

1927

Kingya

No. 10018

CO 533/364

Part II

SUBJECT

Defence Force Ordinance

Previous

File No. 2

REVISION OF RECORDS SECTION

This File should be returned to
Queen Street when no longer required.

Subsequent

15298/28

15262/28

X 10018
1927

KENYA

X 10018
1927

intimation file

The Defence Force Ordinance

Previous

Sec 1

Subsequent

X. 15298/28

X. 15262/28

4/12

E.A.D. 7/12

Mr Allen 8/12

Mr Wiseman 10/12

Mr Pittman 12/12

Mr S. Wilson 16/12

Mr. Murphy 17/12

REA

X. 10018/27

27
3

Sir J. Mackenzie

If you consider that H.M.'s assent
can only be conveyed by a
Principal Sec of State

Yes
S.R.

I do so by despatch bearing in
sig of an available S. off. (Ch. W. Johnson-
Hicks) and as soon as despatch
has been signed tel its substance in
tel signed as usual "Pecet"

E. S. Howell
10/18/27

Mr. B. Thomas

The despatch follows the usual form of
words adopted when HM assents to
- Colonial Revenue Bill through a Principal
Sec of State

FR

16/18/27

Off as per 5489 of 25 Hong Kong - despatch
& telegram - morning tel: to Mr. Howell
in direct.

After consulting Sir C. Mackenzie I have
sent an explanatory tel: promising a
further one.

Under Secretary

10/18/27

The W.O. has rung up for tracking about the
 Defence Force. A regular Army officer had applied to
 him to be considered for staff officer &
 they found that they had no info about either the
 staff or the force. The tracking pointed out that they
 must have some info as to ^{memo} C.O.C. (part of which
 all this arose has formed the subject of corres-
 - to them.

It is however desirable that we should now send them
 info as to ~~the~~ developments, especially as we
 are about to back them in another paper (10377) dealing
 primarily in separately to put of records & suitable
 items in the P.O.'s post.

We might send them Ref 2830/26 copy of the
 memo in 650 & say that the changes in the
 memo since 2830/26 & the circles in which it was
 issued will be present form are explained in

the following paper & sending copies: -
 1. memo
 2. memo & report in 605: At Jaul's report
 introduction in 53: & the department's views ^{below}
 - 10/6/27. (transferred to 62 but it belongs)
 M.H.

27/10/27
 The last page of the memo in 62 shall
 be omitted
 But I - indeed think that

disapprove &
 being in
 regard the
 margin).

we had better ^{also X-10016/17} put the memo & report
 in No 5, as we don't want to clutter
 the ^{now} with intermediate stages
 - I have spoken to the ^{at once} R.O.
 Maclean who says he
 expects to be ^{report}
 being sent. ^{March 27/10/27}
 M.H. 28/10

63 To W.O. (w/ing orders for action, ^{5/2} Cons
 Legal Report, C.O. memo) = 8 NOV 1927
 63^a Tel. to Gov. file personal ^{memo of Subj. etc} 8 November, 1927.
~~RECEIVED UNDER STATUTE~~ 8 Nov, 1927

Kindly Mr. Patrick Lawrence.

Subj paper
 & Sub file A

65 Copy L.O.A. to Hq. 22 Nov, 1927. 1/2 on Sub. filed
 Can be ^{see} 18.11.27.
 M.H. Can work in in 1. paper

66 Malit, M.H. 17th
 November, 1927
 Submits views regarding exclusion
 of Indians from positions of Defence Force

X. 10019/27
in Boothby

to regard the Malik's letter
it would be dangerous to make
comment in writing on what it
contains.

It is noted & will be borne in mind
that, as far as I see, that his if =

R. W. [unclear]

22/11/27

Wed. 22.11.27.

546
24.11.27.

See [unclear] 1700

To M. H. Malik — 25th Nov, 1927.
(no. 66 and)

X.10018/27
Mr B. P. ...

to regard Mr Malik's letter
it would be dangerous to make
comment in writing in what it
contains.

It is noted & will be borne in mind.

R. W. ...
22/11/27

Wed. 22.11.27.

546
21/11/27

Mr. B. P. ...

To M.H. Malik — 25th Nov, 1927
(note and)

68 — Mr. Gigg — 5th December, 1927

States lines on which Defence Force is to
be established and adds that there is at
present no sign of any opposition whatever.

This telegram is sent in reply to
Mr. Gigg's private and personal telegram of
the 2nd inst. The information was required in view
of the possibility of the interference raised in
connection with the proposed policy.

It is to be noted that the telegram had a word
of criticism on the points to the part which the
Defence Force is expected to play in the Defence
of England. The details in the telegram as to
the proposed force, subject to the approval of the
Government, and who is to be responsible for
the maintenance of the local governments in
the event of the local authorities, and
the proposed force, subject to the matter with
reference to the Inspector General, when he reaches
England. It is to be noted that the proposed
force is to be maintained by the local authorities.
It is to be noted that the proposed force is to be
maintained by the local authorities. It is to be noted
that the proposed force is to be maintained by the
local authorities. It is to be noted that the proposed
force is to be maintained by the local authorities.

(The above is ^{agreed} correct)

R. W. Allen
8/12/27

I hardly think we need take up
at present the point about reducing the R.A.F.
(Part) unless Mr. Gigg's views

x. 10018/27

~~10018/27~~ Hof Comm. as — 9th Dec, 1927.

any papers in sub file A

Let by Mr. Rennie Smith.

etc, anything privately then to

guy

R. Wiseman

10.12.27

Col. Walker will be there soon &
I would say nothing about the U.S.R.
point.

WCS 10.12.27

no further force

to sec.

B.H.B.

16.12.27

WCS 17.12.27

710

sub 3 to Lya - 20 Dec, 1927 on
sub. file "A"

RECEIVED
-6 DEC 1927
COL. OFF. CE

68

TELEGRAM from the Governor of Kenya to the Secretary of State for the Colonies.

(Dated 5th December Received Colonial Office 5.15.p.m. 5th December, 1927.)

5th December Private and Personal.

