

EAST AFRIC PROT

K.A.P.

20839

590

409

Writing

Date

1912

3th June

previous Paper

8339
L.A.P.

K.A.P. ORDINANCE
NO. XV OF 1912

Two copies with legal report. Regrets delay which was due to correspondence with Uganda. Necessary amendments have been made.

Mr Read

In the present state of the work, it might well wait for Mr Parkinson's return in about ten days time.

Two

at one

at one

at one

of 100

2 papers

~~The following~~

~~Call the paper~~

~~but see~~
Mr G. F. ...

It has been right through this ordinance. It has been carefully drawn up with all the various amendments which have

Hand 559
Just a word from 10 Oct.

previous Paper

8339

... at one stage
or another.

Have nothing to find fault with
in it except one or two small
imperfections.

§ 37 (1) "native officer" should be "native officers"

and be inserted before

...

For line to "punishment" should be "punishment"

§ 37 (1) "officer" should be "officer"

"soldier" should be "soldier"

In § 37 (1) (a) a curious mistake which
has occurred in the corresponding section

of the ... has been detected and

is "appropriate" is substituted for

in the "T. Ord." (Appendix 2, 3).

and with provision that it is to be

in the ...

at X above.

1000
2018

~~bi fact~~

CT. 27/5

This has been seen and approved
by Col. The...

CT. 29/9/12

at his house
4. 3. 12
29/8

Alouse

EAST AFRICA PROTECTORATE.

June 13th 1912.

No. 409

Sir,

I have the honour to acknowledge the receipt of your despatch No. 311 of the 17th April and to express my regret that your despatch No. 495 of the 7th September 1911 has remained so long unanswered. As a matter of fact a certain amount of delay has been occasioned owing to the necessity of corresponding with Uganda and in the original Ordinance it was found desirable to make alterations which had necessarily to receive your approval. It was not possible therefore to pass the Ordinance at any previous meeting of the Legislative Council but it was actually introduced and passed at the meeting held on the 27th and 28th ultimo and I have now the honour to transmit herewith two authenticated and ten printed copies, together with an explanatory Memorandum by the Attorney General.

2. The amendments proposed in the Uganda Ordinance had been incorporated in the Bill

which

THE RIGHT HONOURABLE

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

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON, S.W.

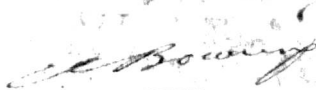
which was before the Legislative Council at the time when your despatch under reply was received, and the additional amendments proposed by you were made in Council.

8. I have assented to the Ordinance in the name of His Majesty.

I have the honour to be,

Sir,

Your humble, obedient servant,



ACTING GOVERNOR.

INCLOSURE 10.2

In Despatch No. 100 of 13.6.1912

303

HIS KING'S AFRICAN RIFLES ORDINANCE, 1912

LEGAL REPORT.

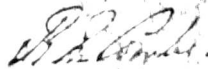
1. This Ordinance has been passed on instructions received from the Secretary of State and may, in my opinion, be assented to and published forthwith.

2. The draft of an Ordinance to be substituted for the King's African Rifles Ordinance 1902 was enclosed in the Secretary of State's despatch No. 188 of April 7th 1911 and His Excellency the Governor was requested to cause an Ordinance to be passed in the terms of the draft with certain alterations which were indicated in the same despatch.

The Secretary of State subsequently approved of further alterations being made in the draft Ordinance.

3. The attached Comparative Table shows the extent to which the Ordinance as passed differs from the draft Ordinance referred to.

1912.



CROWN ADVOCATE.

Section 53.

"Native Officer" inserted. Approved by the Secretary of State.

Section 55 (2).

The words "treason, murder, manslaughter, treason felony" deleted and the words "an offence against the State within the meaning of Chapter of the Penal Code, murder, culpable homicide not amounting to murder" substituted. Approved by the Secretary of State.

Sections 58, 59, 63 (1), (2), 64 (1), 65, and

Extended to Native Officers. Approved by the Secretary of State.

Section 55.

- (1) "or attested by his mark" inserted in the first paragraph.
 - (2) "in the case of persons not being soldiers of the regiment" deleted from paragraph 8.
- Approved by the Secretary of State.

THE KING'S AFRICAN RIFLES ORDINANCE, 1912.

COMPARATIVE TABLE SHOWING VARIATIONS IN WHICH ALTERATIONS
HAVE BEEN MADE IN THE DRAFT ORDINANCE ENCLOSED IN
THE SECRETARY OF STATE'S DESPATCH NO. 186 OF
APRIL 7TH 1911.

| | |
|---------------------|---|
| Section 11. | "discharge" substituted for "charge." |
| Section 26 (1) (c). | "Seven days" substituted for "three days" approved by the Secretary of State (Despatch No. 495 of September 7th 1911). |
| Section 27 (2). | Amended as approved by the Secretary of State (Despatch No. 495 of September 7th). |
| Section 27 (8) (d). | "advocates" substituted for "advocates." |
| Section 27 (17). | "the" inserted before "Governor." |
| Section 45 (1). | "Forty two days" substituted for "fourteen days." Approved by the Secretary of State (Despatch No. 211 of April 17th 1912). |
| Section 45 (2). | "and servitude" inserted before "imprisonment." Approved by the Secretary of State. |

day / 20-8-32

Est
Kark

CD
R 30 AUG
D 20

536

DEPT.

Sal N^o 559

day.

30 aug 1912.

MINUTE.

di

- Mr. Acl 29/8
- Mr. Reid 29/8
- Sir G. Fiddes,
- Sir H. Just.
- Sir J. Anderson,
- Lord Emmott,
- Mr. Harcourt.

Have the honor to acknowledge the receipt of your dispatch N^o 209 of the 18th of June stating you that H.M. will not be advised to exercise his power of disallowance with respect to Ordinance N^o XV of the 12th of June, of the Legislature of

J.P.

of the Ed., entitled
"The King's African
Rifles Ordinance"
1912.

I had few typographical
errors in the Ordinance
have been brought to
my notice -

Section 27 (1)... "native officer"
should be "native officers"
in both places where the word occurs

Section 37 (1) (a) ^(the word) "a" should
be inserted before "guard".
^(the word)

Section 40 line 6 "soldier" should
be "soldiers"

Section 43 line 5 "punishment"
should be "punishments"

Section 52 "officer" should be
"officer" and "soldiers" should
be "soldier".

W. H. J.

20882 12
Sal.

9 OCT

Sal

307
10 Oct 1912

DRAFT

Ed.

No. 600

En Salfeld

MINUTE.

Mr. Vennings *7*

Mr. Buller *8*

Sir G. Fiddes.

Sir H. Just

Sir J. Anderson.

Kord Emmott.

Mr. Harcourt.

See the enclosed copy

Copy attached

Sir,
I have to transmit to
you the enclosed authenticated
copies of the King's African
Rifles Ordinance (No. 11)
of 1912, which accompanies
Mr. Downing's despatch No. 409 of the
18th of June, & to request that
you will return them with the
public seal of the Ed. and
impress upon them.

W. H. J.