

And whereas the report of the said Commissioners has been duly received by the Governor:

And whereas it is expedient to add to the said recited Order in Council and to constitute Native Reserves in the Tanganyika District of Northern Rhodesia:

Now, therefore, His Majesty, by virtue and in exercise of the powers by the Foreign Jurisdiction Act, 1890, or otherwise in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Northern Rhodesia Crown Lands and Native Reserves (Tanganyika District) Order in Council, 1929, and shall apply only to the Tanganyika Magisterial District as it exists at the date of the coming into operation of this Order.

2. In this Order, unless the subject or context otherwise requires, the expressions "Crown Lands" "Native Reserves" "Secretary of State" shall have the meanings respectively assigned to them by Article 2 of the Northern Rhodesia (Crown Lands and Native Reserves) Order in Council, 1928, hereinafter referred to as the Principal Order.

3. The lands described in the Schedule hereto and known as Native Reserves, as also the appendant rights set forth in the said Schedule, are hereby vested in the Secretary of State and set apart in perpetuity for the sole and exclusive use and occupation of the natives of Northern Rhodesia subject to the terms of Article 43 (as by the Principal Order amended) of the Northern Rhodesia Order in Council, 1924, and subject also to the following provisions:

(1) No portion of any Native Reserve shall be granted to any person other than a native save upon lease for a period not exceeding five years provided, however, that it shall be lawful for the Governor to set aside in any Native Reserve a tract or tracts of land for use as a Government Station or for other public purposes, and provided further that in any one such Reserve such tract or tracts of land shall not without the previous approval of the Secretary of State exceed in the aggregate an area of 100 acres.

(2) No person other than a native shall occupy any portion of a Native Reserve save by special permission given in accordance with such regulations as may be issued by the Governor with the approval of the Secretary of State, but special permission to occupy a tract of land set aside for use of a Government Station or for any other public purpose shall not be required in the case of a person *bona fide* engaged in the business of the Government.

(3) The Governor may with the approval of the Secretary of State make such adjustments of the boundaries of any Native Reserve as may appear to be necessary or desirable, provided always that in case of any such adjustment the area of no Native Reserve shall be materially affected or diminished thereby and on such approval being given the land excepted from a Native Reserve shall be deemed to be no longer subject to the provisions of this Order with regard to Native Reserves and the land assigned to a Native Reserve in exchange

therefor shall be deemed to be subject to the said provisions.

(4) The Governor shall remove all natives from the freehold lands of the British South Africa Company (hereinafter referred to as "the Company") which are outside the limits of a Native Reserve as and when the existing gardens of such natives become exhausted, or, subject to the provisions of paragraph (6) hereof, before the expiration of a period of four years from the date of the publication of this Order, whichever event shall first happen: provided that the Governor may, subject to the payment by the Company of such compensation as he thinks fit, direct the removal to a Native Reserve of any such natives at the expiration of one year after the receipt by them of notice of removal notwithstanding that their gardens have not become exhausted.

(5) Subject to the provisions contained in sub-Article (4) of this Order the Company shall be and is hereby discharged from the obligations imposed upon it by clause three of the three Certificates of Claim referred to in sub-Article (1) of Article 3 of the Principal Order.

(6) After the date of the coming into operation of this Order no new native village shall be erected on any land not within a Native Reserve, except, in the case of Crown Lands, with the consent of the Governor, or, in the case of privately-owned land, with the consent of the Governor and of the owner of the land, and after the period of four years shall have elapsed from the date aforesaid no native shall be permitted to remain on any land outside a Native Reserve: provided that, in the case of Crown Lands, with the consent of the Governor, and, in the case of privately-owned lands, with the consent of the Governor and of the owner of the land, natives may be permitted to remain on Crown Lands outside a Native Reserve until such Crown Lands are required for European settlement and on privately-owned lands outside a Native Reserve until the use of such privately-owned land is required by the owner of the land; provided further that on any Crown Lands or privately-owned lands being so required as aforesaid no compensation shall be payable to any such natives on their being removed to a Native Reserve.

Before the removal to a Native Reserve of any such natives as shall have been permitted to remain as aforesaid the Governor shall cause to be given them one year's notice of such removal.

(7) Nothing in this Order shall be so construed as to restrict the freedom of any native to accept employment from Europeans outside the limits of the Native Reserve or to remain outside the limits of a Native Reserve while so employed under such conditions as the Governor may from time to time prescribe.

(8) Notwithstanding anything contained in the Principal Order or in this Order or in any regulations from time to time made under either of them, the owners of the minerals in the Native Reserves described in the Schedule to this Order shall retain and be free to exercise their rights subject to the conditions set out in sub-Article (2) of Article 8 of the Principal Order.