No 630
Your telegram of 8th November. Pending appointment of a Staff Officer plans and estimates for organisation of Defence Force are still in a rudimentary stage. Committee appointed to deal with the subject will not report for some time and I can only give a short outline of the purpose(s) which the Government has in view. The first purpose is enrolment of all able bodied men coming under defence ordinance by districts and establishment of central depot in each district. It is not suggested that the majority of the men enrolled will require any training at all. Enrolment is the main object. The second purpose is to train all youths or young men who have not hitherto had any training at all. Purpose behind these measures is first to reduce expenditure on defence by making the whole K.A.R. reserve available for service if needed on the frontier or elsewhere. The Elected Members believe that this should lead to reduction of at least two companies costing roughly £40,000 per annum. Secondly, to show that Europeans in this country are prepared to undertake all moral obligations of citizenship and not to entrust the whole duty of supporting the government in emergency to African troops and police. And, thirdly, to imbue the European youth of the country with a clear understanding of their obligations in this respect and with sufficient training to perform them. The cost of the scheme cannot be at present reckoned

RECEIVED
-6 DEC 1927
COL OFFICE

reckoned but it will be low. Main items will be travelling expenses and rations for the men in training. It is also possible that a few instructors may have to be paid. Rifles required are all available in present reserves of the Colony but further ammunition for course(s) of musketry and reserve will be required. In reply to your particular question census shows the following number of men available in different classes. Class I age 18 to 30 - 2000, Class II, age 30 to 40 - 2000, Class III age 40 to 50 - 1500, Class IV age 50 upwards 1000. Classes II III IV are liable under the Ordinance for period of training not ~~exceeding~~^{exceeding} 12 hours per annum. In all probability even this short period will not be enforced. Of the 2000 in Class I ^{?probable} probability that those only without training will be called out and will do about 7 days annually. Training will consist mainly of elementary drill and course of musketry. With regard to the feeling in the Colony I am being steadily pressed by all elected members to put into force the ordinance and was cheered in the Council when I stated that it should come into force on 1st January as soon afterwards. There is at present ~~no~~^{no} sign of any opposition whatever but it is always possible that some elements in Nairobi may be stirred up again. They are however small minority and I have no doubt whatever that the European community in the Colony as a whole is determined to see the ordinance carried out on the very modest lines which I have outlined above.

GOVERNMENT HOUSE,
NAIROBI,
KENYA.

11th November 1927

My dear Mr. Bottomley,

His Excellency has instructed me to send you some copies of his speech of the 17th of December, 1926, in case you have not got them by you, about the Defence Force question.

This is in regard to the private and personal telegram which arrived yesterday, asking for various pieces of information about the Defence Force Bill. No doubt His Excellency is writing more fully, so that I will not say more.

All good wishes to Mrs. Bottomley and yourself,

Yours sincerely,

A. J. Dutton,

W.G. Bottomley Esq., C.M.G., C.B.E.,
Colonial Office,
London.

M. H. Malik
Barrister at Law

P. O. Box 655
House 336

13 Hermitage Road,
Richmond,

Nairobi,
Kenya Colony

17th November 1927

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Confidential

Right Hon. Major Crmsby Gore M.P.
Under Secretary of State for Colonies.

Sir,

At the interview so kindly granted to me by you on the 7th instant, I overlooked to bring a very important matter to your notice in connection with the Kenya Defence Force. The Indian community, as you know, has been excluded from the provisions of this Ordinance in spite of their desire, as a community, for enrolment in the force alleged to be necessary for the Defence of the Colony. They have expressed the desire several years ago when the question was first raised, by sending a resolution to that effect through the Indian National Congress.

I happened to be present at a meeting addressed by Lord Francis Scott at the time the Bill was before the Council early this year or at the end of the last year. I can give the exact date from my Diary. This meeting was held in the Court House at Mwachos and the whole audience consisted of Europeans. The speaker Lord Francis Scott when explaining the necessity of this measure said inter alia that the raising of the force and training the male European population of the colony was necessary in order to meet the emergencies such as those created by the Indian question in 1923 and native trouble of Harry Thuku. I do not pretend to remember the exact words of the speaker, but the effect or purport thereof was as stated above. I went that day to Mwachos as I had a case to conduct in the court of the District Commissioner and took my seat for a few minutes on one of the back seats presumably unnoticed by the speaker.

You will thus see the real object in view in raising the Defence Force. The natives and Indians will thus be at the mercy of these people having neither arms nor training for their defence. I have not mentioned this speech to any body as I thought to do so in Kenya might complicate the position. I am communicating this information to you hoping that you will not treat this matter lightly. After all coloured people also are an important part of His Majesty's subjects - always loyal and law abiding. Their weakness should not, I submit, be thus taken advantage of. They look to you for protection and justice. Although I am not personally apprehensive of any such danger from the European

Unred - 25 Nov, 1947

M. H. Mutitu,
Barrister at Law.

P. O. Box 655,
Nairobi 336.

Nairobi,
Kenya Colony.

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page 2

Reference Force; the matter does give one ample cause for anxiety. The use of a Law Court building for such a meeting is a gross encroachment on the sanctity of Law and Justice and is indefensible leaving alone the utterances of the speaker.

I have the honour to be,

Sir,

Your most obedient servant,

M. Mutitu

Mr.
Mr.
Mr.
Mr. E. J. Harding.
Sir C. Strachey.
Sir J. Shuckburgh.
Sir G. Grindle.
Sir C. Davis.
Sir S. Wilson
Mr. Ormsby-Gore.
Lord Lovat.
Mr. Amery.

Ho.

Answer no. 68

12
Coded report
2-45/8/1/27

WJG 8.11.27

Private and Personal.

I anticipate that the Kenya Defence Force Ordinance will be raised in debate in both Houses of Parliament, mainly in connection with general disarmament policy.

DRAFT. TELEGRAM

Attitude of opposition spokesmen roughly as follows. At time when British Government is endeavouring to reduce military forces throughout the world by international agreement they are creating a new conscript armed force in one particular Colony. It would assist Government spokesmen if you could furnish estimate of total number of men likely to be enrolled in new Kenya Force by age categories periods and methods of training proposed and estimated annual cost. In particular how is 100 hours training per year to be carried out and how many

GOVERNOR.

NAIROBI.

of total enrolled likely to be
exempted from this maximum period.

In replying you might add any general
remarks as to present feeling in
the Colony about the Ordinance and
present strength of local opposition,
as Cable has personally seen a good
many opposition leaders here.

total enrolled likely to be

exempted from this maximum period.

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remarks as to present feeling in

the city about the Ordinance and

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to Sir Elyng
Private & Personal

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to Sec.

Mr. Bottomley

Has discussed with Mr. Bottomley
I think this might be as it stands.
I don't know if he would be for or against it.
see page 8.11.17. R.H.H.

to Sir Elgiss
Private & Personal

I anticipate that the Kenya Defence Force (KDF) will be raised in debate in both Houses of Parliament, mainly in connection with general disarmament policy. Attitude of Opposition spokesmen roughly as follows. At time when British govt is endeavouring to reduce military forces throughout the world by international agreement they are creating a new conscript armed force in one particular colony. It would assist government spokesmen if you could furnish estimate of total number of men likely to be enrolled in new Kenya force by age categories.

Mr. W. G. ...
The Sec.

Have discussed with Mr. Bottomley
I think this might be as it stands.
I don't know if Mr. Bottomley has written to
see again or not. S.H.H.

periods and methods of
training proposed and
estimated annual cost
In particular there is
100 hours training
per year to be carried
out & how many of ~~total~~^{enrolled}
likely to be exempted
from this maximum
period. In replying
you might add any
general remarks as
to present feeling in
the colony about the
Ordinance and ^{present} strength
of local opposition as
Cable has personally
seen a good many
opposition leaders here.

periods and methods of
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In particular how is
100 hours training
per year to be carried
out & how many of ~~total~~^{enrolled}
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general remarks as
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the colony about the
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of local opposition as
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opposition leaders here.

