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1920
MARCH

EUROPEAN DEFENCE AND TERRITORIAL FORCES

Previous Paper

Trans Col Newthorpe's recommendations re. Has decided not to revise any limits for compulsory training. Forwards revised bills for census, requests approval of same

See Postquam

The question is now under the
consideration of the C.D.C.

To Gen. Wilson

1st Lt. 2.5.20. Gen 13 5/20

W. Wilson

General Wilson (C.D.C.)

Pl. see your minutes of 24/1/20
N. 1/2/20 (forward paper)

I understand you have already
def. taking off. more cases

Will you pl. submit the necessary
papers now, as a priority

you have only waiting for them

Subsequent Paper

50675

upside down.

all
1897/0

Arrested in the Forest 6/20/00

attached (see 8/10)

5th October, 1942

My dear Captain,

The question of the local forces in
Kanya Colony and Uganda is being up tomorrow at
the Overseas Defence Committee, when Col. J. L.
Barthorpe will be present.

I do not know if you have any points
you wish to bring to the notice of Sir George Giddens,
but if so will you let me know by tomorrow morning.

Yours sincerely,

[Handwritten signature]

Major G. H. P. M. S.
Colonial Office

7/9/42

8th October, 1920.

My dear Macfie,

The question of the local forces in
Kerry Colony and Uganda is coming up tomorrow at
the Oversea Defence Committee, when Colonel
Hawthorne will be present.

I do not know if you have any points
you wish to bring to the notice of Sir George Biddle,
but if so will you let me know by tomorrow morning.

Yours sincerely,

B.H. Wilson

Asst. Com. R.A.F.
Colonial Office.

*After speaking to the Col. Biddle, I have
read Gen. Wilson's paper and am in
agreement with it. I am sending you
a copy of the O.D.C.*

Wilson 7/10/20

SECRET.

D.O. No. 31.

OVERSEA DEFENCE COMMITTEE

REPORT ON THE PROPOSED

EUROPEAN DEFENCE AND TERRITORIAL FORCES

(Note by Secretary)

At their meeting on Wednesday, May 19th, 1920, the Oversea Defence Committee had under consideration General Staff proposals dated 9th August, 1919, for the raising of a Defence Force in the Kenya Colony and Protectorate and a Territorial Force in connection with the raising and organization of European Defence and Territorial Forces in those territories.

1. It was then decided to recommend that the proposals to resort to compulsory service should be approved and to instruct the Secretary to confer with the General Staff regarding details in connection with the organization and training of the proposed forces with a view to the preparation of a Memorandum embodying any suggestions the General Staff might have to offer on the subject.

2. The General Staff did not agree with the proposal to raise two forces in the Kenya Colony and Protectorate: a Defence Force and a Territorial Force, and suggested the raising of one force only, viz. a Defence Force, on such conditions as would meet the requirements of the Colony without having to maintain a Territorial Force.

3. After consultation with the Colonial Office it was decided not to issue a Memorandum on this question but it was possible to discuss the matter with the Inspector General of the King's African Rifles, who was at that time about to start home for England.

4. Colonel Balfour, the Inspector General of the King's African Rifles, is now in London, and is being invited to the meeting of the Oversea Defence Committee which is to take place on Thursday next, the 21st instant when the question is to be considered.

5. In the proposals for the raising of European forces in East Africa only contemplated the raising of a Defence Force the Committee have already approved of the scheme submitted by the Governor.

(Signature)

Secretary

Witchell, General

OVERSEA DEFENCE COMMITTEE

19th October, 1920.

Al. Fine

SECRET.
D.S.G. No. 36.

OVERSEA DEFENCE COMMITTEE.

U.S.A.E.D.A.

PROPOSAL FOR A DEFENCE AND TERRITORIAL FORCE

(Note by Secretary)

At the latter end of July last the Colonial Office on the Oversea Defence Committee's side, in a letter to the Secretary of the Committee, proposed the raising of a force in the Colonies, to be known as the Oversea Defence and Territorial Force, in that Province.

2. The despatch, together with its enclosures, was circulated to the General Staff and to the other Services, as in the case of the Kenya Colony. For the maintenance of a Territorial Force in addition to a Defence Force, the General Staff suggested that the consideration of the question should be postponed until the Inspector General of the King's African Rifles was in England.

3. Colonel Hawthorne, the Inspector General of the King's African Rifles, is now available and will be present at the meeting of the Oversea Defence Committee, which is to be held on Thursday next, the 7th instant, when the question will come up for further consideration.

B. Mitchell Gardens, S.W. 13.
4th October, 1920.

Secretary,
OVERSEA DEFENCE COMMITTEE.

1917, January, 1900.

My dear Mr. ...
I am sending you herewith a copy of a
draft which I have sent out to the members of
the Committee for approval and comment, on
the question of the Organization of European
Defense Forces in Europe, etc.
I have also sent you a copy of the
draft which I have sent out to the members of
the Committee for approval and comment, on
the question of the Organization of European
Defense Forces in Europe, etc.
I have also sent you a copy of the
draft which I have sent out to the members of
the Committee for approval and comment, on
the question of the Organization of European
Defense Forces in Europe, etc.
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the Committee for approval and comment, on
the question of the Organization of European
Defense Forces in Europe, etc.

Office of the Secretary
of the Committee

J. H. ...

151
will be able to authorize the Governors to
proceed with the enactment of the Ordinances
in such form as, after considering the contents
of the Overseas Defence Committee memorandum, they
consider best.

Yours sincerely,

(50) E. W. Mackenzie

AFRICA PROTECTORATE
No. 321

23097
REC
10 MAY 20
GOVERNMENT HOUSE
NAIROBI

BRITISH EAST AFRICA

31st March, 1920. 465

My Lord,

Genl 12/6/20
I.O.
A. Rifles
O. 2. 20
Hills

With reference to my telegram No. 113 of 4th March, I have the honour to report that copies of the proposed legislation relating to the establishment of European Defence and Territorial Forces in this Protectorate have been submitted for review by the Inspector General, King's African Rifles, and to transmit a copy of a letter containing Colonel Hawthorn's recommendations in connexion with the draft Bills under reference.

