeper of the warehouse in which the firearms ammunition or gunpowder may be deposited and shall by him be forthwith entered in a book to be kept for the purpose.

No person or persons other than the person or persons who shall have deposited any firearms ammunition or gunpowder in a public warehouse shall receive an authority to withdraw the same in accordance with this section.

Authorities cancelled
after 14 days.

All authorities to withdraw unless acted upon within 14 days from the date thereof shall be deemed to be cancelled and cease to be available for the purpose."

Licensee to produce
license.

4. The following shall be added after section 7 of the Principal Ordinance.

7.a Subject to the exemptions contained in the preceding section it shall be lawful for any District Com-

missioner or for any member of the Civil Police to demand from any person carrying any arm of precision the production of his license. If the person upon whom the demand is made shall not produce his license and permit the District Commissioner or the member of the Civil Police demanding the production thereof to read such license it shall be lawful for such District Commissioner or member of the Civil Police to require such person to give him immediately his christian and surname and place of residence and if he shall refuse to give such information he shall forfeit a penalty not exceeding Ten pounds.

If any person shall refuse to give his name and address when demanded he shall be taken before the nearest Police Magistrate or District Commissioner who shall upon due proof on oath of the offence or upon the confession of the accused person convict such person in the penalty aforesaid or in some mitigated portion thereof not being less than one-fourth and if such penalty be not immediately paid the offender shall be imprisoned for any period not exceeding one month nor less than seven days or until the penalty shall be sooner paid. Provided always that the arrest shall only take place where such person and his residence are unknown.

5. Whoever, either by himself, or by any one in his service or on his behalf, deals in or keeps or exposes for the purpose of being dealt in, any firearms or ammunition, other than flint-lock guns with unrifled barrels common gun-powder known as trade powder, or lead in bars shall be liable to a penalty not exceeding one hundred pounds.

6. Whoever, either by himself, or by any one in his service or on his behalf deals in or keeps or exposes for the purpose of being dealt in any flint-lock guns with unrifled barrels, or any trade gun-powder, or any lead in bars without a license under this Ordinance first obtained for that purpose, or elsewhere than in the store named in such license, or to which the license may have been transferred, shall be liable to a penalty not exceeding fifty pounds.

7. Applications for licenses shall, except in the Island of Lagos be made to the Commissioner of the District in which the applicant resides or intends to

Penalty on refusal

Certain firearms and ammunition not to be dealt in.

Flint-lock guns, trade gunpowder and lead not to be dealt in without licence.

Application for and granting of licenses in out districts.

carry on business, and such licenses may be granted by that Officer.

At Lagos.

In the Island of Lagos all applications for licenses shall be made to and such licenses may be granted by the Collector of Customs. The Collector of Customs shall have the general superintendence of all matters relating to licenses under this Ordinance.

Licenses may be refused.

Before granting any license, the Officers hereby authorized to grant licenses shall be satisfied that the person applying for the same, is a fit and proper person to be licensed under this Ordinance, and that the store proposed to be licensed is a fit and proper place for the storage and sale of flint-lock guns, trade powder and lead, and may refuse to grant any license without assigning any reason to the applicant.

Form of License.

Every license shall be in the form set forth in the Schedule A. to this Ordinance and shall have effect from the date thereof until the close of the Thirty-first day of December of the year in which it shall have been granted.

Suspension or revocation of licenses.

Provided that whenever an order suspending a license is made, the license shall cease to be of any effect during the term of suspension, and whenever a license is revoked, the license shall cease to have any effect whatever.

Licenses may be transferred.

8. It shall be lawful for the Officers authorized to grant licenses under this Ordinance, on the request of any person licensed, to transfer his license from the store for which it may have been granted, to any other fit and proper store.

Inspection of stock in trade.

9. Any District Commissioner, or any Officer authorized by him to that effect, or any Officer of Customs, or any Constable may at any time during day-light enter any store licensed under this Ordinance and inspect the stock in trade therein, and if any person shall conceal the same or any part thereof, or refuse to point out where it is kept, or otherwise obstruct such District Commissioner, Officer, Officer of Customs or Constable he shall be liable to a penalty not exceeding twenty pounds.

Books to be kept.

10. Every person to whom a license shall be granted to deal in flint-lock guns with unrifled barrels

or any trade gun-powder or any lead in bars under this Ordinance shall keep.

- (1.) A book in the form given in Schedule B. to this Ordinance or as near thereto as may be in which he shall enter a full and true account of all flint-lock guns with unrifled barrels, trade gun-powder and lead in bars brought into or upon the licensed premises, the date of the importation or his acquisition thereof, the name of the ship by which the same were imported, if imported by the dealer, or if otherwise obtained the name and address of the person from whom he acquired the same.
- (2.) A book in the form given in Schedule C. to this Ordinance or as near thereto as may be in which he shall enter fully and truly,
 - (a.) The name, place of residence and quality of every person, giving in the case of a Chief the place or tribe under his authority, purchasing or otherwise acquiring from him, any such flint-lock guns with unrifled barrels trade gun-powder or lead in bars;
 - (b.) The name, place of residence and quality of the master or employer of every such person, where such person is a servant or an agent.
 - (c.) The quantity and description of all flint-lock guns with unrifled barrels trade gun-powder, and lead in bars sold or delivered by him to such person together with the true date of such delivery;

The entries shall be made on the days on which the transactions take place and the books shall be open during day-light to inspection by any person having authority under section 7 hereof to inspect the stock in trade, who may take copies of all entries therein contained.

Inspection of Books

The Collector of Customs may require such book to be kept in duplicate, and one of the duplicates to be

Collector of Customs may require duplicate to be delivered.

delivered to the principal Officer of Customs of the District at such times as he may think fit.

Penalty on contra-
vention.

If any licensee omits or fails to keep any book hereby required to be kept or to make therein all such entries as are hereby required, or if any person prevents or obstructs the inspection of any such book, or makes a false entry therein, or fails to deliver any duplicate which he may be required to deliver as aforesaid, he shall for every such offence be liable to a penalty not exceeding twenty pounds.

Governor may by
proclamation pro-
hibit sale of fire-
arms, gunpowder or
lead.

11. (1.) The Governor may at any time by proclamation published in the Gazette, prohibit dealing in any firearms, gunpowder, or lead, either absolutely, or except according to such conditions as may be specified in such proclamation, and may at any time annul or vary such proclamation or any conditions therein, and may in such proclamation declare the towns and places to which such proclamation shall apply.

Penalty.

(2.) Any person who shall knowingly deal in or be concerned in dealing in any firearms, gunpowder or lead, contrary to any such proclamation or to any condition contained therein shall be liable to imprisonment with or without hard labour for any term not exceeding six months or to a penalty not exceeding one hundred pounds or to both, and any firearms, gunpowder or lead so dealt in shall be forfeited, and any license under or in respect of which the same were so dealt in may be suspended or revoked.

Search warrant.

12. If it shall appear to the Police Magistrate or to any District Commissioner that flint-lock guns with unrifled barrels, trade gunpowder or lead in bars are deposited or sold or are reasonably suspected to be deposited or sold in any store or place contrary to this Ordinance he may forthwith issue his warrant to cause search to be made in such store or place and if any or either of them shall be found to be there the same shall be forfeited and the owner thereof and the occupier of the store or place shall be liable to a penalty not exceeding one hundred pounds.

13. All penalties incurred under this Ordinance may be sued for and recovered before either the Police Magistrate or a District Commissioner for which purpose the Police Magistrate and every District Commissioner shall have jurisdiction to the extent of the said penalties;

Recovery of penalty.

The informer who shall prosecute to conviction, and any other person who may have contributed to the conviction by giving information or otherwise, shall, subject to the discretion of the Governor, receive out of every penalty recovered a sum not exceeding one-half thereof, distributed in such proportions as the Governor may direct, and the other half shall form part of the Public Revenue: Provided that the Governor may remit the whole or any part of any penalty, notwithstanding the interest of any Informer or other person therein.

Application of penalties.

Proviso.

14. The Court imposing any penalty upon any person licensed under this Ordinance may, if it shall appear that the offence is of such nature as to require his license to be suspended or revoked, make an order to that effect, and the license shall be suspended or revoked accordingly.

Order of Suspension or revocation of license

15. Any act done by a servant or agent in the course of his employment or agency, which is an offence under this Ordinance, shall, whether authorized by his employer or not, be an offence by such employer as well as by such servant or agent.

Acts of servants or agent.

16. It shall be lawful for the Governor by and with the advice of the Legislative Council to frame such rules as he may consider expedient for further or better carrying into effect the purposes of this Ordinance and from time to time to alter, amend or vary such rules. All such rules shall have the force of law, and any person contravening the same shall, on summary conviction before the Police Magistrate or a District Commissioner be liable for every offence to a penalty not exceeding five pounds, or to imprisonment, with or without hard labour, for a period not exceeding one calendar month.

Power of making rule.

17. In this Ordinance, unless the context otherwise requires:—

Interpretation

“Ammunition shall be taken to include shot of all kinds.

Application.

SCHEDULE C.

FORM OF SALES BOOK.

Date of Disposal.	Date of Delivery.	Quantity and description of Flint-lock guns trade gunpowder or lead in bars.	Name and address or quality of person to whom Delivered.	Name address and quality of Master or Employer where recipient is agent or servant.

GEORGE CHARDIN DENTON, ESQ., C.M.G.,
Acting Governor.

No. 4—1898.

An Ordinance to legalize certain payments made in the year One thousand eight hundred and ninety-seven, beyond the expenditure authorized by law. Title.

