

1925

Web 89

E. AFRICA

K. A. R.

C.O.

2524

DATE

19 JAN 25

FROM

Colonial Office

15 January, 1925

CIRCULATION

Mr. [unclear]

Mr. [unclear]

Mr. [unclear]

Mr. [unclear]

K. A. R. Draft Ordinance

50 copies of revised - together with corrected galley proof

(58 copies [unclear])

Previous Paper

MINUTES

1/21/25

I submit a draft of a...
...based on...
...to be...
...to be...
...to be...

16 MAR 1925

In Sec 82(1) of the draft Ordinance the rates of gratuity have been left in...
...minutes...
...I have altered the...
...the same alterations...
...in all the 50 copies...
...REA.

9/1

1925 2 25

1/21/25

[unclear]

Subsequent Paper

[unclear]

DRAFT KING'S AFRICAN RIFLES ORDINANCE 1925

1. The sequence of sections in the ^{old} East Africa Protectorate Ordinance ^(No. 15) 1912, has been rearranged so as to correspond with the sequence observed in the Army Act. A comparative table of the Draft Ordinance and of the East Africa Protectorate Ordinance (No. 15 of 1912) is annexed.

2. Section 3(3) The proviso to this sub-section is to be inserted in the Ordinance enacted in the Protectorate Territory only. ^{As amended by the} ^{Order of the} ^{Governor} ⁱⁿ ^{Force} ^{of} ^{the} ^{15th} ^{October} ¹⁹²¹

3. Sections 4-41 of the Draft Ordinance shall take the form from the corresponding sections 12-37 of the East Africa Protectorate Ordinance 1912 and shall be inserted in the Army Act.

Sections 42 and 47 to preserve the substance of the Secretary of State that the practice in the King's African Rifles as regards the question of furloughs shall conform to that in force in the West African Rifles.

Section 51 in its consolidated desirable the maximum period of enlistment should be provided for and this has been fixed at six years in the first instance, and three years in the case of re-engagement up to a maximum of eighteen years. The period of furlough to be allowed on re-engagement has been left in Section 74(1) to be fixed for each dependency by rules to be made by the Governor.

6. Section 82. The rates of gratuity on discharge are shown in this Section in the East Africa Shilling Currency; but it is not intended that the sterling rate in force in Nyasaland should be affected and the rates already laid down in Section 27(1) of the

Draft
See 3. 2. 25
M. D. Chittip 24/2/25
Sh 7866/24
W. C. Wood

Section is inserted in
the Somaliland
Ordinance
by the Governor
in force of the
15th Oct. 1925
Por. 55954/23 K.A.R.
(Somaliland.)

the Nyasaland Ordinance No. 9 of 1911 should be adopted
in the new Ordinance. ^{in Nyasaland the amount of the Poll Tax is fixed by}
^{the 1911 Ordinance) in the amount of 10/-}

7. Section 82(B). The question of exemptions from
liability to Poll Tax has been the subject of corres-
pondence between the Secretary of State and the
Governors of Kenya, Uganda and the Tanganyika Territory,
as a result of which it has been decided that no change
shall be made in the existing arrangement. Attention
is invited to the Secretary of State's despatch No. ⁴⁵
¹⁰⁶

Section 82. Provisions shall be necessary for
the purpose of amending Ordinances subject to the two
provisions above in the Draft Ordinance.

W.R. Fox

All copies of the draft Ordinance
sent out, the rates of gratuity
in Section 82(1) will have to be
amended with the above
2524(25)



C. O.
2524
19 JAN 25

ALL COMMUNICATIONS
TO BE ADDRESSED TO THE
CROWN AGENTS FOR THE COLONIES.
THE DATE OF THIS LETTER BEING QUOTED
THE FOLLOWING REFERENCE: g/Various 956/2.
TELEGRAMS, "CROWN, LONDON."
TELEPHONE, 7780 VICTORIA

4, MILLBANK,
WESTMINSTER,
LONDON, S.W. 1.

Sir,

Referring to your letter of the 22nd October,
1924, ^{W.} 15955/24, I have the honor to transmit
herewith 50 copies of the Annual Report of the

I have the honor to

Your obedient servant

W. L. Wickham

for Crown Agents.

Secretary of State,
Colonial Office,
S.W. 1.

superior officer in the execution of his office, whether the same be given orally or in writing, or by signal, or otherwise, shall be liable to suffer imprisonment or such less punishment as is in this Ordinance mentioned, if he commits such offence, that is to say:

(1) If he commits such offence while on active service, shall on conviction by court-martial, if he committed such offence, be liable to suffer imprisonment with hard labour for a term not less than three years, or such less punishment as is in this Ordinance mentioned; and

(2) If he commits such offence not on active service, shall be liable to suffer imprisonment or such less punishment as is in this Ordinance mentioned.

10. Every person subject to this Ordinance who commits any of the following offences, that is to say:

- (1) Being concerned in any quarrel, fray, or disorder, refuses to obey any officer (though of inferior rank) who orders him to do so, or strikes, or uses or offers violence to any such officer;
- (2) Strikes, or uses or offers violence to any person, who is subject to military law or is in a place where military law is in force, and whether he is or is not an officer;
- (3) Neglects an order whose duty it is to obey, and does not to have him in charge;
- (4) Breaks out of barracks, camp, or quarters, shall on conviction by court-martial be liable to suffer imprisonment or such less punishment as is in this Ordinance mentioned.

11. Every person subject to this Ordinance who commits the following offence, that is to say:

Neglects to obey any general or particular or other order, shall on conviction by court-martial be liable to suffer imprisonment or such less punishment as is in this Ordinance mentioned.

DESERTION, FRAUDULENT ENLISTMENT AND ABSENCE WITHOUT LEAVE.

12. (1) Every person subject to this Ordinance who commits any of the following offences: that is to say:

- (a) Deserts or attempts to desert His Majesty's service,
- (b) Persuades, endeavours to persuade, procures, or attempts to procure any person subject to this Ordinance to desert from His Majesty's service,

shall on conviction by court-martial, if he committed such offence on active service, or under orders for active service, suffer death, or such less punishment as is in this Ordinance mentioned; and if he committed such offence under other circumstances he shall be liable for the first offence to suffer imprisonment or such less punishment as is in this Ordinance mentioned; and for the second or any subsequent

Neglect to obey general or other orders.

Desertion.

offence, to suffer imprisonment with hard labour for a term not less than three years or such less punishment as is in this Ordinance mentioned.

(2) When any offender has fraudulently enlisted once or oftener he may, for the purposes of trial for the offence of deserting or attempting to desert His Majesty's service, be deemed to belong to any one or more of the corps to which he has been appointed or transferred, as well as to the corps to which he properly belongs; and it shall be lawful to charge an offender with any number of offences against this section at the same time, and to give evidence of such offences, and further it shall be lawful, on conviction of a person for two or more offences, to award him the higher punishment allowed by this section for a second offence, if he had been convicted by a previous court-martial of one of such offences.

(3) For the purposes of the liability under this section to the higher punishment for a second offence, a previous offence of fraudulent enlistment may be reckoned as a previous offence under this section.

Fraudulent
enlistment.

13. (1) Every person subject to this Ordinance who commits the following offence, that is to say,

When belonging to any of His Majesty's Imperial or Colonial Forces, without having first obtained a regular discharge therefrom, or otherwise fulfilled the conditions making him liable to enlist, enlists in any other of His Majesty's Imperial or Colonial Forces,

shall be deemed to have been guilty of fraudulent enlistment, and shall, on conviction by court-martial, be liable

(a) To the higher punishment for a second offence, if he had been convicted by a previous court-martial of one of such offences; and

(b) To the lower punishment for a first offence, if he had not been so convicted.

(2) Where an offender has fraudulently enlisted on any occasion he may, for the purposes of this section, be deemed to belong to any one or more of the corps to which he has been appointed or transferred, as well as to the corps to which he properly belongs; and it shall be lawful to charge an offender with any number of offences against this section at the same time, and to give evidence of such offences against him, and, if he be convicted thereof to punish him accordingly; and further it shall be lawful, on conviction of a person for two or more offences, to award him the higher punishment allowed by this section for a second offence, if he had been convicted by a previous court-martial of one of such offences.

(3) Where an offender is convicted of the offence of fraudulent enlistment, then, for the purposes of his liability under this section to the higher punishment for a second offence, the offence of deserting or attempting to desert His Majesty's service, may be reckoned as a previous offence of fraudulent enlistment under this section, with this exception, that the absence of the offender next before

any fraudulent enlistment, shall not, upon his conviction for that fraudulent enlistment be reckoned as a previous offence of deserting or attempting to desert.

14. Every person subject to this Ordinance who commits any of the following offences; that is to say,

(1) Assists any person subject to this Ordinance to desert.

His Majesty's service.

(2) Being cognizant of any desertion or intended desertion of a person subject to this Ordinance does not forthwith give notice to his commanding officer, or take any steps in his power to arrest the deserter, or intended deserter.

shall, on conviction by court-martial, be liable to suffer imprisonment or such less punishment as is in this Ordinance mentioned.

(3) Absents himself without leave.

(4) Fails to appear at the place of parade or rendezvous appointed by his commanding officer, or goes to such place without leave before his absence, or absent without necessity and the result.

(5) When in camp or quarters, or elsewhere, is found beyond the limits fixed or in any place prohibited by general regulation or other order, written or oral, or without the sanction of his commanding officer.

(6) Absents himself from his commanding officer, or without the sanction of his commanding officer, from any school when duty is required to attend there.

shall, on conviction by court-martial, be liable to suffer imprisonment or such less punishment as is in this Ordinance mentioned.

Section 15. Conviction.

15. Every person subject to this Ordinance who commits the following offence; that is to say,

Commits or connives at any extortion,

shall, on conviction by court-martial, be liable to suffer imprisonment or such less punishment as is in this Ordinance mentioned.

17. Every person subject to this Ordinance who commits any of the following offences; that is to say,

Being charged with or concerned in the care or distribution of any public or regimental money or goods, steals, fraudulently misapplies, or embezzles the same, or is concerned in or connives at the stealing, fraudulent misapplication, or embezzlement thereof, or wilfully damages any such goods,

shall, on conviction by court-martial, be liable to suffer penal servitude, or such less punishment as is in this Ordinance mentioned.

Assistance of or connivance at desertion.

Absent from duty without leave.

Extortion.

Fraud by persons in charge of money or goods.

Disgraceful
conduct.

18. Every person subject to this Ordinance who commits any of the following offences; that is to say:

- (1) Malingers, or feigns or produces disease or infirmity.
- (2) Wilfully harms or injures himself or any other soldier, whether at the instance of such soldier or not, with intent thereby to render himself or such other soldier unfit for service, or causes himself to be maimed or injured by any means, with intent thereby to render himself unfit for service.

(3) Is guilty of any act of conduct, by whatever means, whether by himself or otherwise, which is the means of a mutiny, or of any other disturbance or disorder, or of any act of insubordination, or of any act of disobedience.

- (4) Steals or embezzles, or fraudulently obtains, or attempts to obtain, or embezzles, any money or goods, or any article of trade or of manufacture, or any money, or goods, or any article, belonging to any regiment, mess, or band, or to any other institution, or any public money or goods.
- (5) Is guilty of any offence of a fraudulent nature, not defined in this Ordinance, particularly by section 10, or any other disgraceful conduct, or a cruel, inhuman, or unnatural kind.

shall, on conviction by court-martial, be liable to suffer imprisonment or such less punishment as is in this Ordinance mentioned.

