

1921

KENYA

38087
29 JUL 21

DATE

830.

7TH JULY

RECEIVED
 Mr. Officer 2/8
 Mr. Macchig 2/8/21
 Mr. Postmanley
 Mr. Grindell
 Mr. H. Lambert
 Mr. H. Road
 Mr. G. Fiddes
 Mr. Wood
 Mr. Churchill

SUBJECT

M. L. S.

231

DISTRIBUTION OF PAY & PROPERTY ORDINANCE.

Reports certain further facts which have come to notice and have therefore considered advisable to refrain from repealing section 13 pending further info from G.O. Appends extracts from Director's report on carrier transport and submits that moral claim of native communities could not be greater.

MINUTES

On 5/28/20 the line taken was that in principle the method of dealing with the balances given in the Order was desirable, but that inasmuch as Army funds were concerned, local legislation affecting the disposal of the balance was *ultra vires*.

As far as I can see the offending § 13 must be repealed whatever happens, it is not within the province of the Governor to legislate for the disposal of these funds. In so far as the principle concerned a good case is made out for carrying out in practice the provisions of the section if we can be persuaded to agree. The question of principle has not yet been

25294 Uga
 5/28/21
 Kenya 195
 11/22 27/2/21
 1921
 Mr. Grindell
 Mr. Wood
 Mr. Churchill

been put to the W.O.
 am not sure if we
 can do anything in the
 matter in advance of a decision
 on the military expenditure
 question, but if possible
 I think we should send copy
 of this despatch to W.O. also
 giving substance of paras.
 4, 5 & 6 of 1605/20 Uga. as
 showing the position in Uganda
 say that the S. of. proposes to
 direct the repeal of the section
 in question of the Kenya Order
 in any case, but that in
 view of the considerations now
 brought forward by the C.O.A.G.
 there would appear to be good
 ground for proceeding in
 practice as originally contemplated
 by that section, & ask if W.O.
 will agree to permission being
 given to the local Govts to
 proceed accordingly say W.O.
 will no doubt refer to Treasury
 if they consider it necessary.

C.I.D 2821

to proceed: but I think we should give way

2/8/2

To. aff. for case

6.1.7.8.21

Proc 114

No. 930.

BRITISH EAST AFRICA

July, 1921.

38087
Recd
Res 29 JUL 21

Sir,

*Two
605/6/20*

I have the honour to refer to your despatch No. 1847 of the 20th December last, and to inform you that since my despatch No. 1002 of September 11th 1920, certain further facts have come to my knowledge which may perhaps lead you to modify the decision conveyed in your despatch above mentioned, and I have, therefore, considered it advisable to refrain from repealing Section 13 of the Military Labour Corps Distribution of Pay and Property Ordinance, No. XXXV of 1918 pending a further communication from you.

2. It would appear from statements made by the Director of Military Labour in the late campaign, who is now acting as Chief Native Commissioner, that at the time the Military Labour Corps was wound up his original proposals involved the appointment of a number of officers to investigate the circumstances under which so many natives had sums outstanding to their credit, and to endeavour to find them or their heirs and pay out these sums. Some such action was felt to be necessary, inasmuch as no special organization was created to deal with

THE RIGHT HONOURABLE
WINSTON CHURCHILL, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S.W.,

2.

with the care and payment of the vast masses of native followers till 1916, and it was not till over two years later that the numerous obstacles were fairly overcome and all native followers were entered on his books under a reliable system of identification. Altogether nearly 400,000 natives, exclusive of casual labour and separate bodies raised in isolated areas of operations, passed through the books of the Corps; almost all of them were illiterate and showed on their pay vouchers names, which, till finger print identification was established in May 1916, were often most difficult to reconcile with the names originally given owing to the variety of spelling adopted by officers unused to native languages and often to an actual change of name due to a change of religion or to mere caprice.

3. An alternative proposal was, however, put up that if these credit balances could be credited to the Tribe in default of the individual, the expense involved in a special staff to search for the latter might be saved and no great hardship inflicted on communities which are still living under patriarchal rule. This proposal was accepted by the Director of Military Labour and was represented to the Military and Civil authorities out here, both of whom concurred. The Ordinance now under your consideration was the outcome.