[13TH JULY, 1898.] Date.

Whereas certain expenses were incurred and payments made in the year One thousand eight hundred and ninety-seven beyond the amounts granted by the Legislature for the service of the Colony of Lagos and it is desirable that such expenses and payments should be sanctioned by an Ordinance. Preamble.

Be it therefore enacted by the Governor and Legislative Council of the Colony of Lagos as follows:— Enactment.

Additional Expenditure for 1897 as set out in the Schedule legalized.

1. The sums of money set forth in the schedule hereto annexed having been expended for the services therein mentioned beyond the amounts granted for such services by the Ordinance passed for making provision for the expenditure of the said Colony for the year One thousand eight hundred and ninety-seven the same are hereby declared to have been duly and necessarily paid, laid out, and expended for the service of the said Colony in that year, and are hereby approved, allowed and granted in addition to the amounts mentioned for such services in the Ordinance aforesaid.

Short Title.

2. This Ordinance may be cited for all intents and purposes as "The Supplementary Appropriation Ordinance 1898"

SCHEDULE.

Additional expenditure for the year 1897 beyond the amounts granted by Ordinance No. 11 of 1896.

Head of Service.	Amount expended.		
	£	s.	d.
Governor	712	15	3
Queen's Advocate	225	17	2
Treasury	58	14	0
Customs	93	3	7
do special	90	11	0
Post Office	186	4	5
Printing Office	84	1	3
Harbour Master	346	8	9
Government Vessels	569	13	7
do special	9805	14	8
Ecclesiastical	12	1	11
Charitable	97	17	7
Educational	215	13	11
Prisons	119	18	7
Sanitary	362	15	3
Transport	2388	13	1
Aborigines	1049	8	1
Miscellaneous	3686	12	5
Pensions and gratuities	191	4	8
Rent	182	19	5
Total £	20471	8	7

GEORGE CHARDIN DENTON, ESQ., C.M.G.,

Acting Governor.

No. 5—1898.

An Ordinance to amend the Firearms Title.
Ammunition and Gunpowder Ordinances
1892 and 1898.

[18TH OCTOBER, 1898.] Date.

Whereas it is expedient to amend the Firearms, Preamble.
Ammunition and Gunpowder Ordinances 1892 and
1898.

Be it therefore enacted by the Governor of the Colony of Lagos, with the advice and consent of the Legislative Council thereof, as follows:— Enactment.

1. Section 17 of the Firearms Ammunition and Gunpowder Ordinance 1898 is hereby amended by striking out the words "Ammunition shall be taken to include shot of all kinds." Amendment of section 17 of Firearms Ammunition and Gunpowder Ordinance 1898.

2. Section 17 of the Firearms Ammunition and Gunpowder Ordinance 1892 is hereby amended by inserting after the word "balls" the words "shot of and over the size commonly known as 'A' size." Amendment of section 17 of Firearms Ammunition and Gunpowder Ordinance 1892.

3. This Ordinance may be cited as the "Firearms Ammunition and Gunpowder Amendment Ordinance 1898." Short Title.

GEORGE CHARDIN DENTON, ESQ., C.M.G.,

Acting Governor.

No. 6—1898.

An Ordinance to amend "The Railway Title.
Ordinance, 1897" [25TH OCTOBER, 1898.] Date.

Whereas it is expedient to amend "The Railway Preamble.
Ordinance 1897."

Be it therefore enacted by the Governor of the Colony of Lagos with the advice and consent of the Legislative Council thereof as follows:— Enacting clause

1. This Ordinance shall be construed with and read as part of "The Railway Ordinance 1897" and may be cited for all purposes as "The Railway Amendment Ordinance 1898". Construction and short title.

Repeal.

2. Section 4 of "The Railway Ordinance 1897" shall be and is hereby repealed.

Service of notice when lands are required for Railway.

3. In any case where lands are required for the purposes of the Railway, the notice to be given under Section 5 of the Principal Ordinance shall be well and sufficiently served by affixing the same on some conspicuous part of such lands.

Power to enter.

4. Upon the affixing of such notice and the publication thereof in the Gazette it shall be lawful for the Government through its servants to enter upon such lands and pending the decision of the Court as to ownership and compensation to deal with such lands in all respects as if they had been conveyed to and become vested in the Government.

Power to issue warrant where possession withheld.

5. If possession of such lands is withheld by any person or persons, the Governor may at any time after the affixing of the notice and the publication thereof as aforesaid issue his warrant (which may be in the form in the Schedule to this Ordinance) under which any Officer of the Sheriff or Police constable may forthwith eject any person or persons so withholding possession and the person or persons named in the warrant may enter upon and possess the said lands on behalf of the Government.

Schedule.

FORM OF WARRANT.

To the Sheriff of the Colony of Lagos.

Whereas certain lands namely [*insert description*] are required for the purposes of the Railway.

These are therefore to command you to put [*insert name of person or persons*] forthwith in possession of the said lands and premises.

Dated day of

(Signed by the Governor)

GEORGE CHARDIN DENTON, ESQ., C.M.G.,
Acting Governor.

No. 7—1898.

Title.

An Ordinance to provide for the control, management and maintenance of the Queen's Gardens and Glover Hall.

Date.

[25TH OCTOBER, 1898.]

Whereas it is expedient to provide for the control management and maintenance of that piece or parcel of land with the building thereon hitherto known as the Glover Memorial Hall situate at the Marina, Lagos.

Be it enacted by the Governor of the Colony of Lagos with the advice and consent of the Legislative Council thereof as follows:—

1. The piece or parcel of ground with the buildings thereon situate at the Marina, Lagos, hitherto known as the Glover Memorial Hall, shall henceforth under the name of the Queen's Gardens and Glover Hall be managed by a board of trustees consisting of six natives of Africa referred to in this Ordinance as the "Native trustees" and six Europeans referred to in this Ordinance as the "European trustees."
2. The first native trustees shall be Charles Joseph George, James Jonathan Thomas, Richard Beale Blaize, Jacob Samuel Leigh, Zachariah Archibald Williams, Josiah Alfred Savage, merchants of Lagos, and John Augustus Otonba Payne, Registrar of the Supreme Court, and the European trustees shall be The Colonial Secretary, the Colonial Treasurer, the Director of Public Works, the President of the Lagos Chamber of Commerce respectively for the time being or the persons for the time being respectively executing the duties of such officers and three Europeans to be appointed by the Governor.
3. All the real estate of whatever tenure held in trust by the trustees of the Glover Memorial Hall, referred to in this Ordinance as the "former trustees," and all rights and privileges belonging to or held on trust by the former trustees and all the personal estate belonging to and held on trust by the former trustees and the right to sue for and recover all choses in action recoverable by the former trustees shall immediately become vested and shall from time to time remain vested in the trustees for the time being appointed under and according to the provisions of this Ordinance without any conveyance, assignment or assurance, and all contracts and liabilities of the former trustees shall be enforceable against the trustees for the time being to the extent of the property and assets of the trust and not against the private estates of such trustees.
4. The trustees shall hold meetings at some convenient place at Lagos so often as may be necessary for the management of the trust property vested in them, on such days as the trustees present at any previous meeting shall approve. The first meeting shall be held not later

Preamble.

Enactment.

Name of trust property.

Number of trustees.

Appointment of trustees.

Estate vested in trustees.

General meetings of trustees

- than fourteen days after this Ordinance shall come into force at such time and place as the permanent chairman shall by notice to the other trustees appoint.
- Special meetings of trustees.** 5. Any two trustees may summon a special meeting giving seven days previous notice in writing to the other trustees, and specifying in such notice the object of such meeting, and no other business than that so specified shall be transacted at such meeting.
- Notices of meetings** 6. All notices required to be given to the trustees shall be sufficiently given in writing if either delivered to them personally or addressed to them by the post at their usual or last known places of abode in Lagos, and shall be so delivered or sent, where circumstances permit, at least seven days before the time of holding the meeting to which any such notice relates.
- Chairman.** 7. The Colonial Secretary for the time being or the person for the time being executing the duties of his office, shall be the permanent Chairman of the trustees. If he shall be absent from a meeting, the trustees may elect a Chairman thereof.
- Quorum.** 8. Four trustees shall form a quorum at any meeting and so soon as that number be present after the time appointed for the holding of the same they shall proceed to the transaction of business.
- Adjournment of meetings.** If for the space of one hour after the time appointed for holding a meeting less than four trustees shall attend, the present trustees or trustee may adjourn the same to some convenient date distant not less than seven days. If no trustee shall attend, the meeting shall stand adjourned until the corresponding day in the following week.
- Resolution of majority of trustees to be binding.** 9. The resolutions and proceedings of a majority of the trustees present at any meeting and voting shall bind the minority and all absent trustees.
- Casting vote.** In the event of there being an equality of votes the Chairman shall have a second or casting vote.
- Minutes to be kept and signed.** 10. The trustees shall cause minute books to be kept in which the names of the trustees attending each meeting and all proceedings thereat shall be recorded. The minutes of every meeting shall be signed by the Chairman and two other trustees present thereat.
- Minutes and copies of orders &c. purporting to be prima facie evidence.** 11. Any minute made of proceedings at a meeting and copies of any order, rules, or byelaws made or resolution passed at a meeting if purporting to be signed by the Chairman of the meeting and two of the other trustees present at the meeting at which such proceedings took place or such order, rules or byelaws were made or

resolutions passed, shall be received as evidence in all legal proceedings, and until the contrary is proved every meeting where minutes of the proceedings have been so made shall be deemed to have been duly convened and held and all the proceedings thereat to have been duly had.