DRUNKENNESS.

Drunkenness.

19. Every person subject to this Ordinance who commits the following offence; that is to say:

The offence of drunkenness, whether on duty or not, shall, on conviction by court-martial, be liable to suffer imprisonment or such less punishment as is in this Ordinance mentioned, and, either in addition to, or in substitution for, any other punishment, to pay a fine not exceeding one pound.

OFFENCES IN RELATION TO PRISONERS.

Permitted
escape of
prisoners in
custody.

20. Every person subject to this Ordinance who commits any of the following offences; that is to say:

- (1) When in command of a guard, picket, patrol or post, releases, without proper authority, or fails to walk up and challenge any person committed to his charge.
- (2) If a guard or watchman, or any other person, who is in charge of any person who he is bound to keep in custody, is the duty to keep in custody.

shall, on conviction by court-martial, be liable, if he has acted wilfully, to suffer penal servitude or such less punishment as is in this Ordinance mentioned, and, in any case, to suffer imprisonment or such less punishment as is in this Ordinance mentioned.

Irregular
arrest or
confinement.

21. Every person subject to this Ordinance who commits any of the following offences; that is to say:

- (1) Unnecessarily detains a person in arrest or confinement without bringing him to trial or fails to bring his case before the proper authority for investigation.

(2) Being in command of a guard, does not, as soon as he is relieved from his guard of duty, or if he is not sooner relieved, return to the barracks.

Every person subject to this Ordinance who commits the following offence, that is to say, being in arrest or confinement, or in prison or otherwise in lawful custody, escapes, or attempts to escape, shall, on conviction by court-martial, be liable to suffer imprisonment or such less punishment as is in this Ordinance mentioned.

Offences as Regards to Purposes

23. Every person subject to this Ordinance who commits any of the following offences, that is to say,

- (1) Without proper authority, exacts from any person carriage, portage, or provision;
- (2) Takes any duty upon, or takes any fee or advantage in respect of, or is in any way interested in the sale of provisions or merchandise brought into any barrack, camp, station, barrack, or place, in which he is any command or authority, or the sale or purchase of any provisions or stores;

shall, on conviction by court-martial, be liable to suffer imprisonment or such less punishment as is in this Ordinance mentioned.

24. Every person subject to this Ordinance who commits any of the following offences, that is to say,

- (1) Makes away with, or conceals in malice away with, any arms, ammunition, equipments, instruments, clothing, or personal necessaries, or any animal of which he has charge;
- (2) Takes by neglect anything before in this section mentioned;
- (3) Makes away with any property or rewards granted to him;
- (4) Wilfully or fraudulently transfers to a comrade, or to an officer, or to any regimental mess or band, or to any regimental institute, or any public property;
- (5) Will-treats any animal used in the public service;

shall, on conviction by court-martial, be liable to suffer imprisonment or such less punishment as is in this Ordinance mentioned.

OFFENCES IN RELATION TO FALSE
DOCUMENTS AND STATEMENTS

25. Every person subject to this Ordinance who commits any of the following offences, that is to say:

- (1) In any report, return, muster roll, pay list, certificate, book, note, or other document made or issued by him or of the contents of which it is his duty to ascertain the accuracy, knowingly makes or is privy to the making of any false or fraudulent statement, or knowingly makes or is privy to the making of any omission with intent to defraud;
- (2) Knowingly and with intent to injure any person, or knowingly and with intent to defraud, suppresses, defaces, alters, or makes away with any document which it is his duty to preserve or produce;
- (3) Where it is his official duty to make a declaration respecting any matter, knowingly makes up a false declaration;

shall, on conviction by court-martial, be liable to suffer imprisonment or such less punishment as is in this Ordinance mentioned:

26. Every person subject to this Ordinance who commits any of the following offences, that is to say:

- (1) Without signing any document relating to pay, arms, ammunition, equipments, clothing, requirements, necessaries, provisions, furniture, bedding, tubs, cots, and utensils, forage, or stores, leaves blank any portion of it for which his signature is a voucher;
- (2) Refuses or by culpable negligence omits to make or send a report or return which it is his duty to make or send;

shall, on conviction by court-martial, be liable to suffer imprisonment or such less punishment as is in this Ordinance mentioned:

27. Every person subject to this Ordinance who commits any of the following offences, that is to say:

- (1) Being a soldier, makes a false accusation against any officer or soldier, knowing such accusation to be false;
- (2) Being a soldier, in making a complaint where he thinks himself wronged, knowingly makes any false statement affecting the character of any officer or soldier, or knowingly and wilfully suppresses any material facts;
- (3) Being a soldier, falsely states to his commanding officer that he has been guilty of desertion or fraudulent enlistment, or has served in and been discharged from any of His Majesty's Imperial or Colonial forces;
- (4) Being a soldier, makes a wilfully false statement to any military or civil officer in respect of the prolongation of furlough.

shall be liable on conviction by court-martial to suffer imprisonment, or such less punishment as is in this Ordinance mentioned.

OFFENCES IN RELATION TO COURTS MARTIAL.

28. Every person subject to this Ordinance who commits any of the following offences; that is to say,

Offences in relation to Courts-martial.

(1) Being summoned or ordered to attend as a witness before a court-martial makes default in attending.

(2) Refuses to take an oath or make a solemn declaration or affirmation legally required by a court-martial to be taken by him.

(3) Commits any offence which is punishable by a court-martial.

(4) Commits any offence which is punishable by a court-martial.

(5) Commits any offence which is punishable by a court-martial.

(6) Commits any offence which is punishable by a court-martial.

(7) Commits any offence which is punishable by a court-martial.

(8) Commits any offence which is punishable by a court-martial.

(9) Commits any offence which is punishable by a court-martial.

(10) Commits any offence which is punishable by a court-martial.

(11) Commits any offence which is punishable by a court-martial.

(12) Commits any offence which is punishable by a court-martial.

Provided that where a person subject to this Ordinance is guilty of contempt of a court-martial by being threatening or insulting language, or by causing any obstruction or disturbance in the proceedings of such court, the court, if they think it expedient, instead of the offender being tried by a court-martial, may by order under the hand of the president of the court, if the offender is to be imprisoned with or without hard labour for a period not exceeding twenty-one days.

29. Every person subject to this Ordinance who commits the following offences; that is to say,

False evidence.

When summoned or ordered to give a solemn declaration or affirmation before a court-martial, or any court or officer authorised by this Ordinance or by the Army Act to administer an oath, he willfully gives false evidence.

shall be liable on conviction by court-martial to suffer imprisonment or such less punishment as may be provided in this Ordinance.

RECORD OFFICE

OFFENCES IN RELATION TO BILLETING

30. Every person subject to this Ordinance who commits any of the following offences; that is to say,

Offences in relation to quarters.

(1) Willfully demands from any person, quarters or accommodation of any sort to which he is not entitled.

(2) Is guilty of any ill-treatment, by violence, coercion, or making disturbance, of the occupier of any house in which any person or animal is billeted.

shall be liable on conviction by court-martial to suffer imprisonment or such less punishment as is in this Ordinance mentioned.

OFFENCES IN RELATION TO THE IMPRESSMENT OF
CARRIAGES, ETC.

Offences in
relation to
the impress-
ment of
carriages.

31. Every person subject to this Ordinance who commits any of the following offences shall be liable to imprisonment for a term not exceeding three months, or to a fine not exceeding fifty shillings, or to both such imprisonment and such fine as aforesaid, or to any other form of transport, or to any other form of punishment:

(1) Impairs any animal or person performing transport duties.

(2) Does or offers any menace to or causes to be done by any person to make him provide any animal, animal vessel, or other form of transport which he is not bound to provide.

(3) Shall be guilty of an offence which is so prejudicial to the impressment of such form of transport as is in this Ordinance mentioned.

OFFENCES IN RELATION TO DISMISSAL.

Enlistment
of soldiers
discharged
from
any army or
corps.

32. (1) Every person subject to this Ordinance who commits any of the following offences, that is to say:

(a) Having been discharged with disgrace from any part of His Majesty's Imperial or Colonial Forces, or having been dismissed with disgrace from the Service, has afterwards enlisted without declaring the circumstances of his discharge or dismissal;

(b) Shall, on conviction by court-martial, be liable to suffer imprisonment or such less punishment as is in this Ordinance mentioned.

(2) For the purpose of this section, the expression "discharged with disgrace" means any part of His Majesty's Forces, "found discharged with ignominy," discharged as incapable and worthless, discharged for insubordination, or discharged on account of conviction for felony or any other offence of penal servitude.

Answers of
Solicitors
and
enlistment.

33. Every person having become subject to this Ordinance who is discovered to have committed the following offences shall be liable to any

To have made wilfully false answer to any question put forth in the attestation paper which has been put to him by or by direction of the justice or other person before whom he appears for the purpose of being attested.

shall, on conviction by court-martial, be liable to suffer imprisonment or such less punishment as is in this Ordinance mentioned.

General
offences in
relation to
enlistment.

34. Every person subject to this Ordinance who commits any of the following offences, that is to say:

(1) Is concerned in the enlistment of any man, whom he knows or has reasonable cause to believe such man to be so circumstanced that by enlisting he commits an offence against this Ordinance,

(2) Wilfully contravenes any enactments or regulations in any matter relating to the enlistment of soldiers,

shall, on conviction by court-martial, be liable to suffer imprisonment or such less punishment as is in this Ordinance mentioned.

MISCELLANEOUS MILITARY OFFENCES.

35. Every person subject to this Ordinance who commits the following offence; that is to say,

Uses traitorous or disloyal words regarding the Sovereign, shall, on conviction by court-martial, be liable to suffer imprisonment or such less punishment as is in this Ordinance mentioned.

36. Every person subject to this Ordinance who commits the following offence; that is to say,

Whether acting with or without the aid of a printer or without due authority, writes, publishes, or by signal or otherwise, discloses the numbers or positions of any, force of any magazines or stores, or any preparation for or orders relating to operations or movements of any force, at such time and in such manner as in the opinion of the court to have produced effects injurious to His Majesty's service,

shall, on conviction by court-martial, be liable to suffer imprisonment or such less punishment as is in this Ordinance mentioned.

37. Every non-commissioned officer who commits any of the following offences; that is to say,

- (1) Strikes or otherwise ill-treats any soldier;
- (2) Having received the pay of any officer or soldier, unlawfully detains or unlawfully refuses to pay the same when due.

shall, on conviction by court-martial, be liable to suffer imprisonment or such less punishment as is in this Ordinance mentioned.

38. Every person subject to this Ordinance who commits any of the following offences; that is to say,

- (1) Fights, or promotes, or is concerned in, or connives at, fighting a duel;
- (2) Attempts to commit suicide.

shall, on conviction by court-martial, be liable to suffer imprisonment or such less punishment as is in this Ordinance mentioned.

39. Every person subject to this Ordinance who commits any of the following offences; that is to say,

On application being made to him, neglects or refuses to deliver over to the civil magistrate, or to assist in the lawful apprehension of, any officer or soldier accused of an offence punishable by a civil court,

shall, on conviction by court-martial, be liable to suffer imprisonment or such less punishment as is in this Ordinance mentioned.

