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See
Parker (69)

Circular
Compensation for losses through Enemy Action

1919

23 July

Last previous Paper.

70
62136
18

2nd report of Commission of Enquiry with
summary of claims made for damages
to Foreign Claims Office Cir Dep 27 Oct 16

General Dept

accd

13.9.19

Total

47 (incl. in only for ref) trans com July 20 22777/20
back in copy for ref 20. 5 Oct 21 19/28806/19

Subsequent Paper:

54937

No. 697.

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10

23 July, 1919.

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My Lord,

I have the honour to refer to Sir Charles Bowring's telegram No.1300 of the 27th November last, on the subject of compensation for losses through enemy action, and to Mr.Long's telegraphic reply of the 30th December which states that the procedure referred to in Mr.Bonar Law's Circular despatch of the 27th October, 1916, should now be carried out.

700
574-6/18

2. The claims submitted by Government Officials stationed in the Kisii District at the time of the invasion of that district in September 1914 were submitted to you in Sir Charles Bowring's despatches No.344 of 28th April 1915 and No.374 of 4th May 1915. These despatches were acknowledged by Mr.Bonar Law's despatch No. 511 of 12th July 1915, in which it was stated that consideration of these claims must stand over until after the war.

525296/15

2844/15

3084/15

3. In addition to the claims submitted by Government

RIGHT HONOURABLE
HIS EXCELLENCY THE EARL OF MILNERS, P.C., G.C.B., G.C.M.G., &c., &c.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET,

LONDON, S. W.

Government officials, applications for compensation from missionaries and Indian traders residing in the Kisii district were received, and in September 1915 a Commission of Enquiry was appointed by Sir H. Belfield to investigate these claims and those of Government officials previously referred to. This Commission submitted its report in January 1916, and it was decided to file the report for consideration at the conclusion of hostilities.

4. I now forward, for transmission to the Director of the Foreign Claims Office, as directed in Mr. Bonar Law's Circular despatch above referred to, the report of the Commission of Enquiry, together with summaries of the claims made.

5. The amount of compensation recommended by the Commission appears to be, approximately, as follows:-

A. <u>Traders' Claims</u>	
Europeans' Claims	Rs. 14,054.64
Indians' Claims (15% of amount claimed)	Rs. 32,064.00
B. <u>Government Officials and residents of Kisii.</u>	
(1) European and Asiatic Officials	Rs. 6,744.57
(2) Native Officials	Rs. 3,797.20
(3) African Traders etc. (10 per cent of amount claimed)	Rs. 1,046.00
C. <u>Missionaries.</u>	Rs. 19,376.72
D. <u>Max Klein</u> (late claim)	<u>Rs. 4,024.00</u>
Total	Rs. 81,107.15
or	<u>£5,407</u>

6. I would mention that, although the losses in respect of which this compensation was claimed were due indirectly to the war with Germany, they were in great part directly due to lawlessness on the part of natives of this Protectorate, and that fines amounting to nearly 20,000 head of cattle, of the value of approximately £100,000 were imposed upon the latter. I have addressed Your Lordship in a separate despatch, No. 626 of the 4th instant, as regards the disposal of these cattle.

52790

I have the honour to be,
 Your Lordship's
 humble, obedient servant,

Edward Mackay

GOVERNOR.

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Nairobi,

Nyanza Prov. Dep. S.P. 19

January 6th, 1916.

91

Your Excellency,

Ref. Government Notice No. 122
published in the official Gazette of September
22nd, 1915, p. 775

We have the honour to submit herewith the
report and findings of the South Kavirondo Mosquito
Commission.

We have etc.,

sd/- W. E. G. Campbell
Chairman

sd/- F. V. Henson
Member

Your Excellency
The Governor,
East Africa Provedorate.

The Honourable,
The Provincial Commissioner,
NYANZA

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Reference -

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A Commission to enquire into and report on all claims for compensation preferred by residents in South Kavirondo in respect of losses sustained during the disturbances in that area in the month of September, 1914.

92

(1) The Commission appointed by His Excellency the Governor to enquire into claims for losses sustained by residents in the South Kavirondo District due to looting by natives in September, 1914, commenced its sittings in Kisumu on the 20th September 1915 - and finished sitting there on the 22nd of the same month. Its claims were examined there, but it was found that, as the majority of the claimants were living in the South Kavirondo District, the work of the Commission could be more expeditiously and thoroughly performed by transferring its sittings to the District Commissioner's office at Kisii.

(2) Owing to pressure of work the Chairman and 3rd member (the T.O., Kisumu) were unable to arrange to re-assemble at Kisii before October 26th 1915. In the meantime, the claims of the Government officers and those of certain of the missionaries were sent to the claimants, in order to allow them to make any alterations they might wish.

(3) The 2nd member Capt. N. Procter, O.S., owing to his military duties, been prevented from attending any of the sittings of the Commission.

(4) When the Commission re-assembled at Kisii on the morning of the 26th October, the large majority of the Indian claimants - having previously been warned by the Chairman - were in attendance to give evidence in support of their claims, and the work of dealing

with these

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with these claims was forthwith commenced and proceeded practically without interruption throughout that week.