12. The trustees shall cause proper accounts to be kept of all receipts and payments and assets and liabilities (if any.)

Accounts to be kept and audited.

Such accounts shall be made up and examined, vouched and audited half yearly and shall be signed by the Chairman and two of the trustees.

The accounts shall be audited by the Local Auditor for the time being who shall be paid such reasonable fee or remuneration as the trustees may think fit and as funds may permit.

13. The trustees may appoint a Secretary who shall be removeable by them when and as they may think fit. The trustees may pay such Secretary such reasonable salary or remuneration as they may from time to time determine and as funds may permit. Any one of the trustees may be appointed to execute the office of Secretary gratuitously.

Secretary.

The Secretary shall attend the trustees at their meetings, enter the minutes of proceedings and keep accounts and collect and receive the sums mentioned in section 25 of this Ordinance, and make all payments directed by the trustees to be made by him and perform all such duties as the trustees may direct.

Duties of Secretary.

14. The trustees may appoint a Banker for the purposes of the trust and may change such banker whenever they think fit.

Banker.

15. All cheques and orders shall be signed by the Chairman at some meeting of the trustees and by two of the other trustees present.

Cheques &c.

16. Every trustee becoming incapable to act or becoming insolvent or bankrupt or neglecting to attend any meeting of the trustees for one year or resigning his office by writing addressed to the Chairman for the time being or ceasing to reside in the Colony or, if a European trustee, quitting the Colony on leave shall cease to be a trustee and his office shall become vacant.

Vacancies in trustees

17. All vacancies in the native trustees shall be filled by a native of Africa elected by the surviving or continuing trustees at the next meeting which shall be held as soon as conveniently may be after the occurrence of the vacancy. All such elections shall require the approval

Election and appointment of trustees to fill vacancies.

of the Governor and shall not be operative without or before such approval.

All vacancies in the European trustees appointed by the Governor under section 2 of this Ordinance shall be filled up by a European appointed by the Governor.

Continuing trustees to have authorities &c. of trustees.

18. The surviving or continuing trustees for the time being during any vacancy or vacancies in the trustees shall be competent to exercise all the authorities and powers vested in the trustees.

Powers and duties of trustees as regards trust property.

19. The trustees may complete, enlarge, improve, furnish and fit up the trust property and shall keep the same repaired and insured, and may institute form and maintain on the trust property or any part thereof, a public museum, reading room and library or any of them.

Power to mortgage.

20. The trustees may with the approval of the Governor in pursuance of a resolution duly passed raise on mortgage upon the security of the whole or any part of the trust property such sum or sums of money as may be necessary or proper for the foregoing purposes or any of them.

Power to let.

21. The trustees may in pursuance of a resolution duly passed let for a nominal or valuable consideration the trust property or any part thereof for periods not exceeding one month for any public or private purpose.

Power to charge for admission.

22. The trustees may charge payment for admission to the trust premises or any part thereof.

Execution of mortgages, leases, &c.

23. Mortgages, leases agreements and other instruments may in pursuance of a resolution duly passed be made by the Chairman and two other trustees on behalf of and as the act of the whole of them.

Appointment of officers and servants.

24. The trustees may from time to time appoint such officers and servants at such reasonable salaries or remuneration as circumstances require and the funds of the trust permit.

Formation and application of fund.

25. The trustees may cause subscriptions and donations to be collected and received and such sums together with all other sums received as rents, payments for admission, penalties recovered under this Ordinance or otherwise shall form a fund which shall vest from time to time in the trustees for the time being and may be applied by such trustees for all or any of the following purposes: viz:—

- (i.) Paying the salaries, wages and remuneration of officers and servants.
- (ii.) Repairing, maintaining and insuring the trust property.

- (iii.) Paying the interest on any advance or loan and providing for the repayment of any principal sum.
- (iv.) Completing, improving, enlarging, fitting up and furnishing the trust property.
- (v.) Instituting, forming and maintaining a museum, reading room or library.
- (vi.) Making any other payments properly incurred in connection with their trust.

Any monies vested in the trustees and not immediately required for the above purposes shall be invested from time to time in the names of any four or more of the trustees in any of such stocks, funds and securities approved by the Governor as the trustees shall by resolution from time to time determine and the dividends and increase arising therefrom shall be added to and form part of the fund aforesaid.

Investment of surplus fund.

The trustees may with the approval of the Governor from time to time sell, call in, and convert into money the above investments or any of them and apply the money produced thereby for the purposes aforesaid or any of them.

Sale &c. of investments and application of proceeds.

26. The trustees may from time to time frame orders, rules and bye-laws for the control and management of all matters connected with their trust including orders, rules and byelaws for the regulation of their own proceedings, for the management, maintenance and use of the trust property and any museum, reading room or library instituted under the provisions of this Ordinance and also for the control and conduct of all officers and servants appointed by the trustees, provided always that no order, rule or byelaw shall be at variance or inconsistent with any of the provisions of this Ordinance.

Power to make, vary, &c. orders, rules and byelaws.

Such orders, rules and byelaws may from time to time be varied, modified or revoked by the trustees.

All orders, rules and byelaws made by the trustees shall be printed and hung up in a conspicuous place on the trust property.

Orders, rules and byelaws to be printed and exposed.

27. The trustees may impose by any orders, rules and byelaws on offenders against the same such reasonable penalties as they think fit not exceeding forty shillings for each breach of such orders, rules and byelaws or any of them.

Penalties &c.

All penalties recovered by the trustees shall be paid over to the trustees and be carried to the account of the fund herein-before mentioned.

- Recovery of penalties. Such penalties shall be recoverable by the trustees upon summary trial and conviction before a Police Magistrate or District Commissioner and upon non-payment of the same shall be enforceable under the provisions of the Criminal Procedure Ordinance 1876, or of any enactment amending or extending the same.
- Power of arrest. 28. It shall be lawful for any member of the Police Force to arrest any person found infringing any order, rule or byelaw made under the provisions of this Ordinance.
- Representation of trustees. 29. The Secretary or any of the trustees or any other person authorized generally or in respect of any special proceeding by resolution of the trustees may appear in the name and on behalf of the trustees before any Court or in any legal proceeding and any such person authorized in like manner may institute and carry on any legal proceedings in the name and on behalf of the trustees which the trustees may institute and carry on.
- Power of Supreme Court to modify provision of Ordinance. 30. Any provision herein contained which may be found inconvenient or insufficient or to require to be more exactly adapted to the circumstances of the trust property for the time being, may be modified, explained, extended or adapted accordingly by an Order of the Supreme Court to be made upon the application of the Chairman on behalf of himself and the other trustees so that no such order shall involve any deviation from the main objects and principles of this Ordinance.
- Short title. 31. This Ordinance may be cited as the "Queen's Gardens and Glover Hall Ordinance, 1898."
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GEORGE CHARDIN DENTON; ESQ., C.M.G.,
Acting Governor.

No. 8—1898.

An Ordinance to provide for the Service Title
of the Colony during the year one thousand
eight hundred and ninety-nine.

[2ND NOVEMBER, 1898.] Date.

WHEREAS it is requisite to make provision for the Preamble
expenses of the Civil Government of the Colony during
the year one thousand eight hundred and ninety-nine.

Be it therefore enacted by the Governor of the Enactment.
Colony of Lagos, with the advice and consent of the
Legislative Council thereof as follows:—

1. The Treasurer may, on the warrant of the Expenditure of
Governor, pay out of the revenue of the Colony for the £207143 authorised
purposes of the service of the Colony during the year
one thousand eight hundred and ninety-nine the sum
of two hundred and seven thousand, one hundred and
forty three pounds.

2. The said sum of two hundred and seven thousand Appropriation
one hundred and forty three pounds shall be approp- thereof to be as per
riated to the purposes and in the manner expressed in Schedule.
the Schedule annexed to this Ordinance.

3. The moneys granted by this Ordinance are Balance unissued to
intended for the services in respect of which moneys lapse.
will become payable within the year one thousand
eight hundred and ninety nine and any balances thereof
remaining unissued at the end of that year shall lapse
and not be available for making payments in any sub-
sequent year.

4. This Ordinance may be cited for all purposes as Short Title.
“The Supply Ordinance 1899.”

SCHEDULE.

Expenditure 1899.

Governor	...	...	...	5124
Colonial Secretariat	...	...	...	3659
Queen's Advocate	...	...	...	899
Treasury	...	...	...	2122
Customs...	...	...	...	6290
Audit Office	...	...	...	1281
Post Office	...	...	...	2077
Printing Office	...	...	...	868

Foreign Employments.

Harbour Master	2469
Government Vessels	3452
Do. Special	1000
Engineer's	4940
Do. Special	470
Supreme Court	7491
Ecclesiastical	40
Charitable	211 4 7
Educational	3965
Hausa Force	29452
Police Force	14155
Prisons	2893
Medical... ..	12240
Botanical and Agricultural Department	802
Registrar General	326
Transport... ..	5825
Interior Dept.	10429
Miscellaneous	3953
Pensions and Gratuities	3268 15 5
Rent	500
Land and Survey Department	2006
Public Works Department	14521
Do. Recurent	6691
Charge on Account Public Debt	12250
Woods and Forests	210
	<hr/>
Public Works Extraordinary	165910
	<hr/>
	26547
	<hr/>
Works chargeable to Surplus Balances	192457
	<hr/>
	14686
	<hr/>
Total...£	207143

GEORGE CHARDIN DENTON, ESQ., C.M.G.

Acting Governor.

