

1924

KENYA

C.O.  
10667  
5 MAR 24

From  
Dan  
Office

Date  
5th March 24.

Per U.S. of S.  
Per U.S. of S.  
Secretary of State.

A.A.R. Clearance Section  
Leave for Staff on Termination  
of appts

Consider leave should not be granted to  
locally engaged members of the staff. Discuss  
question of incidence of cost of passages of  
Messrs. Craig, Morrison & Lawrence

Foreign Paper

MINUTES

At 10th March 1924 the committee  
took a different view of the situation as to  
Officers who make out a claim that they  
have been led to misunderstand the  
terms of their appointment. I doubt, however,  
whether it is any use going back to them  
on this point unless and until a case  
arises similar to that of Mr. Wood (35520)

As to para 2, it is difficult to begin at this  
date to understand the question of military  
passages, but it seems that both in P.O.  
letter of June 11, 1921 (2272/21) and P.O. letter  
of 1921 (2272/21) and in the despatches  
which those letters enclosed, that  
was mentioned was second class return  
passages, and the W.O. in their  
letter of 15th letter (No 7 on 2272/21) agreed

Handwritten notes on left margin:  
26 MAR 24  
copy come to be by 350-24p 24  
copy sent 14th 24/for (55660-24)

Handwritten notes at bottom left:  
3500  
14 MAR 24



C.O.  
10067  
5 MAR 24

Any further communication on this subject should be addressed to—  
The Secretary,  
War Office,  
London, S.W.,  
and the following number quoted.

War Office,  
London, S.W.

111/Gen.No./2183 (Q.M.G.F.a.)

3c

5 February, 1924.

Sir,

With reference to your letter <sup>500</sup>62789/23 dated the 1st February, 1924, forwarding correspondence on the subject of the grant of leave to the staff of the Clearance Section, King's African Rifles, on the ultimate termination of their appointments, I am commanded by the Army Council to state that they concur that leave should not be granted to locally engaged members of the staff. The terms of service on which they were engaged appear to have been defined, and the Officer-in-Charge states that these terms were understood by the staff concerned. It is presumed that the terms were set out in a memorandum in writing on the lines of that addressed to Mr. Mapp, and if a case should arise, as suggested in your letter under reply, where an employee alleges that he was led to anticipate that he would be granted leave privileges, such a verbal understanding would appear to be inadmissible to vary the terms contained in the written memorandum.

With regard to Messrs. Craig, Morrison and Sauvage, who are described by the Officer-in-Charge as entitled on release to a return passage to England or South Africa by virtue of their military service, I am to refer to War Office letter 0165/R.A.A.F./1230 (Q.M.G.F.) dated the 27th October, 1921 communicating the Army Council's agreement to the grant of second class passages to England, on the termination of their civil engagements, to these three gentlemen and others similarly situated. It was understood from the correspondence forwarded by your office (Colonial Office letters 46972/21 dated the 5th October, 1921 and 8267 S.A.A. dated the 15th June, 1921) that the passages in question were to be in lieu of the single passages to the United Kingdom on discharge provided for in their original engagements with the local forces, particularly as these ex-soldiers' cases were stated to be identical with those of Messrs. Palmer and Frost, who were described by the Governor of Kenya as "ex-Imperial soldiers.... entitled under their original agreements,.... to a free second class passage to England", and as due for discharge in England, and the liability for passages was accordingly accepted against the Common Charges Account. The terms of paragraph 3 of your letter under reply appear to refer, however, to the concession of a double leave passage to and from the United Kingdom or other place of domicile granted to locally enlisted members of the East African Forces qualified by length of war service which was granted in 1919 and communicated by your Department to the

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

Government/

Government of Kenya in a cable dated 10th April, 1919.  
If it proves that the passages on which Messrs. Craig,  
Morrison and Savage have been allowed to retain a lien are  
leave passages under the above concession and not discharge  
passages under the terms of their military engagements, the  
incidence of cost appears to be governed by the Treasury  
decision communicated in War Office letter 3165/1598 (P.1),  
dated the 30th May, 1923, viz:— that passages taken within  
twelve months of demobilisation should be a charge on the  
Common Charges Account but that any taken beyond that  
period should be a liability of the Kenya Government. As  
the three employees in question were demobilized on 31st  
March, 1921, any leave passage rights which they retain  
must be at the expense of the Kenya Government.

I am,

Sir,

Your obedient Servant,

*W. W. [Signature]*

20923

id. 6  
27304

W.O. 10667/24 Kenya

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20 MAR 1924

26 March 1924

DRAFT.

Secretary of State  
War Office

MINUTE.