63¹⁴

Mr. Seel. 28/11
Mr. Allen 2/11
Mr.
Mr. Bottomley
Mr. E. J. Harding.
Sir J. Shackburgh
Sir G. Grindie
Sir C. Davis
Sir S. Wilson
Mr. Ormsby-Gore.
Lord Lovat
Mr. Amery.

X.10018/27 Kenya.

Ans. Attached above

Downing Street,

~~Oct. 1927.~~
- 9 NOV 1927.

Sir,

With reference to your letter No. 0165/1860 (C.I.) of the

(X.2830/26) 20th March, 1926, I am directed

DRAFT.

U.S. OF S.
WAR OFFICE.

to transmit to you for the information of the Army Council, a copy of the Kenya Defence Force Ordinance, 1927, which has now received the Royal Assent.

2. The Army Council will observe that the text of this Ordinance has undergone certain amendments since the date of your

Kenya Defence Force Ord. 1927.
Legal Report by A.G. (enclosed)
C.O. Memo. (No. 62) with No. 53.
last page.

*Means of Sale of Tanzei
(5th schedule for pages
26-28 & 3a 2/11 &
12 Jan 1927)*

Letter

letter under reference. In this
connection I am to enclose for the
information of the Army Council a
memorandum
copy of a ~~Memo.~~ by the Attorney
General Kenya, explaining the
circumstances in its present form.

A copy of a ~~Memo.~~ *memorandum* which has been
~~prepared~~ *prepared* in this Dept. on the history

of the Ordinance is also enclosed,
together with a copy of the ~~memo~~
the Lam, etc.
prepared by the School Committee of the
Kenya Legation *attached to*
consider the provisions of the
as Bill published in Nov. 1926

Saint

(Signed) D. A. WISEMAN

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memorandum
A copy of a ~~Memo.~~ which has been
prepared
~~prepared~~ in this Dept. on the history

of the Circumstances is also enclosed,
together with a copy of the *Memorandum*
the Law, etc.
prepared by the *Attorney General* & the
Kenya Legislative Council *as published*
in the *Kenya Gazette* & the
as
Bill published in No. 426

Sawyer

(Signed) P. A. WISEMAN

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COLONIAL OFFICE MEMORANDUM

KENYA DEFENCE ORDINANCE.

In 1919 the Acting Governor of Kenya submitted to the Secretary of State two Ordinances providing respectively for the establishment of a Defence Force and Territorial Force. He explained that the proposal for a European Defence Force had emanated from a convention of Associations in 1913, but had been held up on account of the war. Under the Ordinances, service in the Defence Force was to be compulsory with certain exceptions for Europeans; the Territorial Force was to be organised on a voluntary basis. On presentation to the Legislative Council in August, 1921, the Defence Force Ordinance was rejected partly because the unofficial members were at that time opposed to the element of compulsory service which it embodied, and partly on grounds of expense. The Territorial Force Ordinance was remodelled and became a law in 1921 being subsequently amended but no steps were taken to establish the Force. The Governor subsequently explained that it was not intended to bring this Force into being until the Defence Force Bill had been reconsidered.

At the end of 1923 a revised Defence Force Ordinance again providing for compulsory service was introduced by the Local Government on its own initiative and passed by the Legislative Council on 4th January, 1924. The Secretary of State (Mr. Thomas) was not prepared to approve the principle of compulsory service and the Governor was instructed on the 19th of July 1924 not to assent to the Bill.

In November 1924 the Governor (Sir R. Coryndon) wrote asking that further consideration might be given

to

to the Bill saying that the feeling amongst the British Colonists was emphatically in favour of it. He pointed out that the absence of local defence arrangements as provided under the Bill would mean that in the case of native risings much less of life and property might come in the scattered farm areas before a force could be sent to the area affected. He added that there was widespread feeling in favour of some form of compulsion and the elected Members believed that no Bill from which the principle of compulsion was eliminated would be likely to win the active sympathy and support of the Community.

After considering this despatch, Mr. Angus replied on the 4th of February, 1925, that he agreed in principle to the Governor's proposals but required to be satisfied as to the proposed use of the Force, its training, its relations with the O.C. Troops, and its cost. The papers were then referred to the Overseas Defence Committee for an examination of the details and with the Acting Governor's reply on the points mentioned. As regards the use of the Force, Mr. (now Sir E.) Dugan the Acting Governor stated that in the event of another unrest or rising the Force would be employed with a view to localising unrest so far as possible and protecting life and property until such time as the situation could be handled by the King's African Rifles and, if necessary, by the Territorial Force. The Force would be under the O.C. Troops who would in normal times be the Chairman of the Central Committee which would regulate the organisation of the Force. The Report of the Overseas Defence Committee upon the provisions of the Bill was not presented until February, 1925, and at about the same time steps were taken to submit to the Committee of Imperial Defence for confirmation the principle of compulsion

compulsory service embodied in the Defence Force Bill (which was done on the 25th of February, 1926). The Committee recommended reference to the Cabinet who on 3rd March 1926 authorised the Secretary of State to approve the Bill.

On the 27th of March the Secretary of State telegraphed to the Governor that the Bill would be approved subject to extensive amendments which did not affect the principle of the Bill. The two most important amendments suggested by the Oversea Defence Committee were:-

- (a) that the powers conferred on the Governor were too wide and it was suggested that the Ordinance should define the total period of time in any one year for which a member of the Defence Force might be required to appear for inspection, training or rifle practice.
- (b) that "it was questionable whether the compulsory oath should be required of persons deemed to be enrolled whether they wished it or not. A similar power was given in the Australian Defence Act of 1903 but there was nothing of the kind in the British National Service Act."

[Handwritten note:]
 This matter was discussed at the interview with the representative of the Government on 2nd July 1926. The result was not required in Africa or in Rhodesia & the other territories.

The Committee recognised that although the principle of compulsion had not been adopted in the Colonies generally it might be necessary to resort to this method in Kenya in order to organise the adult male Europeans in that Colony into efficient military forces for dealing with any disturbances which might arise. In East Africa where there was a small white population living in the midst of a large native population the conditions were somewhat different from those generally prevailing and past experience had shown how difficult it was to raise and maintain from a small scattered white population

population an efficient military force on a voluntary basis. The remarks of the Oversea Defence Committee were sent out to Sir E. Grigg in a despatch dated 7th of April 1926. The Governor was asked to take the earliest opportunity to re-introduce the Bill with the appropriate alterations before the Legislative Council.

On the 6th of November, 1926, Sir E. Grigg telegraphed that he proposed to recommend the Bill to Council before the end of the year for the incorporation of the amendments suggested by the Imperial Defence Committee. He added that he was not putting it before the Council at that Session as its final form was still receiving consideration.