40. Every person subject to this Ordinance who commits any of the following offences; that is to say,

Is guilty of any act, conduct, disorder, or neglect, to the prejudice of good order and military discipline,

wrote

disclosure

ill-treating soldier;

Dueling and attempt to commit suicide;

Refusal to deliver to civil power soldiers accused of civil offences.

Conduct to prejudice of military discipline.

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shall, on conviction by court-martial, be liable to suffer imprisonment or such less punishment as is in this Ordinance mentioned.

Provided that no person shall be charged under this section in respect of any offence for which special provision is made in any other part of this Ordinance, and which is not a civil offence; nevertheless the conviction of a person so charged shall not be invalid by reason only of the charge being in contravention of this provision, unless it appears that injustice has been done to the person charged by reason of such contravention.

OFFENCES PUNISHABLE BY ORDINARY LAW

41. Subject to such provisions for the purpose of giving due interplay to the jurisdiction of the civil courts as are in this Ordinance aftermentioned, every person who while in any armed force in this Ordinance shall commit any of the offences in this section mentioned, shall be deemed to be guilty of an offence against ordinary law, and if charged under this section with any such offence in the Ordinance referred to as a civil offence, shall be liable to be tried by court-martial, and on conviction to be punished as follows: that

- (1) If he is convicted of treason, he shall be liable to suffer death or such less punishment as is in this Ordinance mentioned.
- (2) If he is convicted of murder, he shall be liable to suffer death.
- (3) If he is convicted of manslaughter or treason-felony, he shall be liable to suffer penal servitude or such less punishment as is in this Ordinance mentioned.
- (4) If he is convicted of rape, he shall be liable to suffer penal servitude or such less punishment as is in this Ordinance mentioned.

Provided as follows:

- (a) A person subject to this Ordinance shall not be tried by court-martial for treason, murder, manslaughter, treason-felony or rape committed in any place within His Majesty's Dominion or in a British Protectorate or in a Territory in which the jurisdiction of the Government of some part of His Majesty's Dominion is being exercised, unless such person at the time he committed the offence was on active service, or such place is more than one hundred miles as measured in a straight line from any place in which the offender can be tried for such offence by a competent civil court.
- (b) A person subject to this Ordinance may be tried by a competent civil court for any offence for which he would be triable if he were not subject to this Ordinance.

Mode of
complaint by
soldier.

42. If any non-commissioned officer, private or enlisted follower thinks himself wronged in any matter by any officer other than his company commander or by any non-commissioned officer, private or enlisted follower, he may complain thereof to his company commander, and if he thinks himself wronged by his company commander, either in respect of his complaint not being redressed or in respect of any other matter, he may complain thereof to his com-

manding officer; and if he thinks himself wronged by his commanding officer, either in respect of his complaint not being redressed or in respect of any other matter, he may complain thereof to the Governor, and every officer to whom a complaint is made in pursuance of this section shall cause such complaint to be inquired into, and shall, if on inquiry he is satisfied of the justice of the complaint so made, take such steps as may be necessary for giving full redress to the complainant in respect of the matter complained of.

Punishment may be inflicted in respect of offences committed by persons subject to this Ordinance and provided by court-martial.

Scale of punishment by court-martial

- (a) Death
- (b) Imprisonment for a term not exceeding 12 months
- (c) Discharge with or without pay from His Majesty's service
- (d) Reduced by two or more of a non-commissioned rank to a lower grade, or to any rank
- (e) Corporal punishment, not exceeding four stripes in the case of a non-commissioned officer, or four lashes in the case of a soldier, in addition to any other punishment under this section
- (f) Fines and stoppage
- (g) In the case of a non-commissioned officer, reprimand or severe reprimand

Provided that

(1) Where in respect of any offence under this Ordinance there is a general punishment, or such as is prescribed in the above scale, and a particular punishment is also provided for that offence, instead of such particular punishment, or in respect to the other provisions of this Ordinance as to punishment, and regard being had to the nature and degree of the offence, any less punishment may be inflicted than the particular punishment.

(2) A commissioned officer when sentenced to forfeiture of rank may also be sentenced to reprimand or severe reprimand.

(3) An offender when sentenced to imprisonment may, in addition thereto, be sentenced to be discharged with ignominy from His Majesty's service.

(4) In addition to or without any other punishment in respect of any offence, any offender may be sentenced to be subject to military restraints.

(5) In addition to or without any other punishment in respect of any offence, an offender may be sentenced, by deduction authorized by this Ordinance, to be absent from his ordinary pay.

(6) The Governor shall, by regulation, prescribe the instrument with which corporal punishment under this section shall be inflicted.

THROUGH
 THE
 PERM.

- (7) Unless the offender be on active service, corporal punishment shall not be awarded, except the offender is convicted on the field of battle or in the presence of the enemy.
- (8) Where a soldier on active service is guilty of any offence, he shall be liable to be tried by a court-martial to award for that offence such field punishment as may be directed by rules to be made from time to time by the Governor, and such field punishment shall be of the character of personal restraint or of hard labour, but shall not be of a nature to cause injury to life or limb.
- (9) For the purpose of commutation of punishment the field punishments above mentioned shall be deemed to stand in the scale of punishment next below imprisonment.

ARREST.

Actual

44. The following regulations shall be enacted with respect to persons subject to this Ordinance when charged with offences punishable under this Ordinance:—

- (1) Every person subject to this Ordinance who is charged may be taken into military custody.
- Provided, that in every case where any offender remains in such military custody for a longer period than eight days without a court-martial or his trial being ordered to assemble, a special order of the Governor, or further delay shall be made in the necessary manner as may be prescribed, and the offender shall be forwarded every eight days and assembled on the day when the offender is released from military custody.
- (2) Military custody, when used in the service of His Majesty, shall not be a punishment or the putting him in confinement.
- (3) An officer or native officer may order in any native officer, non-commissioned officer, or enlisted follower of the regiment or any British or non-British officer, non-commissioned officer, or enlisted follower of the regiment or any British or non-British officer, non-commissioned officer, private, enlisted follower of the regiment, and any such order shall be obeyed notwithstanding the person giving the order and the person in respect of whom the order is given do not belong to the same corps, arm, or branch of the service.
- (4) An officer, native officer, British warrant or non-commissioned officer or non-commissioned officer commanding a guard, or a provost-marshal or assistant provost-marshal, shall not refuse to receive or keep any person who is committed to his custody by any officer, native officer, British warrant or non-commissioned officer, or non-commissioned officer, but it shall be the duty of the officer, native officer, British warrant or non-commissioned officer, or non-commissioned officer who commits

any person into custody or delivery at the time of such punishment or is such person liable, and in every such case the person so liable shall be liable to the same penalties as if he had committed the offence with which he is charged.

- (5) The charge made against any person taken into custody under this Ordinance shall be made by the officer in charge of the station or by any other person in the presence of the offender with which a copy of the charge is shared.

Power of Commanding Officer.

The commanding officer shall, if a investigation being conducted by a commanding officer, if a person subject to this Ordinance is charged with an offence, if he in his discretion thinks it ought to be proceeded with but where he thinks the charge ought to be proceeded with he may take steps for bringing the offender to a court-martial or in the case of a soldier, he may deal with the case summarily.

Where he deals with the case summarily

- (a) If the offender is a private, the commanding officer may
 - (i) in the case of a soldier, without leave or of any other person, order any one or more of the following punishments, to-wit: imprisonment, with or without labour, for any period not exceeding thirty days;
 - (ii) confine the offender, with or without labour, for any period not exceeding thirty days;
 - (iii) suspend the offender from the ranks for any period not exceeding thirty days;
 - (iv) order the offender to make good the amount of any loss or damage he may have caused;
- (b) Order confinement to barrack for any period not exceeding twenty-eight days, such confinement involving the taking of all duties in regular turn, attending parades and punishment drills, not exceeding one hour at a time nor four hours in all on the same day, inclusive of ordinary parades, and also liability to employment on duties of fatigue;
- (c) Order extra guards and piquets, but only for minor offences or irregularities when on or parading for guard or piquet.

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(g) A yard corporal punishment not exceeding twenty-four strokes in lieu of or in addition to any punishment under this section shall be inflicted whenever the offence is committed by a soldier or a private or an enlisted follower of any rank of the King's African Rifles, or by any member of any other force of any Government, in any of the circumstances specified in sub-sections (b), (c), (d) or (e).

(h) In the case of a man without leave, a fine not exceeding twenty-four preceding days shall be levied on any soldier or private or an enlisted follower of any rank of the King's African Rifles, or on any member of any other force of any Government, who is absent from duty for a period exceeding twenty-two days, provided that the total of such periods of absence in any calendar month shall not exceed seven days.

(i) A soldier or private or an enlisted follower of any rank of the King's African Rifles, or any member of any other force of any Government, who is absent from duty for a period exceeding twenty-two days, shall not be entitled to receive pay for the period of his absence in the same way as if he had been on duty.

(j) Any soldier or private or enlisted follower who is drunk or intoxicated may be dealt with and summarily punished by the commanding officer of the force in which he is serving in any of the circumstances specified in sub-section (a) of section 27.

(k) If a soldier or private or enlisted follower is drunk or intoxicated within three months of the previous offence by him in the same manner, he shall be liable to a fine or to a month's confinement to barracks.

(l) If over three months and within six months of the previous offence by him the amount of such days shall be levied by stoppages from the offender's pay.

(m) If over six months and within nine months of the previous offence by him the amount of such days shall be levied by stoppages from the offender's pay, with or without confinement to barracks.

(n) If over nine months of the previous offence by him a fine and four preceding instances of drunkenness have been recorded against him

(o) Where a private or enlisted follower is liable to a fine and four preceding instances of drunkenness have been recorded against him

(1) Fine not exceeding ten shillings, or be liable by certificate from the commanding officer to be punished for any offence during the period of his confinement, not exceeding three days, such confinement involving the suspension of all duties in respect of him, including grades and punishment drills, not exceeding one hour's time per four hours or all on the same day, (except) of ordinary parties and the liability to employment on duties of fatigue.

(2) In addition to or without any other punishment, deduction from ordinary pay may be made good the amount of any loss or damage he may have caused;

(3) Extra guard and duties, but only for minor offences or irregularities when on or passing for guard or picket.

(4) If a non-commissioned officer:

(a) Fine not exceeding eight days pay to be deducted from his pay from the following:

(b) Reprimand.

(c) Forfeiture of his ordinary pay to the amount of his ordinary pay for the period of his confinement, or a further term may be imposed.

(5) If a soldier:

(a) Imprisonment with or without hard labour for any period not exceeding fourteen days;

(b) Fine not exceeding shillings ten.

(17) The offence of drunkenness by a soldier may be dealt with and summarily punished as laid down in section 45 (1) C. of this Ordinance by such officer or Administrative Officer, except that any sentence of reduction on a non-commissioned officer must be confirmed by the commanding officer.

(18) In the case of absence without leave, the non-commissioned officer or soldier may be dealt with as laid down in section 45 (1) B. and 45 (2) D.

47. It shall be lawful for the commanding officer by writing under his hand to confer the power to exercise the powers defined by section 45 of this Ordinance, in the case of any detachment, under such restrictions and for such period as he may think fit, and to revoke the same. Any sentence of reduction in the case of a non-commissioned officer, and any sentence of discharge from the service imposed under this section shall be subject to the approval of the commanding officer.