- Mr. Seel. 21/3/24
- Mr. Jeffries 22/3
- Mr. Bottramley 24/3/24
- Mr C. Davis.
- Mr G. Grindell.
- Mr H. Road.
- Mr J. Masterton Smith.
- Mr. Ormsby-Gore.
- Duke of Devonshire.

Mr Cowson.

See 10667/24  
copy to Gen. No 354

I am etc. to ack. the receipt of your letter No. 111/Gen. No 12183 (G.H.G.F.C.), of the 5<sup>th</sup> of March, on the subject of the grant of leave to the staff of the Clearance Section of the King's African Rifles, and to request you to inform the Army Council that he wishes that they concur in the opinion of the Governor of Kenya, that leave should not be granted to locally engaged members of the staff.

2. Mr Thomas considers

it necessary, however, to

~~state that~~ in the event of

a case arising of the nature  
<sup>the second paragraph</sup>  
indicated in C. O. letter

of the 1<sup>st</sup> of February, ~~we~~  
~~will feel it necessary to~~  
<sup>not to reserve the right</sup>

62789/25

bring the case to the notice

of the Army Council, with

a view to its being considered  
for special treatment  
on its merits

3. With regard to

the second paragraph of your  
letter under reply I am

to observe that in C. O. letters  
of the 15<sup>th</sup> of June, 1921, regarding

8287, K.A.R.

<sup>Mr.</sup>  
~~Mr.~~ R. F. Palmer and Mr.  
E. H. Frost, and the 5<sup>th</sup> of

October, 1921, recommending

46272/21

<sup>Mr.</sup>  
~~Mr.~~ Craig, Thomson and Mr.

Sauvage for a similar  
concession as regards passages,

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62789/25

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8287, K.A.R.

~~Mr.~~ R. F. Palmer and his

F. H. Frost, and the 5<sup>th</sup> of

October, 1921, recommending

46272/21

~~Mr.~~ <sup>has</sup> Craig Thomson and his

Sauvage for a similar

concession as regards passages,

made clear  
it was ~~clearly~~ stated that  
the recommendation of the  
Governor was that second  
class return passages should  
be granted; that is, in  
the cases of <sup>Mr</sup> Frost and <sup>Mr</sup>  
Palmer, ~~the~~ <sup>the</sup> intention was that,  
instead of receiving  
the passages to England only,  
to which they were entitled  
under their agreements, they  
should be placed in the same  
position as ex-soldiers of the  
local forces, [Mr Thomas]  
does not therefore understand  
considers therefore that no  
room for misunderstanding  
can have existed on this  
point

The completion of their  
travels the right to the  
free return passages  
which they had earned  
while serving with  
the forces.

and in the other cases  
the intention was to pass on  
the passages in question  
to Thomas to arrange  
that under the arrangement  
communicated in War Office



No 0165/1598 (F.I.) of the  
30<sup>th</sup> of May, 1923, passages  
to and from East Africa  
granted to members of the  
local forces and not taken  
within twelve months of  
demobilisation are a charge

27304/25

upon Kenya funds. I am,  
however, to point out that

the inability of <sup>Mr</sup> Craig,  
<sup>Mr</sup> Morris and <sup>Mr</sup> Savage to

take their passages within  
the prescribed time is not  
due to any action on the  
part of the Gov<sup>t</sup> of Kenya,

but to the fact that they have  
<sup>continuously</sup> been engaged <sup>since demobilisation</sup> on work on  
behalf of the War Office, which  
<sup>has been</sup> prevented them

from taking advantage  
of the concession. In these  
cases, and having regard

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further to the fact that their  
service in the Clearance Section  
has been continuous with  
~~their service before demobilisation~~

Mr. Thomas A. of the Section  
that the date of discharge  
in these three cases should be  
regarded, for the purpose of  
the passage concession, as  
the date of eventual  
relinquishment of duties  
in the Clearance Section, and  
~~but to learn that the~~  
~~Army Council was prepared~~  
~~to concede this concession~~

that the passage when taken  
should accordingly be a charge  
upon the funds of the Clearance  
Section, as previously suggested.  
He trusts that, on reflection,  
the A.C. will find themselves  
in agreement with this view.

(Signed) H. J. READ

~~further to the fact that their  
service in the Clearance Section  
has been continuous with  
their service before the transition~~

Mr. Thomas is of the opinion  
that the date of discharge  
in these three cases should be  
regarded, for the purpose of  
the passage concession, as  
the date of eventual  
relinquishment of duties  
in the Clearance Section, and  
~~but to learn that the  
Army Council are prepared  
to concur in this view~~

that the passage when taken  
should accordingly be a charge  
upon the funds of the Clearance  
Section, as previously suggested.  
He trusts that, on reflection,  
the A. C. will find themselves  
in agreement with this view.

(Signed) H. J. READ