Sir E. Grigg came on leave in January 1927 and on 31st March the Acting Governor Mr. Daphin sent a despatch enclosing copies of the Bill and of a memorandum which had been published. In this memorandum the following extract from a speech made by the Governor on 17th December, 1926, was included:-

"It is surely manifest that nothing which is good for European morale in this Colony can be anything but beneficial to the African. There is no danger of strained relations between the races here unless the European becomes too dependent upon African services and the African realises that he is so. We rely at present entirely upon African soldiers and African police. Splendidly they have served us. But they will serve us all the more loyally if they realise that at any moment when the King's peace may be endangered, organised Europeans, as well as organised Africans, will answer the King's call. Peace is a common interest of both races; it should not be left to the guardianship of the more backward alone; and some such organisation as this Bill provides

provides is necessary to give adequate mobility to the reserve companies of the King's African Rifles, should they be needed to maintain peace upon our frontiers, as they have been in the past and as they may be again. Such mobility is impossible unless Europeans, as well as Africans, are organized to provide the King's Government with the necessary safeguards for good order at home".

"That is the whole issue. Our Government in this Colony is not based on force alone. Far from it. But no Government in the world can dispense with a reserve of force available at call. Is that reserve to be wholly African? I say that it accords neither with the spirit nor the tradition of our race that it should be so. The organization of a Defense Force will express our readiness to serve, equally with enlisted Africans, should the need arise. It will make for economy, for tranquility, and, above all, for sound and steady morale."

The Acting Governor also pointed out in his despatch that a Select Committee of the Legislative Council had been appointed and had reported on the Bill. On the 2nd of May he telegraphed that the Council would meet on the 10th of May and he proposed that the Bill should then be introduced and taken through all its readings; he added that a petition had been in circulation against any form of compulsory enlistment.

On the 9th of May, the Secretary of State telegraphed that the Bill had not been completely re-examined, but he was anxious that if passed it should represent the wishes of the European population. He added that the Bill should be reserved for His Majesty's consent and sent him with a full report.

On the 15th of May the Acting Governor reported that the Bill had passed its third reading that day and that on the second reading the division in the Council showed thirty-three in favour of the Bill and one against the latter being an Indian Member who supported the principle of the Bill but desired the inclusion of Indians. The votes in favour included that of the nominated unofficial member representing the native and that of the Chief Native Commissioner. Canon Britton (the former of these) stated that he was "satisfied that this Defence measure was brought about in order to defend the African community, just as much as any other part of the community in Kenya, and that the African community will benefit by this Defence Force Bill". Both members repudiated the notion that there was anything in the Bill in any way directed against the native population.

On Tuesday the 5th of July, the Secretary of State received a Deputation from the National Council for the Prevention of War and explained that the Bill was the considered desire of the local community directly affected and while he had no desire to force compulsory service upon them he was not prepared to intervene if it was their wish to have compulsory enlistment. *Anti 6*
U. K. ...

On the 13th of August the Acting Governor was informed that His Majesty was pleased to assent to the Bill.

MEMORANDUM PREPARED BY A SELECT COMMITTEE OF LEGISLATIVE COUNCIL APPOINTED TO CONSIDER THE PROVISIONS OF THE DEFENCE FORCE BILL AS RECENTLY PUBLISHED AND TO MAKE RECOMMENDATIONS THEREON.



1. Compulsory Service.

The Committee, with one dissentient, are agreed that local conditions necessitate the adoption of the principle of compulsory service in the Defence Force in order to organize the European population into an efficient and properly constituted Force for dealing with internal disturbances. (The Member for Harrold North, although personally in favour of compulsory service for community defence in time of emergency, feels compelled as the result of a majority vote of his constituents to press for a Bill providing for voluntary service and to oppose any measure providing for compulsory service until a voluntary system has been given a fair trial.

2. Division of Defence Force into Classes.

The Committee recommend that the Defence Force should be divided into Classes, as follows:-

Class I. Persons who have attained the age of 18 years and have not attained the age of 30 years.

Class II. Persons who have attained the age of 30 years and have not attained the age of 40 years.

Class III. Persons who have attained the age of 40 years and have not attained the age of 50 years.

(Enrolment in the above Classes to be compulsory

upon all male British subjects of European origin or descent, subject to the exemptions set out in the Bill as published).

Class IV. Persons who have attained the age of 50 years and have not attained the age of 60 years.

(Enrolment in this Class to be optional, but every person so enrolling to become subject to all the duties and obligations imposed by law upon members of this Class).

3. Organisation.

The Committee recommended the formation of the following Committees:-

- (a) A Central Committee composed of the Officer Commanding Troops and one delegate from each Defence Force District.
- (b) A Central Sub-Committee composed of the Officer Commanding Troops and three other Members of the Central Committee. (The main function of this Sub-Committee would be to advise the Governor in cases of emergency when it would be inconvenient to await the assembling of the Central Committee).
- (c) A District Committee in each Defence Force District to be appointed by the Governor on the recommendation of the members of the Force in that District. The District or Resident Commissions in each Defence Force District to be ex-officio members of this Committee.

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upon all male British subjects of European origin or descent, subject to the exemptions set out in the Bill as published).

Class IV. Persons who have attained the age of 50 years and have not attained the age of 60 years.

(Enrolment in this Class to be optional, but every person so enrolling to become subject to all the duties and obligations imposed by law upon members of this Class).

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- (c) A District Committee in each Defence Force District to be appointed by the Governor on the recommendation of the members of the Force in that District. The District or Resident Commissions in each Defence Force District to be ex-officio members of this Committee.

4. General Training.

The Committee recommend that the periods of compulsory training which each Class of the Defence Force should be liable to undergo should be limited as follows:-

Class I. A period not exceeding in the aggregate 100 hours in any one year.

Classes II, III and IV. A period not exceeding in the aggregate 12 hours in any one year.

(The above periods to be exclusive of the time taken in travelling to and from the place of assembly).

5. Musketry Training.

The Committee recommend that power be taken to require any member of the Defence Force to fire a prescribed musketry course, but that such a course should not be compulsory on ANY member of the Force as provided in the Bill.

6. Exemption from Training.

The Committee recommend that District Commandants should be empowered to exempt any member of the Defence Force in his District from all or any part of his annual training mentioned in paragraph 4 above.

7. Calling out Defence Force.

The Committee recommend that there should be no power to call out the Defence Force or any part thereof for ceremonial parades or for any other purpose ^{other} than training and service. It is further recommended that power should be given to the Governor to order the Force or any part thereof to hold itself in readiness for emergency in lieu of actually calling it out, and that upon such order being given members should become subject to the provisions of the Army Act as if they were on service.

8. Active Service.

The Committee recommend that the liability of the Defence Force for service should be limited to service within the Colony.

9. Oath.

The Committee recommend that the provision in the Defence Force Bill as published, requiring each member of the Force to take the oath, should be omitted.

10. Pensions and Gratuities.

The Committee recommend the appointment of a Pension Board to advise the Governor in regard to the grant of pensions and gratuities, and further recommend that the maximum gratuity in respect of temporary disablement should be a sum of £250.