2. After consultation with my Executive Council I have decided not to introduce any revision of the age limits for compulsory training under Section 23 of the Defence Force Bill but to accept the amendments proposed by the Inspector General in the fourth and fifth paragraphs of the enclosure. I attach printed copies of the two Bills, as revised, for Your Lordship's consideration.

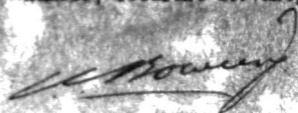
THE RIGHT HONOURABLE
VINCENT MILNER, P.C., G.C.B., G.C.M.G., Sc. Sc.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S.W.

3. I have also considered with my Council the views expressed in the final paragraph of the Inspector General's letter and concur in the suggestions put forward.

4. I trust that in view of the Inspector General's opinion Your Lordship will not withhold approval to the two Bills in question.

I have the honour to be,

Your Lordship's
humble, obedient servant,



ACTING GOVERNOR.

NAIROBI.

20th February 1930. 167

To: The Inspector General,
King's African Rifles.

To: His Excellency the Acting Governor,
British East Africa Protectorate

Your Excellency

1. I have the honour to inform you that I have read the drafts for the proposed Reserve Force and Territorial Ordinances which Major Ward handed to me for perusal.

2. The scheme appears to be excellently suited to the needs of the Protectorate, and is, I believe, very similar to that drawn up for Rhodesia, in which country the conditions are paralleled to those which obtain here. The only suggestions which I have to make, are with reference to the paras noted in the margin.

3. From a military point of view I should have preferred that the age limits, between which training should be compulsory for those who have had no previous training should be extended, so as to read "3 consecutive years between the ages of 18 and 30". Major Ward however has explained to me that though no hardship would be incurred in the case of youths of 18 to 21, considerable inconvenience would be caused in the case of older men, who might have to leave their farms and wives in distant districts, and the Government in their case would incur some considerable expense, in travelling allowance, and possibly compensation for lost time. I have no doubt that his view is correct.

4. I consider that in case an officer proves so unsatisfactory that such disciplinary action has to be taken, his appointment should be cancelled outright, as he would scarcely prove satisfactory in a lower rank after reduction.

5. By this paragraph I understand that, in case of a man being sentenced to 6 months imprisonment for an offense when called up, if the emergency ended within two weeks and the unit ceased then to be on active service, he would be released at once. I think this should be amended or the proviso struck out entirely.

6. I think it should be laid down that both forces come under the orders of the Officer Commanding Troops in British East Africa, at the present time the Commandant, King's African Rifles, in the event of their being called up for service, and that they should be liable to inspection by him when under training, though he should not be concerned with their administration.

I have the honour to be,

Your Excellency's obedient servant,

(Sgd) G. Hawthorn, Colonel.

Inspector General, King's African Rifles.

ENCLOSURE

A Bill

intituled

An Ordinance to Provide for the Organisation of the
European Inhabitants of the East Africa Protectorate
for the Defence Thereof

A Bill

intituled

An Ordinance to provide for the Organisation of the European Inhabitants of the East Africa Protectorate for the Defence Thereof.

WHEREAS it is expedient to make provision for enrolling and organising the able-bodied European inhabitants of this Protectorate for the defence thereof and the protection of life and property therein

PART I

CONSTITUTION AND ORGANISATION OF A DEFENCE FORCE

1. This Ordinance may be cited as "The Defence Force (East Africa Protectorate) Ordinance, 1920," and shall come into force on such date as the Governor by proclamation published in the "Official Gazette" shall determine.

short title.

2. (1) The Governor shall for the purposes of this Ordinance appoint a Central Defence Committee of which the Chief Secretary to the Government or such other officer as the Governor may appoint, shall be President. Such Committee shall consist of as many members as the Governor may direct.

Central Defence Committee.

(2) The Governor may at any time dispense with the services of any member of the Central Defence Committee.

3. (1) The District Commissioner of every District throughout the Protectorate shall in the month of January next following the date on which this Ordinance shall come into force, and in the month of January in every succeeding year, make out a list containing the names of all male European residents in their districts respectively between the ages of 16 and 60 years (both inclusive) who are not exempted from liability to serve under this Ordinance and as such list shall state the sex, residence and value, nationality of each person, which list shall be, as nearly as may be, in the form set Part I. of Schedule 1, to this Ordinance, and the said District Commissioners shall, as soon as such lists are made out, transmit the same to the Provincial Commissioner of the Province in which such Districts are situate respectively.

District Commissioners to make lists of male European residents between the ages of 16 and 60 years and procedure thereon.

(2) Every Provincial Commissioner shall forthwith upon the receipt of such list cause a copy thereof to be affixed in a conspicuous manner at his office or the Provincial Commissioner and at each Court house throughout his Province and shall cause a notice to be posted in a conspicuous manner at his office and at each Court house aforesaid, and to be inserted in at least one newspaper, if the day on which and the place at which he will hold a Court for the purpose of hearing objections to such list, which day shall not be sooner than two weeks nor later than four weeks (unless for special reason) after the day of affixing the aforesaid copy at his office as aforesaid.

19) Upon the day and at the place so notified as aforesaid the Provincial Commissioner shall hold a Court at which he shall on due proof by the oath of such persons as he shall see fit to examine or by declaration or affidavit correct all errors in such list, either by adding the names of persons liable to service which may have been omitted thereon or by striking out from the list or lists so liable the names of any persons entitled to be exempt. Provided always that such Court may be adjourned from day to day until all questions as to the correctness of the list are determined, and provided further that the decision of the Provincial Commissioner shall be final.