No. 9—1898.

Title

An Ordinance to provide for the administration of the Estates of Africans dying in Foreign Employment.

Date.

[10TH NOVEMBER, 1898.]

Enactment.

Be it enacted by the Governor of the Colony of Lagos with the advise and consent of the Legislative Council thereof as follows :—

1. In this Ordinance unless the context requires otherwise :—

“Estate” means any wages and emoluments due from employers, and any property whatever belonging to persons to whom this Ordinance applies and being in any place out of the jurisdiction in which such persons have been employed under a foreign contract of service. Interpretation.

“Foreign contract of service” means any contract of service entered into under the Master and Servant Ordinance 1877 whereof the whole or any part is or may be required to be performed at any place or places not within the jurisdiction.

“Employer” shall include any person, firm corporation or Company who has entered into a foreign contract of service with any person to whom this Ordinance applies.

“Court” means the Divisional Court holden at Lagos.

2. Natives of Africa dying within or without the jurisdiction who are at the time of their deaths or who have been previously thereto employed under foreign contracts of service and having any estate at the time of their death shall be deemed to be the persons to whom this Ordinance applies. Persons to whom Ordinance applies.

3. The Governor shall by writing under his hand appoint such person as he may think fit to be Official Administrator of the Estates of the persons to whom this Ordinance applies, and he may at any time revoke such appointment. Governor to appoint Administrator.

4. Every District Commissioner shall be *Ex-officio* deputy Official Administrator for the district of which he is Commissioner and shall be in this respect subject to the direction and under the control of the Official Administrator. District Commissioner to be Deputy Administrator.

5. Immediately upon the death of a person to whom this Ordinance applies his estate shall vest in the Official Administrator without any grant of Letters of Administration for distribution among the persons thereto entitled, under the provisions hereinafter contained. Vesting of Estate.

6. The Official Administrator shall immediately on receiving information as to the death of a person employed under a foreign contract of service and having any estate at his death address a request to the Colonial Secretary to communicate with the governing authority of the place in which such estate is or where the employer of such person resides with a view of obtaining particulars of such estate and of ascertaining the value or amount thereof and of bringing such estate or part thereof within the jurisdiction. Administrator to communicate with Colonial Secretary with a view of obtaining particulars &c. of Estate.

7. Upon the receipt within the jurisdiction of such estate or part thereof (which shall be deposited in the Treasury pending distribution) the Colonial Secretary shall Administrator to publish notice of death of deceased and particulars of Estate.

inform the Official Administrator of the fact and the Official Administrator shall upon receiving such information forthwith cause a notice in the form in the Schedule hereunto annexed to be published in the Gazette and to be posted in some public place at Lagos or other the place of the embarkation of the deceased to fulfil a foreign contract of service, and in some public place at the native place or the usual or the last known place of residence (should his native place not be ascertainable) of the deceased if Lagos or the said place of his embarkation were not his native place or usual or last known place of residence. The Official Administrator shall also cause a proclamation of the death of the deceased and particulars of his estate and that application should be made in respect of the same to the Official Administrator or his deputy within the time limited by the aforesaid notice, by means of a crier at Lagos or the said place of his embarkation of his native place or his usual or last known place of residence as aforesaid. Every Deputy Official Administrator shall at once notify the Official Administrator of any claim received by him.

Examination and
adjudication of
claims.

8. Upon the expiration of the time fixed by the said notice the Official Administrator shall proceed to examine and adjudicate upon the claims then received by him, but he may in his discretion examine and adjudicate upon claims received by him after the expiration of the time fixed for the sending in of claims but before the actual distribution of the estate aforesaid. He shall have power to examine witnesses and parties concerned on oath and may before the conclusion of any investigation submit any question arising therein for the direction of the Court upon such question. The Official Administrator may in his discretion direct that any evidence in respect of any claim shall be taken before a Deputy Official Administrator in which case the Deputy Official Administrator shall have all the powers of the Official Administrator as regards the taking of evidence on oath. The evidence so taken shall be reduced into writing by the Deputy Official Administrator, and he shall at the conclusion of the proceedings before him send a copy of the notes of evidence to the Official Administrator.

Appeal against
decision.

9. The decision of the Official Administrator as to the person or persons entitled to the said estate shall be final and conclusive provided nevertheless that any person (who shall have sent in a claim within the specified time or whose claim if sent in after the specified time, shall have been examined and adjudicated upon by the Official Administrator) aggrieved by the decision may within one month

from the delivery of the same appeal to the Court by way of motion from such decision, in which case the Court shall make such order as to it may seem just.

10. Upon the expiration of one month from the date of his decision the Official Administrator if there should be no appeal from such decision as hereinbefore provided shall forward to the Treasurer a certificate under his hand of his decision and of the fact that such decision has not been appealed from, whereupon the Treasurer shall after deducting the fees hereinafter mentioned pay the moneys in his hands to the credit of the particular estate to the person or persons named in such certificate, but if there should be an appeal from the decision of the Official Administrator the Treasurer shall on production of an Order of Court or an office copy thereof pay the moneys, after making such deduction as aforesaid, to the person or persons named in such Order of Court.

Distribution of estate.

11. The Official Administrator shall have power to sue for and recover from the sureties of employers who have made default in payment all such wages as may be due to a deceased native of Africa to whom this Ordinance applies. He shall sue as Official Administrator and shall pay such wages when and if recovered into the Treasury, whereupon the same steps in all respects shall be taken with regard to Notices to Claimants, adjudication on claims and otherwise as are hereinbefore provided with regard to moneys deposited in the Treasury.

Power of Administrator to sue sureties of employers.

12. The person or persons named in the Certificate of the Official Administrator or in any such order of Court as aforesaid as being entitled to the estate shall be liable for the debts due from the deceased in all respects as if Letters of Administration had been granted to him or them by the Court, and the Official Administrator shall be under no liability in respect thereof.

Persons entitled to estate liable for debt.

13. No action shall be brought or claim made against the Official Administrator or any Deputy Official Administrator in respect of any decision or adjudication given or made by him in good faith nor in respect of anything done or omitted to be done by him in good faith in the execution or supposed execution of his powers or duty under this Ordinance.

Protection of Administrator.

14. Order 51 of the 2nd Schedule to the Supreme Court Ordinance, 1876, shall not apply to the estate of persons to whom this Ordinance applies.

Order 51 Sect. 2, Supreme Court Ordinance 1876, not applicable.

15. The Expenses of and in connection with the sale of any part of the estate shall be payable by the person or persons entitled to the moneys arising from such sale and

Expenses.

the Official Administrator shall be entitled to deduct such expenses from the gross proceeds of such sale.

Fees.

16. The following fees (which shall form part of the revenue of the Colony) shall be taken under this Ordinance:—

On the gross amount of the moneys deposited in the Treasury (to be deducted by the Treasurer.) £5 per centum.

On appeal from the decision of the Official Administrator (to be paid in stamps.) 0 5 0

Short Title.

17. This Ordinance may be cited for all purposes as "The Foreign Employment (Administration) Ordinance, 1898."

SCHEDULE.

NOTICE.

Notice is hereby given that _____ of
the _____ who was employed on or about
_____ day of _____ by
_____ under a Foreign Contract of Service died at
_____ on or about the _____ day of _____

And Notice is also hereby given that all persons claiming any interest in the wages or emoluments due or any property whatever belonging to the said deceased at his death and being in _____ are hereby required to send particulars in writing of their names and addresses and of their relationship to the said deceased to the undersigned the Official Administrator or the District Commissioner on or before the _____ day of _____

And Notice is hereby also given that at the expiration of the said time the Official Administrator will proceed to examine and adjudicate upon the claims then received by him.

Dated at _____ the _____ day of _____

Official Administrator.

GEORGE CHARDIN DENTON, ESQ., C.M.G.,
Acting Governor.

No. 10.—1398.

Title.

An Ordinance to provide for the establishment control and management of Markets. [10TH NOVEMBER, 1898.]

Date.

Whereas it is expedient to consolidate and amend Preamble.
the law relating to Markets;

Be it therefore enacted by the Governor of the Enactment
Colony of Lagos with the advice and consent of the
Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Markets Short title
Ordinance, 1898.

2. Section 41 of the Towns Police and Public Repeal of Ordi-
Health Ordinance, 1878, and the Towns Police and nance No. 10 of
Public Health Ordinance, 1878, Amendment Ordinance, 1898, section 41
1882, shall be and are hereby repealed. and Ordinance
No. 12 of 1882.

3. The Governor shall have power Powers of Go-
vernour.

To establish markets, and construct market
houses, sheds, stalls and other conveniences
for the purpose of holding markets.

To make convenient approaches to any market.

To provide all such matters and things
as may be necessary for the convenient use
of any market.

To take stallages, rents and tolls in respect
of the use by any person of any market,

To move and set up a market on a new site,

To demolish and reconstruct a market, to
abolish any market, and to close any
market for such time or times as he may
think fit.

To acquire, purchase or take on lease any
tolls, rights or interests in any market.

To acquire, purchase or take on lease any
land or any interest therein for the pur-
poses of this Ordinance.

Provided that if the Governor moves an old market
and sets up a new market in lieu thereof or demolishes
and re-constructs any market he may, if he think fit,
compensate any person entitled to land or a shed,
stall or building or any right or interest in the old
market by a payment in cash or, at his option, by
granting or allotting in exchange, land or a shed, stall
or building or right or interest of equal value or of a
like nature in the new or re-constructed market.