11. General Remarks.

Subject to the modifications and amendments recommended in the preceding paragraphs of this Memorandum, the Committee are in general agreement with the provisions of the Defence Force Bill as published, but certain members have recorded reservations as noted below.

- P.S. Davies, Lieut.-Colonel.
- W.C. Huggard.
- Francis Scott.
- J.A. Angus.
- E.M.V. Kenealy.
- T.J.O'Shea.
- Conway Harvey.

Hon. Members for Ukamba and the Lake:

That Class IV should read "Persons who have attained the age of 50 and over".

Hon.

75

Hon. Member for Plateau South:

Suggests that the last clause of paragraph 7 of the Report (dealing with the application of the Army Act) should be reconsidered to avoid the possibility of political abuse.

Hon. Members for Kenya:

Agrees to the Report with the exception of paragraph 11.

In a covering letter the Select Committee expressed the opinion that provision should be made for the inclusion in the curriculum of all European Boys' Schools of courses of physical training, drill and musketry, and that, where possible, similar courses should be provided in the various districts for boys under the age of 18 years who do not attend schools. In this connection Government is already considering the formation of Cadet Corps in Schools, and also views with favour the provision adopted in the Union of South Africa and Southern Rhodesia whereby young men under 23 are liable to attend annual camps for training and instructions.

In addition to the exemptions outlined in the Bill, Government proposes to exempt members of Executive Council and Ministers of Religion.

By Order of the Government.

Nairobi,

11th January, 1927.

K. B. DENHAM.

Colonial Secretary.

1. 2. 3. 4. 5. 6. 7. 8. 9. 10.

11. 12. 13. 14. 15. 16. 17. 18. 19. 20.

21. 22. 23. 24. 25. 26. 27. 28. 29. 30.

31. 32. 33. 34. 35. 36. 37. 38. 39. 40.

41. 42. 43. 44. 45. 46. 47. 48. 49. 50.

51. 52. 53. 54. 55. 56. 57. 58. 59. 60.

61. 62. 63. 64. 65. 66. 67. 68. 69. 70.

71. 72. 73. 74. 75.

76. 77. 78. 79. 80.

81. 82. 83. 84. 85.

18th October, 1927

Dear Waterhouse,

On the 11th October you sent me a letter regarding the Kenya Conservation Bill asking for comments upon the extracts from correspondence which you forwarded with your letter.

I enclose a memorandum prepared in the Colonial Office, which I think will answer the point raised, and which will too, I hope, reassure the Prime Minister.

Yours sincerely,

Copy sent to Mr. C. ... - 9 Nov 27

Lt. Col.

Sir Ronald Waterhouse, KCB., CMG., CVO.

KENYA DEFENCE ORDINANCE.

In 1919 the Acting Governor of Kenya submitted to the Secretary of State two Ordinances providing respectively for the establishment of a Defence Force and Territorial Force. He explained that the proposal for a European Defence Force had emanated from a Convention of Associations in 1913, but had been held up on account of the war. Under the Ordinances, service in the Defence Force was to be compulsory with certain exceptions for Europeans; the Territorial Force was to be organized on a voluntary basis. In August, 1921, the Legislative Council in August, 1921, the ~~substantive~~ representation of the Defence Force Ordinance was rejected partly because the unofficial members were that time opposed to the element of compulsory service which it embodied, and partly on grounds of expense. The Territorial Force Ordinance was remodelled and became a law in 1921 being subsequently amended but no steps were taken to establish this Force. The Governor subsequently explained that it was not intended to bring this Force into being until the Defence Force Bill had been reconsidered.

At the end of 1923 a revised Defence Force Ordinance again providing for compulsory service was introduced by the local Government on its own initiative and passed the Legislative Council on 4th January, 1924. The then Secretary of State (Mr. Thomas) was not prepared to approve the principle of compulsory service and the Governor was instructed on the 19th July 1924 not to assent to the Ordinance. ^{Bill}

In November 1924 the Governor (Sir R. Coryndon) wrote asking that further consideration might be given to the Bill saying that the feeling amongst the British Colonists was emphatically in favour of it. He pointed out that the absence of local defence arrangements as provided under the Bill would mean that in the case of native risings much loss of life and property might ensue in the scattered farm areas before a force could be sent to the area affected. He added that there was wide-spread feeling in favour of some form of compulsion and the elected Members believed that no Bill from which the principle of compulsion was eliminated would be likely to win the active sympathy and support of the Community.

After considering this dispatch, Mr. Amoy replied on the 6th of February, 1925, that he agreed in principle to the Governor's proposals but required to be satisfied as to the proposed use of the Force, its training, its relations with the C.S. Troops, and its cost. The papers were then referred to the Governor's Defence Committee for an examination of the details and with the Acting Governor's reply on the points mentioned. As regards the use of the Force, ^{later} Sir H. Dorman the Acting Governor stated that in the event of native unrest or rising the Force would be employed with a view to localising unrest as far as possible and protecting life and property until such time as the situation could be handled by the King's African Rifles ~~arriving~~ if necessary.

30

necessary, by the Territorial Force. The Force would be under the O.C. Troops who would in normal times be the Chairman of the Central Committee which would regulate the organization of the Force. The Report of the Oversea Defence Committee upon the provisions of the Bill was not presented until February, 1908, and at about the same time steps were taken to submit to the Committee of Imperial Defence for consideration the principle of compulsory service embodied in the Defence Force Bill (which was done on the 25th of February, 1908). The Committee recommended reference to the Cabinet who on 3rd March 1908 authorized the Secretary of State to approve the Bill.

On the 27th of March the Secretary of State telegraphed to the Governor that the Bill would be approved subject to extensive amendments which did not affect the principle of the Bill. The two most important amendments suggested by the Oversea Defence Committee were:-

- (a) that the powers conferred on the Governor were too wide and it was suggested that the Ordinance should define the total period of time in any one year for which a number of the Defence Force might be required to appear for inspection, training or drill practice.
- (b) that "it was questioned whether the compulsory oath should be required of persons deemed to be enrolled whether they wished it or not. A similar power was given in the Australian Defence Act of 1903 but there was

31

was nothing of the kind in the British National Service Acts".

The Committee recognized that although the principle of compulsion had not been adopted in the Colonies generally it might be necessary to resort to this method in Kenya in order to organize the adult male Europeans in that Colony into efficient military forces for dealing with any disturbances which might arise. In East Africa where there was a small white population living in the midst of a large native population the conditions were somewhat different from those generally prevailing and past experience had shown how difficult it was to raise and maintain from a small scattered white population an efficient military force on a voluntary basis. The remarks of the Oversea Defence Committee were sent out to Sir E. Grigg in a despatch dated 7th of April 1926. The Governor was asked to take the earliest opportunity to re-introduce the Bill with the appropriate alterations before the Legislative Council.