(1) After the determination of all questions arising in regard to the correctness of such lists at such Court as aforesaid the Provincial Commissioner shall forthwith cause the said corrected lists to be sent to the Staff Officer of the District Force.

20) Subject to the proviso to this section, and to all the other provisions of this Ordinance or of any Rules issued thereunder, every male person of European origin of descent between the ages of 16 years and 40 years (both inclusive) and now resident or hereafter residing in the Protectorate shall within one month after the date this Ordinance shall come into force or within six months of becoming so resident as aforesaid in the case may be enroll himself, and in default of enrolling himself within such month as aforesaid shall be deemed to be enrolled in the Defence Force of the Protectorate which shall be under the supreme command of the Governor and shall be liable to render general military service in any part of East Africa within or without the Protectorate for the defence thereof or any part thereof or for the protection of life and property therein or in any part thereof. Provided always that Ministers of any recognised denomination and members of the Medical and Veterinary professions shall only be enrolled or deemed to be enrolled and liable to serve in their professional capacity.

5. Every member enrolled or deemed to be enrolled in the Defence Force of the Protectorate as hereinbefore provided shall take an oath in the form applicable to his case prescribed in Part II, of Schedule I, to this Ordinance.

6. (1) All persons certified by a certificate of a Government Medical Officer to be medically unfit for service under the provisions of this Ordinance by reason of bodily or mental infirmity or unfitness, the members for the time being of the Legislative Council of the Protectorate, Judges, members of the Police force, persons serving with the King's African Rifles and all merchant seamen under articles shall be exempt from enrolment and service in the Defence Force under this Ordinance except with their own consent.

(2) Provided always that the Governor may in his absolute and uncontrolled discretion by order under his hand exempt any person serving in the Civil Service of the Protectorate from enrolment and/or service in the Defence Force under this Ordinance.

7. For the purposes of this Ordinance the boundaries and extent of the Defence Force Districts are those gazetted as the Administrative Districts of the Protectorate. Provided always that two or more Administrative Districts may be grouped together to form one Defence Force District.

(1) Each of the aforesaid Defence Force Districts shall, in accordance with the provisions of this Ordinance and of any Rules issued thereunder, be organized as far as possible so as to constitute units complete for service in the field including Supply, Transport, Medical and Veterinary services and shall as aforesaid hold its own stock of reserve arms and ammunition and shall have its own first and second line Transport allocated to it.

(1) For the purposes of each Defence Force District there shall be a District Commandant and such Section Commandants as may be necessary resident and stationed in such Defence Force Districts and whose rights powers and duties shall include those given, granted or imposed by this Ordinance or by any Rules issued thereunder.

all male persons of European origin of descent between the ages of 16 years and 40 years

to be taken by members of the Defence Force

exemptions from enrolment in the Defence Force

Defence Districts

Commandant of a Defence Force District

(2) For the purposes of each Defence Force District there shall also be a Local Defence Committee which shall consist of the District Commandant, the District Commissioner or District Commissioner of any areas included in the Defence Force District and such other persons as the Governor may appoint.

The terms, powers and duties of such Local Defence Committee shall include those given, granted and imposed by this Ordinance or by any rules issued thereunder.

(3) The Governor may dispense with the services of any member of a Local Defence Committee appointed by him.

(4) Each Local Defence Committee shall draw up a scheme of Defence for its District, including the selection of rallying points, the establishment of Defensive Posts and the arrangement of a system for the collection and use of available supplies and transport during such period as the Defence Force or any portion thereof shall be called out on active service.

Duties of Local Defence Committee

(5) Each Local Defence Committee shall also collect such topographical and other intelligence as they may consider necessary or expedient.

20 Any such topographical information shall be inserted in the existing maps of the Defence Force District so that the same shall at all times be kept up to date.

25 (6) The Local Defence Committee shall at all times and from time to time send duplicate reports on all or any of the foregoing matters to the Staff Officer, East Africa Defence Force Nairobi.

30 (7) On the mobilization of the whole or any part or parts of the Defence Force of the District for service, every member of the Defence Force (whether he shall or shall not himself be called out for service) shall be liable to provide any transport in his possession if required.

Liability of members to provide transport

35 11. (1) The Headquarters of the Defence Force shall be at Nairobi.

Organization of Defence Force

40 (2) The Defence Force shall be under the supreme command of the Governor who may for all or any of the purposes of this Ordinance, delegate all or any of his functions, powers and duties as such, to such person or persons as he may deem expedient.

45 (3) For the purposes of the Defence Force there shall be permanent staff which shall consist of a Staff Officer and such other ranks as the Governor may from time to time appoint.

50 12. (1) Any person at the time of his enrolment in the Defence Force may elect to serve in the Mounted Branch of the Defence Force.

Member may elect to serve in Mounted Units

55 Provided always that in any such case it shall be obligatory upon such person to provide his own horse or mule together with saddle and bridle.

60 (2) Every mounted member of the Defence Force whose own horse or mule while on active service shall be killed or carried off by or be abandoned to the enemy or be destroyed to prevent the same falling into the hands of the enemy or if through any negligence or other misconduct on the part of the owner shall die if injured or sickness occurring or contracted while on active service or without any such negligence or misconduct as aforesaid the destruction of which shall be necessitated owing to such injuries or sickness occurring or contracted as aforesaid or who shall while on active service suffer loss by enemy action of his own saddle or bridle, this and in every such case the sum payable to him by the Government for the value of the horse, such sum to be ascertained by the Commissioner of the branch to which such mounted member belongs.

65 Provided always that such value in the case of a horse shall not exceed Re. 450 in the case of a mule Re. 300 in the case of a saddle Re. 100 in the case of a bridle Re. 20

13. Every member of the Defence Force called out on active service under the provisions of this Ordinance shall for each ration of rations allowance and pay on such scale as the Governor may from time to time prescribe.

