

DESPATCH

EAST AFR PROT
No. 36261

C O
36261
REC 12 OCT 07

No.
1907
22 Sept

(Subject)

Estimate 1908-9 - Judicial
Pay of Magistrates & 3rd Judges

Extract from Minute from Principal
Judge Hamilton again raising question of having
an incremental scale of salary for the justice in Sogobing
at a salary of 2000 p.a. should be the same as the

(Minute)

Mr. Head

As long as Collectors (now styled
District Commrs) only get 2400
I don't think Magistrates get
less than. As Ch. Justice points
out there is no need to pay
Judge Parker extra salary
Refer

10/10

Mr. Justice

I think that the proposals for
increasing the pay of the Magistrate should
be considered with those for improving the
position of the District Commrs.
It seems to me that the time has come
when

Last previous Paper

Next subsequent Paper

Is something ought to be done for the
Senior Dist. Comm? Taking the first ten
of these Officers ^{who have had more than} 12
years' service, & the remaining five have
had about ten. There are 6 higher
appts. to which they can aspire, but as
the present holders, have only had about
12 or 13 years' service, the chances of
promotion are practically nil.

Reply that the present proposals will
be considered with those for ~~improvement~~
improving the prospect of the D.C.'s,
which will it is presumed be submitted
with the Estimates for next year?

H. J. R

15/10

In the despatch about
travelling allowances which
I hoped you had seen, it is
proposed to increase the salaries
of the District Officers by
taking them on incremental
scales. It is proposed to ^{bring} them
to the ^{same} ^{level} as the ^{higher} ^{posts} which have
been made to them
in consequence of their travelling.
But the suggestions are, I
understand "Stationary" officers
in the charge of that

despatch, and the two
 cases are therefore, not
 on all fours. I think,
 however, that it would
 be only reasonable to
 put the Surgeon's rates on
 the scale proposed for
 Dist. Comd^{ts}. £400-20-500.
 (The increment should be
 £20 and not as Mr. Hamilton
 suggests £25)

The question
 of adding that scale
 will be considered when
 we get the reply to the
 following despatch.

W.H. Oct. 19
 at ...

C O
36261
REC 12 OCT 07

Governor's Office,
Nairobi.

September 19th 1907.

EAST AFRICA PROTECTORATE.

No. 302

(Incl. 1.)

My Lord,

With reference to Your Lordship's despatch No. 221 of the 4th May 1906, I have the honour to submit extract from a Minute by His Majesty's Principal Judge in connection with next year's Estimates. The Treasurer concurs in the recommendations made by His Honour Judge Hamilton, but in view of the orders contained in Your Lordship's despatch above noted, I have some diffidence in again bringing forward a proposal to place the Magistrates on an incremental salary. There is, however, this to be said, that the salary of the Magistrate at Mombasa used to be £500 and that of the Magistrate at Nairobi, a special case, £600, and that all along the Principal Judge has pressed for a reconsideration of the present scale.

H. H. PRINCIPAL SECRETARY OF STATE

FOR THE COLONIES,

DOWNING STREET,

LONDON, S.W.

There is some force in the arguments used that the Magistrates are all Barristers and that they have to live in more expensive places than the generality of the Collectors.

2. I propose too, shortly, to make certain recommendations for improving the position and prospects of Collectors. I think it must be admitted that throughout the scale of salary in East Africa is low looking to the work the officials here have to do and their responsibility now as compared with a few years ago.

3. As regards the salary of the third Judge there is no strong argument in favour of an immediate increase, his Honour Judge Gordon-Carter having only lately been promoted.

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

My Lord,

Your Lordship's most obedient,
humble servant,

W. G. ...

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With the highest respect,

My Lord,

Your Lordship's most obedient,
humble servant,

W. J. G. ...

1807

COPY.
(Extract)

C O.
36261
REC^d
12 OCT 07

PAY OF MAGISTRATES

PAY OF MAGISTRATES AND THIRD JUDGE.

Both these matters have been already raised; and on the question of the reduction of the pay of the Magistrates I have already expressed my views both here and at home, but, I regret to say, with a negative result. This reduction was made by the Colonial Office before my scheme for a proposed re-valuation of pay had been considered.

The scheme proposed by me was for Magistrates to be appointed at £400 with an annual increment of £25 commencing after the first year's service and continuing till the salary reached £500.

It is sufficient that an impartial consideration of this proposal both on its own merits and with reference to similar rates of pay of professional men obtaining in the Protectorate will appear reasonable. For example, a District Magistrate should not, I think, be less ~~generally~~ treated than a Medical Officer. It is hard that a Magistrate with serious responsibilities should in addition be worried over the question of ways and means.

The third Judge has identical powers and responsibilities to those of the second Judge but receives £100 a year less salary.

So long as the pay of the Principal Judge remains at £300 both his colleagues should, I think, be paid at the same

same rate as the second Judge now receives, viz: £,700.

This recommendation was made in last year's estimates but was not sanctioned, and I would ask that it may be approved in the forthcoming estimates.

Sd/- R.W.HAMILTON.

H.M.Principal Judge.

Sum
36261 E.A.P.

473

29 October 1903

DRAFT

E.A.P. Mt Conf.

you =

MINUTE

- Mr. Loh 27/10
- Mr. Ross 24
- Mr. Just
- Mr. Andrus
- Mr. Cox
- Mr. Lucas
- Mr. F. Hopwood
- Mr. Churchill
- The Bar of Expt.

S
1903

Sir

I have the honor to acknowledge the receipt of your despatch of the 29th of Sept last relative to the salaries of magistrates in the E.A.P., and to invite your attention to my confidential despatch of the 22nd inst in connection with the salaries of magistrates and the rates of pay of certain classes of officers in the Post office.

You will observe that in the 15th para of that despatch I have mentioned a salary of

however, I shall be prepared to consider the

admissibility of ~~the~~ ~~Office of Magistrate~~ ~~Consolidated~~ ~~Steps by the~~ ~~Order of~~ ~~relax~~ ~~above~~ ~~measures~~,
my C.A.P. 20-500 p.a.

consolidated

on such rate as may eventually be decided upon, - the case of District Comm^{rs}.

5 with regard to the income of the third Judge - the C.A.P. I concur with the opinion expressed in the final para of your report under reply ~~that there~~

~~is no~~ ~~income~~ ~~of~~ ~~the~~ ~~third~~ ~~judge~~ ~~and~~ ~~is~~ ~~not~~ ~~to~~ ~~be~~ ~~paid~~ ~~to~~ ~~him~~ ~~and~~ ~~is~~ ~~not~~ ~~to~~ ~~be~~ ~~paid~~ ~~to~~ ~~him~~

Yours