48. Whenever it shall appear to the officer commanding a detachment or Administrative Officer as aforesaid that the sentence which any soldier or soldier has committed would, for reasons of the nature specified by reason of the previous sentence of the section, not be adequately punished with any of the aforesaid punishments or combinations of punishments, he shall delay passing sentence, and shall report the whole proceeding in the case to the commanding officer, who may send back such report for any further inquiry he considers

Punishments for drunkenness.

Delegation of powers of commanding officer to officer commanding detachments.

Cases of aggravated or repeated offences to be reported to commanding officer.

service for not less than one year, unless the judge convening the court-martial is of opinion that three officers are not available, having due regard to the public service, in which case the court-martial may consist of two officers.

(6) A general court-martial shall have power to try all persons subject to this Ordinance, and to inflict any punishment or death, such less punishment as is in this Ordinance mentioned, or that if the court-martial consists of less than five members, no sentence of death shall not be passed on any prisoner without the assent of all the members.

(7) A district court-martial shall not award the punishment of death or of imprisonment in excess of two years, but subject as aforesaid any offence under this Ordinance committed by a person subject to this Ordinance may be tried and punished by a district court-martial.

(8) The members of a court-martial shall be appointed by order of the commanding officer of the troops in which the person accused is serving, and shall consist of not less than five officers of the ranks of the Army, Navy or Royal Air Force, or of any of the other arms of the military services.

Constituent members of court-martial.

(9) (a) One of the members of a court-martial shall be appointed as judge of the battalion or other unit in which the person accused is serving, and the other members of the court shall be officers of the ranks of the Army or officers of His Majesty's Navy or Royal Air Force, or of any of the other arms of the military services.

(b) In case of emergency, or when a sufficient number of military officers is not available, it shall be lawful for public officers of the Dependency to sit as members of a court-martial, in which case they sit as presidents, unless they are entitled to the rank of their military rank in His Majesty's service.

Proceedings how regulated.

(10) In all cases or matters before the court, the proceedings of the court shall be as nearly as may be in accordance with the Code of Procedure made under the Army Act.

FIELD GENERAL COURTS-MARTIAL.

Field General Courts-Martial.

50. (1) Where a complaint is made by any officer in command of any detachment or portion of troops in any country beyond the sea, or to the commanding officer of any corps or portion of a corps on active service, or to any officer in immediate command of a body of troops on active service, that an offence has been committed by any person subject to military law, then, if in the opinion of such officer it is not practicable that such offence should be tried by an ordinary general court-martial, it shall be lawful for him, although not authorized by any general court-martial, to convene a court-martial in this Ordinance referred to as a field general court-martial for the trial of the person charged with such offence, provided as follows:

(a) An officer in command of a detachment or portion of troops not on active service shall not convene a field general court-martial for the trial of any person, unless that person is under his command, nor unless the offence with which the person is charged is an offence against

the receipt or person of an inhabitant or resident in the territory in which the offence is committed.

(1) A court-martial shall consist of not less than three officers, and the commanding officer is of opinion that these officers are not available, owing to the nature of the public service, in which case the court-martial may consist of two officers.

(2) The convening officer may, if he shall, when ever it seems fit practicable, appoint another officer, who may be of any rank, but shall, if appointed, be in the opinion of the convening officer, an officer of the rank of captain.

(3) The general court-martial shall consist of three officers, and the commanding officer shall, if he is of the rank of captain, be one of the members.

(4) The court-martial shall have power to award any punishment which is provided for by the Ordinance.

(5) The general court-martial shall have the jurisdiction conferred by this Ordinance on a court-martial of civil offences within the territory, and any person subject to military law who is charged with any offence as is mentioned in this section, and may be sentenced by such court-martial to any punishment provided for by this Ordinance, but no sentence of any such court-martial shall be executed until confirmed as provided by this Ordinance.

51. The following authorities shall have power to confirm the findings and sentences of courts-martial, that is to say:

(a) In the case of a district court-martial, the officer having authority to convene such a court-martial at the date of the submission of the findings and sentence thereon, provided that, in the case of a sentence of imprisonment being passed, the period of imprisonment does not exceed six months.

If the sentence of imprisonment exceeds six months, it shall be confirmed by the Governor, or by some officer having authority from him to confirm the findings and sentences of general court-martial.

(b) In the case of a general court-martial, the Governor or some officer deriving authority from him to confirm the findings and sentences of general court-martial.

(c) The confirming authority may, when confirming the sentence of any court-martial, mitigate or remit the punishment thereby awarded, or commute such punishment for any less punishment or punishments to which the offender might have been sentenced by the said court-martial.

Confirmation and approval of sentences

(3) Sentence of death shall not be carried into effect unless in addition to the confirmation otherwise required by this Ordinance, it is approved by the Governor.

(4) When the sentence imposed by a court-martial (a) is a sentence of imprisonment, the proceedings of this court shall be forwarded to the Governor;

(5) When a sentence imposed by a court-martial has been confirmed, the Governor shall have power to mitigate or remit the punishment thereby awarded, or to award such punishment for any less punishment or punishments to which the offender might have been sentenced by the said court-martial.

Execution of Sentences.

Execution of sentences of imprisonment.

52. (1) Any sentence of penal servitude or imprisonment with hard labour imposed upon any person subject to this Ordinance may be carried out in any military or civil prison established within the Dependency or where the sentence of imprisonment imposed does not exceed forty days, or in any lock-up house or cells, or in any house or cells attached to any such prison, and the Governor may direct as to the persons to whom such persons may be sent, and as to the regulations to be observed in any such prison, lock-up house or cells, and until such regulations as aforesaid shall have been made and provided that any person, notwithstanding that his sentence exceeds forty-two days, may, whilst awaiting removal to a prison, be temporarily imprisoned in any such lock-up house or cells.

(2) A sentence passed upon any person subject to this Ordinance shall be in no respect affected by such person ceasing to be subject to this Ordinance by discharge or otherwise.

Officers to carry out sentences in order of commanding officer, &c.

(3) Every officer shall receive into his custody and carry out the sentence upon any person, subject to this Ordinance, sentenced to penal servitude, imprisonment, or imprisonment with hard labour, for any offence under this Ordinance, upon an order in writing in that behalf being delivered to him under the hand of the commanding officer or of the officer or Administrative Officer imposing the sentence, which order shall specify the offence and the period of penal servitude, imprisonment, or imprisonment with hard labour.

Persons undergoing sentences deemed criminal prisoners. Pay not to accrue during imprisonment under sentence.

(4) Every person while undergoing any such sentence of penal servitude, imprisonment, or imprisonment with hard labour, shall be deemed and dealt with as a criminal prisoner.

53. No pay shall accrue or become due to any native officer, soldier, or follower in respect of any period during which he is absent or desertion, or without leave, or undergoing any sentence of imprisonment, or imprisonment with hard labour, or is in custody

... a non-commissioned officer reduced to the rank of a Upon production of
 ... forfeit one good rank
 ... and shilling
 ... a month of pay.
 ... a case of a
 ... commission of ...
 ... (3) ... aggravated
 ... offences requiring to be reported to the Governor that the offender forfeit all or
 any good conduct badges and pay that he may be in possession of
 or may have earned, and all of any decorations or honor or rewards,
 and any advantage as to gratuity or discharge which he may have
 earned by past service, and such shall be given to such
 recommendation as the Governor may determine.

60. Any native officer, non-commissioned officer, private or
 follower who has forfeited ... of past service quality-
 ... and ... badges and pay or gratuity may have such
 service restored to him by the Governor on the recommendation of
 his commanding officer at any time as he may require for conspicuous
 gallantry or other notable services, when he has served
 with unblemished good conduct as shown by his having an entry
 in his personal conduct sheet, for two years in case of a first
 conviction entailing loss of service, for five years in case of a second
 conviction of the same nature, and for seven years in case of a
 third conviction of the same nature. He should be on account of an
 aggravated character have attended the ... of which
 his service was forfeited. Such period of prohibition shall be reckoned
 from the release of the person ... from imprisonment or other
 ... of his punishment and his return to duty.

... any officer herebefore empowered to inquire ...
 ... der this Ordinance shall in any matter touching
 such ... the ... a magistrate ...
 Criminal ... examining ...
 or affirmation ...
 under this Ordinance and of adjourn ...
 time.
 (2) In every inquiry in which evidence ...
 ... Form of
 ... proceedings.
 ... the manner of evidence
 ... nearly as may be in
 ... Rules of Procedure
 made ...

PART III. GOVERNMENT

62. (1) A battalion shall consist of an officer with the rank of, Organization
 lieutenant-colonel or major in command and such other officers,
 native officers, British warrant and non-commissioned officers, non-
 commissioned officers, privates and enlisted followers as the Gover-
 nor, subject to the approval of the Secretary of State, shall from
 time to time determine.

commissioned officers, non-commissioned officers, privates and enlisted followers of the regiment from time to time posted within such station or district subject to the orders of the commanding officer and of the Governor. When not posted to a station or district, the officers shall have such command and such duties as the commanding officer subject to the orders of the Governor, may assign.

68. The commanding officer of a battalion shall be responsible for the maintenance of the arms, accoutrements, and equipments, clothing, and other public stores, and with all public moneys issued and delivered for the use of the detachment of the regiment under his command, and shall account for such arms, accoutrements, and other public stores, and moneys to the commanding officer in case of their being lost, spoiled, or damaged otherwise than by unavoidable accident, theft, robbery, or actual fire, and the loss or destruction of his public stores, or moneys in cases of their being lost, spoiled, or damaged otherwise than by unavoidable accident, theft, robbery, or actual fire.

69. The commanding officer of a battalion shall be charged with such duties in connection with the accounts of a battalion as may be assigned to him by the commanding officer. The commanding officer shall have the immediate custody of, and account to the commanding officer for, all arms, accoutrements, clothing, moneys, ammunition, and other Government stores in his charge pertaining to the battalion, and he shall issue the same from the requisition of the commanding officer, or according to such regulations as the Governor may from time to time prescribe.

70. The Governor may make such rules, in consultation with the commanding officer, as he may think fit, for the better carrying out of the provisions of this Ordinance, and such rules shall come into operation upon the publication thereof in the Gazette, or at such time as shall be provided therein.

71. The Governor may make such rules, in consultation with the commanding officer, as he may think fit, for the better carrying out of the provisions of this Ordinance, and such rules shall come into operation upon the publication thereof in the Gazette, or at such time as shall be provided therein.

PART IV. ENLISTMENT

First term of engagement.

71. Every private or enlisted follower shall be enlisted for the first term of engagement to serve in the regiment for six years or for such period as may from time to time be fixed by the Governor, the term to be reckoned from the day on which the recruit shall have been finally approved for service and taken on the strength of the regiment.

Second term of engagement.

72. In reckoning the service of any native officer, non-commissioned officer, private, or enlisted follower for discharge or re-engagement, either in the case of repeated engagements, whether for three, six, and third, or four years, or for the total period of eighteen years' service, there shall be excluded therefrom all periods during which he has been absent from his duty from any of the following causes:

- (a) Imprisonment for any cause save that of detention for breach of any law which results in the acquittal or discharge of the prisoner.
- (b) Detentions with forced labour.
- (c) Absence from duty for any of the following reasons:—
- (i) Absence without leave exceeding twenty-eight hours.

Third term of engagement.

73. (1) Any native officer, non-commissioned officer, private, or enlisted follower of good character who at any time has completed, or is within three months of completing the term of his engagement may, with the approval of his commanding officer, re-engage himself for a further term of three years from the expiration of his first term, or subsequent periods.