14. Any member of the Defence Force totally or partially disabled or injured permanently in health, owing to wounds, injuries or disease received, occurring or contracted while on active service shall receive compensation of a person in accordance with the provisions of and on the scale contained in the Royal Warrant for pay for the time being.

15. Every member of the Defence Force traveling by rail to any place or places on duty shall be entitled on production of a duly signed certificate certifying that the bearer is so traveling on duty to a free Railway pass for himself (and his horse or mule, if any) to such place or places as aforesaid.

Provided always that such Warrants are signed by a District Commandant or the Staff Officer.

16. Subject to the provisions of this Ordinance and to any Rules issued thereunder the appointment of officers and non-commissioned officers shall be made in the following manner:

(a) Section Commanders shall be appointed by being nominated for such commissions rank by the Local Defence Committee of the Defence Force Districts to which the appointments are to be made, which nominations shall be submitted by the Local Defence Committee aforesaid to the Staff Officer for approval of the Central Defence Committee.

(b) District Commandants shall be appointed by being nominated for such commissions rank by the Local Defence Committee of the Defence Force District to which the appointments are to be made, which nominations shall be submitted by the Local Defence Committee aforesaid to the Staff Officer for approval of the Governor.

(c) Non-commissioned officers shall be appointed by being nominated for such rank by the Local Defence Committee of the Defence Force District to which the appointments are to be made, which nominations shall be submitted by the Local Defence Committee aforesaid to the Staff Officer for confirmation.

(d) All appointments to and promotions to commissioned ranks will be notified in the Official Gazette and appointments to, and promotions to, Non-commissioned ranks will be notified in Defence Force Orders.

17. The Central Defence Committee for the Protectorate shall have power

(a) to recommend the Governor to cancel the appointment of any officer on any ground to be specified in writing.

Provided always that no such recommendation as aforesaid shall be made unless and until such officer whose conduct is complained of shall have been previously notified in writing of the grounds of complaint, and shall have been given a full opportunity of stating his case in person or in writing. A copy of the proceedings shall be transmitted to the Governor and the recommendation of the Central Defence Committee.

(b) to recommend the Governor to place officers of the Defence Force in a Reserve of Officers.

PART II

WEAPONS OR AMMUNITION

18. All rifles and ammunition shall be provided by the Government for members of the Defence Force and will only be issued in case of the Force or part of the Force being called out.

19. Every member of the Defence Force in possession of a Government rifle as hereinbefore provided shall be responsible for the same and for keeping the same in a good and efficient condition and shall be liable for any damage to such rifle due to his neglect or default.

20. The Governor may by Rules published in the Official Gazette make provision for all or any of the following matters, Power of Governor to make Rules in regard to rules and ammunition.

- (a) the inspection and storage of Government rifles;
- 5 (b) the amount storage and possession of ammunition for Government rifles;
- (c) the duties of the Government Storekeeper in respect of rifles and ammunition in his District;
- 10 (d) the purchase of service rifles and ammunition from the Government by members of the Defence Force;
- (e) the imposition of penalties for any breach of duty by a member of the Defence Force in respect of any Government rifle and/or ammunition;
- 15 (f) the Musketry course or courses to be followed by members of the Defence Force.

PART III

MOBILIZATION AND TRAINING

21. The Central Defence Committee for the Protectorate may, on cause being shown, in its absolute and uncontrolled discretion exempt for a limited time any member of the Defence Force from performance of all or any of his compulsory training under the provisions of this Ordinance. Exemptions of members for limited time from training by Central Defence Committee.

22. (1) From and after the date on which this Ordinance shall come into force every member of the Defence Force shall fire the Musketry course prescribed from time to time under the provisions of this Ordinance. Musketry training.

(2) No member shall be deemed to be efficient for the purposes of this Ordinance unless he shall have fired such course and shall have obtained the requisite number of points as may from time to time be prescribed by this Ordinance in the manner aforesaid.

30 (3) A District Commandant may for any sufficient cause authorise a member of his unit to comply with the requirements for efficiency on any Military or Police range provided that in such case the member shall obtain a certificate signed by a European Military or Police Officer.

23. From and after the date this Ordinance shall come into force every member of the Defence Force between the ages of 19 and 21 years who has not previously served with any Regular or Territorial Combatant Corps or is not in possession of a certificate from a District Corps or School of Instruction shall in every year perform at a Training Camp 12 days continuous training. Training camps for members between ages of 19 and 21 years.

24. The date and place for every such Musketry course and Training Camp shall be notified by the Head Officer and notice at such date and place, published in Defence Force Orders and affixed, in a conspicuous place at the office of the District Commandant shall be sufficient notice of the same to every member of the Defence Force residing in such Defence Force District. Date and place for Musketry course and Training camp.

25. If any member of the Defence Force shall without reasonable cause or excuse after such publication of a public notice as is mentioned in the preceding section wilfully fail or neglect to attend at a Rifle Range or Training Camp for the purpose of performing the training by this Ordinance required to be performed by him; or shall wilfully fail or neglect to perform the whole or any portion of the training or drills required by this Ordinance or by any Rules thereunder to be performed by him, then and in any such case he shall, on conviction by a Magistrate entitled to hold a Subordinate Court of the First or Second Class be liable to a fine not exceeding Rs. 75/- or in default of payment to a term of imprisonment of either description not exceeding one month or to both; but no such conviction and sentence shall be deemed or taken to exempt the party convicted from all or any of his duties and liabilities under this Ordinance or any Rules issued thereunder. Penalties for non-attendance at a Training course.

