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CIRCULAR MEMORANDUM.

DISCIPLINE OF COLOURED LABOUR UNITS.

(Circular Memorandum, Discipline of Coloured Labour Units, No. A.G./b/63124/4, dated 3/7/17, is cancelled.)

1. Appeals of natives will be referred in the usual way, viz.:—
 - (a) On Lines of Communication to Labour Group Headquarters, thence to Base or Area Commandant, thence to Headquarters, Lines of Communication Area, if necessary.
 - (b) In Army Areas to Labour Group Headquarters, thence to Corps Headquarters, if necessary.

2. The advice of the Staff Officer, South African Native Labour Corps, of the Officer Commanding, Chinese Labour Corps, and of the Advisers Egyptian Labour, or Indian Labour, as the case may be, should be obtained by Base or Area Commandant in the Lines of Communication or by Corps Headquarters in Army Areas in any difficult cases where particular knowledge of the natives concerned is required.

3. The officers detailed in preceding paragraph will from time to time visit the coloured labour units with which they are concerned and the Labour Group Headquarters to which they belong. They will endeavour to maintain a uniform method of treatment for the natives.

4. In accordance with agreements made with the French and Belgian authorities, coloured labourers working in the zone of the British Army are forbidden to enter any Cafés, Estaminets, Debits de Boissons, Restaurants, Hotels or Inns. (G.R.O. 2745.)

5. (a) Field Punishment for more than 28 days is not a suitable punishment for natives (it cannot be awarded in the case of Indian Labour Companies).

Sentences of 28 days Field Punishment No. 1 (or rigorous imprisonment in the case of Indian Labour Companies) and under, may be awarded, and these sentences will be carried out in the Companies. Terms exceeding 28 days should be awarded as imprisonment with hard labour, but if Field Punishment No. 1 exceeding 28 days is awarded in error, natives should be sent to carry it out in prison (Chinese to the prison at Noyelles, all other natives to the native prisons at Dieppe and Marseilles).

(b) Confirming officers and reviewing officers should consider the advisability of commuting lesser terms than three months' imprisonment or field punishment to 28 days, in order to save escorts and time spent on the journey to and from prison.

(c) Army Form C.385B will be used when committing natives to prison (including those committed under the Indian Army Act).

INDIAN LABOUR.

6. (a) All Indian Labour is enrolled and will be dealt with under the Army Regulations, Indian, Vol. II., and the Indian Army Act in the usual way.

(b) Minor offences committed by Indians should, as a rule, be dealt with by Officers Commanding Companies.

(c) More serious crimes, cases reported by the police, and charges against white non-commissioned officers will be referred to Officers Commanding Group Headquarters by Officers Commanding Companies.

(d) Proceedings of Courts-Martial held on Indians should be sent to the D.J.A.G., Indian Troops, G.H.Q., 3rd Echelon, to whom Group Commanders should refer for advice on all questions of Indian Military Law. (G.R.O. 2496.)

Officers Commanding Indian Labour Companies can hold Summary Courts-Martial under the Indian Army Act on any persons under their orders who are subject to the Indian Army Act. The special forms I.A.F. D.907 should be used in the case of Summary Courts-Martial.

Officers Commanding Labour Groups have power to convene and confirm Summary General Courts-Martial under Section 62 (c) Indian Army Act. These Courts should be convened on Indian Army Form F.956. Death sentences which Convening and Superior Officers recommend should be carried out will be "reserved" for the decision of the Field-Marshal Commander-in-Chief. The proceedings in such cases will be forwarded through the usual channels to the D.J.A.G., Indian Troops, G.H.Q., 3rd Echelon. (G.R.O. 2827.)

(e) Under the Indian Army Act a non-commissioned officer must be an attested man. No one who is enrolled only can be a non-commissioned officer or a superior officer under the Act.

Headmen, Mates, etc., of Labour Companies, though they are set in authority over the Labourers, are not attested, but only enrolled.

If, therefore, a Labourer disobeys the order of, or is insubordinate to, or insolent to, a Headman or Mate, or any other enrolled man set in authority over him, no charge for such offence can be brought against him under Sections 27 (e) or 28 of the Indian Army Act. It will in such cases be necessary to bring a charge under Section 39 (i) Indian Army Act, for "An act (or omission) prejudicial to good order and military discipline."