(2) Any native officer, non-commissioned officer, private, or enlisted follower of good character who has completed at least twelve years' service may, with the approval of his commanding officer, re-engage for such period as shall complete a total period of eighteen years' service reckoning from the date of his first enlistment.

(3) Upon re-engagement under this section the commanding officer may, if he shall so desire, require the applicant to be examined by him, or by some other officer of the same rank, and of the personal qualifications of the applicant in the same manner as if he were a recruit, and if the applicant is not found to be qualified he may be discharged. If the applicant is found to be qualified he shall be entitled for him to sum his term of service at any period of three months after he has given notice to the officer under whose command he is serving of his wish to be discharged.

Conditions of re-engagement.

74. (1) Any native officer, non-commissioned officer, private, or enlisted follower who, being entitled to his discharge at the expiration of his first, second, third, or fourth period of service, re-engages for further service with the approval of his commanding officer, shall be allowed to proceed on furlough for such period on full-pay or half-pay, at the discretion of his commanding officer, as may be prescribed by regulations made under this Ordinance.

(2) If a native officer is re-appointed, or if a non-commissioned officer or private offers to re-enlist within six months after having been discharged, his period of re-appointment or re-engagement shall be reckoned towards his period of service, and if such re-appointment or re-engagement is for a longer period than six months, it shall be discretionary with the commanding officer to allow the service, or part of the service, for such period previous to the date of such re-appointment or re-engagement to reckon towards rank, good-conduct badges, pay, and gratuity.

(3) In the event of enlisted followers being attested as privates, it shall be discretionary with the commanding officer to allow the service, or part of the service, of such person to count as enlisted follower, up to a maximum of three years, to reckon towards good-conduct badges, pay, and gratuity.

75. Every man who is enlisted, re-enlisted or re-engaged, as being a native officer is re-appointed in the regiment as attested, shall, previous to his being enlisted, re-enlisted, re-engaged, or re-appointed, make the following declaration, and shall continue such declaration by oath in his native language in such manner as he may desire to be most binding upon his conscience:—

I, A. B., do hereby solemnly and sincerely declare and promise that I will be faithful and bear true allegiance to His Majesty King George V, His heirs and successors, and that I will faithfully serve and defend His Majesty the King, His heirs and successors, for a period of _____ years, and will obey all orders of His Majesty and of the officers placed over me, and I submit myself to all ordinances, rules, and regulations, which may from time to time be so far as this declaration

Witness my hand
before me.

Signature of officer
this _____ day of _____ 19____

Signature of officer

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

Prolongation of service terminating during war.

77. Subject to the provisions of section 73 and of the last preceding section, every native officer, non-commissioned officer, private, or enlisted follower who has completed his period or periods of engagement or service according to the provisions of this Ordinance, shall be discharged by his commanding officer.

Discharge on completion of service.

* Number to be filled in according to the period fixed by the Governor (vide Section 71.)

unless at the expiration of any period he is undergoing punishment for, or stands charged with, the commission of any offence under this Ordinance, and in case he is undergoing such punishment, or is charged with any such offence, his service shall be prolonged and his discharge deferred until such punishment shall have terminated, or until he has undergone final trial and any punishment awarded on trial at the court, with which he is charged, unless his discharge is granted with the approval of the regiment.

78. Every command officer, and every officer and enlisted soldier, while he is serving in the King's African Rifles, shall be subject to all the provisions of the Ordinance and to all rules and regulations made in pursuance thereof.

79. (1) A native soldier may be discharged by his commanding officer at any time during the currency of any term of engagement.

(a) When pronounced by the commanding officer to be medically unfit for further service.

(b) When sentenced to be dismissed for misconduct.

(c) When pronounced by the commanding officer to be physically unfit for further service.

(d) When sentenced to be dismissed for misconduct.

(e) When pronounced by the commanding officer to be physically unfit for further service.

(f) When sentenced to be dismissed for misconduct.

(g) When pronounced by the commanding officer to be physically unfit for further service.

(h) When sentenced to be dismissed for misconduct.

(i) When pronounced by the commanding officer to be physically unfit for further service.

(j) When sentenced to be dismissed for misconduct.

(k) When pronounced by the commanding officer to be physically unfit for further service.

(l) When sentenced to be dismissed for misconduct.

(m) When pronounced by the commanding officer to be physically unfit for further service.

(n) When sentenced to be dismissed for misconduct.

(o) When pronounced by the commanding officer to be physically unfit for further service.

(p) When sentenced to be dismissed for misconduct.

Discharge when unfit for service

Dismissed

When any native soldier or commissioned officer, or enlisted soldier, ceases to belong to the King's African Rifles, or is discharged therefrom, or is sentenced to be dismissed, or on reduction of establishment, all powers and authorities vested in him shall, upon a certificate of discharge being given to him, immediately cease and determine. He shall, before a certificate of discharge is delivered to him, deliver over his arms, ammunition, accoutrements, uniform, and other appointments which are the property of the Government of the Colony (or Protectorate or Territory as the case may be) to such person and at such time and place as shall be directed by the officer under whose command he may be at the time of ceasing to belong to the regiment; provided that a soldier discharged before the expiration of one year for any fault, or as not likely to make an efficient soldier, shall not take away with him any arms, or any articles of uniform or equipment described by any rules or regulations as personal property of soldiers.

81. (1) Every non-commissioned officer, under the rank of sergeant, and every private and enlisted machine-gun and Lewis-gun carrier who shall have served for three years without having been convicted of any offence by a Court Martial or Civil Court, and without having incurred any punishment, shall be entitled to receive the rank of sergeant-major.

(2) Any non-commissioned officer, under the rank of sergeant, who shall have served for three years without having been convicted of any offence by a Court Martial or Civil Court, and without having incurred any punishment, shall be entitled to receive the rank of sergeant.

(3) Any non-commissioned officer, under the rank of sergeant, who shall have served for three years without having been convicted of any offence by a Court Martial or Civil Court, and without having incurred any punishment, shall be entitled to receive the rank of sergeant.

(4) Any non-commissioned officer, under the rank of sergeant, who shall have served for three years without having been convicted of any offence by a Court Martial or Civil Court, and without having incurred any punishment, shall be entitled to receive the rank of sergeant.

(5) Any non-commissioned officer, under the rank of sergeant, who shall have served for three years without having been convicted of any offence by a Court Martial or Civil Court, and without having incurred any punishment, shall be entitled to receive the rank of sergeant.

(6) Any non-commissioned officer, under the rank of sergeant, who shall have served for three years without having been convicted of any offence by a Court Martial or Civil Court, and without having incurred any punishment, shall be entitled to receive the rank of sergeant.

(7) Any non-commissioned officer, under the rank of sergeant, who shall have served for three years without having been convicted of any offence by a Court Martial or Civil Court, and without having incurred any punishment, shall be entitled to receive the rank of sergeant.

(8) Any non-commissioned officer, under the rank of sergeant, who shall have served for three years without having been convicted of any offence by a Court Martial or Civil Court, and without having incurred any punishment, shall be entitled to receive the rank of sergeant.

(9) Any non-commissioned officer, under the rank of sergeant, who shall have served for three years without having been convicted of any offence by a Court Martial or Civil Court, and without having incurred any punishment, shall be entitled to receive the rank of sergeant.

(10) Any non-commissioned officer, under the rank of sergeant, who shall have served for three years without having been convicted of any offence by a Court Martial or Civil Court, and without having incurred any punishment, shall be entitled to receive the rank of sergeant.

(11) Any non-commissioned officer, under the rank of sergeant, who shall have served for three years without having been convicted of any offence by a Court Martial or Civil Court, and without having incurred any punishment, shall be entitled to receive the rank of sergeant.

(12) Any non-commissioned officer, under the rank of sergeant, who shall have served for three years without having been convicted of any offence by a Court Martial or Civil Court, and without having incurred any punishment, shall be entitled to receive the rank of sergeant.

(13) Any non-commissioned officer, under the rank of sergeant, who shall have served for three years without having been convicted of any offence by a Court Martial or Civil Court, and without having incurred any punishment, shall be entitled to receive the rank of sergeant.

(14) Any non-commissioned officer, under the rank of sergeant, who shall have served for three years without having been convicted of any offence by a Court Martial or Civil Court, and without having incurred any punishment, shall be entitled to receive the rank of sergeant.

(15) Any non-commissioned officer, under the rank of sergeant, who shall have served for three years without having been convicted of any offence by a Court Martial or Civil Court, and without having incurred any punishment, shall be entitled to receive the rank of sergeant.

To native officer	600
native regimental sergeant-majors or company sergeant-majors	300
sergeants	200
corporals	150
lance-corporals and privates	120
enlisted followers	80

And at the following rates after a total continuous service extending to eighteen years, viz:—

To native officers

£100

To non-commissioned officers, privates,

and enlisted followers

£50

£100

£100

£100

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For the purpose of this sub-section, a period of service of Section 74 (2) shall be deemed to be continuous and continuous service.

(2) No gratuity shall be paid in respect of a period of a total service of eighteen years, and a non-commissioned officer, private, or enlisted follower, who has received a gratuity on discharge after such a period, in the event of his afterwards being re-appointed or re-enlisted, as the case may be, in the same or a higher position, shall be entitled to a higher gratuity than any gratuity which he may have earned by continuous service for eighteen years.

(3) Where any native officer, non-commissioned officer, private, or enlisted follower, whose terms of engagement and re-engagement combined shall amount to a continuous period of not less than five years, and discharged as unfit for further service, or as inefficient, or on account of reduction of establishment, he may, at the request of the commanding officer and subject to the sanction of the Governor, receive the whole or a part of such proportion of gratuity which he might have earned if he had completed a period of eighteen years' service of the number of years actually served by him, not exceeding eighteen.

(4) Where any native officer, non-commissioned officer, private, or enlisted follower, whose terms of engagement and re-engagement combined shall amount to a continuous period exceeding twelve years, and who has been discharged as inefficient, or as unfit for further service, or on account of reduction of establishment, he may, at the request of the commanding officer and subject to the sanction of the Governor, receive such proportion of gratuity as he might have earned if he had taken a continuous period of service immediately preceding the period of service he is then passing through as his commanding officer may in his discretion, subject to the sanction of the Governor, determine.

(5) In the event of the death of any native officer, non-commissioned officer, private, or enlisted follower before the receipt by him of any such gratuity as is mentioned in either of the two preceding sub-sections of this section, it shall be lawful for the Governor to direct and cause the amount to be paid to, or for the benefit of, the widow or widows, or child or children, or to any next-of-kin of the native officer, non-commissioned officer, private, or enlisted follower, as dying, on such conditions, and, if to or for the benefit of more than one person, in such proportions as to the Governor shall seem fit.

SL
600

(6) Where any native officer, non-commissioned officer, private, or enlisted follower, whose terms of engagement and re-engagement combined shall amount to a continuous period of twelve years, dies while serving in the regiment before completing such continuous period, it shall be lawful for the Governor to direct and cause such proportion of the gratuity which he would have earned if he had completed the full period of twelve years' service as the fraction of years actually served bears to such twelve years to be paid to or for the benefit of the widow, or child, or other person named in the will of the deceased, or to the next of kin of the deceased, or to any other person whom the Governor shall see fit to appoint for the benefit of or in lieu of the widow, or child, or other person named in the will of the deceased, or to any other person whom the Governor shall see fit to appoint for the benefit of or in lieu of the widow, or child, or other person named in the will of the deceased.

