

EAST AFR. PROT  
34521

34521  
REC'D  
FEB. 22 JUL '15

70

Gen. Office  
1918  
2 July  
Last previous paper  
M 20616

Person - J. D. Kieley

Sends Comm. with Chelsea Hospital. Agrees to pension of 27/- a week from Comm. charges account, but no share of any pension in excess of this rate can be borne by Army Funds.

\* Copy for Conf. - 29 July 15  
And copy above sent 29 July 15  
Copy above X. H.P. no 12 Dec 1917 67720/154  
Next subsequent paper  
R  
52036

Historical

Mr. B. C. C. C.

The Comm<sup>s</sup> were  
opinion in their letter of 15 Feb.,  
(7667/16) that, if Mr. Kieley had been  
a soldier in the British Army, they  
would have awarded him a pension  
of 27/- a week. It appears, however,  
that they were, in fact, proceeding  
on the assumption that his disability  
was wholly due to active service <sup>which</sup> ~~was~~  
is not the case, I don't think any  
good would be done by contesting the  
point, and we had better accept  
the W.O. decision. The case will stand

as follows:-

It has been paid for since

from 18 Sept. - 6 June at 27/- a week

from 7 June onwards at 22/-

W.O. agreed to pension being charged  
to Common Charge account at  
the following rates -

From 18 Sept. - 29 Feb. at 4/8 a week

From 1 March onwards at 22/- a week

The balance of 22/4/ from 18 Sept  
to 29 Feb., and of 5/- a week from  
1 March to 6 June must be borne  
on E.A.P. funds

about £30 worth

I send Gov copy of your  
letter to W.O. of 2 March a 7609 and  
of this reply, with reference to  
our <sup>copy</sup> dep. of 7 July a 806.6,  
pointing out as above

And when I send W.O.  
copy of your dep. to Gov.

A.C. 24/7/16

I am extremely sorry that a 3066  
- at 22/- would not have been retrospective.

The way of taking an interestable, &  
we must have it done - it is something  
that W.O. agree to anything being charged  
to the C.C. account. W.O. 25/7/16

Ray

Any further communication on this subject should be addressed to—  
The Secretary  
War Office,  
London, S.W.  
and the following number quoted

34521  
22 JUL 16

War Office,  
London, S.W.  
21<sup>st</sup> July 1916

0182/7145 (P.1)

to Chelsea  
Hospital  
14 April  
1916.  
Chelsea  
Hospital to  
V.O. 20th  
April 1916.

Sir,

71

I am commanded by the Army Council to refer to your letter of the 28th March last, No. 13957, and to enclose, for the information of Mr Egnar Law, a copy of correspondence which has passed between this Department and the Commissioners of Chelsea Hospital regarding the award of a pension to T.V. Kiely, late of the East Africa Transport Corps.

It will be seen that, on the information furnished by the Governor of the East Africa Protectorate in his despatch of the 24th December, the Commissioners of Chelsea Hospital would have awarded to Kiely, if he had been a soldier of the Regular forces, a pension at the rate of 4s. 8d. a week from the 18th September 1915 to the 29th February 1916 and then at the rate of 22s. a week to the 17th March (to complete six months), from which date, as they have since reported, it would have been renewed at the 22s. rate for a further period of six months.

The Council agree that pension for this man, at the foregoing rates for the periods stated, may be charged to the Common Charges Account.

The Council are aware from your letters of the 2nd March and 6th June 1916, Nos. 7669 and 25823, that Kiely has received from the Crown Agents a pension of 27s. a week from

Under Secretary of State,  
Colonial Office,  
S.W.

from the 16th September 1915 to the 16th May 1916, under the authority of your Department. This award was made on an assumption regarding the cause of his disability for which the Council accept no responsibility, and they regret that they cannot consent to Army funds being charged (through the Common Charges Account or otherwise) with any share of the payments in excess of those sanctioned by Army regulations as stated in the preceding paragraph.

I am,

Sir,

Your obedient servant,

*D. H. Burt*

THE ROYAL HOSPITAL,  
CHICHESTER (S.W.)

34521  
22 JUL 16

Secretary's Office,  
20th April 1916.