(6) The Indian claimants having petitioned at the outset, that Messrs. Manamulla Kassim and Ahmed Jamal, partners in two of the principal Kisumu firms, be allowed to assist them in translating their evidence and account books, it was decided to accede to this request and the above-named gentlemen were thereupon sworn

(6) with the exception of one or two claims, which for various reasons could not be dealt with in their proper order, the examination of the Indian claims was completed by the afternoon of the 1st November.

(7) The day following, the Commission sat to examine the claims submitted by Government officials, clerks, office boys, Police, etc. and the inhabitants of the native village - the majority of whom appeared in person to support their claims. This, together with the examination of some of the outstanding Indian claims referred to above, was completed within another day. The reports upon the claims by Government officials, etc., were made immediately after the examination of each claim was completed

(8) During the remainder of the week, the work of summarizing the Indian claims, making the necessary deductions and preparing schedules of the net amounts to be reported upon, was undertaken by the 3rd member.

(9) About this time (the 13th November) the Chairman of the Commission, who is also District Commissioner, South Kavirondo District, received urgent calls for a thousand porters: constant and inevitable interruptions resulted, and the work of the Commission therefore became considerably, but unavoidably, delayed:

Both of the

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rest of the Assistant District Commissioners being on tour in the district at the time.

(10) The remainder of the time was taken up in reporting upon the Indian claims and in reading, correcting and arranging the typewritten proofs.

(11) It should be mentioned that in nearly every case claimants who appeared in support of their claims had to be examined either in Swahili or Gujarati - the latter thro' interpreters - and a great deal of time was taken up in so doing.

(12) The claims adjudicated upon have been divided into 3 sections:-

- (a) Claims by Indian and Chinese traders - in which are included also the claims of N. Gohain, Esq., the Kisii trading stores and the firm of Max Kisii.
- (b) Claims by Government officials, clerks, office boys, police, etc., and the inhabitants of the various villages, Kisii, village, Kisii.
- (c) Claims by missionaries and missions.

(a) REPORT OF INDIAN CLAIMS, ETC. (PG. OF CLAIMS 20)

(1) The gross total of all claims under the above head, as originally presented and previous to their being examined, amounted to Rs. 268,536/92.

The net total of the same claims, after they had been adjudicated upon and all deductions had been made for goods and cash returned, certain items deleted and reductions made by the claimants themselves, amounts to Rs. 232,514/15.

(2) At the outset we desire to draw attention to the fact that owing to the almost complete absence of account books, business papers, invoices, receipts, etc. - claimants stating either that

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that they had lost their books or had had them seized from them by natives as they were endeavouring to remove them to a place of safety - it has been impossible for us to arrive at any satisfactory conclusion as to the state of their several businesses prior to the looting. From the evidence given by certain Noma Bay merchants, it appears that there was, as was perhaps natural, a certain amount of panic in the Bazaar, when at 3 p.m. on the 9th September, 1914, Mr. Bent (then Assistant District Commissioner South Kavirama District), warned the traders that the Germans had crossed the border and were approaching, and again in the evening when two volunteers are alleged to have frightened the Indians by telling them to open their shops "since to-morrow you will be looted." But it is difficult to understand why, when on the following day the traders, having spent the night in the hills and having had plenty of time to think over the situation, went to open their shops to take loqu before going on board the Dhow, they could not at the same time have taken their books or at any rate the more important ones, with them.

(3) Possibly, in the case of the Niasa and Kungwe traders who appear to have been attacked at night, there is some excuse. Indeed we were informed by some of the traders of the former place that their books were seized from them by the natives as they sought to bear them to safety.

(4) In this connection, however, we feel bound to draw attention to the fact that one claimant, KASSAM MUIJI (NOMA BAY No. 4) was able to take his books with him in the Dhow, while another, the brother of MAMMULU MUIJI (NOMA BAY No. 47) dug a hole in the store and buried his books in a tin box.

(5) We are of opinion that the reason for so many books being

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having been left behind and subsequently destroyed by the British
is to be found in the fact that the Indians did give way to con-
siderable panic and, with few exceptions, thought of saving
little beyond their lives and those of their families, and we
further consider that whether the question of any compensation
being paid them in the event of their suffering loss of any kind
did or did not occur to them, it was certainly one of their first
duties as business men both to themselves and to the persons with
whom they had business transactions, to make every endeavour to
arrange for the safe removal of their books. It is proved that at
Noma Bay at any rate there was ample time to do this and we would
submit that their omission to do so may fairly be taken into
consideration in regard to any compensation that may ultimately
be paid to them.

(6) Again, it is difficult to believe that these claimants,
as one or two of them have stated in evidence, really thought
that they would not be asked to prove any of the items of which
their claims are made up - and, further, it is unsatisfactory
that, although an interval of 14 months subsisted since the
looting, in no case has a single claimant taken the trouble to
obtain duplicates of invoices and receipts of goods sent to him
and received from him respectively. In two cases ^{only} were papers of
any assistance produced - Hassan Sulji (Noma Bay No. 4.) produced
original invoices and Hassan Mohamed (Noma Bay No. 5.) submitted a
railway way bill.

We consider that the traders' omission to produce any
papers of this kind, which could presumably have been quite easily
procured, is indicative of a certain indifference as to the ultimate
result of their claims.