(7) Where any native officer, non-commissioned officer, private, or enlisted follower, whose terms of engagement and re-engagement combined shall amount to a continuous period of twelve years, dies while serving in the regiment before completing such continuous period, it shall be lawful for the Governor to direct and cause such proportion of the gratuity which he would have earned if he had completed the full period of twelve years' service as the fraction of years actually served bears to such twelve years to be paid to or for the benefit of the widow, or child, or other person named in the will of the deceased, or to the next of kin of the deceased, or to any other person whom the Governor shall see fit to appoint for the benefit of or in lieu of the widow, or child, or other person named in the will of the deceased.

(8) Any native officer, non-commissioned officer, private, or enlisted follower, being in possession of the Victoria Cross, or the medal for Distinguished Conduct in the Field, shall, subject to such recommendation and sanction as aforesaid, irrespectively of the amount of his service, be exempted from paying hut tax for three huts for life in the case of the Victoria Cross and for one hut in the case of the medal for Distinguished Conduct in the Field, or alternatively shall be entitled to such equivalent exemption from taxation as may be determined by the Governor.

(9) Any gratuity that might have been received by any native officer, non-commissioned officer, private, or enlisted follower had he taken his discharge under the provisions of this Ordinance shall be taken in the event of his re-engaging for a further term and dying in the service before the completion of such term, and subject to the recommendation of the commanding officer, and the sanction of the Governor, shall be paid to or for the benefit of the widow, or child, or other person named in the will of the deceased, or to the next of kin of the deceased, or to any other person whom the Governor shall see fit to appoint for the benefit of or in lieu of the widow, or child, or other person named in the will of the deceased.

(10) Any gratuity that might have been received by any native officer, non-commissioned officer, private, or enlisted follower had he taken his discharge under the provisions of this Ordinance shall be taken in the event of his re-engaging for a further term and dying in the service before the completion of such term, and subject to the recommendation of the commanding officer, and the sanction of the Governor, shall be paid to or for the benefit of the widow, or child, or other person named in the will of the deceased, or to the next of kin of the deceased, or to any other person whom the Governor shall see fit to appoint for the benefit of or in lieu of the widow, or child, or other person named in the will of the deceased.

the Governor as aforesaid, be deemed for the purposes of this Ordinance to be his personal property in the charge of the Treasurer for the time being, and shall be paid out and distributed by the Treasurer or such other person as he may appoint in accordance with the provisions and conditions of this Ordinance.

Continued on page 2

34. The Governor may, subject to the approval of the Council, order that any sum of money which may be available for the purposes of this Ordinance shall be paid out of the Consolidated Fund of the Colony or Protectorate or Territory, or out of any other fund which may be available for the purposes of this Ordinance, and may, subject to the approval of the Council, order that any such sum of money shall be paid out of the Consolidated Fund of the Colony or Protectorate or Territory, or out of any other fund which may be available for the purposes of this Ordinance, and may, subject to the approval of the Council, order that any such sum of money shall be paid out of the Consolidated Fund of the Colony or Protectorate or Territory, or out of any other fund which may be available for the purposes of this Ordinance.

Continued on page 2

35. Save as hereinafter provided, all the provisions of this Ordinance, and of any Ordinances amending or supplementing this Ordinance, and of the rules and regulations which may be made thereunder, shall apply to all officers, British warrant and non-commissioned officers, non-commissioned officers, privates, and enlisted followers, equal in rank to the best existing section; and such officers, native officers, British warrant and non-commissioned officers, non-commissioned officers, privates, and enlisted followers shall be deemed to be part of the regiment as long as they shall be serving therein.

Provided always that when any officers, native officers, British warrant or non-commissioned officers, non-commissioned officers, privates, or enlisted followers who are enrolled in, belong to, or are in the service of any Dependency shall be enrolled temporarily in the service of the Colony (or Protectorate or Territory) as provided in this Ordinance, the rate of pay to be received by them, the mode and time of payment, and all other matters relating to the pay and remuneration of such officers, native officers, British warrant and non-commissioned officers, non-commissioned officers, privates, and enlisted followers may be regulated by the Governor and the Officer commanding the Regiment, subject to the approval of the Council, in such manner as may be deemed fit by the Governor and the Officer commanding the Regiment; and the rate of pay to be received by such officers, native officers, British warrant and non-commissioned officers, non-commissioned officers, privates, and enlisted followers temporarily enrolled; or in the service of the Colony (or Protectorate or Territory) shall be the same as the rate of pay to be received by such officers, native officers, British warrant and non-commissioned officers, non-commissioned officers, privates, and enlisted followers temporarily enrolled under this Ordinance; and such officers, native officers, British warrant and non-commissioned officers, non-commissioned officers, privates, and enlisted followers shall receive the rates of pay respectively drawn by officers, native officers, British warrant and non-commissioned officers, non-commissioned officers, privates, and enlisted followers of equal rank in the regiment.

Oath of temporary enrollment

36. Every non-commissioned officer, private, and enlisted follower temporarily enrolled under this Ordinance shall make the following declaration, and shall confirm his declaration by oath in

in such manner as he may declare to be most

in his capacity and sincere desire and... will obey all orders of his superior officers and will abide by all regulations... and will abide by all regulations...

Back of as... before me.

Signature or mark. day of 19 Signature of officer

PART V - GENERAL PROVISIONS ENFORCEMENT OF SERVICE CONTRACTS.

(1) Any native officer, non-commissioned officer, private, or enlisted follower shall be liable to be taken out of the King's African Rifles... (2) Any plaintiff upon notice... (3) The pay of any native officer, non-commissioned officer, private, or enlisted follower due or accruing to him at the date of any judgment...

Native officer, non-commissioned officer, private or enlisted follower of the regiment...

Mainly in execution other than personal

Pay of native officers, non-commissioned officers, private or enlisted follower of the regiment, not payable for debt or exception.

the paymaster, and thereupon the amount ordered shall be stopped out of the judgment debtor's pay until the amount of the decree is made good.

Ordinance
Court of law
Court of
Court of
Court of

88. (1) Nothing in this Ordinance shall be construed to exempt any person subject to this Ordinance from being liable to be tried in the ordinary course of law when accused of any offence in respect of which he is punishable under any other law in force in the Colony or Protectorate or Territory, or the case may be, in respect of any person subject to this Ordinance in respect of any capital offence or of violence or of any offence against the person or property punishable by the law of the Colony or Protectorate or Territory at the time any such offence is committed, but any such non-commissioned officer or native officer, British warrant-bearer or any such person shall be liable to be tried and sentenced and delivered over to be tried in the ordinary course of justice.

(2) No person subject to this Ordinance shall be liable to be tried for an offence against the State, within the meaning of Chapter VI. of the Penal Code, in respect of a homicide not assisting to murder, or rape, or any offence in which the offence is committed in circumstances more than 100 miles as measured in a straight line from any place in which the offence can be tried for such offence by a competent court.

Exemption
from second
trial or
punishment
for same
offence

89. (1) An offender shall not be liable to be tried by court-martial for an offence which has been dealt with summarily by his commanding officer, and shall not be liable to be tried by court-martial if he has been punished by his commanding officer for any offence which has been committed or committed by a competent court or court-martial. An offender shall not be liable to be tried by a civil court for an offence which has been dealt with summarily by his commanding officer, or to which he has been tried by court-martial.

(2) If any person subject to this Ordinance has been convicted by a competent civil court of any crime or offence he shall not be liable to be punished for the same under this Ordinance, otherwise than by loss of pay under Section 53, and in the case of a native officer or non-commissioned officer by reduction to an inferior rank or to the rank of a private, by order of the Governor communicated through the commanding officer, or by dismissal from the regiment, or by the loss of the whole or any period of his previous service reckoning towards discharge, or by the loss of all or any good-conduct badges which he may possess, together with forfeiture of the whole or any part of any good-conduct pay of which he is in receipt, by order of the Governor communicated through the commanding officer.

Unlawful
to receive
to receive
to receive

- 90. (1) Every person subject to this Ordinance shall not be allowed to—
 - (a) Buy, exchange, pawn, or receive from any person, quantity of any article;
 - (b) Sell, or entice any person to sell, exchange, pawn, or give away, or
 - (c) Assist or act for any person in selling, exchanging, pawning, or making away with,

regiment, for the purpose of buying, doing or obtaining to be done, or for the purpose of procuring to be done, or for any other unlawful purpose, shall be liable to a fine not exceeding £20, or to a fine not exceeding £80, or to a term of imprisonment not exceeding three years, or to a fine not exceeding £80, or to a term of imprisonment not exceeding three years, or to a fine not exceeding £80, or to a term of imprisonment not exceeding three years.

Every officer on command and every soldier shall be liable to a fine not exceeding £20, or to a fine not exceeding £80, or to a term of imprisonment not exceeding three years, or to a fine not exceeding £80, or to a term of imprisonment not exceeding three years, or to a fine not exceeding £80, or to a term of imprisonment not exceeding three years.

Provision made for... Disposal of...

AND Distribution of Property

Every officer on command and every soldier shall be liable to a fine not exceeding £20, or to a fine not exceeding £80, or to a term of imprisonment not exceeding three years, or to a fine not exceeding £80, or to a term of imprisonment not exceeding three years, or to a fine not exceeding £80, or to a term of imprisonment not exceeding three years.

Provision made for... Disposal of...

The paymaster or any officer of the regiment, or of the Treasury, or other public department, having in his charge or control any pay, allowances of pay, gratuity, or other allowance, or any personal property or money belonging to any person, shall be liable to a fine not exceeding £20, or to a fine not exceeding £80, or to a term of imprisonment not exceeding three years, or to a fine not exceeding £80, or to a term of imprisonment not exceeding three years.

Every officer on command and every soldier shall be liable to a fine not exceeding £20, or to a fine not exceeding £80, or to a term of imprisonment not exceeding three years, or to a fine not exceeding £80, or to a term of imprisonment not exceeding three years, or to a fine not exceeding £80, or to a term of imprisonment not exceeding three years.

Such will shall be deemed well made for the purpose of being admitted to probate, and the person taking out representation to the testator under such will shall exclusively be deemed the testator's representative with respect to the money or personal property thereby bequeathed.

The paymaster or any officer of the regiment, or of the Treasury, or other public department, having in his charge or control any pay, allowances of pay, gratuity, or other allowance, or any personal property or money belonging to such testator, not exceeding in the aggregate the value of £75, may pay or deliver probate.

Provision made for... Disposal of...

the same to any person entitled thereto under the will, or to the person entitled to procure probate of, or administration under, such will, although probate or administration may not have been taken out.

Probate to be taken in a public place.

54. In all cases where the real and personal property exceeds the value of the estate, the paymaster or other officer as aforesaid, shall have the charge or control of such real and personal property, to the value of the estate, upon pay and delivery of a receipt and certificate in writing, signed by a representative of the deceased.

Provision in cases of intestacy.

55. In all cases where the real and personal property of the deceased or of any person entitled to the same, shall exceed the value of the estate, the paymaster or other officer as aforesaid, shall have the charge or control of such real and personal property, to the value of the estate, upon pay and delivery of a receipt and certificate in writing, signed by a representative of the deceased. In all cases where the real and personal property of the deceased or of any person entitled to the same, shall exceed the value of the estate, the paymaster or other officer as aforesaid, shall have the charge or control of such real and personal property, to the value of the estate, upon pay and delivery of a receipt and certificate in writing, signed by a representative of the deceased.

