

1911

EAST AFR. PROT
K. A. R.
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No. 35

Date
1911

18 Jan

at previous Paper.

1633/10

KAR. draft order.

Submit joint note by Col 2nd 18th Battalions
asks that note be referred to Insp Genl. for
his views.

Colonel Thengye

H. J. R.
13/II

W. Butler

See memo: annexed to
order 7190 { Nyaraland
K.A.R.

recd
16/3

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March 17
at me

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FEB 13 1911

GOVERNMENT HOUSE,
NAIROBI,
BRITISH EAST AFRICA.

EAST AFRICA PROTECTORATE.

January 18th 1911.

No. 35

(Incl. 1.)

Sir,

With reference to Lord Crewe's despatch No. 630 of October 21st 1910, I have the honour to transmit herewith a copy of a joint Note by the Officers Commanding the 2nd and 3rd Battalions, King's African Rifles, on the draft King's African Rifles Ordinance. I had wished to obtain the views of the Inspector General of the King's African Rifles on this Note before he left for home, but as he was unable to attend to this matter, I would request that it may be forwarded to him in England.

Note

I have the honour to be,

Sir,

Your humble, obedient servant,

In the absence of the
ACTING GOVERNOR.

THE RIGHT HONOURABLE

LEWIS HARCOURT, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON, S.W.

NOTES

By

THE OFFICERS COMMANDING THE
2nd and 3rd Battalions, K.A. Rifles.

Porters enlisted to carry artillery should, we consider, come under this sub-section.

Position of British N.C. Officers

British Non-Commissioned Officers serving with the K.A. Rifles cannot be held to be junior to Native Officers.

The best solution would appear to be that the British Non-Commissioned Officers should be given local Warrant Rank by the competent authority and that Warrant Officers (whether holding honorary commissions or not) should be made senior to Native Officers in the Ordinance.

We would suggest that the word "rank" be omitted as there may be no vacancies on his former rank when the native officer or Non-Commissioned Officer offers to re-enlist, at the same time it would be a pity to refuse to take back a good man when he would very possibly be willing to accept a lower rank. The question of rank should, we consider, be left to the Commanding Officer.

We suggest that this sub-section should include

- i. Conviction by Court Martial
- ii. Conviction by Civil Court
- iii. Severe Reprimand (N.C.O.)

Colonel Sir William Manning when Inspector General, K.A. Rifles, laid down that the date from which a man

could

(3)

could claim G.C. Badge was August 1st 1895, no previous service being allowed to count, should not this ruling be mentioned in the Ordinance to prevent any misunderstanding on this point?

37. We consider that section 37.6 (E) should be a sub-section of 36, thus rendering a soldier committing the offence liable to imprisonment up to 5 years (38 a). Cases have occurred in which soldiers have stolen large sums of money from the Guard Room where it was placed for safe custody, and in our opinion two years imprisonment is not a sufficient punishment for this offence especially as one third remission is generally earned by ex-soldier prisoners who are confined in Civil Prison.

39 (3).

Line 1 should read, we consider "An officer, British Non Commissioned Officer or Native Officer" in line 4 delete "Any British Non Commissioned Officer" British Non Commissioned Officers serving in the King's African Rifles should in our opinion be given the power to arrest a Native Officer.

Part III

Section 40.

1) A. (b).

(c).

Does this sub-section cover an award of "severe reprimand" which is a recognized punishment. We would suggest that the word "nine" be omitted and the words "twenty one" be substituted. Nine days pay appears to us to be an inadequate amount. We understand that the Civil Courts in these Protectorates usually award fines to offenders upon a much larger scale.

10. B. (3)

(a)

We suggest that the second offence of drunkenness be made fineable, this is in accordance with the system now in vogue in the British Army, there appears to be no reason why African soldiers should be treated with more leniency in this respect.

We

(R)

(b)

We presume that the Commanding Officer may award confinement to barracks in addition to a fine for drunkenness, if so we suggest that it should be stated in this sub-section, the King's Regulations permit the two punishments be combined.

40 (E)

It appears that a Commanding Officer can fine a Non Commissioned Officer but the Officer Commanding a Detachment cannot do so (vide 41 b.) unless he has delegated powers. We suggest that the Officer Commanding Detachment shall be given the powers to fine Non Commissioned Officers.

41. (1)

(b)

We suggest that the maximum fine be raised to ten days pay for the reason already given.

46.

Is this intended to apply to a man while on custody for an offence for which he is afterwards awarded imprisonment by his Commanding Officer? The Army Act appears to limit this liability to the offence of absence without leave.

52. (2)

If it was made permissible to fine a soldier up to 21 days pay we suggest that "7 days pay" be substituted for "3 days pay" in this sub-section.