Any dispute or any question as to the amount of
such compensation or otherwise connected with or
arising out of the moving or setting up or demolition
or re-construction of a market or acquisition or pur-
chase of any tolls, right or interest in any market
shall be investigated and decided by the District Com-
missioner of the district in which such market is situate

or by such person or persons as may be appointed by the Governor for the purpose, and such decision shall be final.

Committee may be appointed. Constitution &c., of Committee.

4. The Governor may appoint a Committee to manage and control any market.

District Commissioner to be *ex officio* Chairman.

5. Such Committee shall consist of the District Commissioner of the District in which such market is situate and of such traders at such market or other persons as the Governor may appoint. A member of the Committee shall hold office for such period as the Governor shall determine and shall be removable at the pleasure of the Governor.

Appointment of Chairman where no District Commissioner.

6. The District Commissioner shall *ex-officio* be Chairman of such Committee. Should there be no District Commissioner, the Governor may appoint a fit and proper person to be Chairman for such time as he may think fit.

Power of Chairman to appoint deputy.

The Chairman shall be entitled to appoint any person, whether a member of the Committee or not, to temporarily perform the duties of Chairman during his illness or absence from the place in which the market is held or in any case in which the circumstances make it expedient so to do.

Question to be decided by Majority.

7. Every question at a meeting shall be decided by a majority of votes of the members present and voting on the question.

Casting vote.

In the case of an equality of votes the Chairman shall have a second or casting vote.

Proceedings not to be invalidated by vacancies.

8. The proceedings of a Committee shall not be invalidated by any vacancy or vacancies among the members.

Quorum.

9. The quorum of a Committee shall consist of such number of members as may be prescribed by the Governor, or if no number be prescribed of three members.

Minutes and copies of Orders &c. to be *prima facie* evidence.

10. Any minute made of proceedings at a meeting and copies of any order or bye-laws made or resolution passed at a meeting purporting to be signed by the Chairman of the meeting at which such proceedings took place or such order or bye-law was made or resolution passed shall be received as evidence in all legal proceedings, and until the contrary is proved every meeting where minutes of the proceedings have been so made shall be deemed to have been duly convened and held and all the proceedings thereat to have been duly had.

Power of Committee to investigate complaints.

11. A Committee or any person or persons appointed by the Governor shall have power to investigate any complaint against any person of being a defaulter in respect of either money or goods entrusted to him to buy

or exchange for produce, or of dishonest or fraudulent dealing.

12. The Governor or a Committee, subject to the approval of the Governor, shall have power to exclude from a market for such time as may be declared by public notice any person convicted upon an investigation of:—

Power to 'exclude from market.

- (i) being a defaulter as aforesaid; or
- (ii) dishonest or fraudulent dealing or trading; and any person who has been twice convicted of an offence under
 - (i) The Adulteration of Produce Ordinance 1889;
 - (ii) The Weights and Measures Ordinance 1889;
 - (iii) The Folded Woven Goods Consolidation Ordinance 1893;
 - (iv) any Ordinance dealing with dishonest or fraudulent practices in the sale or purchase of goods or produce or in connection therewith; or
 - (v) any Ordinance in substitution for or amending or extending any of the foregoing Ordinances.

13. The Governor or a Committee, subject to the approval of the Governor, may appoint all such Inspectors, Officers and Servants as may be required to carry the provisions of this Ordinance and of any bye-laws made thereunder into effect.

Power to 'appoint Inspectors.

14. In any case where the Governor establishes or before the passing of this Ordinance has established a market he may if he think fit prescribe the limits of the town or district for which such market is or has been established.

Limits of market may be prescribed.

15. After limits are prescribed as aforesaid any person who shall sell or expose for sale in any place within such limits except in such market or in his own dwelling house or shop any article or substance for the sale of which such market is or has been established shall for any such offence be liable to a penalty not exceeding forty shillings for every offence.

Where limit prescribed sale not to take place elsewhere.

16. The Governor shall have power by Proclamation to apply the provisions of this Ordinance to any market formed under native law or custom before or after the passing of this Ordinance, and thereupon such market shall be deemed to have been established by the Governor under the provisions of this Ordinance.

Application of Ordinance to markets formed under native law or custom.

Power to make
bye-laws.

17. The Governor or a Committee appointed to manage or control any market may from time to time make, alter and repeal bye-laws which shall be duly published in the Government Gazette for all or any of the following purposes:—

For regulating the use of the market, market house, sheds, stalls and other conveniences therein and for keeping order therein and preventing nuisances or obstructions therein or in the approaches thereto.

For regulating the stallages, rents or tolls payable by the vendors in the market and the collection thereof.

For fixing the days and the hours during each day on which a market may be held and for preventing the sale and purchase of goods or produce in the markets on any days except those so fixed.

For regulating the carriers, canoemen and labourers resorting to the market and fixing the rates for carrying articles thereto or therefrom within the limits named in the bye-laws.

For prescribing the weights, scales and measures to be used in the sale of any particular produce and regulating the use thereof.

For regulating the summoning, notice, place, management and adjournment of the Committee and generally with respect to the transactions and management of their business.

For regulating the duties and conduct of Inspectors, Officers and Servants appointed under this Ordinance, and generally for carrying into effect the purposes of this Ordinance.

All bye-laws made by a Committee, and any alteration or repeal thereof shall require the approval in writing of the Governor and shall not be operative without or before such approval.

Penalties.

18. The Governor or a Committee may by the bye-laws to be made impose such reasonable penalties as they shall think fit on persons breaking any of such bye-laws or wilfully obstructing any person acting in execution thereof, not exceeding forty shillings for each breach of such bye-laws.

District Commissioner may hear action for recovery of penalties, although Chairman of Committee.

19. A District Commissioner may hear and determine any action for the recovery of a penalty aforesaid, notwithstanding that he is the Chairman of the Committee of the market in which the breach of a bye-law, in respect of which the penalty is sought to be recovered, has been committed.

20. It shall be lawful for any member of the Police Power of arrest.
 Force to arrest any person found infringing any bye-law
 made under this Ordinance.

21. No matter or thing done by any member of Protection of
 Committee &c.
 Committee or by any inspector, officer or servant, or
 person acting in his aid or any other person employed
 under the authority of the Governor or Committee in
 carrying this Ordinance into effect shall, if done bona fide
 for the purpose of executing this Ordinance, subject them
 or any of them personally to any action, liability, claim
 or demand whatsoever, and any expense incurred by
 any such member, Inspector, Officer or Servant or person
 acting in his aid or any other person acting as last
 aforesaid shall be borne and repaid out of the revenue
 of the Colony.

22. No suit shall be commenced against any Committee Suits against
 Committee to be
 brought within
 three months.
 or member of any Committee, inspector, officer or servant
 or person acting in his aid or any other person aforesaid
 for anything done or omitted to be done under this
 Ordinance until the expiration of one month after
 notice in writing has been served on him clearly stating
 the cause of action the name and place of abode of
 the intended plaintiff and of his Attorney or Agent or the
 cause if any;

On the trial of any such suit, the plaintiff shall not be
 permitted to go into evidence of any cause of action
 which is not stated in the notice so served; and unless
 such notice is proved, the Court shall find for the
 Defendant.

Every such action shall be commenced within three
 months after the cause of action shall have arisen.

The plaintiff shall not recover if tender of sufficient
 amends is made within one month after notice of action
 or before action brought by or on behalf of the defendant.
 The defendant may, by leave of the Court after action
 brought, and before trial, pay into Court such sum of
 money as he may think proper.

If a verdict passes or judgment is given for the
 defendant, or if the plaintiff be non-suited or discontinues
 the action, the defendant shall be entitled to full costs
 of suit.

23. A Committee or any person or persons authorized Power to summon
 witness.
 to hold any enquiry or investigation under this Ordinance
 may summon any person to appear before such Committee,
 him or them as a witness to give evidence or produce
 documents relating to the matter under enquiry or investi-
 gation and may examine upon oath or affirmation any such

- Power to administer oaths. person, or any person who shall voluntarily appear to be examined, and may administer and take any oath or affirmation for such purpose; and if any person summoned as aforesaid shall without reasonable excuse refuse or neglect to appear at the time and place appointed for that purpose, or if any person appearing shall refuse to be examined upon oath or affirmation or to give evidence every such person shall forfeit a sum, not exceeding five pounds for every such offence.
- Liability of person refusing to attend or to give evidence.
- Costs and expenses of witness. 24. Every person appearing and examined as a witness shall be entitled to such sum of money as the person or persons holding the enquiry or investigation shall deem fit as well as for defraying all reasonable expenses as for allowing him reasonable compensation for his trouble and loss of time. Such costs and expenses shall be paid out of the revenue of the Colony, provided that where a person is found guilty of a charge under section 11, such person may be ordered to pay all or part of the costs and expenses of the enquiry and investigation.
- Limitation of time for recovery of penalties. 25. Any proceedings under this Ordinance for the recovery of penalties shall be commenced within three months from the time when the matter of such proceedings arose and not afterwards.
- Recovery of penalties. 26. All penalties imposed or costs ordered to be paid under the provision of this Ordinance or any bye-laws made thereunder shall be recoverable upon summary trial and conviction before a Police Magistrate or District Commissioner and upon non payment of the same shall be enforceable under the provision of the Criminal Procedure Ordinance 1876, or of any enactment amending or extending the same. All penalties recovered under this Ordinance shall be paid to the Colonial Treasurer and form part of the revenue of the Colony.
- Liability of persons giving false evidence. 27. Any person who on any examination on oath under the provisions of this Ordinance wilfully and corruptly gives false evidence shall be liable to the penalties inflicted on persons guilty of wilful and corrupt perjury.
- Incorporation of Public Lands Ordinance 1876. 28. For the purposes of acquiring or purchasing land under this Ordinance The Public Lands Ordinance, 1876, shall be incorporated with this Ordinance.
- Saving of existing rules. 29. Unless and until bye-laws are made under the provisions of this Ordinance the rules relating to markets made under sections 41 and 67 of the Towns Police and Public Health Ordinance, 1878, shall remain in full force and effect in all respects as if they had been made under this Ordinance.