4. The Director of Military Labour now represents that the repeal of Section 13

involves

involves a direct breach of contract with him in his capacity of representative of the natives under his command, since he would never have agreed to a comparatively perfunctory search for the individual creditors of the Crown, except on a statutory undertaking that such individuals would be indirectly benefited by the expenditure of the money they had earned on the educational or other betterment of the tribe to which they belonged. He states that he accepted the concurrence of the local military authorities in all good faith as the concurrence of the War Office, and could hardly have been given a more definite assurance than that contained in the enactment of legislation.

5. He has also drawn my attention to the Regimental Debts Act of 1893, which he states was a material inducement to him in making the proposal to the military authorities, and which he believes also materially influenced their acceptance. Under paragraph 10 (2) of this Act, any "residue" of the estate of a deceased soldier may be applied to the creation of compassionate or other funds for the benefit of widows or children of soldiers dying on service, etc. Under paragraph 8 (1), "residue" is described as including arrears of pay.

6. The vast majority of native followers but here were never enlisted as soldiers, and they served under special rules and conditions throughout. Even though a strict interpretation of the Carrier's status

4.

status might not bring them within the terms of the preceding paragraph it is contended that the principle applies equally and cannot be denied, hence the enactment of the special legislation under consideration was regarded as a desirable modification to suit local conditions of the principles underlying the Regimental Debts Act of 1893.

It is proposed to credit any sums accruing under it to a special fund now being created, which will be administered by a Board of Trustees for the development of medical, educational and other facilities in native Reserves which directly benefit the families of the missing creditors of the native communities.

7. I append for facility of reference extracts from the Director of Military Labour's report on Carrier transport during the local operations (a copy of which was sent you) which will show some of the causes leading to so large a list of un-identified creditors. The consequent expense that would have been involved in conducting a detailed search for missing men can then be appreciated. (Paragraphs 27, 28, 29, 59, 94, 97, 98, 99, 100, 101, 102, 103, 104, Appendix 1, Tables 5, 8, as regards British East Africa.).

8. In view of these arguments I submit that the moral claim of the native communities upon these balances could not be greater, apart entirely from the sacrifices which they made during the recent

Campaign.

5.

~~campaign.~~

Had the local representatives of the War Office raised the point of view now put forward by the Secretary of State for War, every effort would have been made, though at very considerable cost, to trace the missing men or their relatives; this would undoubtedly have resulted in an enhancement of War Expenses, and a large reduction of the balances now claimed by the Imperial Government.

At the request of the Staff Officer, War Records I attach a memorandum dealing with this matter.

Memorandum.

I have the honour to be,

Sir,

Your humble, obedient servant,

G. K. LEE

For GOVERNOR.

EXTRACT FROM THE REPORT OF DIRECTOR OF MILITARY LABOUR
DATED 30th SEPTEMBER 1919.

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Para. 27. The lines of communication back to the Tange-Bossah railway were now of unprecedented length, and the first step was to convert the Central Railway, which had been much damaged by the enemy, into the base line of the Forces. This was done as rapidly as possible, the situation being much ameliorated if not saved from absolute disaster, by the fitting of trolley wheels to transport vehicles of various kinds and running them as motor tractors or trawlers loaded with supplies. The first however, only got to Dodoma on October 6th, so it was some days before they were placing a full lift into Dodoma. The interval was one of short-rations and considerable suffering, particularly to the Forces at Dodoma, and, what the troops suffer the condition of the followers is apt to be pitiable.