Very severe punishment can be awarded under this Section, which is quite powerful enough to enforce discipline in such cases.

(f) Rigorous imprisonment authorized by the Indian Army Act is equivalent to imprisonment with hard labour authorized by the Army Act.

(g) The officer commanding a Labour Company is an officer commanding a Detachment as defined in the Indian Army Act. He can therefore, when sitting as a Summary Court-Martial, award 6 months rigorous imprisonment. The Company Commander can award "dismissal," "reduction," corporal punishment up to 30 lashes, and forfeitures and stoppages, as mentioned in Para. 63 (2) of the Field Service Regulations, Part II., Indian Supplement. Sentences of corporal punishment are not to be carried out without the sanction of the Officer Commanding Group Headquarters, and "dismissal" will not be carried into effect without approval from General Headquarters.

(h) A prisoner awarded corporal punishment will be examined by a Medical Officer as to his fitness to undergo the punishment, and if found to be medically unfit it will not be carried out. This officer should be present during the infliction of the punishment, and should he observe any ill-effects likely to cause permanent injury or endanger the life of the prisoner, the punishment will be discontinued.

(i) As explained in para. 5 above, sentences of 28 days *rigorous imprisonment* and sentences of *simple imprisonment* (which latter, however, should not as a rule be awarded) will be carried out in the companies. Natives sentenced to over 28 days rigorous imprisonment will be sent to prison.

(j) Under the Indian Army Act the conditions under which a person is enrolled cannot be altered except with the consent of the person concerned. This applies to Headmen, Assistant Headmen, Interpreters, Clerks and Mates, and therefore if, for example, a man *has been enrolled* as a Headman he cannot be reduced to an appointment carrying a lower rate of pay. If, however, a man was enrolled as a Mate and subsequently appointed Headman he can be relegated to the rank of Mate by Summary Award, but not to that of Labourer. A Labourer originally enrolled who after his enrolment is promoted to a higher grade, or to any appointment, may be summarily reduced to the grade of Labourer, or to any intermediate grade, by the authority who has power to make the promotion or appointment. If a man is considered unsuitable for the appointment which he holds and cannot be reduced, his case should be referred to higher authority, with a view to repatriation.

7.

EXTRACT FROM GENERAL ROUTINE ORDERS.

No. 2828—Discipline—S.A.N.L.C., Chinese and Egyptian Labour Companies.

(i.) All camps in which S.A.N.L.C., Chinese and Egyptian Labour Companies are accommodated are out of bounds to British N.C.O.s and men, except those on duty.

(ii.) Employers to whom such Labour is allotted will, as far as possible, so lay out their work that British personnel, when employed on the same task as the natives, shall be supervisors only.

(iii.) Undue familiarity, which is derogatory to discipline, is forbidden between British N.C.O.s and men and the S.A.N.L.C., Chinese and Egyptian coolies at all times, whether at work or not.

(iv.) British N.C.O.s and men are not to offer any articles to the S.A.N.L.C., Chinese and Egyptian Coolies, either by way of gift, sale or barter, or receive, buy or exchange articles from those Natives.

SOUTH AFRICAN NATIVE LABOUR.

8. (a) All South African Native Labour is recruited on a contract and attested, and will be dealt with under King's Regulations and the Army Act in the usual way.

(b) Minor offences committed by natives should, as a rule, be dealt with by Officers Commanding Companies.

(c) More serious crimes, cases reported by the Police, and charges against white non-commissioned officers will be referred to Officers Commanding Group Headquarters by Officers Commanding Companies.

(d) Whenever practicable, the majority of officers detailed to serve on Courts-Martial for the trial of natives of the S.A.N.L. Corps should be officers of that corps.

(e) All houses and camps are out of bounds to natives of S.A.N.L. Companies, who will not be allowed to enter shops or other business premises unless accompanied by a British N.C.O. They are also not allowed to enter or to be entertained in the houses of Europeans.

(f) Any native of a S.A.N.L. Company found wandering about without a pass, and not accompanied by a British N.C.O., will be returned to his unit under guard, or handed over to the military police.

CHINESE LABOUR CORPS.

9. (a) All Chinese are subject to Military Law under Section 176 (9) Army Act. They can only be punished under the Army Act by a Field General Court-Martial. By the terms of their contracts their daily pay is forfeited for time lost owing to misconduct.

