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SEP 22 1922

6th August, 1922.

With reference to Colonel Asery's Confidential despatch of 6th April, 1921, I have the honour to transmit herewith, at the request of the writer, a copy of the report of the Commission of Enquiry into the conduct of the late Mr. Asery, a former Engineer, Uganda Railway, who was granted a leave in 1914. The Commission found that Mr. Asery was entitled to his 12 months' leave on full pay, and that the leave granted by him prior to proceedings on sick leave. I forward also a copy of the covering letter of the General Manager, Uganda Railway.

2. Mr. Minnell returned on the 1st October, 1914, from long leave in South Africa. He was before the Commission on the 1st of January, 1915, and was granted 3 months' leave on full pay to South Africa on the 1st of January, 1915.

At that time the Commission found that Mr. Minnell was entitled to his 3 months' leave on full pay, and his passage to and from South Africa as paid by the Government. In accordance with the usual practice, Mr. Minnell, on his return, was granted a 3 months' leave on full pay.

3. Your despatch No. 1742 of 16th November 1921 is forwarded.

THE RIGHT HONOURABLE

WILSON GUNCHILL, F.O., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOVING STREET, LONDON, S.W.

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by Mr. Linnell, refers to concessions granted to the Non-European Staff, long after Mr. Linnell's return from sick leave, in respect of sick leave in the Colony, and is therefore not apposite. Had his sick leave been spent in this country it would not, under local regulations, have been counted as such sick leave, but in view of the fact that Mr. Linnell's expenses of his passages to and from the Colony are not reimbursed for the period of his absence, it is probable that the period of service of Mr. Linnell from sick leave spent in the Colony should be reckoned in the same manner as service to which he is entitled under the regulations in which it is stated that the period of sick leave spent in the Colony will be deducted from the vacation leave earned by the officer prior to invaliding, and that a leave on return from such sick leave will entitle a member to a further year of service towards any balance of leave. I shall be glad to learn of your approval.

I have the honour to be,
Sir,

Your humble, obedient servant,
Sd. EDWARD NORTHLEY,
GOVERNOR.

UGANDA RAILWAY,

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The Right Honorable the Secretary of State for the Colonies,
Downing Street, London.
10, Broad Street, Jinja, 12th June, 1922.

The Right Honorable,
The Secretary of State for the Colonies,
Downing Street, London.
I have the honor to acknowledge the receipt of your letter of the 11th inst. in relation to the sick leave of medical certificate of the Chief Accountant of the Uganda Railway on the 12th inst.

I have the honor to forward herewith copies of the letter of the 11th inst. and being an inquiry in regard to the sick leave of medical certificate of the Chief Accountant of the Uganda Railway on the 12th inst.

It is respectfully requested that you will be good enough to inform me of the result of the measure that is allowed to members of the Non-European Staff of His Majesty's Secretary of State for the Colonies' letter No. 1742 of 16th November, 1921, wherein 90 days sick leave on account of duly certified illness, not caused by the servant's own fault may be allowed to count as service, and any subsequent period counted as leave on half pay, or, at the option of the servant as privilege leave on full pay.

The subsequent period in my case would be 31 days

Genl. S. L. U.

Kenya Colony, 29-11-21.

To:-

The Chief Engineer,

Uganda Railway, Nairobi.

The District Engineer, Ug. Ry, Nairobi.

...sick leave of the Cape
 ... 1921.
 ... courts
 ... the
 ... country
 before being ...

(2) I should like to state that my medical
 opinion that my sickness was an aftermath of the two
 years and protracted periods of my military service
 contracted in ...

(3) It would not be ...
 of my earned leave should be ...
 cause of which ...
 field during ... especially as the whole of my
 last leave in England (1919) was given up to recovery
 in health from the effects of the campaign in East
 Africa, and was fairly frequently interspersed with
 attacks of malaria fever and stomach trouble as is
 known by Lieutenant Colonel Prout the Medical Adviser
 to the Colonial Office who examined me on several
 occasions.

I have etc.
 Ed. T. P. Linnell.
 Assistant Engineer.

M.4116/

July '22.

Mr. Capt. F. Linnell, Royal Engineers, Durban, Natal

In regarding the petition for relief from Mr. F. Linnell, Superintendent, Durban, Natal, I have the honor to refer you to your S.O. 1000/155 of 12th March 1921, in which I have mentioned that in the absence of the Medical Board's recommendation of a Medical Board, the sick leave was necessary to take up the leave to 90 days in accordance with the regulations of 14 months and 24 days on the date of his sailing for South Africa, and that, under sections 120 and 121 of the Regulations, the sick leave taken in South Africa wiped out all residential service counting for leave prior to the date of his return to duty, namely May 27th 1921, from which date Mr. Linnell again started to earn vacation leave.

3. Mr. Linnell petitions that this leave should not count against the ordinary leave he had earned by the 14 months and 24 days service before being invalided; but that the 90 days' sick leave, on account of duly certified illness, not caused by the servant's own fault, be allowed to count as service and that the subsequent period, 26th April to 27th May 1921 - namely 31 days, be counted as leave on half pay; and he is willing to refund half pay for this period in order to benefit by counting his sick leave as "service" towards earning future vacation leave.

4. The Medical Board in Kenya recommended that Captain Linnell should be given 3 months sick leave to South Africa. The regulations quoted above refer to sick leave spent in England - presumably the Officer's home. South Africa is not Captain Linnell's home.

According to the regulations he might have been given 90 days sick leave in the Colony which period would have been counted as service earning leave. I therefore trust his case will be considered sympathetically and I would

suggest that the period he was absent from the Colony should not be counted as service earning leave, but that the 14 months and 24 days service prior to his going on leave be counted for vacation leave.

5. I would point out that the Asiatic Leave Rules quoted by Mr. Linnell were not in force at the date he took his leave, and that under the Asiatic Leave Rules of 1909 in force at that date but not applicable to Europeans, only half pay for the whole period was permissible.

Yours faithfully,

Sir,

Your obedient servant,

10/10/10

10/10/10

thinking several prior to
validating and that officers
conclusion of the case
...
...
any balance.