25. Whenever at the option of the Governor it shall be necessary for the defence of the Protectorate or any part thereof or for the protection of life and property therein or in any part thereof the Governor may by Proclamation call out the Defence Force or any part or parts of the Defence Force as he may deem necessary for service at such place or places within the Protectorate or beyond the borders thereof as he may from time to time think fit to direct. Provided always that in cases of sudden and imminent danger in any Defence Force District the District Commissioner thereof may for the defence of the District or any part thereof or for the protection of life and property therein or in any part thereof by Proclamation in the name of the Governor call out the Defence Force of such District but so that within that such District Commissioner shall forthwith report such calling out and any steps taken thereafter by him to the Staff Officer for transmission to the Governor.

27. The Governor may from time to time assemble the Defence Force or such part or parts of the Defence Force for inspection or for inspections and Rifle practice under their own officers at such time or times and at such place or places within their respective Defence Force Districts as he may direct.

28. (1) With respect to the discipline of members of the Defence Force when they are on active service or called out for the same the provisions of the Army Act 44 and 45 Victoria Chapter 58 and all Acts amending or substituted for the same so far as applicable shall apply subject to the following modifications:—

(a) The words "The Defence Force" may be read therein for the words "Regular Forces" the words "Member of the Defence Force" for the word "Soldier" and the word "Governor" for the words "His Majesty" and "Secretary of State."

(b) No sentence of a Court Martial upon the trial of a member of the Defence Force shall be carried into execution unless confirmed by the Governor.

(2) For the purposes of discipline the provisions of the Army Act 44 and 45 Victoria Chapter 58 and all Acts amending or substituted for the same so far as applicable shall apply to the permanent staff appointed under Section 11 subject to the modifications set out in subsection (1) (a) and (b) of this section.

PART IV.

MISCELLANEOUS PROVISIONS.

29. Any officer or member of the Defence Force who after publication of such Proclamation as is referred to in Section 26 hereof or after such calling out as is mentioned in Section 27 hereof shall without reasonable excuse or excuse fail or neglect to obey or shall absent himself from service on any occasion or shall withdraw himself before permission to that effect be given by some competent authority or shall refuse or wilfully neglect to obey any lawful command of his superior officers shall, without prejudice to any other offence by such conduct he may have committed, on conviction by a Magistrate entitled to hold a Subordinate Court of the First or Second Class, be liable to a fine not exceeding Rs. 1,500 and in default of payment to a term of imprisonment of either description not exceeding six months or to both.

Provided always no such conviction, fine or imprisonment shall in any wise exempt the person convicted from service or liability to serve in the future under the provisions of this Ordinance but on payment of the fine or on completion of the term of imprisonment, such Magistrate may order the person convicted to return to the Defence Force of the Defence Force District in which he is ordered to serve in accordance with the terms of the Proclamation in that behalf.

30. The Governor may from time to time make provision by Rules published in the "Official Gazette" for or any of the following matters, that is to say:—

ation of Defence
of any part
of respectively.

for may assemble
Defence Force or any
part thereof respectively
at discretion.

Members of Defence
Force on mobilization to
under the Army Act.

for breach of
service.

of Governor to
the Rules.

- (a) the general government discipline and management of the Defence Force.
- (b) the constitution, assembling and processing of Courts of Inquiry to hear, receive and examine evidence relating to, and to report upon, any matter connected with the said Force or any charges brought against any member thereof.
- (c) the enrolment of members in the Defence Force and the taking of the prescribed oath thereat.
- (d) the formation of a Special Branch of the Defence Force composed of the employees of the Uganda Railway and Postal Mailing.
- (e) the organisation of the Infantry and Mounted Units and of the Defence Force District.
- (f) the formation of a Cadet Corps.
- (g) the Musketry Branch of the Cadet Corps.
- (h) the training of members of the Defence Force and of Cadets.
- (i) the insurance of horses and mules of the mounted members of the Defence Force.
- (j) the compiling of registers of transport and the duties of members of the Defence Force in connection therewith.
- (k) the imposition of penalties for breach of any Rules issued under this Ordinance.

SCHEDULE I

PART I

REGISTRATION LIST

Administrative District

Defence Force District

No.	Name	Age	Rank/Class	Calling	Since	Previous military service (if any)

PART II

FORM OF OATH FOR A BRITISH SUBJECT

I, _____ do solemnly promise and swear that I will be faithful and bear true allegiance to His Majesty King George V, His Heirs and Successors, and that while residing in the East Africa Protectorate I will serve His Majesty for the defence of the same against all enemies and dangers according to the conditions of my service and the laws in that behalf made and provided.

FORM OF OATH FOR A NON-BRITISH SUBJECT

I, _____ do solemnly promise and swear that while residing in the East Africa Protectorate I will serve His Majesty King George V, His Heirs and Successors, for the defence of the said Protectorate and in the suppression of rebellion, insurrection and riot and for the maintenance of order thereat according to the conditions of my service and the laws in that behalf made and provided.

A Bill

intituled

An Ordinance to Establish and Control a Territorial Force
in British East Africa.

Printed at the Government Printing House.

A Bill

intituled.

An Ordinance to Establish and Control a Territorial Force in British East Africa.

CHAPTER I

PRELIMINARY

1. This Ordinance may be cited as "The East Africa Territorial Force Ordinance, 1920," and shall come into operation upon such date as the Governor may by notification in the "Official Gazette" appoint, and shall only be applied to such Military Districts as the Governor may establish by notification in the "Official Gazette."

Short title and commencement.

2. In this Ordinance unless there be something repugnant to the subject or context:—

10. **Active Service**—Any unit of the Territorial Force or portion thereof shall be deemed to be on Active Service when it has been called out for service by notice under this Ordinance.

11. **Army Act**—Shall mean the Army Act of the United Kingdom of Great Britain and Ireland as amended from time to time.

12. **Boys**—All boys serving in Cadet units subject to the provisions of this Ordinance.

13. **Commanding Officer**—The Officer in Command of any district, corps, unit, or detachment.