Para. 28. With this demand for labour to maintain the old lines of communication, to re-build the railway, and construct defensive works and posts along it, to carry forward military stores with the advancing troops, and to construct roads and bridges and L. of G. posts behind them, so as to facilitate motor transport, all work requiring to be done simultaneously, constituted an enormous strain on available resources. Moreover, the food situation at the front was such that it was impossible to divert motor-tractor transport for the forwarding of more labour even if it had been advisable to add to the number of months forward before the daily supply lift was adequate to demands. In addition, the practice of relieving Carriers every six or nine months by fresh men, which had obtained throughout 1915, had proved impossible during the advance. By September, 1916, when they were suddenly called upon for a supreme effort on short-rations, the men were already debilitated and overworked. As a final torture the rains broke early and converted large areas into swamps, throwing still more work on to the Carrier, when one stretch on the Mdedemzinga road had to carry nine miles mostly waist-deep in water, much of it on raised duck-walks made of unressed poles laid side by side, while the Mikeke line was little better. The European staff also had a very high degree of morbidity, with a corresponding effect on the natives in their charge. The sufferings and casualties of this period from September 1916 to March 1917 will never be fully known.

Para. 29. That under these conditions desertion should be rampant only to be expected, particularly among those natives, who were near their homes or near some harbour of refuge. Many of those who attempted it must, however, have lost their lives, from wild animals or from unfriendly tribes en route, or from starvation and exposure to the rains. Of these no figures can be given.

Para. 30. The change brought into conflict two opposite systems of control of Carrier transport and labour, the Unit control of Force C and the central control of Force B. The first had the advantage, from the point of view of the unit, of independence of outside authority. It had the disadvantage that the units competed with each other in the labour market, often vying or even other's deserters, with no central recruiting agency to trace deserters and replace casualties. From the point of view of the Carrier it had every disadvantage, except that of facility of desertion. No special officer was detailed to look after Carriers or labour. The Officer-in-Charge of a platoon of work engaged his own men and followed his own methods of looking after them. Officers were not so frequently and with care with which records and accounts were kept varied and irregular with the Officer, as did the attention paid to the clothing, equipping and housing of the men. The way the pay was handled is detailed elsewhere.

...the accounting for so great a herd comprised mainly of
 literate individuals was no small matter. For one in a thousand
 did not know his own name, and it was not possible with any exactitude what was due
 them. Any lack of appreciation of the importance of preserving
 their identity, and adopted with facility any name that
 struck their fancy or was applied to them by the Indians or Europeans
 with whom they came in contact, or was taken by them on their
 adoption of the Mohammedan or Christian faiths, forgetting the name
 which they had originally given when registered.

Pa. 97. On March 18th, 1915, the East Africa Pay Corps came into
 being, and under Command Order 275 of 30/3/15 took over the
 accounts of the staff of the Carrier Section, East Africa Transport
 Corps, and all responsibility for accounting. The Depot pay
 system remained unaltered, but a copy of the cash account
 was prepared monthly to the Paymaster, East Africa Transport
 Corps, Nairobi, who was himself an officer of the E.A.P.C.
 reporting direct to the Chief Paymaster. (Command Order 322 of
 16/1915).

Pa. 98. While in theory this system appeared admirable, in practice
 it left much to be desired. The method of control of labour
 units referred to in Section 11, para 59, which had been employed
 previous to this G.R.O. was hard to eradicate. As regards pay
 the main defects had been that cash was drawn from a variety of
 sources and some of the drafts only came in months later through
 the Civil Treasury, while vouchers for payments were not always
 sent in, and when sent in were not always clear and by the time
 the drafts could be sent out the Officer in charge had been changed,
 the unit had moved or the man in question had died or deserted,
 and endless delays ensued. The new system, however, was not
 established without a struggle. Units other than Transport which
 managed their own labour resented interference and saw no reason
 why they should follow the instructions of a Transport Officer, such
 as the Paymaster, E.A.P.C. as regards accounts, or of the B.A.D.T.
 (Carrier Section) as regards method. Moreover, divided control had
 its usual attendant evils. Pay questions were closely bound up with
 recruiting and discharge, with the numbers of natives employed etc.
 it was possible for Units to have on their pay numbers of natives
 who were not on any Carrier Depot books and of whom the B.A.D.T.
 Carrier Section had no knowledge.

Pa. 99. The increasing proportion of labour to carriers proper
 detailed in paras. 22, 23 and 63, accentuated these evils, and
 the formation of the Military Labour Bureau in February 1916,
 followed by the formation of a special branch of the
 E.A.P.C. to deal with natives in March, 1916, which branch was
 fully transferred to the new Department as from July 1st 1916.