30. The Ordinance shall not come into operation unless and until the Governor shall notify by proclamation that it is Her Majesty's pleasure not to disallow the same, and subject as aforesaid shall come into operation on such a date as the Governor shall by proclamation determine.

Commencement of
Ordinance.





ORDERS AND RULES

UNDER

Ordinances.

At an Executive Council held the

24th day of January, 1898.

Whereas by an Order made under section 12 of the Lights, Buoys, and Beacon's Ordinance 1890, it is declared that certain local Steamers and all steamers having their Head Quarters at Lagos, shall be wholly exempt from the payment of any dues that may be payable under or by virtue of the said Ordinance;

Now therefore I, Henry Edward McCallum, Lieutenant Colonel, Royal Engineers, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of Lagos, with the advice and consent of the Executive Council of the Colony do hereby declare and proclaim the S.S. "Quarra" to be a local Steamer within the meaning of the order of the 11th day of April 1895 and subject to the provisions of the said order to be exempt from the payment of Light Dues.

Orders and Rules

At an Executive Council held the

28th day of APRIL, 1898.

WHEREAS by the Supreme Court Ordinance, 1876, it was enacted among other things that the Governor in Council might at any time and from time to time by an Order published in the Gazette provide in such manner and subject to such regulations as to him might seem meet for the formation of Provinces and Districts for the purposes of jurisdiction:

And whereas by an Order in Council dated the thirty-first day of July, 1895, the Colony and Territories near or adjacent thereto wherein Her Majesty might have acquired powers and jurisdiction were divided into Districts for the purposes of jurisdiction:

And whereas it is expedient to amend the said Order so far as the Districts of Ikorodu is concerned:

Now therefore, I Henry Edward McCallum, Lieutenant Colonel, Royal Engineers, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of Lagos, by and with the advice of the Executive Council of the said Colony do order.

1. That section 5 of the said Order in Council dated the thirty-first day of July, 1895, defining the limits of the District of Ikorodu shall be and the same is hereby revoked.

2. The District of Ikorodu shall comprise the portion of the Colony and parts of the said Territories lying between the meridian of Ojo and the Ibu River which do not form part of the Districts of Lagos or Epe and shall include the town and district of Emuren and the Jebu Remo country.

At a Legislative Council held the

22nd day of JUNE, 1898.

WHEREAS by section 1 of Ordinance No. 10 of 1890, Light dues are made payable in respect of ships of more than Twenty-five tons burden entering any port of the Colony.

No. 10 of 1890, section 12.

And whereas by section 12 of the said Ordinance, it is enacted among other things that it shall be lawful for the Governor by order made with the advice and consent of the Legislative Council, from time to time, to exempt any ships or any class of ships, either wholly or partially from the payment of such dues and to annex conditions to any such exemption.

Local Steamers exempted from payment of light dues.

And whereas it is expedient that certain steamers shall be wholly exempt from payment of any dues that would otherwise be payable under or by virtue of the said Ordinance.

Now therefore, I George Chardin Denton, Esquire, Acting Governor of the Colony of Lagos, do hereby, with the advice and consent of the Legislative Council thereof order that henceforth;

All steamers having their head-quarters at Lagos and trading only between Lagos and Porto Novo or between Lagos and the Forcados River or any other river between the Lagos River and the Old Calabar River, while continuing so to trade within the aforesaid limits shall be wholly exempt from payment of any dues that would otherwise be payable under or by virtue of the said Ordinance.

Provided always that should any steamer exempted clear for any port or place outside of the Territorial waters of the Colony other than Porto Novo, the Forcados River or any other river between the Lagos River and the Old Calabar River the latter included, such exemption shall for the time being cease to the extent of such voyage or voyages and no further, and the said dues shall become and continue payable notwithstanding anything to the contrary aforesaid from the date of such clearance until the steamer shall have returned to Lagos and resumed trading with Lagos for head-quarters when the exemptions conferred by this order shall forthwith attach again to the steamer and be of

full force and effect in the same way as if she had not cleared for ports, outside the territorial waters other than aforesaid.

All former orders made under the twelfth section of the said Ordinance are hereby revoked except the Order of the 26th day of April, 1894, exempting the South West Coast steamers from the payment of Light dues.

HOSPITAL RULES, 1898.

A. Preliminary.

Chief Medical Officer to be Colonial Surgeon for the time being within the meaning of the Hospitals and Dispensaries Ordinance 1889.

1. All Hospitals and Dispensaries in the Colony or Protectorate shall be under the control and general supervision of the Chief Medical Officer who shall be Colonial Surgeon for the time being within the meaning of the Hospitals and Dispensaries Ordinance 1889. For the purposes of Hospital and Dispensaries Administration, the Chief Medical Officer shall be regarded as the paramount authority, and, subject to any directions he may receive from the Governor, he shall have control of all subordinate Officers, medical or otherwise, employed therein, whose duty it shall be to obey all his orders and carry them promptly into effect, and further to keep him fully informed of all matters which it may be necessary for him to be aware of in the interests of the proper working of the Hospitals and Dispensaries of the Colony and Protectorate.

Interpretation.

2. In these rules the term "Medical Officer" means any Assistant Colonial Surgeon in charge of or aiding in the charge of a Hospital; and all authority hereby given to him may at any time be exercised by the Chief Medical Officer when he considers it desirable or expedient to do so.

B. General Hospital Accommodation.

Males and Females to have separate wards &c.

3. In every Hospital for patients of both sexes, there shall be separate wards, bath rooms, and latrines for the use of female patients.

Head-head Tickets.

4. A bed-head ticket shall be hung upon or over every patient's bed.

5. Persons shall be admitted to Hospital as In-patients daily; in ordinary cases between 6 a.m. and noon, and in urgent cases at any hour.

Hours of Attendance of in-patients

6. Every person admitted, or to be admitted, to a ward as a patient, shall, as soon as possible after having been seen by one of the Medical Officers, either take a bath or be washed, unless the Medical Officer shall otherwise direct.

Baths to be taken by in-patients on admission.

C. The care and treatment of in-patients.

7. The Chief Medical Officer shall from time to time direct the bed and body clothing to be used in each Hospital.

Bedding and Clothing.

8. Subject, in any individual case, to any order to the contrary of one of the Medical Officers, every patient shall wash himself or be washed every morning and every evening.

Washing.

9. Meal times of patients shall be as follows: for Europeans, early tea at 7 a.m., breakfast at 10 a.m., dinner at 2 p.m., and tea at 6 p.m.

Meal time.

For Natives; morning drink 6.30 a.m., morning food at 10 a.m. and evening food at 4 p.m. These hours are not to be departed from without special orders from the Chief Medical Officer. Half an hour shall be allowed for each meal. No food should be allowed to remain on or near the beds after meals.

10. The diets shall be according to the diet table drawn up by the Chief Medical Officer, or in particular cases according to the special orders of the Medical Officer.

Diets and Extras.

All orders for extras, such as brandy, port, champagne, beef, meat-extract, jellies, etc., shall be ordered by the Medical Officer who shall write the same upon the bed-head ticket.

11. Relatives and friends of Patients will be permitted to visit the latter on such days and at such hours as the Chief Medical Officer shall appoint, provided that any of the Medical Officers may at any time prohibit any such visit, if he be of opinion that the same will be injurious to any patient; provided also that any of the Medical Officers may authorize any person to visit any patient at any time. Ministers of religion or their

Visit of friends.

accredited representatives, may visit patients of their own religious persuasion at any reasonable hour provided that such visit be not prohibited by a Medical Officer on medical grounds.

Visitors not to bring articles into the Hospital.

12. No visitor shall give to any patient, or bring into Hospital, any food, drink or tobacco, without having first obtained leave for the purpose from one of the Medical Officers, subject to approval of the Chief Medical Officer.

Smoking &c. in the Wards.

13. The use of tobacco in the wards, and gambling, quarrelling, swearing, the use of abusive or indecent language, and every kind of unnecessary noise in any Hospital building, or in any part of any Hospital compound are strictly prohibited.

Exit.

14. No patient shall leave the Hospital even temporarily, without the permission in writing of one of the Medical Officers.

Who may discharge a patient.

15. Discharge of patients in Hospital shall be made by the Resident Medical Officer, subject to the control of the Chief Medical Officer, as regards the Hospital at Lagos, and by the Medical Officer in charge, as regards other Hospitals.

Discharge of infirm and friendless poor patients.

16. No indigent and infirm patient, not known to have friends ready to receive him, shall be discharged from Hospital without the directions of the Governor having first been taken with regard to such discharge.

D. Scale of charges for paying patients.

Scale of charges for paying patients.

17. The following sums shall be paid by way of fees and charges for accommodation, treatment, and maintenance, in the Government Hospital :

Government officers (including native clerks in the Government Service who may wish for the same accommodation and treatment as Europeans) whose salaries amount to £300. per annum or upwards;—per day5/.

Patients not in the Government Service being Europeans (or who not being Europeans may wish for the same accommodation and treatment as Europeans) whose pay emoluments or income amount to £300. per annum or upwards;—per day10/.