14. **Corps**—Any portion of the Territorial Force which may be declared by the Governor to be a corps for the purposes of this Ordinance.

15. **In time of War**—Shall mean any time during which an actual state of War exists by reason of the operation of the Governor's Proclamation.

16. **Officer**—Any Officer, Warrant Officer, Non-commissioned Officer, or other person in the ranks of the Territorial Force entitled to wear a uniform.

17. **Military District**—Shall mean a Military District appointed by the Governor.

18. **Member of the Force**—Members of the Territorial Force shall be deemed to be in the Military Service.

19. When called out by the Governor under this Ordinance to aid the Civil Authority in the preservation of life and property.

20. When assembled in any camp or training or assembly or when going to or returning from any such camp or training or assembly in any military transport or other conveyance in which they are on any such duty or when on detached service in uniform as aforesaid.

Peace Training shall mean the military training prescribed under this Ordinance for the Territorial Force.

Permanent Staff shall mean Officers, Non-Commissioned Officers, Clerks and other persons of any rank or grade holding their appointments be deemed to be always on military service.

Regulations shall mean the provisions of this Ordinance.

CHAPTER II

SECTION 10. PEACE TRAINING.

3. Subject to the provisions of the Defence Force Ordinance, 1920, hereinafter referred to as the Principal Ordinance, every adult European male resident in the Protectorate, who is a member of the East Africa Defence Force, who has rendered his services and whose services have been accepted, and who has been enrolled as a member of the East Africa Territorial Force shall be liable to be called out for Active or Military Service within the limits of the Protectorate, and to undergo such peace training as may be appointed by regulation.

4. Every member enrolled under the provision of this Ordinance for service in the Territorial Force shall serve for a minimum period of three years.

5. The Governor may form a Reserve of Officers to the Territorial Force in such manner as may be prescribed, and all who render their services and whose services are accepted as Officers of the Reserve, shall be liable in time of War to render services as Officers with such portion of the Territorial Force as the Governor may decide.

6. All boys between the ages of twelve and seventeen years, who, with the consent of their parents or guardians have enrolled as members of the Cadet Corps or Company shall be liable to undergo an annual prescribed course of peace training and shall for this purpose be assembled in such places and at such times as may be ordered, to be instructed in physical exercises, military formations, rifle shooting, signalling and such other exercises as are prescribed.

7. (1) The annual course and period of instruction which every boy liable to Cadet training shall undergo as a minimum shall be as prescribed.

(2) A Cadet who has undergone the prescribed course of instruction for any one year, and passed the prescribed tests shall be reckoned as an efficient cadet for that year, and if he is reckoned efficient for not less than three years and his conduct under instruction in Cadet training has proved satisfactory, he shall be entitled, on attaining the age of seventeen years to receive a certificate of efficiency. Holders of such certificates may with the approval of the Governor be transferred to the Territorial Force as trained men.

CHAPTER III

ADMINISTRATIVE

8. The Governor may appoint and establish Military Districts throughout the Protectorate with the number and designation of units of the Territorial Force to be allotted to and based in any Military District.

9. The Governor may by notice in the Official Gazette call out the whole or any part of the Territorial Force for Active Service or for Military Service to assist in the maintenance of the protection of life and property and the prevention and suppression of internal disorders throughout the Protectorate and when so called out they shall be held to that service until such time as the Governor may by notice in the Official Gazette declare that they are relieved from that service.

10 Notwithstanding anything to the contrary in this Ordinance, Not entitled to discharge
 11 and contained no member of the Territorial Force while called which on service
 12 out or employed on active service against an enemy or in military
 13 service in the protection of its property or the prevention of
 14 suspension of general disorder shall be entitled to obtain dis-
 15 charge therefrom during the continuance of such service.

16 11. The Governor may at any time discontinue the service Power to discharge
 17 of any unit of the Territorial Force or cause the same to be dis- must
 18 banded, or disband any of the members of any such unit, but no
 19 member of a unit thus disbanded shall become exempt from
 20 liability to render personal service in time of war.

21 12. The Executive, Military Command and Control of Officers in Executive
 22 the Territorial portion of the Defence Force shall be under the Command
 23 of the Governor, and Officers of the Defence Force shall
 24 may be appointed by the Governor.

25 13. (1) Before any person can be confirmed in his appointment Appointment and
 26 as an officer, he shall satisfy the Governor that he is fully promotion of Officers
 27 qualified to hold an appointment and pass such tests as may be
 28 prescribed.

29 (2) No Officer of the Territorial Force shall be promoted to a
 30 higher rank in that Force until he has proved, in the manner
 31 prescribed by regulations, that he is fully qualified to undertake
 32 during peace training and in time of war all the duties that may
 33 be required of an officer in that higher rank.

34 14. The commission of an officer shall not be cancelled Cancellation of
 35 without the holder thereof being notified in writing of any com- Commission
 36 plaint or charge made and of any action proposed to be taken
 37 against him nor without his being called upon to show cause in
 38 relation thereto, provided that no such notification shall be
 39 necessary in the case of an officer absent from duty without leave
 40 for a period of three months or more.

41 15. (1) The Governor may place officers of the Territorial Retirement of Officers.
 42 Force on the retired list, and officers on that list may, with the
 43 approval of the Governor retain their rank and wear the prescribed
 44 uniform.

45 (2) The ages of compulsory retirement of officers of the
 46 Territorial Force shall be as prescribed by regulation.

47 16. An officer of the Territorial Force, except when on Promotion of
 48 Active or Military Service, or in anticipation of being recalled out Commission
 49 on the same, may, by writing under his hand, tender his resigna-
 50 tion of his commission, but shall not unless otherwise ordered
 51 by the Governor, be relieved of the duties of his appointment
 52 until the acceptance of his resignation is notified in the Gazette,
 53 provided that officers who resign shall not be exempted from
 54 service in the Defence Force to which they may be liable under
 55 the principle Ordinance.

