



BRITISH SPHERE OF TOGOLAND  
ORDINANCE.

No. 1 OF 1927.

AN ORDINANCE to exclude from operation with respect to the Northern Section of the British Sphere of Togoland the Ordinance of the Northern Territories of the Gold Coast shortly entitled "The Land and Native Rights Ordinance, 1927", and to provide for the settlement by executive authority of certain disputes between natives relating to land.

[21st May, 1927.]

BE IT ENACTED by the Governor of the Gold Coast, with respect to the British Sphere of Togoland, as follows:—

1. This Ordinance may be cited as "The Land Ordinance, 1927", and shall be read and construed as one with the British Sphere of Togoland Administration Ordinance, 1924 (hereinafter referred to as the principal Ordinance).

Short title  
and construction  
of Ordinance.

No. 1 of 1924.

No. 1.]

*The Land Ordinance.*

[1927:

Amendment  
of subsection  
(4) of section  
9 of No. 1 of  
1924.

2. Subsection (4) of section 9 of the principal Ordinance is hereby amended by adding at the end thereof the following words :—

“ Provided that in the case of any decision of a native tribunal in the Northern Section relating to land which shall have been made on or after the first day of June, 1927, no such appeal as aforesaid shall lie; but the party aggrieved thereby may apply to the District Commissioner to enquire into and settle the dispute under the provisions of section 9A of this Ordinance.”.

Further  
amendment  
of No. 1 of  
1924.

3. The principal Ordinance is hereby amended, with effect from the first day of June, 1927, by inserting therein after section 9 thereof the following section :—

“ Power to  
District  
Commissioner to  
settle land  
disputes.”.

“ 9A. (1) Subject as in subsection (7) of this section provided, a District Commissioner shall have power and authority to enquire into and settle, acting in an executive capacity, any disputes arising between natives with respect to land lying within his District, including cases in respect of which an application has been made to him under the provisions set forth in the proviso contained in subsection (4) of section 9 of this Ordinance.

“ (2) In any such enquiry the District Commissioner may, if he thinks fit, be assisted by one or more native Chiefs as assessors, to be summoned by him as occasion requires. The opinion of each Chief shall be given orally, and shall be recorded in writing by the District Commissioner; but the decisions and settlement shall rest exclusively with the District Commissioner. No decision or settlement of the District Commissioner shall be deemed invalid by reason of any or all of the assessors so summoned not being present throughout the whole of the enquiry.

“ (3) The Provincial Commissioner may, if he thinks fit, review the proceedings of any enquiry held under this section by a District Commissioner, and may, in his discretion, affirm, set aside, or vary, any decision or settlement arrived at. The Provincial Commissioner may also on his review ordain and establish a new settlement in the dispute, or may, if he thinks fit, order the District Commissioner or another District Commissioner in his Province to hold a further enquiry.

( 3 )

No. 1.]

*The Land Ordinance*

[1927.]

“(4) The Chief Commissioner may, if he thinks fit, review the proceedings of any enquiry held under this section, and may, in his discretion, affirm, set aside, or vary, any decision or settlement arrived at thereunder, either in the first instance or on review. The Chief Commissioner may, on his review, ordain and establish a new settlement in the dispute, or may, if he thinks fit, order the District Commissioner or Provincial Commissioner concerned, or any other Provincial Commissioner, to hold a further enquiry.

“(5) Decisions and settlements made under this section shall be binding; and any disregard or defiance thereof shall be deemed to be an offence; and any person guilty of such offence shall be liable on summary conviction thereof to a fine not exceeding fifty pounds or to imprisonment with or without hard labour for any term not exceeding three months.

“(6) The officers of the Government shall have power and authority to take all such steps and to do all such things as shall reasonably be necessary for the purpose of giving effect to decisions and settlements made under this section.

“(7) The powers and authorities conferred by this section with respect to the executive settlement of land disputes shall not extend to the settlement of disputes arising in connection with the Mineral Rights Ordinance, 1904 of the Protectorate, as applied to the Northern Section, or to disputes in respect of which any civil cause or matter shall be pending in the Court immediately prior to the first day of June, 1927.

“Northern Territories. No. 2 of 1904.”

“(8) The Court shall not have jurisdiction to entertain either as of first instance or on appeal any civil cause or matter for the executive settlement of the issues wherein provision is made by this section.