On the 6th of November, 1926, Sir E. Grigg telegraphed that he proposed to recommend the Bill to Council before the end of the year for the incorporation of the amendments suggested by the Imperial Defence Committee. He added that he was not putting it before the Council at that session as its final form was still receiving consideration.

Sir

Sir E. Grigg came on leave in January 1927 and on 31st March the Acting Governor Mr. Denham sent a despatch enclosing copies of the Bill and of a memorandum which had been published. In this memorandum the following extract from a speech made by the Governor on 17th December, 1926, was included:-

"It is surely manifest that nothing which is good for European morals in this Colony can be anything but beneficial to the African. There is no danger of strained relations between the races here unless the European becomes too dependent upon African services and the African realises that he is so. We rely at present entirely upon African soldiers and African police. Splendidly they have served us. But they will serve us all the more loyally if they realise that at any moment when the King's peace may be endangered, organised Europeans, as well as organised Africans, will answer the King's call. Peace is a common interest of both races; it should not be left to the guardianship of the more backward alone; and some such organisation as this Bill provides is necessary to give adequate mobility to the reserve companies of the King's African Rifles, should they be needed to maintain peace upon our frontiers, as they have been in the past and as they may be again. Such mobility is impossible unless Europeans, as well as Africans, are organised to provide the King's Government with the necessary safeguards for good order at home!

"That is the whole issue. Our Government in this Colony is not based on force alone. For

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from it. But no Government in the world can dispense with a reserve of force available at call. Is that reserve to be wholly African? I say that it accords neither with the spirit nor the tradition of our race that it should be so. The organisation of a Defence Force will express our readiness to serve, equally with enlisted Africans, should the need arise. It will make for economy, for tranquillity, and, above all, for sound and steady morale."

The Acting Governor also pointed out in his despatch that a Select Committee of the Legislative Council had been appointed and had reported on the Bill.

On the 2nd of May he telegraphed that the Council would meet on the 10th of May and he proposed that the Bill should then be introduced and taken through all its readings; he added that a petition had been in circulation against any form of compulsory enlistment.

On the 9th of May, the Secretary of State telegraphed that the Bill had not been completely re-examined, but he was anxious that if passed it should represent the wishes of the European population. He added that the Bill should be reserved for His Majesty's consent and sent home with a full report.

On the 15th of May the Acting Governor reported that the Bill had passed its third reading that day and that on the second reading the division in the Council showed thirty-three in favour of the Bill and one against, the latter being an Indian Member who supported the principle of the Bill but desired the inclusion of Indians. The votes in favour included that of the nominated unofficial member representing the native and that of the Chief Native Commissioner. Canon Britton (the former of these) stated that he was "satisfied that this Defence measure was brought about in order to defend the African community, just as much as any other part of the community in Kenya, and that the African community will benefit by this Defence Force Bill". Both members repudiated the suggestion that there was anything in the Bill in any way directed against the native population.

On Tuesday the 5th of July, the Secretary of State received a Deputation from the National Council for the Prevention of War and explained that the Bill was the considered desire of the local community directly affected and while he had no desire to force compulsory service upon them he was not prepared to intervene if it was their wish to have compulsory enlistment.

On the 13th of August the Acting Governor was informed that His Majesty was pleased to assent to the Bill.

15

To sum up:-

1. It is untrue that the Bill was rushed through its final reading in the Legislative Council on telegraphic instructions from Mr. Amery and in the teeth of unheard of opposition. The matter had been subjudice since 1924; the decision that compulsory service should not as a matter of principle be ruled out was given in February, 1926; and the terms of the Bill, including the Compulsory Service provision (and also, it is true, the provision for the oath) were published in November, 1926 and were before the electors when they chose representatives who voted ~~unanimously~~ for compulsion in May, 1927.

2. The omission of the Oath of Allegiance was suggested by the Overseas Defence Committee. The Acting Colonial Secretary stated publicly in the Debates on the Bill in Council on 12th May 1927 that the clause was not contained in similar laws in South Africa and Southern Rhodesia and was omitted for "this and no other reason."

3. The Bill is not a menace to natives and is not intended as such.

4. The decision as to compulsion is emphatically that of the European population of the Colony expressed through their chosen representatives.



10, Downing Street,
Whitehall

5th October 1927.

Dear Edgumbe,

Kenya Conscription Bill.

The attached copy of an extract and enclosures to a letter just received appear to be rather disturbing.

I understand from corroborative information that sundry Leaders of the Opposition are briefing themselves thoroughly with a view to attack principally on the grounds that last November Grigg brings in a "Drastic Conscription Bill" while the Prime Minister at home and his Cabinet are expressing earnest hopes in the interests of Peace; and also on the basis that this Bill was rushed through its final reading in the Legislative Assembly by Grigg on telegraphic instructions from Mr. Amery receiving the Royal Assent on August 5th last, in the teeth of unheard opposition, and in reversal of previous Colonial Office policy.

That is I think the case as represented. May I have your comments and I hope reassurance?

Yours sincerely,

J. A. P. Edgumbe Esq., C. B. E.

Robert B. Edgumbe

COPY

You know the details of the Conscription Bill. You will perhaps agree that in supporting it Amery has smirched the honour and good faith of the British Government. In opposing the Bill I have, as you know, no political objective. In fact I placed the facts before you some months ago for the information of Mr. Baldwin.

Now that Amery has obtained the Royal Assent to the Bill without even giving me an opportunity of personally presenting the case of those who signed the Petition to H.M. the King I have placed the facts before the Liberal and Labour parties of whose hearty support I am assured. I'm also told that many Conservatives will support our protest.

Under the Bill the Governor can exempt persons from the operation of the Act and I suggest that perhaps Mr. Baldwin may see his way to order Grigg to exempt the whole Colony sine die or otherwise to suspend the operation of the Act.

Grigg's friends are snooked at his action in urging the Bill through.

RESUME OF CASE AGAINST BILL.

- 1. Grigg alleged in October 1926 the support of the Crown for the drastic Conscription Bill published in November 1926; this at a time when the British Government was passionately professing its sincerity in the cause of disarmament.

True this Bill, under pressure from us, was withdrawn and modified and Grigg subsequently declared that it was in some ways unsuitable.

But he tried first of all to get it through and claimed for it the support of the British Government.

- 2. The Oath of Allegiance was omitted not for the reasons alleged by Amery. (For overwhelming proof see our Memoranda).

- 3. The Bill is a menace to natives (see the remarks of Hemsted, Senior Native Commissioner in 1921 when the Bill then came up).

- 4. It is deplorable to arm the white population from 18 to 50 (original Bill 16 to 60) without any cause being shown. (See memoranda).

Don't cradle the colony in militarism! If police are weak strengthen them don't arm the settler as a conscript!

- 5. In 1923 Delamare and friends threatened armed rebellion against the Home Government. They objected to the Oath of Allegiance.

We have every reason to fear these political adventurers to-day.

See remarks of Lord D. and Co. in 1921 on the Bill.