(7) We have been able to reduce very considerably the claims for
houses & shops

houses and shops destroyed or burnt and in some cases the claimants have agreed to delete these items altogether. This is accounted for by the fact that the claims were made up immediately after the looting, in most cases in Kisumu, and the claimants admit that they did so before they had actually ascertained whether they had suffered loss on this account.

(8) We are of opinion that, in many cases, the claimants have placed an excessively high value upon their houses and shops. E.g., one claimant originally charged for total loss of his shop at Ksh 5,000.00. In reality, however, the price for which a well-built stone house can be erected.

(9) With regard to the items of produce and general merchandise of which the greater part of all the "firms" claims are composed, we understand that after the looting and before the claims were submitted to Government, a committee composed of Indian traders convened by A. A. K. M. set in Kisumu to value the claims and the prices charged, with a view to ensuring that the prices ruling at that time were charged and that other articles of personal use were not extravagantly valued.

(10) It is of greater importance, however, to ascertain whether the quantities entered on the claims are what the claimants may reasonably be expected to have had at the time of the looting, and this in the absence of books, we have in the great majority of cases been unable to arrive at. It is obvious that the prices charged would be entered at much the same rate throughout, for any glaring overcharge in this respect would be immediately noticed.

(11) The claims, in nearly all cases, appear to have been written out by one, Abba Din, a clerk in the employ of a Solicitor's firm in Kisumu, whose remuneration was said to be 50.00/-

per claim

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per claim. We mention this, since we consider it only fair to the claimants to point out that where a large sum has been claimed for "sundry piece goods, clothes, etc." without giving any details, it has transpired that in several cases such details were specified by the claimants originally and were entered on the claim in one sum by Abba bin when writing it out. Other claimants admit having given no details of any kind. In either case we most strongly object to the inclusion of such items in the claims. It is quite impossible to adjudicate upon them in view of the complete lack of any books or invoices with which to support them. At the same time it may be submitted that when a man has lost all his books and is not, therefore, able to refer to them for the purpose of making up his claim, he may be expected to remember the value of the goods which he usually had in stock, but we contend that if such is the case he should equally be able to state of what these goods were comprised and what the values were which he placed upon them. In our opinion such an item as "sundry goods, clothes, etc., Rs. 7000/-" is quite inadmissible - for it might equally well be Rs. 5000/- or Rs. 8000/- and any compensation that may be granted can only be made from the standpoint that the claimant may be presumed to have had at least a proportion of the goods for which he claims.

(12) We desire to lay stress on the extreme difficulty with which we are confronted in reporting - or even attempting a report - on these claims. They are, as we have already pointed out, in nearly every case entirely unsubstantiated by any sort of book, invoice or business papers. It is obviously then, in our opinion, of little import whether a claim is made for so many articles or if such a price has been placed on others. And we are compelled to the view that, since these claims have

been

been made up from memory, almost without exception, it is only the gross amount of the claimants alleged losses which we can take into consideration. We are convinced that all the claims are excessive and have been purposely made up so. In the earlier knowledge that such large and vague claims would inevitably be put down. We have deleted the claims for cash and jewellery throughout - as these are obviously inadmissible in any claims for compensation. As regards cattle we have carefully questioned each claimant as to whether he has received his cattle back and in many cases we have found that he has done so. In the cases where cattle has not been recovered we have allowed the stocks to stand as, especially in the cases of the larger traders and those who owned carts, it seems reasonable to suppose that they did, in fact, possess at least some of the cattle for which they claim.

(18) The evidence given by the claimants, in so far as it bears on the state of their several businesses and the stocks held by them at the time of the looting, has been of little assistance to us in adjudicating upon their claims. At this distance of time it is perhaps unreasonable to expect a man, who has lost all his books, to be able to remember much about his business as it stood over a year ago, but we consider that the claimants showed little enterprise in failing to accumulate all such papers and evidence that they could possibly do, so soon as the looting had taken place which evidence written down and set out in an intelligible and intelligent manner would have assisted us very considerably. Every statement, however, made by the various claimants in the course of the evidence was taken down by the chairman in writing and all claimants were allowed to make

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to make a full statement and call any witnesses they wished, but only in one or two cases did they elect to do so, the great majority contenting themselves with the remark that "all the trader know I had these things," again we consider this reluctance on the claimants part to call any witnesses as indicative of their somewhat indifferent attitude towards their claims which they assumed throughout the proceedings.

(14) We draw attention to the large indebtedness of very many of the claimants and to the fact that, in most cases, they appear to have allocated any compensation they may receive for the benefit of their creditors. This, in our opinion, is scarcely the object of any compensation that may be awarded, which, we presume, is intended to benefit those who may have been so unfortunate as to have had their businesses absolutely crippled or ruined and who, without such compensation, would be unable to make a fresh start. In the present case, although it is admitted that looting on a considerable scale did occur, and in several cases, notably at Nona Bay, shops were even burnt or wrecked, the damage done did not, for any length of time, prevent the traders returning and carrying on their businesses. In fact, after the 16th September 1914 there was nothing in the political situation which prevented all the traders returning and commencing to trade again - and in this connection we draw attention to the letter from the Hon'ble Provincial Commissioner requesting the Indian traders to return to South Kavironde and carry on their business. Further, we consider that in a question of this kind, where it is sought to obtain large sums of money for alleged losses, we should point out that the traders having been free to return so soon after the 16th September 1914 as they cared, and which in fact many did - trade has probably never been better than it is now owing to the number of natives returning from work with large sums of money -

in many

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in many cases with Rs. 50, Rs. 20 and Rs. 100 each.