As to payment of debts.

56. Notwithstanding anything hereinbefore contained, if in any case where probate of the will or administration to the estate of the deceased is not taken out, the paymaster or other officer as aforesaid, shall have the charge or control of the real and personal property of the deceased in manner aforesaid, has notice of any debt due to or by the deceased, he shall notify such debt to the paymaster or other officer as aforesaid, and shall be charge or control of such debt, subject to the following conditions:

- (1) That the debt accrued within three years before the death.
- (2) That payment of it is claimed within one year after the death.
- (3) That the claimant proves the debt to the satisfaction of the company commander.

Any person claiming to be a creditor of the deceased shall not be entitled to obtain payment of his debt out of any money that may be in the hands of the paymaster or any officer of the regiment, or of the Treasury or other public department, except by means of a claim on the paymaster or commanding officer or some Administrative Officer, and proceeding thereon under and according to this Ordinance.

Property distributed subject to rights of creditors.

57. In all cases where the money or personal property of the deceased or any part thereof is paid or delivered to any person as being interested therein by reason of his or her name having been recorded in accordance with section 55 of this Ordinance, or under

the will of the deceased, or as his widow or child or near relative, or in any other manner under this Ordinance, any creditor of the deceased shall have the same rights and remedies against such person as if he or she had received the sum as a legal person or representative of the deceased.

100. If the money or property, respectively belonging to the deceased, or any part thereof, is not for one year and a part thereof is not disposed of, and without any valid claim thereon having been made, then the paymaster or cashier, after having the certificate of the commanding officer of the unit or company to which the money or property belongs for the benefit of the regiment, as may be ordered by the order or regulations of the Governor, shall apply to the officer in charge of the section of any such money or property, and shall cause the same to be paid to the person named, and shall not be deemed to have done any part thereof, until the same has been paid at any time after such application.

101. Medals, uniforms and decorations shall not be paid to be cancelled in any case, and shall be disposed of as follows:— (a) Medals, uniforms and decorations shall be disposed of for the purposes of the Ordinance, and the same shall be sold to the best advantage, and the proceeds thereof shall be paid to the commanding officer of the unit.

102. To avoid doubt, the money or property of the deceased, as in the charge of the paymaster or cashier, shall be disposed of according to the regulations made by the Governor, and it is provided that in every such case the provisions of this Ordinance shall mutatis mutandis apply as respects the same.

VI—APPLICATION OF MILITARY LAW SAVING PROVISIONS AND DEFINITIONS.

103. (a) The Army Act and any Article of War or other provisions in pursuance of such Act, and for the time being in force, shall apply to the provisions therein contained respecting discipline.

- (a) At all times to officers and British warrant or non-commissioned officers appointed to or attached to the regiment.
- (b) To militia officers, non-commissioned officers, privates, enlisted followers and followers when on active service within the meaning of the said Act, provided that any native officer, non-commissioned officer, private, or enlisted follower or follower who is guilty of any offence named in this part of the Ordinance or in the Army Act when on active service within the meaning of that Act, may be punished as provided by this Ordinance.

Executive officers, non-commissioned officers, and other personnel employed in the service of the King's African Rifles, through the provisions of this Ordinance, or otherwise, and the provisions of this Ordinance shall apply to those officers, non-commissioned officers, privates, and enlisted followers of the King's African Rifles, who are employed in the service of the King's African Rifles, through the provisions of this Ordinance, or otherwise, and the provisions of this Ordinance shall apply to those officers, non-commissioned officers, privates, and enlisted followers of the King's African Rifles, who are employed in the service of the King's African Rifles, through the provisions of this Ordinance, or otherwise.

104. This Ordinance shall apply to officers, non-commissioned officers, privates, and enlisted followers of the King's African Rifles, who are employed in the service of the King's African Rifles, through the provisions of this Ordinance, or otherwise, and the provisions of this Ordinance shall apply to those officers, non-commissioned officers, privates, and enlisted followers of the King's African Rifles, who are employed in the service of the King's African Rifles, through the provisions of this Ordinance, or otherwise.

(1) When in the Colony (or Protectorate or Territory, as the case may be); and
 (2) When employed out of and beyond the Colony (or Protectorate or Territory, as the case may be), in accordance with section 4 (a) of this Ordinance, and to any other provisions that may be applicable.

105. In this Ordinance, if not inconsistent with the context, the following expressions have the meanings hereinafter respectively assigned them:

- (1) "Officer" means an officer commissioned or in the service of His Majesty's Imperial Colonial or Protectorate Forces, or any arms branch, or part of the same, holding a British warrant and other officers holding honorary commissions are officers within the meaning of this Ordinance.
- (2) "Native officer" means any officer other than European above the rank of native regimental sergeant-major.
- (3) "Non-commissioned officer" includes an acting non-commissioned officer and a school-master and an enlisted follower, but does not include British warrant and non-commissioned officers.
- (4) "Private soldier" does not include an officer, native officer, British warrant or non-commissioned officer, but includes every person subject to this Ordinance during the time that he is so subject, including machine and Lewis gun carriers, stretcher bearers, hospital dressers, messengers, sweepers, and any other persons who have been enlisted or enrolled for any period.
- (5) "Follower" means any person, not being of European origin or race, who is attached to the regiment or detachment, and includes any such person being an enlisted follower, or being an officer or soldier, or being an officer's servant, or being an employee in connection with the service of the regiment or being in the lines.
- (6) "Superior officer" when used in relation to a native officer, British warrant or non-commissioned officer, or soldier or follower, includes all officers, British warrant or non-commissioned officers, or non-commissioned officers superior to such native officer, British warrant or non-commissioned officer, soldier or follower, when used in relation to machine and Lewis gun carriers, stretcher bearers, and messengers, includes a headman.
- (7) "Military decoration" means any medal, ribbon, good conduct badge, or decoration.

TO BE KEPT WITH

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Every person subject to this Ordinance who commits any of the following offences, that is to say,

(a) By discharging firearms, drawing swords, beating drums, making signals, using words, or by any means giving the alarm of an attack, or by any means, on the march, or elsewhere,

(b) Alarms, or by any means, on the march, or elsewhere, and by any means, on the march, or elsewhere,

(c) By any means, on the march, or elsewhere, and by any means, on the march, or elsewhere,

(d) By any means, on the march, or elsewhere, and by any means, on the march, or elsewhere,

(e) By any means, on the march, or elsewhere, and by any means, on the march, or elsewhere,

(f) By any means, on the march, or elsewhere, and by any means, on the march, or elsewhere,

(g) By any means, on the march, or elsewhere, and by any means, on the march, or elsewhere,

(h) By any means, on the march, or elsewhere, and by any means, on the march, or elsewhere,

(i) By any means, on the march, or elsewhere, and by any means, on the march, or elsewhere,

(j) By any means, on the march, or elsewhere, and by any means, on the march, or elsewhere,

(k) By any means, on the march, or elsewhere, and by any means, on the march, or elsewhere,

(l) By any means, on the march, or elsewhere, and by any means, on the march, or elsewhere,

(m) By any means, on the march, or elsewhere, and by any means, on the march, or elsewhere,

THE ORDINANCE

KING'S AFRICAN RIFLES ORDINANCE

1. This Ordinance may be cited as the King's African Rifles Ordinance, 1924.

2. This Ordinance is divided into six parts, reading as follows:—

- Part I. Preliminary Provisions.
Part II. Composition and Duties.
Part III. Discipline.
Part IV. Mutiny, Desertion, and Arms.
Part V. Offences.
Part VI. Miscellaneous Provisions.

COMPOSITION AND DUTIES

3. The King's African Rifles shall be composed of the following:—

(a) The King's African Rifles Battalion, which shall be composed of the following:—

(b) The King's African Rifles Companies, which shall be composed of the following:—

(c) The King's African Rifles Sections, which shall be composed of the following:—

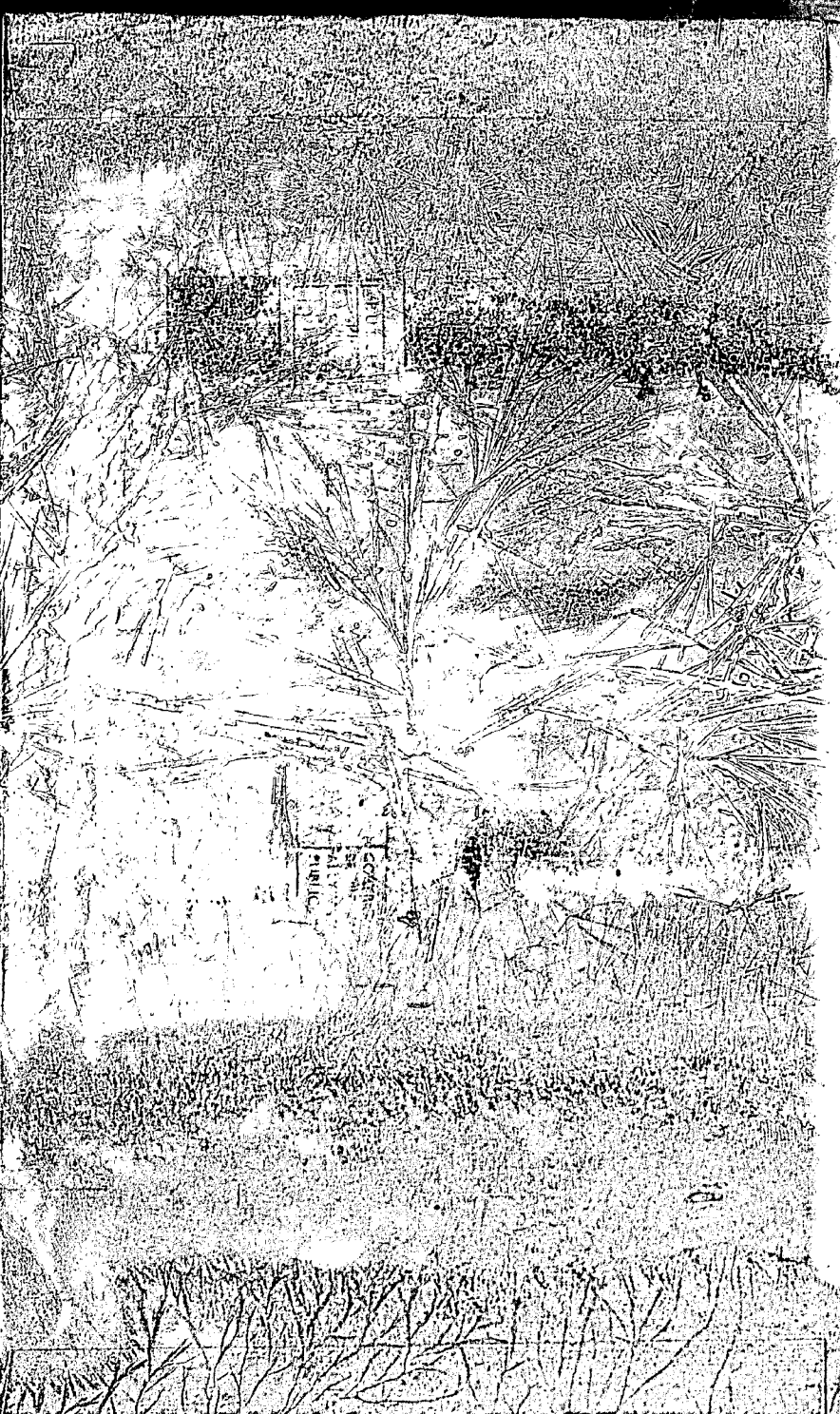
(d) The King's African Rifles Platoons, which shall be composed of the following:—

Mutiny and Desertion

Offences

Disobedience to superior officer

Employment beyond Colony or Protectorate or Territory as the case may be



Seal 3-2125
 No. 1006
 No. 1007
 No. 1008
 No. 1009
 No. 1010
 No. 1011
 No. 1012
 No. 1013
 No. 1014
 No. 1015
 No. 1016
 No. 1017
 No. 1018
 No. 1019
 No. 1020

CA 25-246
 K.A.R.