The above may be classed as first class patients.

Government officers (including native clerks who may wish for the same treatment and accommodation as Europeans,) whose salaries do not amount to £300. per annum;—per day2/6.

Patients not in the Government Service, being Europeans, (or who, not being Europeans, may wish for the same treatment and accommodation as Europeans,) whose salaries, emoluments, or income do not amount to £300. per annum;—per day.....6/.

The above may be classed as second class patients.

Separate wards may be provided for patients of the first class and for patients of the second class, if such accommodation be available.

Native officials who do not desire the same treatment and accommodation as Europeans;—per day.....1/.

Women according to their station.

Children under 14 years of age half the foregoing rates according to the station of their parents.

Persons not classified in the foregoing list.....Free.

Non-paying patients)

All wines, spirits, mineral waters and special appliances provided for any paying patient shall be charged and paid for by him on his discharge from the Hospital.

Provided that the Governor may for any reason which he shall deem sufficient, remit, altogether or in part any sum payable under this rule.

18. "Out-patients" shall be those attending regularly for treatment at the out patient Department of the Hospital.

Out-patients and Casualties.

"Casualties" shall be such as attend once for some injury or transient ailment.

The former shall be treated on the days and at the hours appointed by the Chief Medical Officer, notice of which shall be displayed at the Gate of the Hospital; the latter, at any time it may be necessary for them to attend the Hospital.

E. The Powers and Duties of Hospital Officers and Servants.

1. The Resident Medical Officer of the Hospital at Lagos.

Assistant Colonial Surgeon to be Resident Medical Officer

19. One of the Assistant Colonial Surgeons shall from time to time be appointed by the Chief Medical Officer to act in the capacity of Resident Medical Officer in charge of the Hospital at Lagos.

To reside in Hospital.

20. He will reside in the Quarters provided for him in the Hospital precincts and will not be permitted to leave them, except during the hours between 4 p.m., and 7.30 p.m. daily, without the written sanction of the Chief Medical Officer in the book to be kept for that purpose.

Performance of duties in absence.

21. During his temporary absence from the Hospital, due provision shall be made by him for the discharge of his duties, and if no other Medical Officer be available, the Dresser and Dispenser shall be informed as to his whereabouts in order that he may be sent for in the event of any emergency arising which would necessitate his presence in the Hospital.

Duties.

22. He shall devote the whole of his time and attention to the charge of the Hospital, but he may, if necessity arise, be called upon by the Chief Medical Officer, to discharge such other duties as pertain to the position of an Assistant Colonial Surgeon.

Professional responsibilities.

23. He shall be responsible to the Chief Medical Officer for the professional care of the patients, whose treatment may however be directed or assumed by the Chief Medical Officer if the latter deem fit.

Discipline

24. He shall have the general management, and be responsible for the discipline, cleanliness, and good order of the Hospital, and, subject to the provisions of the Hospital rules, all officers and servants attached to or employed in connection with the Hospital shall be bound to obey his directions.

To report irregularities to Chief Medical Officer.

25. He shall report to the Chief Medical Officer every irregularity in the conduct of any Hospital Officer or Servant, and every case of misconduct on the part of any patient in the Hospital, which shall come to his knowledge.

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|---|----------------------------------|
| <p>26. He shall visit the wards of the Hospital between 7 and 10 a.m., and again after 8 p.m., and at such other times as may be necessary, or may seem desirable to him, or to the Chief Medical Officer.</p> | <p>Hours.</p> |
| <p>27. Newly admitted patients shall be seen by him, and treatment ordered within 2 hours of admission.</p> | <p>Newly admitted patients.</p> |
| <p>28. He shall attend at the out-patient Department, on the days and at the hours fixed by the Chief Medical Officer, and shall see casualty cases whenever necessary, and shall keep notes of all cases treated in a case book.</p> | <p>Out-patient Department.</p> |
| <p>29. He shall perform post-mortem examinations when necessary, or possible, and carefully record results of such post-mortem examinations in a book to be kept for that purpose.</p> | <p>Post-mortem Examinations.</p> |
| <p>30. He shall see that deaths occurring in the hospital are duly reported to the Registrar of births and deaths, and when necessary to the Coroner.</p> | <p>Registration of deaths.</p> |
| <p>31. He shall from time to time inspect the drugs and instruments and appliances, and also the provision of all kinds, provided for patients and satisfy himself, as to their condition and fitness for use.</p> | <p>To inspect drugs &c.</p> |
| <p>32. He shall sign or countersign all requisitions emanating from, and receipts given on behalf of the Hospital, after satisfying himself, that the quantities therein specified are correct, and, in the case of receipts, that the articles received are of good quality, and in proper condition, and correspond to the invoice, where there is one.</p> | <p>Requisition.</p> |
| <p>33. He shall make himself acquainted with the system of book-keeping in use, and the different books kept at the Hospital, and shall keep the Medical Register, entering therein from day to day all cases, as they occur, and be responsible for the correctness of the Admission and Discharge books, and the proper keeping of the case books.</p> | <p>Book-keeping</p> |
| <p>34. He shall prepare and forward to the Chief Medical Officer, such returns as the latter may require; and he shall be responsible for all returns furnished from the Hospital being accurately prepared, and duly forwarded.</p> | <p>Returns.</p> |
| <p>35. He shall submit all books, registers, requisitions, receipts, certificates, and other documents in his</p> | <p>Inspection of books</p> |

possession as Medical Officer in charge to the inspection of any person duly authorized to see the same.

2. The Dispenser of the Hospital at Lagos.

- Duties of.** 36. The Dispenser shall be responsible for the correct dispensing of all prescriptions, which he may be directed by any of the Medical Officers to dispense and for the care of the medicines and medical stores generally at the Hospital.
- Not to dispense without written order.** 37. He shall not dispense any medicament, or issue any drug or article of any kind, for the care of which he is responsible, except upon a written order of one of the Medical Officers.
- Not to allow unauthorized persons to compound Medicine.** 38. He shall not allow any one to compound medicines in the dispensary, except such persons as shall have been previously approved in that behalf by the Chief Medical Officer.
- Labels.** 39. In issuing medicaments to out-patients he shall in every case give full information, and direction by means of written labels, and, in the case of illiterates, orally also, as to the nature of the same, if poisonous, and as to how, when, and in what quantities the same are to be taken or used, and all other necessary particulars respecting the same.
- Requisition.** 40. He shall prepare under the supervision of the Medical Officer in charge all requisitions for drugs, Medical comforts and Surgical instruments and appliances.
- To check supplies.** 41. When Medical or Surgical supplies are received, he shall check the contents of the packages by the invoice, or Receipt-and-issue vouchers accompanying the same.
- To Register deaths.** 42. Whenever a death occurs in the Hospital he shall give notice thereof to the Registrar of Births and Deaths if such notice be necessary and to the relatives and friends of the deceased where known and make arrangements for the burial, and shall report the same to the Resident Medical Officer.
- Special duty** 43. He will devote himself specially to the Dispensary and care of the drugs, and to the careful keeping of the books relating to his Department.

3. The Dresser.

44. The Dresser shall assist the Medical Officer in the out-patient Department and under the Resident Medical Officer shall be responsible for the dressing of Surgical cases. Duties.
45. He shall be responsible for the care of the operating room, the Surgical instruments and appliances, and the Meteorological work. Responsibilities.
46. He shall promptly see all urgent cases of illness or accident brought to the Hospital, and send word to the Medical Officer in charge, immediately upon the arrival of any such case. Accident cases.
47. In the event of the necessity arising he shall perform such of the duties of a dispenser, or nurse as the Chief Medical Officer may direct. To act as dispenser or nurse.
48. The Dispenser and Dresser shall in no case absent themselves from the Hospital without permission in writing from the Chief Medical Officer, recommended by the Resident Medical Officer, and when absent with such permission will leave word with the Gate-keeper as to where they may be found if necessary. They shall not be both absent at the same time. Absence from Hospital.

4. European Nurses.

49. The staff of European Nurses shall consist of a Matron or Senior Nurse, and such other nurse, or nurses, as may from time to time be appointed. Staff.
50. The other nurse or nurses are to obey the orders of the matron or Senior nurse, and to perform whatever duties she may detail them for. Junior nurses duties of.
51. The nurses shall obey all orders given them by the Medical Officers. To obey orders.
52. They shall obey all such orders as the Chief Medical Officer may from time to time issue with regard to hours of duty, meals, temporary leave of absence, and special duty. Hours of duty &c.
53. No nurse shall be absent from the Hospital except between the hours of 4 and 9 p.m., when off duty, except with the written permission of the Chief Medical Officer in a book provided for the purpose; and both Absence from Hospital.

- nurses shall not, without special sanction of the Chief Medical Officer, be absent at the same time.
- Reports as to neglect &c. 54. The nurses shall report at once to the Medical Officer any neglect of duty on the part of the native nurses, or any damage to furniture or appliances which may have occurred through their carelessness.
- Matron to take charge of linen &c. 55. The Matron, or Senior Nurse, shall take charge of all garments, linen, furniture, and appliances, in the European wards, and take an inventory of the same at least every 3 months.
- Uniform. 56. When on duty they shall wear a Uniform which shall be provided by the Government.

Native Nurses.