(15) Having considered the position of the Indian traders from every point of view we submit finally the following opinion - There was undoubtedly looting and wrecking in many cases - no books or invoices have been produced - the traders, although they suffered temporary dis-arrangement of their businesses for a few days, are now reinstated - and although it is a matter of ^{very} great difficulty for us to assess the exact figure at which any compensation should be paid out, we consider that an amount of 15% - 20% on each claim would adequately meet the case - especially in view of the thoroughly unbusinesslike way in which the claimants have prepared and "supported" their claims. We suggest that any compensation be regarded merely as compassionate grant which there is, apparently, no legal obligation to pay.

(16) Regarding the claim of Max Klein, which has formed the subject of a separate report, we do not consider it necessary to refer at length to it here - the claim in our opinion is correctly made up from books accurately kept.

(17) The claim of the Nisai Trading Stores we have also reported upon - and we recommend that it be accorded generous consideration. It is, we submit, a case where undoubted loss has been sustained and a promising pioneer business has suffered a severe set back.

(b) report on claims of Government officials, clerks, office boys, police, etc., and the inhabitants of the Native Village Nisai, etc. (No. of claims 50)

(1) The gross total of all claims under the above head, as originally

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presented and previous to their being examined amounted to Rs.18,626/-.

The net total of the same claims after they had been adjudicated upon and all corrections had been made, amounts to Rs.20,389/21.

(2) First, with regard to the claims of government officials, which have, in each case, been made the subject of a brief report, we merely desire to state that we recommend the claims for consideration, noting however the ruling of H. H.'s Treasury Commissioners, that these claims, if favourably considered, cannot be denied until the end of the War.

(3) In several cases, it was obviously impracticable for the claimants to save the effects they claim for and this would apply also to the claims of the Cooness Askari.

(4) The claims of the inhabitants of the native village, Kieil, are upon a somewhat different footing - it is doubtful whether it was really necessary for any of these men to leave Kieil, but, having regard to the very exceptional circumstances and that probably there/ something of a panic at the time we do not insist upon this point.

(5) With regard to the claims themselves, we consider that they are, for the most part, largely fictitious or exaggerated and there is no doubt - vide statement made by Mr. F. U. de Meile, District Clerk, and Yusuf bin Daway, nut counter - that many of the articles claimed for were eventually returned. Deductions on this account have not been made from the claims as no receipts were taken.

(6) We are of opinion that the claims of Policemen and ex-A. A. K. askaris present an exaggerated statement of losses.

Unambiguously

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Undoubtedly these people suffered to the extent of whatever they had in their houses at the time, for it does not appear likely that their wives, who were living alone, saved any of their property. As an example we quote the following:-

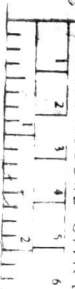
claim 18	originally amounted to	Rs. 65 - 20.
" 19	" " "	" 258 - 00
" 20	" " "	" 84 - 00

These claims were made up within one month of the looting. Subsequently, the claimants being, presumably, under the impression that their claims may have been mislaid, submitted fresh claims thro' the Commissioner of Police during the present month (November 1915) and the revised totals read as follows:-

claim 18	...	Rs. 128-00
" 19	...	" 600-00
" 20	...	" 270-00

Many of these claims contain an item "cash" which we have excluded in every case.

(7) We consider that a compassionate grant may fairly be made to all the inhabitants of the native village who have submitted claims, not because they have actually suffered severely - as a matter of fact they are practically all in much the same state as they were before sustaining their alleged losses - but because it may, perhaps, be accepted that, at the time of the looting, H. M.'s Government were not in a position (at least) to enable these people to enjoy the safety & protection under which they had, up that time, been living and presumably, expected so to continue.



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(c) Report on Claims of Missionaries and Missionaries
(No. of Claims 11.)

(1) The gross total of all claims under the above head, as originally presented and previous to their being examined, amounted to Rs. 18,618/-.

The net total of the same claims after they had been adjudicated upon and all corrections had been made, amounts to Rs. 19,896/12.

(2) We consider that we have sufficiently stated our views on this class of claim in our report on the claims themselves and that no useful purpose is served by our elaborating on further adding to the remarks we have already made.

Sundry Cattle Claims.

(d)

(1) There remain three small claims for cattle said to have been looted - these claims are not entered in the schedules

(2) We have made endeavours to find out what steps have, at any time, been taken by the claimants to identify their cattle and get them back, and we have examined the claimants in person and the files relating to their claims.

(3) We have been unable as yet to arrive at any definite conclusion, but it appears most likely, that in each case cattle were lost by the claimants. The matter is now left in the hands of the District Commissioner, South Kafirland, who will further investigate the claims and report his findings to the Honourable Provincial Commissioner, Kisumu. We adopt this course as we consider that if the claimants prove their title to certain head of cattle,

of cattle, such claims can possibly be satisfied by an issue of stock from the captured cattle, and monetary payment thereby be avoided.

