

EAST AFR. PROT

C.O.
4519
REC
RE 8 FEB 09

CDC
4/10/05

4519

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Governor No.
Order 7

1909

6 Jan.

Next Previous Paper

Box 20826/9

Volunteer Reserve Order, 1908.

Submit draft Request for reply.

Ask Mr. Waller
 whether and when Conf 30 P.W.D.
 Gov recommended Conf 30 P.W.D.

Capt. Chamellon

Will you let me know as soon as possible whether the C.D.C. have any remarks to make on the ord^{ce}?

H.J.D.

11/2

~~Wednesday~~
not anticipated.

The minutes within I think that we can accept the views of the C.D.C. except Chamellon without bringing the matter before the C.D.C. ? Telegraph inf. the fact that the ord^{ce} cannot be sanctioned in its present form & that a despatch follows

Next subsequent Paper

39398

by mail - then write in the sense of the minutes to
the Secretary Adjutant General's branch &
Capt: Chancellor. Draft despatch to
be sent to Capt: Chancellor for
approval

H. J. R.
25/2
Lund 25/2

P.M. Feb. 26

J.R.C.
26-
army

I concur in draft despatch with slight amendment
J.R.C.
25 8

Mr. Read

The Colonial Defence Committee have hitherto rigidly adhered to the principle that equipment grants & free issues of rifles and ammunition should only be granted to members of volunteer reserves and similar organisations, in return for their assumption of a liability for military service in time of emergency.

2. No obligation for service in time of emergency is exacted under the Ordinance, which only provides that the Governor may (Section 31) in time of danger sanction the formation of a volunteer force from the Volunteer Reserves.
3. It is for consideration whether there is any justification for a Government issue of arms & ammunition to members of a rifle club who undertake no service for the state in return.
4. At home the assistance given by the State to rifle clubs, which are under no obligation to render service in time of war consists in permitting them to purchase arms and ammunition in limited quantities at cost price.

5. It is clearly desirable that the Ordinance should be so framed as to attract the services of the settlers, & there is no doubt that section 34 of the Ordinance of 1905 under which members of the Reserve are liable to serve anywhere within the Protectorate throughout the duration of hostilities has acted as a deterrent to settlers with property which ^{they} would be unwilling to leave for an indefinite period.

6. This point has not altogether been overlooked by the C.D.C., who recommended in their Remarks No. 479 R on the F.A. & V. Defence Scheme ⁽¹⁹⁰⁵⁾ that the Volunteer Force might be organised in three groups or units viz. (a) Field Company to be recruited from men who would be prepared to take the field with the main body of the regular force, (b) Railway Company composed of railway servants & employed on the defence of the railway, & (c) Town Guards, recruited from settlers & officials who are unable to absent themselves for a prolonged period from the locality in which they reside.

7. If the Ordinance ~~only~~ renders service in the Town Guards only (say within the limits of the District) compulsory, it could exercise no deterrent effect on settlers, & service in a field

company might be left to individuals who care to assume the more extensive liabilities.

8. In paragraph 12 of their Remarks No. 445 R on the Nyasaland Volunteer Reserve Ordinance 1907 the C.D.C. suggested that a draft ordinance which was printed as Appendix II to those Remarks might usefully be followed as a model for future legislation.

If it is decided to withhold assent to the Ordinance under consideration, I suggest that a copy of 445 R might be sent to the Governor of EA to be used as a model & adapted to local conditions.

Section 22 line 3 might for example be amended to read for "service within the district in which they reside," or words to that effect.

9. I have not had time in view of the urgency of the question formally to lay the Ordinance before the C.D.C. but I annex a sheet marked "A" containing remarks by the Adjutant-General's branch.

10. If you would prefer that the question should be dealt with formally by the C.D.C. will you please return the papers to me.

11. I have tried to compare the Ordinance under consideration with the model, & although the differences are not fundamental the wordings ^{arrangement} throughout are so different that a comparison is difficult.

J.R. Chancellor
Sec. C.D.C.
22.2.09.

Resumes by 22/2/09 in $\frac{100}{100}$

Para. 11 (iv)

This paragraph empowers members to make rules for certain purposes, but it seems extraordinary that the members of any military organization should be able to draw up rules regarding such a subject as Discipline. If this is allowed it is not unlikely that discipline will be conspicuous by its absence.