COPY.

THE DEFENCE FORCE.

To the Editor:
"E.A. Standard".

Sir,

I have been looking up some old E.A. Standards and find that Lord Delamere's motion in Legislative Council on August 30th, 1921 on the second reading of the Defence Force Bill was as follows:-

"That this Bill be put back until further notice for two reasons. That the power of conscription of all males between the ages of 16 and 60 at this time should not be given into the hands of an arbitrary Government which is not elected by the people of the country, at a time when that Government is debating a change in the constitution of the country and which is repugnant to those who would be so conscripted."

"That considering that the military expenditure of the Colony has gone up 400 per cent, since 1913-1914 while our only serious enemy has disappeared, any enquiry should be held into the cause and necessity of that increase before adding to the burdens of the country."

"Major Grant said that if the Bill was passed every European male automatically would be forced to take the Oath of Allegiance to the Government, and speaking for his own district (Ukamba) he could only say that the vast majority would be passive resisters."

"The Director of Agriculture said no one had informed Government why the measure was necessary."

"The motion was carried on a free vote and H.E. the Acting Governor (Col. Notley) explained his vote for the motion by the remark that the success of the measure depended entirely on popular support that was not forthcoming."

"A report of a Committee on Military expenditure was presented to the Council the previous day, and in regard to the Defence Force, the desirability of which was agreed, Mr...

Mr. R. Hemsted (Senior Commissioner (who is still a member of Council) "dissents on the grounds that in view of the situation arising among Native tribes in the settled areas of the Colony which could not be adequately dealt with by the existing Military Forces or the Police, there would appear to be no justification for the formation of a Defence or Territorial Force unless it would result in a reduction in the Expenditure on the Regular or Reserve Forces. He considers that it might even constitute a danger by unnecessary Punitive Expeditions being undertaken against Natives owing to exaggerated and unreliable reports that a rising was contemplated and therefore recommends the complete abolition of the organisation as it at present exists, and that the formation of the forces be deferred until the need of them appears likely."

Yours etc.
 CHAS. UDALL.

NAIROBI. April 12th 1927.

Note. On these arguments C.O. turned down Bill in 1921 despite alleged unanimity in Colony, so did Thomas in 1924. Amery assents in teeth of opposition in 1927.

44

10018/27.

60

10. 6. 10. 27

Mr. Ehrhardt. 6.10

Mr. Wiseman. 6/p

Mr. E. J. Harding.

Mr. Strachey.

Sir J. Shuckburgh.

Sir G. Grindle.

Sir C. Davis.

Sir S. Wilson

Mr. Ormsby-Gore.

Lord Lovat.

Mr. Amery.

134

SF

Downing Street,

14 Oct. 1927.

Sir,

I have etc. to ack. the receipt of your desp. No. 605, of the 6th/Sept, on the subject of the date on which the Defence Force Ordinance should be brought into operation, and to inform you that,

having regard to the fact that Section 1 of the Ordinance provides for its being brought into operation on a date to be appointed by the Govr. by notice in the Gazette,

I am advised that the object is to

DRAFT.

ENYA.

NO. 84

GOVR. GRIGG.

59



GOVERNMENT HOUSE,
NAIROBI,
KENYA

KENYA.

AS. No. 605

6th September, 1927.

Sir,

Hosta

I have the honour to acknowledge the receipt of your telegram of the 13th August, in which you inform me that His Majesty the King has been pleased to assent to the Defence Force Bill.

*Copy
M. d.*

2. The question of the date on which the Defence Force Ordinance should be brought into operation was discussed at the last meeting of Executive Council, when it was decided that the new Ordinance should be brought into operation as from the 1st January, 1928. The reason for postponing the application of the Ordinance is that at the present time there is no organization ready to perform the preliminary work necessary and it is considered essential that the Staff Officer, Defence Force, should not only have been appointed before the Ordinance is brought into operation but should have had some time in which to make himself conversant with the details of the scheme and ascertain

*Staff Officer
Defence Force*

-what-

THE RIGHT HONOURABLE
LIEUTENANT COLONEL L.C.M.S. AMERY, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S.W.

what is required by personal examination. *as to*
that consists
3. The first convenient opportunity will be taken to make a public announcement of this decision, after which a proclamation will be published in the Official Gazette, as required by Article XI of the Order-in-Council of the 13th of August, 1920. The Ordinance will be No. I. of 1928, as required under Article XXXIII(2) of the Royal Instructions dated 11th September, 1920.

4. I am addressing you separately regarding the selection of an officer as Staff Officer, Defence Force.

I have the honour to be,

Sir,

Your most obedient, humble servant,

Wm. Denham

GOVERNOR'S DEPUTY.

Mr. Bevir

Mr. Bottomley asked me to prepare for Mr. Crasby-Gore a note summarising the provisions of the Kenya Defence Force Ordinance, and referring more particularly to the questions of training and the custody of arms. I put up a note herewith, and you will see, as regards the summary, that I have attached a copy of the Report of the Attorney General, which seems to fill the bill admirably. Unfortunately, we have no spare copies of the Ordinance as passed, and I have therefore been reduced to flagging it in the file.

Allen

21/9/27

R Wiseman

21.9.27

EA Dept

Returned with Mr. Crasby Gore's thanks

Edgar
22/8

To Sec.

*in case of this
it be attached to the file
27*

X.P.A.

*These asked his
the typhoid note
the rest of the
reference*

KENYA DEFENCE FORCE ORDINANCE.

The substance of the Ordinance is fully and clearly summarised in the attached copy of the Report by the Attorney General. The provisions as to training will be found in Part 4 of the Ordinance, sections 18-22, and the period of training is not to exceed an aggregate of 100 hours in the case of Class I, i.e. persons between 18 and 30, or 12 hours in the case of Classes II - IV, i.e. persons ^{of} between the ages of 30 and 50. On this point, the Officer Administering the Government in his explanatory despatch said the periods of training are extremely short, and in fact it is a question, as he pointed out in paragraph 6 of his previous despatch of the 31st of March, whether they could not be extended by the provision of Training Camps, though this is a matter which could be dealt with later. In his earlier despatch, the Officer Administering the Government said that no provision for Training Camps had been made, as this question requires further examination, particularly in regard to its financial aspect, and that he proposed to refer it to a select committee of the Legislative Council at a later date. He added that he was strongly in favour of such provision being made to ensure a more complete and efficient training for men between the ages of 18 and 23, and that this view was also held by Sir Edward Grigg.

The Ordinance - see section 31 - leaves a great mass of matters to be dealt with by regulation, and these include (sub-section (n)) the issue and care of arms, accoutrements, ammunition, supplies, animals and transport, clothing and equipment for the Defence Force

Section 10.

Paragraph 8
of No. 41
on the file.

No. 20 in the
file.

46

Force. His Majesty's assent to the Bill was only given by telegram on the 13th of August, and there has not been time to receive any regulations.