Pa. 100. From an accounting point of view the importance of the
 change thus effected lay in the fact that the central office
 was now able to issue instructions that all cash used for the
 payment of natives was to be drawn from one of its branches,
 and that any name notified to them at once. If this became
 possible to call for an account of any imprest that appeared
 too long outstanding, instead of as formerly being
 left upon such accounts as Officers chose to send in of
 their own originally drawn from other and entirely dis-
 tinct sources. Imprests and disbursements could therefore
 be more easily traced and errors detected.

From an administrative aspect it now became impossible for
 to employ for long labour for which authority had not been
 given, since the Paymaster of the M.L.B. refused to issue
 vouchers, or enter payment against, a native who was not on
 the books of a Carrier Depot, or otherwise specially authorized.

Para. 102. Increase of efficiency resulted in added responsibility and gradually the Pay Department sub-divided into specialising sections. By degrees the accounting for all units employed among Africans, except the King's African Rifles, was taken over by the Native Pay Section who dealt with such varied units as the East Africa Mechanical Transport Corps, the African Native Medical Corps, the East African Veterinary Corps and the Scouts and Native Intelligence Agents throughout the Forces. The system adopted, as staff became available, was the distribution of Paymasters at the various base Carrier Depots, and by degrees these came to be used for making payments to Indian and European Units till the Department were finally asked to take over the duties of Field Disbursing Officers for the whole Force. This meant that they did the whole of the Field financial work. The Carrier Depot Pay Office at each post became the recognised Treasury of the whole Force, of which every payment voucher went through the Head Office at Dar-es-Salaam. This led to an Accounts Adjustment Branch, a clearing house which used the vouchers going through its hands to check and reconcile monthly with imprests all payments made during the month and to recover from the various Paymasters of the Imperial, Indian, South African and Nigerian Contingents. The gradual increasing Staff demanded by the multifarious activities of the Corps also necessitated a special branch to deal with Staff Pay of all non-natives. These three branches dealt with current work while a fourth section was specially formed to straighten out the tangle in which the 1914-15 accounts had got before the situation had been appreciated.

Para. 103. FINGER IMPRESSION SECTION.

Reference has been made in Para. 7 to the difficulties of identification. The original method was a numbered disc to which, for Gun Carriers, was added a pay book. The facility with which these were lost or exchanged by their illiterate bearers was the cause of much confusion and loss in the accounts and shortly after the formation of the M.L.B. Staff was sanctioned for a finger impression section which fully justified its existence by the resultant saving to the State. Desertions were prevented and frauds constantly detected, while many unfortunates whose death or lunacy occurred under circumstances which left their identity obscure were identified and credited with their dues. If a man lost his identity disc he was at once re-numbered at the first Depot at which he applied for pay, and given a small advance. His finger prints were sent to the central office which identified his previous number and caused his previous credits to be transferred to his new number.

On February 7th, 1919, the number of lost discs traced and re-registrations detected by this system alone reached 10,000.

Para. 104. Under the perfected system it thus became possible for a native, wherever he might be, to draw pay. This was at once notified on a voucher to the Paymaster who supplied the cash, who was responsible for notifying the Depots concerned. At these Depots a Pay Card was kept for each man, on which the debit was entered. On the man's arrival at his Depot for discharge he was paid the balance to his credit, or if there was reason to believe that, owing to his evacuation by hospital ship or other causes he had outrun a post which might contain a debit against him, a telegraphic enquiry was sent. The proportion of loss on this system was very small.

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MONTHLY PERCENTAGES OF DEATHS TO NUMBERS IN THE FIELD - R.E.A.