72

Sir,

With reference to your letter of the 6th instant, No. 0165/7145 (Y.S.) regarding Mr. T.V. Kiely, formerly Corporal in the East Africa Transport Corps, I am directed to inform you that the previous recommendation of the Commissioners of the Royal Hospital that he should be awarded a pension of 27s. a week for six months conditional in the first instance was made on the assumption that his disability was due to service in the present war, as suggested in your letter of the 1st January 1916.

The further papers forwarded with your letter of the 6th instant, have been submitted to the Director General of Army Medical Service who has recorded his opinion that Corporal Kiely should be given the benefit of any doubt and his disability regarded as "aggravated" by his active service in East Africa.

In view of this opinion, the award which would have been made by the Commissioners if Mr. Kiely had been a soldier of the British Army would have been 4s. 8d. a week from date of discharge to the 29th February 1916, followed by 22s. a week from the 1st March 1916 for the remainder of a period of six months conditional, instead of 27s. a week for the whole period, as originally recommended.

The Commissioners received notification in February last that the Secretary of State for the Colonies has approved of Mr. Kiely being granted a pension of 27s. a

The Secretary,  
War Office,  
Whitehall, S.W.

week as from the 18th September 1915, and that the issue of the pension would be continued until the end of the current month. They have now been requested by the Colonial Office to arrange that a further Medical Board may be held with a view to a decision as to the continuance of the pension, and they will therefore be glad to receive a copy of the reply which is sent by your Department to the Colonial Office on the subject of the pension already issued to Mr. Kiely.

The enclosures of your letter are returned.

I am,

Sir,

Your obedient Servant,

(Sd) W. H. Wilcox.

ASSISTANT SECRETARY.

COPY.

0165/7145. (F.3)

6th April 1916.

73

Sir,

With reference to your letter of the 15th February last, No. 53425, I am directed to transmit the enclosed letter from the Colonial Office, relative to Mr. T.V. Kiely, late East African Transport Corps, and to enquire what award of pension the Commissioners, with this further information before them, and disregarding the assumption as to cause of disability, mentioned in War Office letter of the 1st January last, would make to Kiely if he had been a soldier of the Regular Army.

The return of the enclosures is requested.

I am,

Sir,

Your obedient Servant,

(Sd) J. G. Ashley.

for the Assistant Financial Secretary.

The Secretary,  
The Royal Hospital,  
Chelsea, S.W.

36521 / 1916 E.A.P.

26 July 1916

Sir,

With reference to my  
despatch of the  
7th July I have the  
honour to transmit to  
you, for your info,  
the accompanying copy  
of correspondence with the  
W.O. on the subject  
of the award of a  
pension to Mr. T. V.  
Kieley, late of the  
E. African Frontier Force  
& to all those who  
were in the  
of the  
of the  
of the  
of the

DRAFT

E.A.P.  
Copy

For Mr. H. C. Balfour

MINUTE

- Mr. [Name] 20/7/16
- Mr. [Name] 26.7.16
- Mr.
- Mr.
- Sir G. Fiddes
- Mr. [Name]
- Mr. [Name]
- Mr. Steel-Matland
- Mr. [Name]

W.D. 2 March  
W.D. 24 July

(9669) TD  
(36521)

Copy of the original

Common Charges Account is  
namely  $4/8$  per week for  
the period from 18 Sept to  
29 July and  $22/6$  a week  
from 1 March onwards. The  
balance, namely  $27/4$  will  
be met from the funds

from 18 Sept to 29 Feb and  $5/6$   
will be met from the funds  
from 1 March to 29 June, and will  
be met from the funds

?

(S. 7. 7) 100

36521/1916  
LAP

29 July 1916

Draft  
The Secretary,  
War Office.

M. B. 26/7/16  
A. B. 26/7/16

drafts

Sir,  
I am directed by the  
Secretary Bonai Law to  
acknowledge the receipt  
of your letter of the  
21 of July, P. 0165/105 (F. 1) and  
to transmit to you, for  
the information of  
the Army Council,  
the accompanying copy  
of a despatch  
addressed to the post  
of the last on the  
subject of the pension  
awarded to Mr. T. V.  
Kialy, lately the  
2nd Officer, Transport  
Dept.

Signed H. T. READ