“(9) The expression “natives” appearing in subsection (1) of this section means for the purposes of this section natives of the British Sphere, and includes natives of the Protectorate.

“(10) This section shall apply to the Northern Section only.”

No. 1.]

*The Land Ordinance.*

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Amendment  
of Fourth  
Schedule to  
No. 1 of 1924.

4. The Fourth Schedule to the principal Ordinance is hereby amended, with effect from the first day of January, 1928, as follows :—

- (1) By deleting therefrom the details specified in the First Schedule hereto ; and
- (2) By substituting for the details so deleted the details specified in the Second Schedule hereto.

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FIRST SCHEDULE.

the  
enc  
No.  
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Northern  
Territories.  
No. 3 of 1926.

“ The Land Transactions (Restriction on Operation) Ordinance, 1926. ”

SECOND SCHEDULE.

the  
enc  
No.  
4-

Northern  
Territories.  
No. 1 of 1927.

The Land and Natives Rights Ordinance, 1927, and any enactments amending the same.

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Enacted this 21st day of May, 1927.

J. C. MAXWELL,  
*Acting Governor of the Gold Coast.*



NORTHERN TERRITORIES OF THE GOLD COAST.

No. 2 OF 1927.

AN ORDINANCE to empower Commissioners of the Protectorate in their executive capacity to enquire into and settle disputes between natives relating to land.

[1st June, 1927.]

BE IT ENACTED by the Governor of the Gold Coast, with respect to the Northern Territories, as follows :—

1. This Ordinance may be cited as "The Land Disputes (Executive Settlement) Ordinance, 1927", and shall come into force on the first day of June, 1927, and shall be read and construed as one with the Northern Territories Administration Ordinance, 1902 (hereinafter referred to as the principal Ordinance).

Short title, commencement, and construction of Ordinance. No. 1 of 1902.

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No. 2.] *The Land Disputes (Executive Settlement Ordinance)* [1927.

“ settlement in the dispute, or may, if he thinks fit, order  
 “ the District Commissioner or another District Com-  
 “ missioner in his Province to hold a further enquiry.

“ (4) The Chief Commissioner may, if he thinks fit  
 “ review the proceedings of any enquiry held under this  
 “ section, and may, in his discretion, affirm, set aside, or  
 “ vary, any decision or settlement arrived at thereunder,  
 “ either in the first instance or on review. The Chief  
 “ Commissioner may, on his review, ordain and establish  
 “ a new settlement in the dispute, or may, if he thinks fit,  
 “ order the District Commissioner or Provincial Com-  
 “ missioner concerned, or any other Provincial Com-  
 “ missioner, to hold a further enquiry.

“ (5) Decisions and settlements made under this  
 “ section shall be binding ; and any disregard or defiance  
 “ thereof shall be deemed to be an offence ; and any  
 “ person guilty of such offence shall be liable on summary  
 “ conviction thereof to a fine not exceeding fifty pounds or  
 “ to imprisonment with or without hard labour for any  
 “ term not exceeding three months.

“ (6) The officers of the Government shall have power  
 “ and authority to take all such steps and to do all such  
 “ things as shall reasonably be necessary for the purpose of  
 “ giving effect to decisions and settlements made under  
 “ this section.

“ (7) The powers and authorities conferred by this  
 “ section with respect to the executive settlement of land  
 “ disputes shall not extend to the settlement of disputes  
 “ arising in connection with the Mineral Rights Ordinance,  
 “ 1904, or with the Land and Natives Rights Ordinance,  
 “ 1927, or to disputes in respect of which any civil cause or  
 “ matter shall be pending in the Court immediately prior to  
 “ the first day of June, 1927.

“ No. 2 of  
 1904.”

“ No. 1 of  
 1927.”

“ (8) The Court shall not have jurisdiction to entertain  
 “ either as of first instance or on appeal any civil cause or  
 “ matter for the executive settlement of the issues wherein  
 “ provision is made by this section.

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No. 2.] *The Land Disputes (Executive Settlement)* [1927  
*Ordinance.*

“(9) The expression “natives” appearing in sub-section (1) of this section includes for the purposes of this section a reference to natives of the Northern Section of the British Sphere of Togoland as well as to natives of the Protectorate.”

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Enacted this 12th day of May, 1927.

J. C. MAXWELL,  
*Acting Governor of the Gold Coast.*

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