Total recruited to	30.9.16	75341	
Total deaths to	30.9.16	3652	
Percentage of Deaths covering period to	30.9.16	4.84	
<u>MONTHLY DEATH PERCENTAGE</u> for 21 months		.23	.23

Number in Field at	30.9.16	36137	
Recruitments 1.10.16 to	31.12.16	6017	
Deaths 1.10.1916 to	31.12.16	4217	
Deaths 1.10.1916 to	31.12.16	567	
Death Percentage 1.10.16 to 31.12.16-3 months		1.32	
<u>MONTHLY DEATH PERCENTAGE</u>		.44	.44

Number in Field at	31.12.16	30369	
Recruitments 1.1.17 to	31.1.17	5554	
Deaths 1.1.17 to	31.1.17	35923	
Deaths 1.1.17 to	31.1.17	256	
<u>MONTHLY DEATH PERCENTAGE</u>		.70	.70

Number in Field at	31.1.17	32821	
Recruitments 1.2.17 to	31.3.17	14009	
Deaths 1.2.17 to	31.3.17	46830	
Deaths 1.2.17 to	31.3.17	381	
Death Percentage 1.2.17 to 31.3.17-2 months		1.81	
<u>MONTHLY DEATH PERCENTAGE</u>		.90	.90

Number in Field at	31.3.17	40065	
Recruitments 1.4.17 to	30.4.17	24401	
Deaths 1.4.17 to	30.4.17	64466	
Deaths 1.4.17 to	30.4.17	1304	
<u>MONTHLY DEATH PERCENTAGE</u>		2.04	2.04

Number in Field at	30.4.17	59624	
Recruitments 1.5.17 to	31.5.17	9128	
Deaths 1.5.17 to	31.5.17	68752	
Deaths 1.5.17 to	31.5.17	2221	
<u>MONTHLY DEATH PERCENTAGE</u>		3.23	3.23

Number in Field at	31.5.17	62072	
Recruitments 1.5.17 to	30.6.17	10982	
		<u>73054</u>	
Deaths 1.5.17 to	30.6.17	3056	
<u>MONTHLY DEATH PERCENTAGE</u>		4.11	4.11

Number in Field at	30.6.17	66452	
Recruitments 1.7.17 to	31.7.17	9279	
		<u>75731</u>	
Deaths 1.7.17 to	31.7.17	3029	15.66
<u>MONTHLY DEATH PERCENTAGE</u>		3.91	3.91

Number in Field at	31.7.17	67591	
Recruitments 1.8.17 to	30.11.17	4118	
		<u>71709</u>	
Deaths 1.8.17 to	30.11.17 - 4 months	5808	20.47
Death Percentage 1.8.17 to 30.11.17 - 4 months		8.01	
<u>MONTHLY DEATH PERCENTAGE</u>		2.00	2.00

Number in Field at	30.11.17	71394	
Recruitments 1.12.17 to	30. 4.19	1520	
		<u>72914</u>	
Deaths 1.12.17 to	30. 4.19	3092	4.06
Death Percentage 1.12.17 to 30.4.19 - 17 months		5.63	5.63
<u>MONTHLY DEATH PERCENTAGE</u>		.33	.33

The above figures are registered natives only. They do not include Personal Servants or Casual Labour.

MONTHLY INSTANTANEOUS DEATH NUMBERS IN THE FIELD

The figures of numbers in field are tabulated as in Table - 5. B.E.A.

22.3.16 to 1.10.16	1.1.17 to 1.2.17	10.1.17 to 1.4.17	1.5.17 to 1.6.17	1.6.17 to 1.7.17	1.8.17 to 1.12.17
30.9.16 to 31.12.16	31.1.17 to 31.3.17	30.4.17 to 31.5.17	30.6.17 to 31.7.17	30.11.17 to 31.1.18	30.4.19 to 31.12.19
		.06%	2.0%	3.5%	1.5%
1.0%	.33%	1.5%	1.2%	1.4%	1.61%
July 16 to 30.9.16	.72%	1.1%	3.5%	1.7%	1.8%
				2.6%	1.1%
				1.2%	1.2%
				1.43%	1.5%
				2.2%	1.3%

UGANDA

B.E.A.

SUMMARY

Percentages arrived at on monthly basis.

APPENDIX I. Table 8.

MONTHLY PERCENTAGES OF FIGURES & MISSING TO NUMBERS IN THE FIELD

The figures of numbers in the Field are obtained as in Table 5 (Mortality percentages).