56 17. (1) A field service dress, with distinctive marks or badges Uniform, Arms and
 57 shall be prescribed for every unit of the Territorial Force and Ammunition
 58 supplied to members thereof, to be maintained at their own
 59 expenses for each period and under such conditions as may be
 60 prescribed.

61 (2) Arms, ammunition and equipment shall be issued under prescribed conditions
 62 to members of the Territorial Force, and
 63 each member to whom a rifle has been issued shall be bound to
 64 keep it in his personal possession and be responsible for its main-
 65 tainance in good order and condition, and to produce the same
 66 for inspection whenever called upon to do so.

67 (3) When called out for active or military service, attending
 68 annual musters, peace training, or courses of musketry members
 69 shall bring with them their equipment and any emergency reserve
 70 ammunition which may have been placed in their custody.

71 18. The Territorial Force shall be paid at a prescribed rate Pay and allowances.
 72 for the days on which they are called out for active or
 73 military service under the provisions of this Ordinance, and they
 74 may also be granted such monetary or other allowances as are
 75 laid down in regulations.

19. (1) Each member of the Territorial Force shall reckon his service from the date of enrolment, and shall during each complete year, reckoning from that date, undergo such course of annual peace training, instruction, exercises, and other such exercises as may be prescribed by regulations.

(2) In his first year of service, a recruit, not less than 42 parades together with attendance at the Annual Training Camp.

(3) In his second and third year, he parades together with attendance at the Annual Training Camp.

(4) The time necessary in proceeding to or returning from a camp or place of instruction or instruction shall not be reckoned as part of any period of training, instruction or exercise, but shall be counted as such.

(5) Any member of the Territorial Force who in any year without leave or permission as prescribed, absents himself or performs with improper conduct the duty required of him for that year shall be guilty of an offence.

CHAPTER IV

GENERAL POWERS OF THE GOVERNOR

20. In time of war the Governor may authorise and appoint officers of the Territorial Force or of the Public Service or the Protectorate to obtain and take possession of buildings and other premises, supplies of foodstuffs, forage, horses, transport animals and vehicles and all other articles necessary for the maintenance in the field of the Territorial Force or any part thereof, and of other forces acting in co-operation therewith. A person so appointed may under this section be made in any person in uniform prescribed, but so that every person so appointed shall be subject on due cause to being dismissed for a conviction, suspended or taken from him.

21. (1) The Governor in Council may, in time of war, in the Territory may, in time of war, regulation the authorities mentioned in any line of railway in the Protectorate to supply suitable engines and rolling stock for the conveyance of members of the Territorial Force or other forces, together with their horses, and baggage, stores, supplies, and vehicular transport and to convey the same by rail to and from any points on the railways line within or outside the territory, as may be necessary.

(2) The Governor may under like circumstances authorise any other to assume control over any railway system within the territory or any part thereof.

22. Any member of the Territorial Force who is employed in the Public Service, who discloses any such message, item or any other secret or confidential information relating to the defence of the Protectorate, which comes within his knowledge shall, unless acting under due authority and in the execution of his duty, be guilty of an offence.

23. Any person who being a member of the Territorial Force or of the Public Service, who without special permission granted by the proper authority in those forces, wears any uniform or insignia of those forces, or any dress having the appearance of any of those uniforms or insignia, or any other marks of that uniform, shall be guilty of an offence.

CHAPTER V

DISCIPLINE

24. Members of the Territorial Force, when on military service shall be subject to the provisions of the Army Act, provided however that the Governor may from time to time make such modifications and adaptations of the provisions thereof, and of the rules of procedure framed under Section 74 hereof, as he shall deem necessary or advisable, such adaptations or modifications to be in force only in so far as they are published in the "Official Gazette," and provided that the regulations contained shall be construed to apply to members of the Territorial Force from the operations of any regulations, Ordinances, and the regulations framed thereunder.

25. Notwithstanding the provisions contained in Section 21 hereof no member of the Defence Force shall be liable to be punished for any offence under the provisions of this Ordinance as well as under the provisions of the Army Act, or any regulations, orders or adaptations thereof effected in pursuance of Section 24 of this Ordinance; provided however that dismissal from the force may be lawfully added to any punishment awarded to a member of the Territorial Force by the provisions of the Army Act in any circumstances in which the offence is defined in terms of Section 24 of this Ordinance.

Members of the Territorial Force shall be liable to be punished for any offence under the provisions of the Army Act, or any regulations, orders or adaptations thereof effected in pursuance of Section 24 of this Ordinance.

26. Any member of the Territorial Force who shall be guilty of any offence under the provisions of this Ordinance shall be liable to be punished as if he were a member of the Army.

27. The reports of a witness taken by a Commanding Officer and the findings and verdicts recorded by the Commanding Officer in the exercise of the jurisdiction conferred upon him by the last preceding section shall be submitted forthwith to the Governor who may confirm the conviction, or confirm or reduce the sentence, and the sentence so confirmed or reduced shall be notified by the Commanding Officer to the member of the Territorial Force concerned, by means of a signed letter, and every fine so notified which is not paid within seven days of the date of the posting of such notification (together with any costs incurred by reason of such non-payment) shall be recoverable in any Magistrate's Court having jurisdiction, as hereinafter provided, as if such Court of a properly authenticated copy of such notification under the hand of such Commanding Officer.

Members of the Territorial Force shall be liable to be punished for any offence under the provisions of the Army Act, or any regulations, orders or adaptations thereof effected in pursuance of Section 24 of this Ordinance.

28. It shall be lawful for any Commanding Officer in the exercise of the jurisdiction conferred on him by Section 26 of this Ordinance to detain as a witness any member of the Territorial Force under his command who has contravened the provisions of this Ordinance, or who has aided and abetted in the commission of any offence under the same, and any witness so detained shall be liable to be punished as if he were a member of the Army, and any member of the Territorial Force who shall be liable to be punished as if he were a member of the Army shall be liable to be punished as if he were a member of the Army.