Para. 17. line 8

The words "the Deputy President" should be substituted for "he" in line 8, as "he" might be read better to "member" in the previous line.

Para. 25. Marginal note

The word "Deputy" should be deleted. The President has the power to disband a unit, and not the Deputy President.

22/2/09

J.R. Chancellor

Governor's Office
Nairobi,
January 6th

C.O.
4549
RES
1909
REC
8 FEB 09

EAST AFRICA PROTECTORATE.

No. 7.

(Incl. E.)

My Lord,

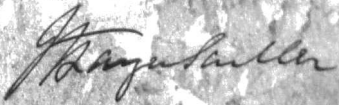
I have the honour to transmit herewith two copies of the East Africa Volunteer Reserve Ordinance 1908, as passed by the Legislative Council, together with a memorandum by the Crown Advocate giving the reasons for its enactment.

2. I should be glad if I might be notified of His Majesty's approval by telegram as suggested in paragraph 4 of the Memorandum.

I have the honour to be,
With the highest respect,

My Lord,

Your Lordship's most obedient,
humble servant,



J. H. G. Buller
Principal Secretary of State
for the Colonies,
Downing Street,
LONDON, E.C. 4.

In Despatch No. 7 of Jan 6, 1908
C. O.

4549

Recd

THE EAST AFRICA VOLUNTEER RESERVE ORDINANCE 1908

This Ordinance repeals the East Africa Volunteer Ordinance 1900 and makes provision for the formation of a new Volunteer Reserve.

The Inspector General of the King's African Rifles on the occasion of his tour of inspection at the beginning of this year condemned the existing Ordinance mainly on the ground that its provisions were not to the liking of the settlers and he considered to be the real source of the strength of a Volunteer Reserve in this Protectorate.

The 1900 Ordinance made Provincial Commissioners presidents of the Corps in their provinces, required all members of the Corps to take the field if required by the Government to suppress a native ~~rebellion~~, and all members being British subject in addition to appear for military service if required by the Governor in the event of a foreign invasion, and further imposed penalties for certain offences under the Ordinance. All these matters in the opinion of the Inspector General made the Ordinance under that Ordinance distasteful to all Government servants and discouraged the ~~settlers~~ from joining the Corps.

The Inspector General advocated the enactment of an Ordinance as short and clear as possible, so that the settlers might understand it at a glance, from which all the objectionable provisions of the 1900 Ordinance should be eliminated.

The Ordinance in question has been drafted upon recommendations made by the Inspector General and I understand approved by many settlers to whom they were submitted for opinion.

The Ordinance provides that the Governor shall be the President and the Officer Commanding the local Battalion of the King's African Rifles shall be the Deputy President the latter Officer being responsible for the proper carrying out of the Ordinance.

For the purposes of the Ordinance the Protectorate may be divided into such areas as the Governor may from time to time determine and a Unit of the Volunteer Reserve formed with the sanction of the Governor of each such area.

The head of each Unit styled a Vice-President is to be elected by the members of the Unit and if approved by the Governor holds office for one year.

Members on joining are given a rifle and 300 rounds of ammunition, as under the 1905 Ordinance, and their only obligations as members are to keep their rifle in good order, to use the ammunition given them for the purpose of shooting on approved ranges only, and at all times to have 100 rounds in hand, and further to fire annually and to make the necessary points in the musketry course.

A failure to comply with these requirements renders the member liable to a small fine to be imposed and recovered by a Vice-President or the Deputy-President. For every efficient member the Unit is to receive a capitation grant of half.

Under the 1905 Ordinance Europeans of any nationality were admitted as members of the Corps under this Ordinance only Europeans or Eurasians being British subjects may join the Rifle Reserve. Provision is however made similar to that in the East Africa Volunteer Reserve Amendment Ordinance 1908 to enable Europeans and Goanese to form a Unit of the Reserve.

The Ordinance makes provision for the formation in a case of urgent danger of a Volunteer Corps consisting of such members of the Volunteer Reserve as may volunteer for active service in this Protectorate or in Uganda.

As the Ordinance fixes the date of its commencement at April 1st 1908 and as it is desirable that it should be published as soon as possible so that all preparations for the formation of Units may be made before that date the Ordinance should

9
-3.
immediately be sent to the Secretary of State who should be
requested to communicate His Majesty's approval by telegram.

S. P. M. Lamb

CROWN ADVOCATE.

281208

2 Copies

Gov. 4549 2.A.P.