1.8.14 to 30.9.16	1.10.16 to 31.12.16	1.1.17 to 31.1.17	1.2.17 to 31.1.17	1.4.17 to 30.4.17	1.5.17 to 31.5.17	1.6.17 to 30.6.17	1.7.17 to 31.7.17	1.8.17 to 30.11.17	1.12.17 to 30.6.19
.75	.93	1.7	1.0	2.2	1.4	1.6	1.7	.37	.61
				16.4.17 to 30.4.17.					
				3.9	4.5	10.81	12.7	.66	.55
22.81	12.26	12.1	10.0	7.2	7.6	4.5	5.1	4.51	2.53
July 16 to 30.9.16.									
67.0	3.1	.74	1.0	7.0	1.9	.1	.6	2.00	2.00

Percentage on Monthly Basis except 3 - Half-month.

18162
S. 164/Staff 34891

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War Records, Accounts &
Military Facilities Dept.,
P. O. Box 101,
Khartoum,
East Africa.

26th. May, 1921.

From:-

The Staff Officer,
War Records.

To:-

The Hon'ble The Acting Colonial Secretary,
Khartoum.

MEMORANDUM.

Reference Memo. No. 2488/A.50/2. Dated 31st. March, 1921, addressed to you by the Acting Chief Native Commissioner, copy of which you have forwarded to me for my detailed observations, I have to state as follows:-

Para. 1 to 7. I have no comment to make.

Para. 8. I have nothing further to add to my Memo. No. 14/2037/20. dated 10th August, 1920. The fact remains that the money involved is part and parcel of the advances placed at the disposal of the Local Government by the Army Council, and as such, is undoubtedly the purse of the British Public, and the distribution of unclaimed pay is purely a matter for the Imperial Government to decide.

The Acting Chief Native Commissioner refers to the Local Military Representative here at that time, as agreeing with the view which was put forward by him then as Director of Military Labour. The Military Representative referred to, I presume, was General Fozard, who I have no doubt, consulted his financial adviser, Lieut. Colonel Hunter, of the Army Pay Department. The matter was never referred to me at any time until I was called upon to hand over the total amount in August, 1920.

If the matter had been referred to me at the time, I would have put forward the same arguments as I did at the later date referred to.

I am, however, at a loss to understand how the Military Representatives, whoever they were at that time, could sanction or agree to any such arrangement without regarding a matter of such importance to the Finance and Accounts Department of the War Office.

In/

In this connection I may add I have not yet seen a file on this subject to date.

The arguments put forward that the Military Labour Corps were never soldiers and never attached, is one which must be decided by the Imperial Government, and is no concern of mine, except that I again reiterate the fact that the money in question belongs to Imperial Funds, and not Protectorate Funds.

Para. 9. I have no comment to make. This is purely a matter for the Secretary of State and the Army Council to decide.

Para. 10. I have no comment to make. I have never seen the file on this subject. I do not agree, however, that the War Officers are bound by their Local Representatives in a case like this.

Para. 11 to 13. I have no comment to make.

Para. 14. If the engagement of a special staff for two years is sanctioned for the purpose of training missing men, is it suggested that the Imperial Government should again be asked for funds for this purpose, or is it intended that the cost should be met from a portion of the unclaimed balances? In either case, I have no hesitation in stating that a proposition of this nature is financially un sound and unbusiness like.

Should His Excellency The Governor decide on forwarding a despatch to The Secretary for State, embodying the Acting Chief Native Commissioner's arguments, I have also to request that my views contained herein may be submitted at the same time.

However, if a special staff of say twenty officers for two years is sanctioned for this purpose, I would suggest that the full administrative and financial control, together with full responsibility, be placed in the hands of the Acting Chief Native Commissioner, and that the whole matter may be removed from my sphere of operations.

It is my ambition to close down all expenditure in connection with the late war at the earliest opportunity, but a suggestion of this nature practically amounts to creating a new department at a huge expense at a time when I am depositing the closing down of the Common Charge Account in its entirety.