BY - W. F. G. CAMPBELL

CHAIRMAN.

BY - FRANK V. HOBSON

MEMBER.

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REPORT BY MR. SPENCER, DISTRICT COMMISSIONER, KISII, STATES.

We returned back to Kisii on the 14th September, 1914, after the Kisii engagement. Mr. Spencer, the District Commissioner, ordered the natives to return the loot, and the natives brought back, 2 days after our arrival, a lot of stuff among which there were: trunks, mats, plates, cups, water-pots, bullirias, bowls, native coats, empty tins, ladagas, &c.

Kabians of Kisii came to the office and claimed for their things. Mr. Spencer told me to return the identified things to the claimants - which I did.

There were still a few more unclaimed goods lying outside the store. These things were returned to the Kikuyu women of Kisii in the month of October by orders of Mr. Horne - upon their identifying their property.

Sd/- Yusuf bin Hassan Mwangi

KISII, 12th November, 1914.

F. O. de Mello, District Clerk, KISII, STATES.

Upon my return to Kisii on the 14th September, 1914, I had seen a few tin boxes, bullirias, mats, &c., lying outside the Government store. These things were claimed for by the Kikuyu women of Kisii native location and were returned to them. This was about the middle of October. Mr. Horne was District Commissioner at the time.

Sd/- F. O. de Mello

KISII, 19th November, 1914

SUMMARY OF SOUTH KAVIRONDO DISTRICT CLAIMS.

TRADERS' CLAIMS.

Location.	Original.		Final.	
	Amount		Amount	
	<i>Pounds</i>	<i>Cents</i>	<i>Pounds</i>	<i>Cents</i>
Homa Bay	144453	14	128405	69
Karungu	4619	-	4112	-
Kisii	11468	75	10850	75
Mbita Passage	3109	50	1964	25
Mirogi	14462	25	11680	71
Mugirango	1951	90	1806	11
Oyugi	8293	37	8049	92
Riana	24574	72	18538	99
Rungwe	50698	86	42190	06
Suna	4905	43	4715	68
	268536	92	232314	15

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SUMMARY OF HEMA BAY CLAIMS.

Claim.		Original.		Final.	
		Amount		Amount	
1.	Ibrahim Kassim & Co.,	28255	-	26320	77
2.	Ganga Nam	1351	80	1344	12
3.	Ibrahim Mohamed	50	-	50	-
4.	Kassam Sivji	1729	-	1583	59
5.	Hassam Mohamed	3805	-	3493	82
6.	Ravji Velji & Co. ,,,,,,,	7798	-	7176	46
7.	Mancher Kara	175	-	159	-
8.	Jamal Dossa	20	-	19	-
9.	Jadanji & Amarshi	20235	-	19342	90
10.	Hassan, Allibhai & Co. ...	9128	-	8566	-
11.	Max Klein	4542	53	4137	34
12.	Allidina Vieram	13162	26	7772	20
13.	Naran Jeraj	86	50	49	-
14.	Jivan Bhagvan	550	-	544	75
15.	Hassam Khimji	80	-	79	-
16.	Karnali Manji Manji	6997	50	6231	95
17.	Rahimtulla Mulji	17234	-	15239	23
18.	Gulam Ali Mohamed Abba ...	15330	-	14507	47
19.	Gulam Musain Sheriff	395	-	340	75
20.	Habib Velji	7054	25	6745	55
21.	Allibhai & Rahamtalla	100	-	92	12
22.	Bhimji Ismail	298	50	245	75
23.	Allibhai Velji	858	-	840	94
24.	Mayashanker	120	-	116	-
25.	D. M. Joshi	1338	-	986	25
26.	Khoja Mosque	2325	-	1014	18
27.	Shivram Dass	809	80	799	80
28.	Hassan Shivji, &c. &c. ...	625	-	600	75

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SUMMARY OF KARACHI CLAIMS.

109

Claim.		Original,	Final,
		Amount	Amount
1.	Allibhai Ismail	1185 -	688 -
2.	Allibhai Velji	3434 -	3424 -
		<u>4619 -</u>	<u>4112 -</u>

SUMMARY OF KISKI CLAIMS.

1.	Max Klain	316 75	316 75
2.	Kiwli Trading Stores	8656 -	8656 -
3.	K. Gethin	2496 -	1878 -
		<u>11468 75</u>	<u>10650 75</u>

SUMMARY OF MBITA CLAIMS.

1.	Rawji Velji & Co.	803 -	593 54
2.	Jaffar Wira	1400 -	626 97
3.	Hassan, Allibhai & Co. ...	906 50	743 74
		<u>3109 50</u>	<u>1964 25</u>

SUMMARY OF MIROGI CLAIMS.