- Appointment. 57. First and Second class native nurses shall be appointed to the charge of wards and patients by the Chief Medical Officer.
- Duties. 58. It shall be their duty to nurse the patients, to attend to their cleanliness and comfort, to keep a plentiful supply of filtered water in the wards for drinking purposes to wait upon the patients at their meals, and to administer to them the medicines and extras prescribed for them.
- To assist Medical Officers. 59. They shall assist the Medical Officers, Dresser, Dispenser and Steward in the treatment of the sick, and the general working of the Hospital wards.
- To keep note books. 60. They shall keep the Nurses note books.
- To draw extras. When extras are ordered for patients in their wards, the nurses shall attend with the proper diet boards at the store room, before 10 a. m., or at any other time if necessary, to receive the same from the Steward.
- Quarters. 61. They shall sleep in the Quarters allotted them in Hospital.
- Not to leave Hospital. 62. They shall not on any account leave the Hospital except according to hours appointed, without permission in writing from the Chief Medical Officer or his deputy.
- To obey orders. 63. They shall obey all orders given to them by those in authority over them, including the Medical Officers, Matron, Dispenser, Dresser and Steward as to their conduct and work in the Hospital.

64. Female Nurses shall attend, under the supervision of the Matron, or Steward, to the clothing and bedding of the Hospital, and see to the clothing being properly marked, washed, aired, mended and changed.

Clothing and bedding.

65. They shall obey such orders as the Chief Medical Officer shall from time to time issue with regard to hours of duty, meals, temporary leave of absence and special duty.

To obey orders of Chief Medical Officer.

66. When on duty they shall wear a Uniform which shall be provided by the Government.

Uniform.

6. Apprentices, or Nurses in training.

67. They shall attend the Hospital daily, between the hours of 7 a.m., and 4 p.m., with such intervals for meals as the Chief Medical Officer will appoint.

Hours of duty.

68. They shall not, except with the permission of the Chief Medical Officer, leave the Hospital during these hours.

Absence from Hospital.

69. They shall obey all orders framed for their guidance by the Chief Medical Officer, in relation to conduct, study, examinations, and general work, and shall observe due obedience and respectful demeanor to those in authority over them.

To obey orders of Chief Medical Officer.

70. They shall wear a uniform if required.

Uniform.

7. The Steward.

71. The Steward shall, subject to the direction of the Chief Medical Officer be responsible for all stores and all transactions with contractors. It shall be his duty to see to the ordering, and due receipt of all furniture, bedding, clothing and stores in general other than Surgical and Medical stores required for the use of the Hospital, and to the proper distribution or application of all such goods or stores supplied for the use of the Hospital.

Duties.

72. The Hospital cooks will be under him and he will be held responsible for the due performance of their duties and the cleanliness and good order of kitchen and cooking apparatus.

To superintend Kitchen.

73. He shall see that the patients have their food at the proper hours.

Patients food.

Supervision of labourers.

71. He shall supervise the Hospital labourers, and shall attend particularly to the general cleanliness of the Hospital compounds, the wards and the latrines.

Books.

75. He will keep a store Journal and Ledger and an inventory of Hospital clothing etc. or such other books and records as may be required by the Governor, or the Chief Medical Officer.

Daily ration.

76. He shall issue the daily rations and attend at the Store room for this purpose, at the appointed hour, and also as much oftener as may be necessary to issue extras ordered for patients by the Medical Officers.

Property book.

77. He shall take charge of the patients' private clothing, and any money or valuables that they may have about them on admission to Hospital, giving them receipts for the same, and he shall keep a property book, showing the receipt and disposal of all property belonging to patients which he shall have received.

General supervision.

78. He shall exercise a general supervision over the servants of Hospital, who shall obey all lawful orders received from him and he shall report to the Chief Medical Officer any disobedience of orders or neglect of duty on the part of any Hospital servant.

Storeman's duties.

79. The Steward's assistant or Storeman shall perform such of the Stewards duties as the Chief Medical Officer shall determine.

8. The Clerk.

Duties.

80. The Clerk shall perform the general book-keeping and clerical work of the Office.

Books to be kept.

81. In particular, he shall keep to the satisfaction of the Chief Medical Officer the following books; an Expense and Liability ledger, a letter book, an admission and discharge of Public Officers under Medical treatment book, an admission and discharge of general In-Patients book, or such other books and records as may be from time to time required by the Governor, or the Chief Medical Officer.

Hospital accounts.

82. He shall keep all the Hospital accounts.

Daily reports.

83. He shall prepare the daily report of admissions and discharges and the morning report of sick Officers and of patients in the Contagious Diseases Hospital.

84. He shall prepare the monthly return of paying patients and of Fines, for the local Auditor, and all other returns required to be furnished by him.

Monthly return.

85. The Clerk's assistant or assistants shall perform such of the clerk's duties as the Chief Medical Officer shall determine.

Assistants.

Hospital Servants.

86. All Servants employed in the Hospital, including cooks, gate-keepers, watchmen and labourers, shall obey such orders regulating their work and hours, as may be issued from time to time by the Chief Medical Officer.

Hospital Servants.

87. Any person employed in the Hospital contravening or disobeying any of the foregoing rules, shall be liable on conviction to a fine not exceeding £5.

Penalty.

F. General Provisions.

88. All former Rules and Regulations made under the 14th section of the Hospitals and Dispensaries Ordinance 1889 are hereby revoked except the Ereko Dispensary Rules 1889 which shall remain of full force and effect.

Repeal of former rules except Ereko Dispensary Rules.

89. No Hospital Officer or Servant shall, under any circumstances, take any money or other present from a patient, or friend of a patient under treatment.

Hospital Officer not to accept presents.

90. These rules may be cited for all purposes as "The Hospital Rules 1898" and shall come into operation on the 22nd day of June, 1898.

Short Title.

At a Legislative Council held the

10th day of NOVEMBER, 1898.

The Lagos Treasury Savings
Bank Ordinance, 1886, section 10.

Whereas it is enacted by section 10 of Ordinance No. 3 of 1886, *inter alia* that the Governor may with the consent of the Legislative Council of the Colony make, and from time to time alter regulations with respect to the making of deposits and to the withdrawal of deposits and interest, and that such regulations so made shall be binding on the parties interested in the subject matter thereof in the same manner and to the same extent as if such regulations formed part of the said Ordinance.

Now, therefore, I, George Chardin Denton, Esquire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the Colony of Lagos, with the consent of the Legislative Council thereof do make the following Regulation;

8. (a) When the account of any depositor, whose balance is under £1. shall have remained for 5 years without any deposit being added thereto, or any withdrawal therefrom, it shall be lawful for the Treasurer for the time being to close his account and transfer whatever balance may be standing in the name of the depositor to the credit of an account to be intituled "Savings Bank, Closed Deposits Account," provided, nevertheless, that the closing of the account shall be no bar to an application thereafter to withdraw whatever amount may have stood to his credit by a depositor in accordance with the said Ordinance or these rules.

This regulation shall be read and construed with the Savings Bank Regulations of the 7th July, 1886.

At a Legislative Council passed the
10th day of November, 1898.

FISHING STAKES RULES, 1898.

Rules made under Section 10 of the Ordinance.

1. Every applicant for the grant of a license to erect, maintain and work stakes in the Harbour of Lagos shall in the first instance furnish the Harbour Master with particulars of the place and the number of the stakes in respect of which he is applying for a license.

2. Upon being satisfied that the place is available and is a fit and proper site for the erection, maintenance and working of such stakes the Harbour Master shall issue a certificate which shall be in the form A in the Schedule to these rules.

3. Upon the presentation of such certificate, and, in the case of persons other than those entitled to a license without payment under section 11, sub-section 3 of the Ordinance upon payment of the fee, if any, prescribed by the Governor in Council under section 11, sub-section 2 of the Ordinance the Colonial Treasurer shall grant a license which shall be in the form B in the Schedule hereto.

4. No license for the erection, maintenance and working of stake shall be transferable.

5. No stakes shall be erected, maintained or worked either in

- (i.) The Channels of the Harbour of Lagos;
or in
- (ii.) Any place where water is of greater depth than seven feet; or in
- (iii.) Any place where in the opinion of the Harbour Master stakes are likely to impede the navigation of steamships, canoes or other vessels.

6. Rows of stakes shall not be of greater length than 120 yards. Stakes in any row shall be distant one from the other not less than 18 inches.

7. The distance in any direction between rows of stakes shall be not less than 120 yards.

8. If owing to the shifting of a channel or deepening of water or for any other reasonable cause the Harbour Master is of the opinion at any time that the

removal of any stakes is expedient, he may by notice in writing, direct the removal thereof within one month from the date of such notice and the licensee shall remove such stakes accordingly.

9. A licensee shall repair or clean his stakes within one month after receipt of notice in writing signed by the Harbour Master to repair or clean such stakes.

10. Any notice to be served under these rules shall be served personally, or if the licensee cannot be found, at his last known place of abode upon an inmate thereof, or if an inmate cannot be found, or if such place of abode is unknown, by affixing the notice to the stakes in respect of which the licensee holds a license.

11. No person other than the Harbour Master or a person authorized by him shall interfere with any stakes in respect of which a license has been granted.

12. These rules may be cited as the Fishing Stakes Rules 1898, and shall come into force upon publication in the Gazette.

SCHEDULE.

FORM A.

No.

WHEREAS _____ of
is applying for a grant of a license to erect, maintain
and work _____ stakes at
in the Harbour of Lagos,

I hereby certify that the said place is a fit and
proper site for the erection, maintenance and working
of the stakes aforesaid.

Lagos, the _____ day of _____
Harbour Master.

FORM B.

No.

License is hereby granted to _____
to erect, maintain and work _____
stakes at _____
in the Harbour of Lagos.

Lagos, the _____ day of _____
Colonial Treasurer.