10

sent by MS

March 1st

June 6th Jan. 20

DRAFT

tel.
Mr. Kainohi.

7. Volunteer Reserve
Ordinance cannot be
sanctioned in present form
derisive
Desp. follows by mail.

MINUTE.

- W.C. 1/3
- r. Butler
- r. Just.
- r. Andrews.
- r. Cox.
- r. C. Lucas.
- r. F. Hopwood.
- r. Seely.
- r. Earl of Crewe.

Return pp. for desp.

C.D.
25
29

File

DOWNING STREET,

DRAFT.

30 March, 1909.

ms

E. A. P.
hmf.

MINUTE.

Sir,

WAC 25/
Mr. Read 25
Captain

- Mr. Just.
- Mr. Antrobus.
- Mr. Cox.
- Sir C. Lucas.
- Sir F. Hopwood.
- Col. Seely.
- The Earl of Crewe.

I have the honour to acknowledge the receipt of your despatch No.7 of the 6th January transmitting copies of the East Africa Volunteer Ordinance 1908.

I have informed you in my telegram of the 1st March that this Ordinance cannot be sanctioned in its present form.

The Colonial Defence Committee have hitherto rigidly adhered to the principle that capitulation grants, and free issues of rifles and ammunition should only be granted to members of volunteer reserves and similar organisations

organisations, in return for their assumption of a liability for military service in time of emergency.

No obligation for service in time of emergency is exacted under this Ordinance, which only provides that the Governor may (section 31) in time of danger sanction the formation of a volunteer force from the Volunteer Reserves.

It is for consideration whether there is any justification for a government issue of arms and ammunition to members of rifle clubs, who undertake no service for the State in return.

In this country the assistance given by the State to rifle clubs, which are under no obligation to render service in time of war, consists in permitting them to purchase arms and ammunition in limited quantities at cost price.

It is clearly desirable that the Ordinance should be so framed as to attract

12
attract the services of the settlers; and there is no doubt that section 34 of the Ordinance of 1905, under which members of the Reserve are liable to serve anywhere within the Protectorate throughout the duration of hostilities has acted as a deterrent to settlers with property which they would be unwilling to leave for an indefinite period.

This point has not altogether been overlooked by the Colonial Defence Committee, who recommended in their Remarks No. 479 R on the East Africa and Uganda Defence Scheme 1908 that the Volunteer Force might be organised in three groups or units viz:

- (a) Field Company recruited from men who would be prepared to take the field with the main body of the regular forces,
- (b) Railway Company composed of railway servants and employed on the defence of the railway,
- and (c) Town Guards, recruited from settlers and officials who are unable to absent themselves

themselves for a prolonged period from the locality in which they reside.

If the Ordinance rendered service in the Town Guards only (say within the limits of the District) compulsory, it could exercise no deterrent effect on settlers, and service in a field company might be left to individuals who cared to assume the more extensive liabilities.

I enclose a copy of the Colonial Defence Committee's Remarks No. 445 R on the Nyasaland Volunteer Reserve ordinance, and I would suggest that the draft Ordinance printed in ~~the~~ ^{the} Appendix to the Remarks might be used as a model, being adapted to the local conditions of the East Africa Protectorate.

The ordinance enclosed in your despatch has been examined by the Adjutant General's branch of the War Office who have made the following criticisms.

Para. II (4) contains an unusual

DRAFT.

unusual provision enabling the majority of the members of a unit to make rules on the subject of discipline.

Para. 17 line 8 The words "the Deputy President" should be substituted for "he", as "he" might be read to refer to "member" in the previous line.

Para. 25. marginal note. The word "Deputy" should be deleted. The President has the power to disband a unit, not the Deputy President.

I have, &c.,

19
20

for
2549/09
CAP.

DRAFT.

CAP. Conf.
GN
Girouard

26 Edgemoor

York

20 Oct 09

- MINUTE 12/10
- Mr. Noall 18/10
- Mr. Butler 18/10
- Mr. Fildes
- Mr. Just
- Mr. Cox
- Sir C. Lucas
- Sir F. Hopwood
- Col. Seely
- Lord Curzon

Sir,

With refer^{ence} to my^{Conf} despatch
~~of~~ of the 20th of Mch last,
 I have the honour to enquire
 what action has been
 taken with regard to the
 enactment of the amended
 Order for the formation
 of a Volunteer Reserve
 in the CAP.

1