As regards the question of time limit, I would suggest that an unexpired date should now be fixed applicable to all Territories, and when all payments should then cease.

Paterson

MAJOR.

Staff Officer, War Records.

Kenya 38087/21

Kenya

215

6

Casa 54056

2nd Lt. J. G. Aug. 1921

Sir,

With ref. to your letter no.

DRAFT. (60560/20)

0165/1235 (acc. 5) of the 10th of

The Ser.

W.O.

Kenya 185 75 1/2/22
Kenya 27/3/22
Kenya 1/2/22
Copy to file

Dec. last, and connected correspondence regarding the disposal of the unclaimed balances of pay due to native carriers of the E.A. Military Labour Corps, I am re. to transmit to you, to be laid before the A.C., the acc. copy of a desk. from the O.A.C. of Kenya on the subject.

2. The position in Kenya is sufficiently explained in this desk. As regards the position in Uganda, I am to state that, when the enactment of the Uganda

MINUTE.

- Mr. Jeffries 3/8/21
- Mr. Macartney 4/8/21
- Mr. Bottomley
- Mr. Grinnell
- Sir H. Lambers
- Sir H. Read
- Sir G. Pidda
- Mr. Wood
- Mr. Churchill

for conser

950 7220
215 (3087)

Order, of which a copy was enclosed in the letter from the Dept. of the 30th of Nov. (5013-6)

last, was under con- sideration, the Acting Gov. reported that three officers of the military labour Corps had toured all the districts from which carriers were recruited and had conducted the fullest enquiry with a view to settling all identifiable claims. The balance left outstanding amounted to about Rs 25,000, and the Acting Gov. had contemplated handing this balance over to the tribes concerned subject to an undertaking that ~~in order to avoid any cases of handshaking~~ the funds of the tribes would be liable for paying out any claims which

which might be established during a period of three years from the commencement of the Ordinance.

DRAFT.

(2)

MINUTE.

Mr.

Mr. Gifford.

Sir H. Lambert

Sir H. Rigg.

Sir G. Piddar.

Mr. Wood.

Mr. Churchill.

3. The section of the Uganda Order, ~~has already been referred~~ providing for this, has already been repeated, in accordance with the directions given by the S. of S. as a result of the proposals already referred to; and Mr. Churchill proposes, in any event to direct the repeal of the corresponding section of the Kenya Ordinance, on the ground that it is not within the power of the local Govt. to legislate

for the disposal of Imperial
funds.

4. Mr. Churchill does not,
however, disagree in principle
with the manner in which
it had been proposed to deal
with the unclaimed balances
in question, and he considers
that the facts now disclosed
in the accompanying despatch
furnish good grounds for
proceeding in practice as
originally contemplated, in
spite of the repeal of ~~that~~ those
sections of the Local Ordinances
which concern the disposal
of these balances. He trusts,
that after perusal of this
desp. the A.C. will agree ~~that~~
with this view and will
give permission for the funds
to be dealt with as proposed.
For

for the disposal of Imperial
funds.

4. Mr. Churchill does not,
however, disagree in principle
with the manner in which
it had been proposed to deal
with the unclaimed balances
in question, and he considers
that the facts now disclosed
in the accompanying despatch
furnish good grounds for
proceeding in practice as
originally contemplated in
Article 5 of the repeal of ~~that~~ those
sections of the Local Ordinances
which concern the disposal
of these balances. He trusts,
that after perusal of this
despatch the A.C. will agree
with this view and will
give permission for the funds
to be dealt with as proposed.

DRAFT.

③

MINUTE.

Mr.
Mr.
Mr.
Mr. Grindle
Mr. H. Lambert
Mr. H. Read
Mr. G. Piddis
Mr. Wood
Mr. Churchill

For the sake of uniformity any arrangement approved for Kenya should be made applicable to Uganda in spite of the fact that in Uganda an exhaustive search for possible claimants has already been made.

5. Mr. Churchill presumes that the A.C. will refer the question to the L.C. of the Trustees for a decision if they consider it necessary.

(SIGNED) H. J. READ