O.H.S. 10
 No. 1006
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 No. 1012
 No. 1013
 No. 1014
 No. 1015
 No. 1016
 No. 1017
 No. 1018
 No. 1019
 No. 1020

19 February

I have etc. [to refer to]

1. Lt. G. Adley's dep. No 1164 of the 22nd of Aug. 1921
2. Lt. G. Adley's dep. No 614 of the 22nd of Aug. 1921
3. Lt. G. Adley's dep. No 1164 of the 22nd of Aug. 1921
4. Lt. G. Adley's dep. No 1164 of the 22nd of Aug. 1921

(See
 Off. hereunder)

Check to J in the
 of the K.A.R.

on the subject of the revision
 of the Ordinances relating
 to the K.A.R.
 40 Hamilton-Campbell of the
 K.A.R. Ordinance No 116
 1925

and to transmit to you
the enclosed draft Order
which has been prepared in
conjunction with the
Inspection Report of the K.A.R.
as a result of the agreement
of the East India Company
and the K.A.R. in the
subject of the
alterations in fact
in the course of
the progress of the
memorandum on the points
in which a connection
with the draft Order and
shall be made if before
any steps are taken
to enact the new Ordinance
you will furnish me
with a list of the
officers of the

- Mr.
- Mr.
- Mr.
- Mr. Strachan
- Mr. J. Shackburgh
- Sir O. Davis
- Sir G. Gifford
- Sir J. Master of the Court
- Mr. Gifford
- Mr. Gifford

MEMO

signed in the name of the
field or also

in the matter of the
which is a matter
to be taken into
to my notice in connection
with the draft.

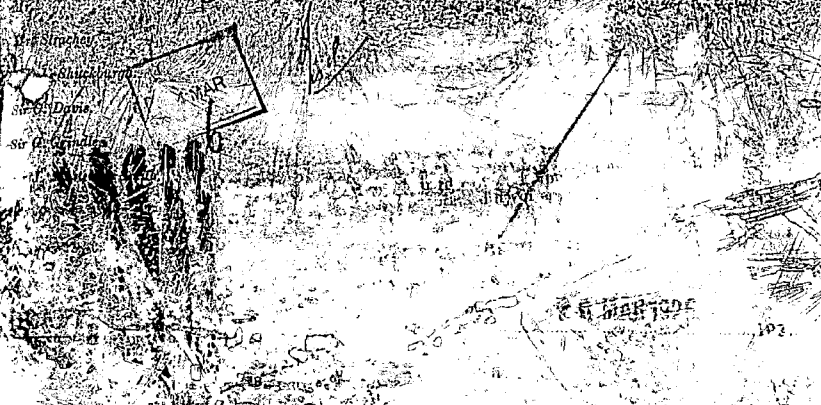
3. The matter of the
I desire most particularly
to draw your attention
in connection with the Ordinance
in the omission, from Sections
45 and 47, of provisions for
the punishment of
officers by flogging. The

Form of punishment is
not provided for in the
legislation relating to the
West African Frontier Force,
and I have put

views on a number of
points. I am, Sir,
Yours faithfully,
L. S. SMITH

Very truly yours,
L. S. SMITH

Seal 23/25 CA 2504/25 WA
Docket No 4/3 W.R.



The Board of Directors, I think for the
Order presents her objections to
the proposed regulations, namely as
the 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th.

and with reference to the 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th.

and begs to inform that the
provisions which may be printed in
p. 6 to inform him that in the first
table in Section 82(1) of the draft
Order, as enclosed therewith, the

To inserted, inserted in *Commissary*
Galley journal

POWER OF COMMANDING OFFICER

45. The commanding officer shall, upon an investigation being had of a charge made against a period subject to this Ordinance, or having committed an offence under this Ordinance, dismiss the charge, if he in his discretion thinks that it ought not to be proceeded with; but where he thinks the charge ought to be proceeded with, he may take steps for bringing the offender to a court-martial or in the case of a soldier or a follower he may deal with the case summarily.

Power of
 commanding
 officer

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Where he deals with the case summarily, he may, if the case requires, or
 46. In the case of a sentence to be given to any of the following punishments:

(a) Award to the offender any punishment with or without imprisonment for any period not exceeding seven days

(b) Reprimand, or award of a public or private name, or a name of disgrace, or to the offender of a private

(c) Award of corporal punishment, not exceeding twenty blows with the cane, or such other punishment as the commanding officer may think fit to award

(d) Discharge of the offender from the regiment
 Imprisonment not exceeding twenty-one days may also be awarded by the commanding officer

Under the above powers the deduction from the offender's pay to make good the amount of any punishment he may have caused

(e) To be sent to barracks for any period not exceeding twenty-eight days, such punishment involving the taking of all duties in regular turn, attending parades and punishment drills, not exceeding one hour at a time on any day, shall on the same day as the day of ordinary duty, and also liability to employment on

any of his duties
 (f) To be sent to guard or

(g) To be sent to guard or

(h) To be sent to guard or

(i) To be sent to guard or

(j) To be sent to guard or

(k) To be sent to guard or

(l) To be sent to guard or

(m) To be sent to guard or

(n) To be sent to guard or

(o) To be sent to guard or

(p) To be sent to guard or

(q) To be sent to guard or

(r) To be sent to guard or

(s) To be sent to guard or

(t) To be sent to guard or

(u) To be sent to guard or

which will be awarded except for offences committed on the
 line of duty, and not the person or property of the
 inhabitants of the camp

(k) On active service, unless field punishment under the terms
 of Section 43 (b) of this Ordinance for any period not
 exceeding 28 days

(l) If the offender is on active service, he shall, in addition to any other
 punishment awarded, forfeit all ordinary pay
 for a period commencing on the day of the sentence and
 not exceeding, exceeding 28 days

B (e) In the case of absence without leave by a soldier, private, or follower
 the commanding officer may deal with the case summarily,
 and may award imprisonment, with or without
 hard labour, up to any period not exceeding thirty
 days, provided that the term of imprisonment awarded
 if exceeding seven days, shall not exceed the term of
 absence.

concludes follows
 A private will also forfeit one day's pay for every
 day of absence in the same way as is laid down
 in the Royal Warrant for Pay for the Army

The offence of drunkenness by a soldier may be dealt with and summarily punished by the commanding officer as follows:—

Punishment for drunkenness

(a) For the first offence the offender shall be admonished or confined to barracks, but no fine shall be inflicted.

(b) For the second and every subsequent offence as follows:—

If within three months of the previous offence, by fine to the amount of nine days' pay with or without confinement to barracks;

If over three months and within six months of the previous offence, by fine to the amount of six days' pay with or without confinement to barracks;

If over six months and within nine months of the previous offence, by fine to the amount of three days' pay with or without confinement to barracks;

If over nine months and within twelve months of the previous offence, by fine to the amount of one day's pay with or without confinement to barracks.

Where a soldier is convicted by a court-martial of drunkenness, and if he has previously been convicted of drunkenness, and if he has been recorded for loss of pay within the previous twelve months, an amount of three days' pay shall be added to the amount of the fine laid down.

For an act of drunkenness or duty, as defined by section 19, or where an act of drunkenness is accompanied by any other offence, the offender may be sentenced, as provided by section 19, to imprisonment with or without hard labour, or confinement to barracks, in addition to the penalties above mentioned.

Any non-commissioned officer convicted of drunkenness, in addition to any fine as aforesaid, may be reprimanded, severely reprimanded, or reduced to a lower rank or to the rank of a private.

For the offence of absence without leave by a native officer, warrant or non-commissioned officer, the offender shall be liable to the same penalties as those applicable to a soldier.

Under the provisions of section 19, a soldier convicted of drunkenness or of absence without leave, may be sentenced to imprisonment with or without hard labour, or to confinement to barracks, in addition to any fine or other penalty.

A native officer, warrant or non-commissioned officer ~~convicted~~ will also forfeit one day's pay for every day of absence without leave in the same way as is laid down in the Royal Warrant for Pay for the Army.

Article 11, Warrant for non-commissioned officers - Committee of Dismounted Cavalry, 1881, as last seen in Section 45 (1) C. On account of any of the punishments laid down in section 19 (3) A.

(3)

If the offender is a follower, for an offence under this Ordinance:—

Award to the offender any one or more punishments described in clauses (a), (b) or (c) of part A of this sub-section; and in addition to or without any other punishment, impose a fine not exceeding shillings twenty.

(2) Commanding Officer may (b) (d) or (g)

Article 45 (a) & (b)

C

The offence of drunkenness by a soldier may be dealt with and summarily punished by the commanding officer as follows:—

Punishments for drunkenness.

(a) For the first offence the offender shall be admonished or confined to barracks, but no fine shall be inflicted.

(b) For the second and every subsequent offence as follows:—

If within three months of the previous offence, by fine to the amount of nine days' pay with or without confinement to barracks;

If over three months and within six months of the previous offence, by fine to the amount of six days' pay with or without confinement to barracks;

If over six months and within twelve months of the previous offence, by fine to the amount of three days' pay with or without confinement to barracks;

If over twelve months and within two years of the previous offence, by fine to the amount of one day's pay.

Where a soldier is liable to a fine, and four preceding instances of drunkenness have been proved against him within the previous twelve months, an amount of three days' pay shall be added to the amount of the fine had down.

For an act of drunkenness on duty, as defined by section 19 or when an act of drunkenness is accompanied by any other offence, the offender may be sentenced, as provided by section 45 (1), to imprisonment with or without hard labour, or confinement to barracks, in addition to the fine.

Any non-commissioned officer convicted of drunkenness, in addition to any fine as aforesaid, may be reprimanded, severely reprimanded, or reduced to a lower rank or to the rank of a private.

If the offender is a native officer, warrant or non-commissioned officer, in the case of any offence of drunkenness, in case of the offender being a warrant officer, the following punishment shall be inflicted:—

Where the offender is a warrant or non-commissioned officer, any reduction from the rank of the offender shall be made good the amount of the loss he may have caused.

B

A native officer, warrant or non-commissioned officer will also forfeit one day's pay for every day of absence without leave in the same way as is laid down in the Royal Warrant for Pay for the Army.

C

A native officer, warrant or non-commissioned officer convicted of drunkenness may, instead of being dealt with as in section 45 (1) C, be sentenced to any of the punishments laid down in section 45 (2) A.

(3)

If the offender is a follower for an offence under this Ordinance:—

Award to the offender any one or more punishments described in clauses (a) to (c) of part A of this sub-section; and in addition to or without any other punishment, impose a fine not exceeding shillings twenty.

Commanding Officer may (3) (d) or (g)