On arrival at Noyelles, the principles of discipline under military laws and the method of lodging complaints are explained to each contingent. Verbal complaints may be made in the usual way, and in special cases written petitions may be addressed to the "Head of the Chinese."

(b) Applications for Courts-Martial will be submitted by Officers Commanding Companies to Officer Commanding Labour Group Headquarters.

(c) If it is decided to assemble a Court-Martial, the convening officer will inform the Officer Commanding, Chinese Labour Corps, who will submit the name of an officer to act as president and will detail an interpreter. The convening officer will appoint two other members of the Court, one of whom will be an officer of the Chinese Labour Corps.

(d) Members of a Court-Martial should be familiar with Chinese habits and customs, *e.g.* :—

(i.) Chinamen are very loth to give evidence, as by so doing enmity is incurred.

(ii.) Chinese witnesses should be "Declared" according to native custom. They can be sworn, but an oath has no moral weight with a Chinaman.

(iii.) Interpreters at a Court-Martial should always be officers of the Chinese Labour Corps.

(e) If a death sentence is carried out, the body should be handed to the company for burial.

(f) Interpreters and Dressers are under the Army Act in the same way as Coolies, but it is inadvisable to deal with them as Coolies, as they are, as a rule, drawn from a superior class. For continual misdemeanours they may be returned to the Dépôt at Noyelles for "Further instruction" in their duties, or possibly for repatriation to China under the power vested in the Officer Commanding, Chinese Labour Corps. These men should not be degraded or promoted without reference to the Officer Commanding, Chinese Labour Corps. In most cases they are respectable Chinese citizens and should never be addressed or treated as Coolies.

(g) (i.) Labourers will not go outside of camp precincts without a pass.

(ii.) Camp precincts should include the immediate vicinity (within a 300 or 400 yards radius) of camp or compound, and their extent should be clearly explained to all.

No villages are to be included in camp precincts.

(iii.) The number of labourers in a company to whom passes are given on any one day will not exceed 10 per cent. of the strength of the company.

(iv.) Labourers allowed out on pass will normally proceed in parties not exceeding 12 under the charge of a ganger.

(v.) The distance from camp to which labourers may be allowed to proceed on pass must vary with local circumstances. The essential point is that labourers should have access to local shops. A 3-mile limit should not be exceeded except for some special cause or duty.

(vi.) Passes will not be made available for later than half-an-hour after sunset.

(vii.) Passes will not be signed by any person except the O.C. company or the officer deputed by him to do so. Passes will be stamped with the company stamp.

(viii.) Passes will be handed in on return to the compound and will be destroyed.

(ix.) No labourer classified by the medical authorities as "Trachoma Z" will be allowed out on pass. A dry canteen should be provided in each "Trachoma Z" compound.

(x.) Disciplinary action will be taken in the case of any labourer overstaying his pass, or absenting himself from the party with which he has proceeded on pass, or breaking bounds. (G.R.O. 3101.)

(h) (i.) Owing to the prevalence of personation among Chinese, it is essential that, whenever possible, impressions of finger prints of deceased Coolies should be taken.

(ii.) The finger prints of a Chinese Coolie dying in Hospital should be taken by the M.O. of the Hospital. But if the latter is not in possession of the necessary materials, he will inform the O.C. the nearest Chinese Company, who will cause finger prints to be taken.

(iii.) If, in the case of a fatal accident to a Coolie, the body is not taken to a Hospital, the Medical Officer who certifies the death will inform the O.C. the nearest Chinese Company, who will cause the finger prints to be taken.

(iv.) All impressions of finger prints are to be forwarded to the Officer i/c Chinese Records, A.P.O. S 1, B.E.F. (G.R.O. 2590.)

EGYPTIAN LABOUR.

10. (a) Non-commissioned officers must be dealt with under King's Regulations and Army Act in the usual way.

(b) Men are not attested; they are subject to Military Law, under Sec. 176 (9) Army Act. They can only be punished under the Army Act by a Field General Court-Martial.

(c) All offences reported by the police and serious cases must be referred to the Officer Commanding Labour Group Headquarters by Officers Commanding Companies.

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Adjutant-General.

GENERAL HEADQUARTERS,
1-2-18.