1.	Ibrahim Kassim & Co.,	2697 -	2454 60
2.	Nurmohamed & Mulji Jina ..	293 50	138 25
3.	Karmali Mohamed	49 -	44 50
4.	Jadawji & Amarshi	6405 -	5200 10
5.	Bahimtulla Mulji	3905 -	2826 01
6.	Pirbhoy Lalji	67 75	67 75
7.	Ahmed Nathoo	160 -	133 -
8.	Habib Velji	885 -	816 50
		<u>14462 25</u>	<u>11680 71</u>

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SUMMARY OF MUGIRANGO CLAIMS.

Claim NO.	Name.	Original.	Final.
		Amount	Amount
1.	Nanji Giga & Co.	260 -	260 -
2.	Juma Reha & Co. Shop 1. ..	1276 -	1200 21
3.	- - do - -	250 -	250 -
4.	Imaddin Mohamed & Co.	165 90	95 90
		-----	-----
		1951 90	1206 11
		-----	-----

SUMMARY OF OYUGI CLAIMS.

0.	Ibrahim Kassim & Co.	500 -	498 20
1.	Juma Reha & Co.	2900 -	2670 04
2.	Karsali Dhimji	2018 -	2011 16
3.	Hassan Kara	188 25	187 50
4.	Mirabux Bhootekhan	508 25	500 47
5.	Imaddin Mohamed & Co.	1397 12	1390 93
6.	Kassam Jaffer	185 -	184 37
7.	Ali Dhimji	436 -	434 50
8.	Alli Ahmed	41 50	41 50
9.	Inder Ram	119 25	119 25
		-----	-----
		8293 37	8043 92
		-----	-----

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SUMMARY OF RIANA CLAIMS.

Claim Number.	Name.	Original.	Final.
		Amount	Amount
1.	Ibrahim Kassim & Co.	2832 -	2250 45
2.	Ganga Ram	2749 50	2674 48
3.	Jadawji & Amarsi	4224 50	3795 82
4.	Mohamed Kanji (Firm)	325 62	295 77
4a.	- do - (Private) ..	121 75	121 75
5.	Kassam Romji	676 -	615 21
6.	Rahimtulla Mulji	2095 -	1568 -
7.	Shamji Amarsi	426 -	300 77
8.	Ismail Mohammed	788 -	417 83
9.	Jan Mohamed Giga	431 -	431 -
10.	Kanji Samji	60 -	57 -
11.	Allibhai Valji	156 75	131 75
12.	T. J. Mascarenhas	644 -	436 37
13.	J. L. Mascarenhas	5295 86	2629 18
14.	F. X. Athaide	1900 35	1412 29
15.	S. de Souza	1848 39	1401 32
		24574 72	18538 99

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SUMMARY OF BUNGWE CLAIMS.

112

Claim Number.	N a m e .	Original Amount	Final Amount
1.	Ismaidin Mohamed's servants ..	352 -	273 89
2.	Allibhai Ismail	900 -	850 -
3.	Mohamed Kanji	1951 12	1833 49
4.	Karwali Manji Kanji	1600 -	544 75
5.	Ali Harji	67 50	61 92
6.	Ismaidin Mohamed & Co.	2638 50	2532 02
7.	Abdul Hag	3099 80	2911 36
8.	Allibhai Kanji	49 -	42 -
9.	Mohamed Premji	2209 -	2105 71
10.	Jooma Nurmohamed	17 -	17 -
11.	Hassan, Allibhai & Co.	4983 20	3928 28
12.	Kassam Rajan	5160 -	3460 97
13.	Rawji Velji & Co.	3780 -	4249 84
14.	Ibrahim Kassim & Co.	3779 -	3624 54
15.	Allibhai Velji	1673 -	489 50
16.	Zia ul Hag	368 17	279 92
17.	Max Klein	4670 41	3566 35
18.	Hassam Mohamed & Co.	137 -	133 -
19.	Ganga Ram	9843 91	8520 53
20.	Theotomic Pinto	2090 25	1452 53
21.	Inder Ram	1330 -	1318 25
		<u>50698 86</u>	<u>42196 05</u>

SUMMARY OF SUNA CLAIMS.

1.	Shivram Dass (claim 1)	1289 -	1164 -
1a.	- do - (claim 2)	1212 -	1212 -
2.	Gulam Ali Mohamed Abba	2404 43	2339 68
		<u>4905 43</u>	<u>4715 68</u>

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B

KISII TOWNSHIPS CLAIMS.

113

(A) European and Asiatic Officials.

		Rs.	Cts.
C. E. Spencer,	District Commissioner.	2,520	- 00
H. G. Evans,	Asst. Dist. Commissioner.	267	- 75
E. J. Dent,	- do -	2,415	- 28
F. C. DeMello,	District Clerk.	200	- 00
F. J. F. Macedo Fernandes,	Assistant District Clerk.	167	- 00
C. A. J. Speller,	Assistant Surgeon.	142	- 50
N. R. Jani,	Administration Clerk Homa Bay.	310	- 00
Jaffar Khan,	P. W. D. Artizan.	33	- 51
Demingo Tellis,	P. W. D. Carpenter.	27	- 93
Partab Singh,	- do -	11	- 05
Uganda Railway,		434	- 98
Sukhram Dass,		214	- 62
		8,744	- 57

(B) Native Officials.

