

... which they mean those which are ...
... dependent on ... and they admit
... that in N. Nigeria we noted ...
... in the usual rule, and in the case ...
... which is still a Protectorate the ...
... proclamation of 1901 for the judges and law
... officers the benefit of an addition for ...
... so that the real result of the Treasury ruling
... will be to exclude legal officers in the Protectorates
... in the 2 of Africa - as long as any rule, as
... then annex state ruled, - from the benefit of a
... benefit which is otherwise universal.

As regards the Protectorates themselves the
... perhaps has not ... But practically
... to include the ... for law ...
... of their ... experience ...
... has learned to ... the ...
... where he ...

Three courses appear to be open

1. to accept the ruling as it stands and leave the future to take care of itself.
2. to accept the principle as a temporary and decide that in future ...
shall ... carry the ...
... for professional qualifications.
3. to ... the ... that ...
... as the Protectorates in

of modern have been required since 1880. 113

Practically I incline to (2) - the fact
being that only in certain cases ...
to give "professional qualification" ...
and a permissive rule ...
This practically ...

(C.H.)
at this

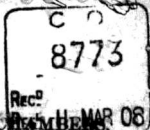
To J. H. Wood

James points out the ...
... at which is the strong
point & says that ...
... opinion that ...
... not ... to efficiency of ...
administration, that ...
recognises that so long as these Protectorates
have ... in aid the Treasury
are able by practices such as ...
to control the administration but
that ... denies to place it ...
reads that for the difficulties placed
in the way of appointing experienced
officials from other Colonies
& African Protectorates
are also responsible

JHBC
- 26/3

Diary
26/3

In the reply to this Letter the following
Number should be quoted.



TREASURY CHAMBERS

2253
06

10 March 1908.

Sir,

I have laid before the Lords Commissioners of His Majesty's Treasury Mr. Cox's letter of the 3rd ultimo (688/1907-8), in which the Earl of Elgin suggests that an addition of years should be made for pension purposes to the service of legal officials of the East Africa Protectorate.

In reply I am to point out that, since the issue of the Treasury Minute of 20th December 1888, it has been Their Lordships' practice to place any newly-created legal offices, whether in the Home or in the Foreign Service, under Section 4 of the Superannuation Act, 1859, without any addition of years, and that there is no provision for an addition of years for professional qualifications in any of the pension regulations of the African Protectorates, except in those of Northern Nigeria, which were framed on the analogy of the pension laws of the neighbouring Colonies and were not submitted for Their Lordships' approval.

It does not appear to Their Lordships that in these circumstances the legal officials of the East Africa Protectorate, who have all accepted their appointments on the basis of the existing regulations, could have had any reasonable expectation of such addition of years, and they regret that in all the circumstances they see no reason

for

The Under Secretary of State,
Colonial Office.

for assenting to the grant of such additions.

I am,

Sir,

Your obedient Servant,

J. H. Smith

the right to grant such an addition in the case of any official who may be transferred to the service of one of the Protectorates (from a Colony or Protectorate in which he has learned to expect the right of such an addition for such professional qualifications. Otherwise the effect of the decision would be to preclude the Secretary of State from transferring to one of these Protectorates an experienced legal official who has learnt to expect the privilege of addition for professional qualifications in any Colony or Protectorate in which he serves, and such a result would be detrimental to the best interest of the administration of the Colonies.

3. Lord Crewe would be glad if you would explain to the Lords Commissioners of the Treasury that the addition in question has become practically universal in the

Under the cases which are indicated in the preceding paragraph no such addition should be made. The only way of dealing with the same cases as those of officers in this country is to add an addition for prof. qual. as attached from 1888

the Crown Colonies, and would be conceded by the Secretary of State in any case where there was no need to refer to their Lordships: so that the result of their Lordships' ruling would be to exclude legal officers in the Protectorates in Eastern Africa from the benefit of the practice just so long as these Protectorates remain partly dependent on a grant-in-aid.

I am, &c.
J.H.K.