As regards the changes made in the Bill as compared with its original form, the attached copy of the Official Gazette of the 12th of January, 1927, contains the memorandum prepared by the select committee of the Legislative Council appointed to consider the matter.

The record of the interview between the Secretary of State and a deputation from the National Council for Prevention of War is flagged ^{green} in the file.

The Ordinance itself is flagged red in the file.

attention Mr. 5/11. 25 5

- Mr. Cliffe 17.8.27.
- Mr. Bottomley 18/8/27
- Mr.
- Mr. E. J. Harding
- + Mr. C. Strachey 18/8/27
- Mr. J. Shackburgh
- Mr. G. Currie
- Mr. C. Davis
- Mr. S. Wilson
- Mr. ~~Amery~~
- Earl of Clarendon
- Mr. Amery

Downing Street,

23 August, 1927.

25

Sir,

I have the honour to refer to your Confidential despatch No. 50/A of the 21st of May, in which you transmit a Petition against the Defence Force Bill forwarded by the Anti-Conscription Committee.

for conson.

DRAFT.

Kenya Confidential (2)

2. As you are aware, there was some delay in dealing with the Bill, owing to the fact that authenticated copies were not at first sent home. In the interval, Mr. Amery had left England and it was necessary that the arrangements for taking ~~the Bill~~ and signifying His Majesty's pleasure should be made through another Principal Secretary of State.

3. I desire to assure you, however,

however, that careful personal consideration had been given to the Petition, and to the whole question, by Mr. Amery before his departure. He was however, unable to accept the view, which had been put forward, that the introduction of the Bill was against the general wish of the Colony. Indeed, the fact that the Bill has been under public consideration for the past four years and was before the electors at the time of the recent elections ~~appears to have~~ afforded sufficient evidence against this contention. The referendum on this point which was held in Nairobi resulted in both constituencies in a large majority in favour of the Bill. The Bill, moreover, was passed in the Legislative Council by a majority of 33 to 1, the only dissentient being the Indian Member, whose opposition was based on the ground that it had not been applied to Indians.

4. As regards the necessity for compulsory enrolment, ~~he~~ *Mr Amery* was satisfied that it would be difficult

however, that careful personal consideration

had been given to the Petition, and to the

whole question, by Mr. Amery before his

departure. He was however, unable to accept

the view, which had been put forward, that

the introduction of the Bill was against

the general wish of the Colony. Indeed,

the fact that the Bill has been under public

consideration for the past four years and

was before the electors at the time of the

recent elections ~~appears to have~~ afforded

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in Nairobi resulted in both constituencies

in a large majority in favour of the Bill.

The Bill, moreover, was passed in the

Legislative Council by a majority of 33 to 1,

the only dissentient being the Indian Member,

whose opposition was based on the ground that

it had not been applied to Indians.

4. As regards the necessity for compulsory

enrolment, ~~Mr~~ ^{Mr Amery} was satisfied that it would be

difficult



difficult if not impossible, in a thinly-populated and scattered community, to organise a Defence Force satisfactorily on a voluntary basis. Such an attempt would throw an undue burden on those who were willing to serve and would, in course of time, lead to a more inefficient organisation. The *Empire* people of Kenya have made clear their preference for a more regularised system.

5. In the light of all these considerations Mr. Amery now has constitutional grounds on which he could intervene or advise His Majesty to withhold his assent. I shall be glad if you will cause the Petitioners to be informed in the sense of the ~~above~~ *above* paragraph.]

I have, etc.

(The Secretary of State)
 Ministry of Defence

X/0018/251

Kenya.

54

R. 11 JUL
D. 11

Mr. Cliffe 10. viii. 27.
Mr. Stanley 10. 8. 27 f.s.

- Mr.
- Mr. E. J. Harding.
- Sir C. Strachey.
- Sir J. Shuckburgh.
- Sir G. Grindale.
- Sir C. Davis.
- Sir S. Wilson.
- Mr. Ormsby-Gore.
- Lord Lovat.
- Mr. Amery.

For Sir W. Tyrone - Hicks
Signature (manuscript)

DRAFT.

15 August 1927.

Kenya, Capt.

OAG

Sir,

I have to acknowledge
the receipt of your
Capt. despatch No: 67 of
the 7th of July, and to
inform you, in confirmation
of my telegram of the
13th of August, that
His Majesty the King
has been pleased to
assent to the Bill

(Insert date from
draft herein)

X/10018/27 a
KENYA 50

passed by the Legislative
Council of Kenya
entitled an Ordinance
to provide for the organization
of the European inhabitants
of the ~~territory~~ of Kenya
for the defence thereof

- Mr. Cliffe 10.viii.27
- Mr. Bottomley 13.8.27 of course
- Mr. ~~for separate~~
- Mr. E. J. Harding.
- Sir C. Strachey.
- Sir J. Shuckburgh.
- Sir G. Grindle.
- Sir C. Davis.
- Sir S. Wilson.
- Mr. Ormsby-Gore.
- Lord Lovat.
- Mr. Amery.

Codes & Serial
2.0 from
13th Aug 27
C.H.

Not to go till after day
Parliament has been signed
(Shall we not then
U.S. 10/8)

DRAFT. Code Telegram

Governor, Nairobi

Confidential
Code Telegram of 4th
Your ~~disputed~~ ~~of~~
August N^o 272
~~July~~ No 47 His Majesty
has been pleased to
assent to Defence
Force Bill.
Seen

To go today
13. Aug.

X.10018/27 Kenya
Coded 4c 5/10
7-15/6-100
10/8/27.
L.M.

Mr. *Nottingham* 10/8 of one

Mr.

Mr.

Mr. E. J. Harding.

Sir C. Strachey. *agrees.*

Sir J. Shuckburgh.

Sir G. Grindle.

Sir C. Davis.

Sir S. Wilson.

Mr. Ormsby-Gore.

Earl of Clarendon.

Mr. Amery.

C. D.
12

Your telegram of 4 August

(53)

272 *application*
H.M.'s consent is
~~not~~

being sought but in the

absence of the S. of H. himself

I am unable to make
announcement yet

Will telegram you this
as soon as possible.

Yours

DRAFT.

London
Nairobi.

X.10018/27 Kenya
Coded & sent
7-15/27
10/8/27
L.M.

Mr. *Norman* 10/8/27

Mr.
Mr.

Mr. E. J. Harding.

Sir C. Strachey. *agrees.*

Sir J. Shuckburgh.

Sir G. Grindle.

Sir C. Davis.

Sir S. Wilson.

Mr. Ormsby-Gore.

Earl of Clarendon.

Mr. Amery.

C. D.
H 11 AUG
D 12

Your telegram of 4 August

(53)

272 ~~application is being~~
H. M.'s consent is

~~not~~

being sought but in the

absence of the S. of S. himself

I am unable to make
announcement yet

Will telegram you as soon
as soon as possible.

Yours

DRAFT.

Norman
Nairobi.

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END

TOTAL EXPOSURES →

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CAMERA NO. ⇨ 19
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