Ochwoeth,	Office Boy.	91	- 75
Maunga,	- do -	11	- 00
Nyakundi,	- do -	3	- 75
Masuku bin Matunga,	Native Agent.	692	- 45
Aloni Musoke,	- do -	60	- 00
Yusuff Moussa Dawdey,	Hut Counter,	141	- 00
Yesse Mundu,	- do -	65	- 50
K. Erasto,	- do -	86	- 00
Perjalla Wadasolu,	Police.	245	- 50
Yosia Kanabi,	- do -	65	- 25

Carried Forward -

1,442 - 20

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		Rs.	Cts.
Brought Forward -		1,442	- 20
Omar bin Sheik,	Police.	199	- 00
Semiri,	-do-	84	- 50
Fadalmula Mursal,	Private 3rd.K.A.R.	110	- 50
Ferjale Mahmud,	- do -	100	- 00
Said Mohamed Bir,	- do -	96	- 00
Abdalla Somrwi,	- do -	335	- 00
Boshom Abdalla,	- do -	70	- 00
Ladu Marjan,	Police.	439	- 00
Rehan Abdallah,	-do-	312	- 50
Ramazan Asman,	-do-	206	- 50
Parah Isi,	-do-	402	- 00
		<hr/>	
		3,787	- 20

(0) African Traders etc. residing in
Kisii Township.

Kamsulu bin Suleman,	Nubian.	389	- 50
Ferjale Salim	"	175	- 50
Ibrahim bin Ahmed,	"	230	- 00
Ali bin Saidi,	"	215	- 00
Ferjale Suleman,	"	55	- 50
Jongo bin Hawathi,	"	389	- 00
Sururu Kharola	"	77	- 25
Saleh Ahmed,	Arab	361	- 10
Hassan Ali,	Somali.	1,084	- 75
Thomasi,	Native.	149	- 00
Musa bin Muwamadi,	"	30	- 00
Kipweza bin Maksud,	"	54	- 00
Saidi bin Jehazi,	"	119	- 75
Carried Forward -		<hr/>	
		3,330	- 35

C.O. 533 212

APR 23 1954
MILITARY DISTRICT
KISII
REGISTERED
OFFICE

Rs. Cts.

Brought Forward - 9,390 - 35

7.	✓ Musembwa Zirimeya,	Native.	28 - 00
8.	✓ Abdalla bin Bakari,	"	55 - 95
9.	✓ Musa bin Abdalla,	"	490 - 00
10.	✓ Mwenyi Juma,	"	148 - 50
11.	✓ Mwenye Chande,	"	631 - 50
12.	✓ Medi Mohamed,	"	327 - 50
13.	✓ Salim bin Muku,	Headman.	212 - 25
14.	✓ Mursali Ferjala,	Native.	37 - 00
15.	✓ Bartalomayo,	"	85 - 50
16.	✓ Ali bin Mohamed bin Seifu,	"	509 - 89
17.	✓ Ochieng s/o Akama,	Fundi.	33 - 50
18.	✓ Ali bin Suleman,	"	99 - 80
19.	✓ Halil bin Saidi,	"	116 - 50
20.	✓ Mganga,	"	28 - 00
21.	✓ Kirume Kanabi,	"	32 - 00
22.	✓ Bartholomew Matelas,	"	170 - 50
23.	✓ Asuman,	"	145 - 00
24.	✓ Saidi bin Sukuri,	"	397 - 00
25.	✓ Abdalla,	"	88 - 00
26.	✓ Malingumu bin Malabau,	"	18 - 00
27.	✓ Semen Ahmed,	"	296 - 00
28.	✓ Zirigua bin Yakobo,	"	31 - 50
29.	✓ Sherif Saadi,	Arab	98 - 25
30.	✓ Hamisi bin Ali,	Native	45 - 25
31.	✓ Yakobo	"	43 - 50
32.	✓ Bilal bin Abdalla,	"	20 - 50
33.	✓ Shariff Athman bin St. Abdalla, "Swahili.		1,951 - 50

Carried Forward - 9,471 - 24

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		Rs.	Cts.
Brought Forward -		9,471	24
74.	Juma bin Asman, Nyassa.	8	00
75.	Binti Juma wa Abusturi, Native woman.	124	50
76.	Maryam wa Juma bin Ali, " "	118	00
77.	Kamsebi bin Bakhet, Nubiah.	45	50
78.	Hussein bin Ali, " "	255	00
79.	Abdullah bin Said, Swahili.	130	00
80.	Onyango s/o Osewe, Kavirondo.	46	50
81.	Opondo s/o Otieno, " "	43	00
82.	Kamando s/o Ochola, " "	94	00
83.	Ramathan bin Munzia, Swahili.	130	82
		<u>10,464</u>	<u>06</u>



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MISSIONS and MISSIONARIES.

117

	Rs.	Cts.
1 Nyabunru Mission & Father Stein.	4528	- 00
2 Father Ferris.	626	- 00
3 Father Gheffer.	595	- 00
4 Mill Hill Mission.	2604	- 38
4 ^a Father Ross.	931	- 00
5 Rev. A. Matter.	3378	- 75
6 Rev. E. B. Phillips.	918	- 90
7 Karungu Mission.	506	- 35
8 Kanyadoto Mission.	1253	- 84
9 Rev. A. A. Carscallen.	1659	- 00
10 ^a Kamagambo Mission.	2365	- 00

Rs. 19,396-72

Rs. 19,396 - 72

RECOMMENDED IN FULL.