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Members of the Territorial Force shall be liable to be punished for any offence under the provisions of the Army Act, or any regulations, orders or adaptations thereof effected in pursuance of Section 24 of this Ordinance.

31. Whenever the Governor shall have received a report from a Commanding Officer of the Territorial Force that any member of the Territorial Force has committed an offence under the provisions of this Ordinance, or that any member of the Territorial Force has contravened the provisions of this Ordinance, or that any member of the Territorial Force has aided and abetted in the commission of any offence under the same, the Governor may, if he thinks fit, cause a copy of such report to be sent to the Commanding Officer of the Territorial Force in which the offence was committed, and may also cause a copy of such report to be sent to the Commanding Officer of the Territorial Force in which the offence was committed, and may also cause a copy of such report to be sent to the Commanding Officer of the Territorial Force in which the offence was committed.

Members of the Territorial Force shall be liable to be punished for any offence under the provisions of the Army Act, or any regulations, orders or adaptations thereof effected in pursuance of Section 24 of this Ordinance.

32. Any member of the Territorial Force called out for Active Service, who refuses or neglects to furnish or furnish a correct bill of particulars, shall be liable on conviction to a fine not exceeding five hundred and in default of payment to a term of imprisonment of either description not exceeding six months or to death.

33. Any member of the Territorial Force called out for military service who refuses or neglects to furnish a bill of particulars shall be liable on conviction to a fine not exceeding five hundred and in default of payment to a term of imprisonment of either description not exceeding three months or to death.

34. Any person who—

(1) Agrees with, or induces, or attempts to induce any member of the Territorial Force to neglect or to act in conflict with his military duty in that Force, or

(2) Is a party to, or aids or abets, or incites to the commission of, any act whereby any lawful order given to any member of the Territorial Force or any law or regulation with which it is the duty of any member of that Force to comply may be evaded or frustrated, or

(3) Supplies, or is a party to supplying, any member of the Territorial Force with intoxicating liquor when that member is on military duty, and prohibited under regulations or instructions from receiving or taking intoxicating liquor,

shall be guilty of an offence.

35. Any member who fraudulently permutates or represents himself to be a member of the Territorial Force traveling on service in that Force, with the intent to obtain conveyance by rail at special rates or to evade payment of any poll, shall be guilty of an offence.

36. Any person who commits any offence against the regulations providing for and regulating the requisitioning of motor cars for accommodation of goods in the cases of Section 20 shall be guilty of an offence and liable on conviction to a term of imprisonment of either description for a period not exceeding five years.

37. Any member of the Territorial Force who, without proper authority and permission, gives, sells, pledges, lends or otherwise disposes of any moneys, animals, arms, ammunition, accoutrements, clothing, supplies or any other article entrusted to or held by him for the service of the Territorial Force, shall be guilty of an offence, and in addition to any penalty for such an offence which may be imposed under this Ordinance, he may be ordered by the Court or other authority competent to impose that penalty to make good the loss or deficiency caused by the act, and to give security for that purpose, and every such gift, sale, pledge, loan or disposition shall be null and void.

38. Any person who contravenes any provision of this Ordinance, or the regulations framed thereunder, shall, when no other penalty is provided, be liable to a fine not exceeding one hundred and fifty or in default of payment to a term of imprisonment of either description for a period not exceeding one month or to death.

39. For the prosecution of persons acting in the execution of this Ordinance, every civil action against, and every criminal prosecution of, any person in respect of anything done in the pursuance or in contravention of this Ordinance shall be commenced within six months after the cause of the proceedings has arisen and notice in writing of any civil action and the costs thereof shall be given to the defendant one month at least before the commencement thereof.

CHAPTER VI.

MISCELLANEOUS

39. The Governor may from time to time constitute for the Territory a permanent staff consisting of such Officers, Warrant Officers, Non-commissioned Officers and men as he may deem necessary.

5 39. The Governor may from time to time make regulations for all or any of the matters or things following connected with the Territorial Force -

10 (1) The numerical establishments of Corps, and other units of the Territorial Force and Cadets, and the various divisions, branches, grades, ranks and appointments therein.

(2) The appointment, promotion, transfer, leave, resignation and dismissal of officers.

15 (3) The enrolment, posting, transfer, leave, promotion, discharge and dismissal of Non-commissioned officers and men, and the disbandment of any Corps or Units.

(4) The appointment and posting of the permanent staff, together with rules for their control, discipline, pay, allowances, leave, transfer, discharge and dismissal.

(5) The discipline of the Force.

20 (6) The Attendance of Courts of Enquiry, and with rules regarding the attendance of witnesses.

(7) Exemption of members of the Territorial Force from carrying out the full course of training for any one training year.

25 (8) The issue and care of arms, accoutrements, ammunition, supplies, animals and transport, clothing and equipment for the Territorial Force and for Cadets.

(9) The general government and management of the Force.

(10) Drill and musketry instruction.

30 (11) Force training, including camps of exercise.

(12) Pensions, gratuities and compensation for losses sustained in duty.

35 (13) All matters which are by this Ordinance required to be permitted to be, or which are necessary or convenient to be prescribed, for ensuring the discipline and good government of the Force, or for carrying out and giving effect to the Ordinance.

40

134
19th May, 1920.

My dear Baskett,

I sent to Sir George Fiddes last night the Colonial Office files dealing with the re-organization of the East African Defence Forces, and in doing so I pointed out to him that the copies of the Draft Bills which belong to file No. 23097 had not been returned by the S.M.O., and that I would send them as soon as received. I do so now.

Would you kindly put them in the file, and this will make the Colonial Office papers complete.

Yours sincerely,

J. H. Wilson

Reg.
Colonial Office.