D. Appendix I. (Received too late for classification.)

Claim by MAX KLEIN - Homa Bay.

1. The attached letter from Max Klein's Kisumu Agent shews that on the 4th of August, 1914, his firm had booked the following goods to Mombasa, vide way-bills attached:-

18. bds	Hides	-	2586. lbs	worth Rs. 1699. 93.	} Waybill No. 68 do 67.
7. do	Goatskins	-	820. lbs	do 701. 04.	
1. do	Sheepskins	-	80. lbs	do 24. 25.	
26. do	Hides	-	3750. lbs	do 2335. 91.	

2. It appears that at the time Homa Bay was looted all these goods were in the Uganda Railway go-down at that place and that they were all stolen by the natives.

3. Subsequently, 351 goatskins and 38 sheepskins were returned by A.B.C. Mr. Pagan at Homa Bay on the 19th December 1914 to one, Zia ul Hag, who, Mr. Beduschi states, had no authority from him to receive back the goods on his behalf. After a lapse of some months these skins were brought to Kisumu, but they were so rotten and worm-eaten that they had to be destroyed (vide letter of Mr. Beduschi to P.C. Kisumu d/- 2/7/15 in Homa Bay claim No. 11 - and also letter attached hereto). Although these goods were received back Mr. Beduschi wishes to include them in his claim for the reason stated.

4. He is prepared to deduct the sum of Rs. 597. 98 on account of 960 lbs hides which were returned to him, in fair condition, by the Uganda Railway.

5. Referring to his Homa Bay claim - No. 11 - it will be seen that his claim has already been increased by Rs. 139. 15, being the value of 157 goat skins and 38 sheep skins - part of the original skins lost - vide para. 1 above - so that the present claim now amounts to Rs. 4,024/-, made up as follows:-

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Gross total, as per para.1 above - Rs.4761.13.

Less returned by Uganda Railway Rs.597.98.

Less added to H.B.claim 11. 139.15 737.13.
Total Rs.4024.00

REPORT.

--

I have examined Mr. Beduschi and checked his figures with his books and am of opinion that he has rendered a correct and accurate statement of his losses.

Owing to the various causes which prevented Mr. Beduschi from being able to arrange for the removal of the skins, mentioned in para.2 above, from Homa Bay to Kisumu, I consider that these may fairly be included in the claim as undoubtedly Mr. Beduschi made every endeavour to have them taken away from Homa Bay.

I have no further remarks to make - and I consider that this claim by the firm of Max Klein is entitled to equal consideration with the other claims of the same firm.

I agree with the remarks of the Chairman of the Commission in the last paragraph of the attached memorandum.

Sd/- F. V. Hodgson

MEMBER.

CO. 333 / 212
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DATE 11/18/01 BY 60322 UCBAW

Kisumu,

24th November, 1915. 120

Sir,

re Losses in South Kavirondo District.

I have the honour to inform you that my Homa Bay Agent had on the 4th August, 1914, booked the following goods to Mombasa.

18	bcls.hides	lbs.	2580	worth	Rs.1699.93	} Way Bill No. 68 dated Homa Bay 4.8.14.	
7	"Goatsk.	"	820	"	"		701.04
1	"Sheepsk.	"	80	"	"		24.25

26 bcls.hides lbs.3750 worth Rs.2335.91, way bill No.67 same date, and had obtained from the Uganda Railway the above mentioned Way Bills which are still in my possession.

It seems that from the above date up to the time the looting at Homa Bay took place, the Railway could not convey the consignments in question to Mombasa, with the result that the whole lot was looted by the Natives.

My Mombasa Office had sent in a claim to the Uganda Railway but the reply was that under the circumstances it could not be entertained.

In the meantime the Government authorities had recovered part of the goods looted and returned to the Uganda Railway a share of lbs.960 which the Railway handed over to me on the 1st April last in account of one of the above Way bills.

Besides that, also 18 scores (pcs.360) Goatskins were recovered but as they could not be brought to Kisumu until lately (for the reason explained in my letter of the 2nd July last addressed to your good self) on their arrival here I could see no other alternative than arranging with the Local Superintendent of Customs to have them destroyed as they were worm eaten and reduced practically to pieces.

Under the circumstances, I have the honour to request you to kindly add to my previous claim (which has been already controlled by the appointed Government Authorities) also the following items:-

Lbs.

CO. 533 212
PUBLIC RECORD OFFICE LONDON

Lbs. 2580 Hides	} W/B. 68	Rs. 1699.93	
820 Goatskins		" 701.04	
80 Sheep		" 24.25	2425.22

Lbs. 3750 Hides	W/B. 67	Rs. 2335.91	
960	returned by	" 597.98	1737.93
	Ug. Ry.		

Lbs. 2790 Hides

Total Rs. 4163.15

I keep at your disposal documents providing that the above figures are correct and true.

I have etc. etc.

Sd. C. Beduachi,
p.p. Max Klein.

The Hon. Provincial Commissioner,
Kisumu.



CO. 533 212

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