

EAST PROT  
25296

25296  
1 JUN 15

Bearing 344  
for Govr  
1915  
April  
Last previous Paper.

AT  
OFFICERS AND CLERKS ~~AND~~ MILITARY STATION  
CLAIM FOR COMPENSATION

on account of losses said to have been sustained in  
consequence of German invasion of the District.  
Attaches 6 claims amounting to \$427.78 Is of opinion  
compensation should be granted but would be glad of  
views as to extent to which it should be granted.

Gen. Dept.

Have for any precedents used  
which would guide in dealing  
with this?

Gen 5/6/15

Mr Mackley

I do not know of any.

This is a claim from Govt servants for losses  
incurred or stated to have been incurred  
in consequence of in consequence of civil  
disturbance arising out of hostile invasion.  
There is no legal right to compensation in such cases, but  
I suggest that Govt servants may be  
entitled to exceptional treatment ~~in~~  
~~such cases~~, because they were (presumably)

kept at their posts under the British flag

Copy  
Treas Case Ref. 10/15  
5/15  
Ansd 5/15 12 July 15  
5000/5

Next subsequent Paper.

28454

until the moment when he decided that  
the ~~best~~ place must be evacuated, & therefore  
(very possibly) have no time to remove their  
belongings to safety.

The claims should presumably be examined  
locally, & if any compensation is given,  
care should be taken not to open the door  
to claims from the general public.

[I am not certain of the facts, but I believe that in  
this county ~~as~~ some compensation has been given  
for damages done ~~as~~ by the crew during the  
Hullpool, Scarborough raid, but that the right  
to compensation for damage caused by such  
raids is not admitted, & has in the case  
of other raids been refused].

No claims for damage arising out of the Singapore raid  
have yet been received.

T.C.H.  
10/6/15.

Mr B.M. Montague  
Mr Read

? We should point out to you  
in the sense of Mr. Montague's minute,  
i.e. that there is no legal right to  
compensation in such cases & that

? a C. G. of  
purpose has  
appointed,  
Lord Parson  
Chairman; &  
reply to a  
question:  
H.C. of C. up  
the East  
S.S. Carl  
Mr. Montague  
to be paid  
can of Scarborough

compensation to him by the Govt. for damage & occurrences

caused by such ~~acts~~ cannot be admitted but that the S. of S. 387

considers that in the present case it is not unreasonable that some reparation for the property lost and destroyed sh<sup>d</sup>. be made and that the claim sh<sup>d</sup>. be examined locally and that it is left to the Gov's discretion what amount of compensation should be given in each case, pointing out that care sh<sup>d</sup>. be taken not to open the door to claims from the general public.

Eqn 11/6/15

(We need not, I think, insist on the differentiation between articles conventionally necessary for the discharge of the officer's duties and services and articles of an extraordinary or fanciful character required for the gratification of private tastes as is done in the case of compensation for property lost in the case of an ordinary fire (14475/1910). This might be left to the Government's discretion.)

The Govt acts for a fact and I am not sure that the fire arrangements do not give a right

a guide as any that can be devised.

W.C.B. 11.6.15

Dr. G. Fiddes.

We seem to require a general  
ruling. As a first step, ask the  
Treas<sup>r</sup>: whether they can supply  
any precedents?

H. J. R.

11/6/15

Sir Anderson

In my opinion there is a  
moral claim for compensation; but I  
find it difficult to differentiate between  
first servants & others. - The theoretically  
proper course would be to compensate at the  
end of the war - charging it in some way  
on another or the offenders, as James E. also

We had better consult Treas<sup>r</sup>

W.C.B. 12/6/15

Yes. But I do not see how what you  
can confine it to Govt servants.

Yes.

W.C.B. 12.6.15

AS-12. 14.6.15

W.C.B. 15.6.15

Room 3

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25296

AFRICA PROTECTORATE.

GOVERNMENT HOUSE,  
NAIROBI,  
BRITISH EAST AFRICA.

No. 344.

April 28th, 1915.

Sir,

I have the honour to bring to your notice the fact that the officers and clerks employed at Kisii station have lodged claims on account of losses said to have been sustained by them consequent on the German invasion of the Kisii district in September last.

2. I attach hereto copies of six claims which aggregate £437.7.8 and would ask you to give the matter your consideration.

3. The circumstances are briefly as follows:

(a) Owing to the news that the enemy were advancing rapidly on Kisii, the District Commissioner evacuated the station on the night of the 9th September.

(b)

RIGHT HONOURABLE

HIS MARCOURT, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET,

LONDON, S.W.

- (b) The advance of the enemy did not prove to be as rapid as was anticipated, and they did not arrive at Kisii till the early morning of 11th September.
- (c) The time that elapsed between the evacuation by the District Commissioner and his staff, and the arrival of the enemy was occupied by the Kisii natives in looting the Police lines and the adjacent Swahili location.
- (d) After the engagement between our troops and the enemy on 12th September, and during the time that the former were retiring on Repdu and the latter were fleeing for German territory, the natives again took advantage of the fact that the station was unoccupied and resumed their work of looting.
- (e) On this occasion they broke into every Government building, and wantonly destroyed the contents, with the result that the officers and clerks in question have suffered considerable pecuniary loss.

4. On due consideration and after discussion with my Executive Council I am of opinion that compensation should be granted,

but

but would be glad of your views as to the extent to which such compensation may be allowed.

I have the honour to be,

Sir,

Your humble, obedient Servant,

*C. M. M. M.*  
or instruction from the  
GOVERNOR

# INCLOSURE

In Despatch No. 344 of 28-4-1915

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Estimate of Loss sustained by C. E. Spencer

at Kisii on 13th September, 1914.

25298

DESCRIPTION.	VALUE.	REMARKS.
Carpet	£ 5/-	Disappeared
Carpet	" 4/-	-do-
rolls of matting	" 2/-	Two strips recovered
sq. yards linoleum	" 2/-	Fragments found
plus silver mounted with cut glass bottles	" 4/-	1 bottle recovered intact
Person Camera 6 X 4 with Hemocentine lens	" 12/-	Found smashed
Trig lantern and accessories	" 8/-	-do-
ties of photo material	" 5/-	Destroyed or missing
print enlarger	-	Recovered damaged
curtains, posteiras, hangings etc. 12 pairs curtains £4/- Cushions, Liberty satin £8/- the back & mantle border £1/- large and several small rugs, art serge, cretonne, £1/-	£11/-	Destroyed or missing.
spread, 2 linen toilet, table sets, bed valances £1/- washstand covers, sider-doms pill £1/- art serge posteiras £1/-	£10/-	(a) Recovered intact (b) -do- -do- (c) A few recovered (d) Some damaged (e) frames damaged
etc., - C. E. Spencer	£5/-	Some recovered
Mrs. Spencer	£10/-	-do-
Nurse Phillippe	£ 6/-	
Miss Spencer	£ 5/-	
tea kettle and stand	£ 2/-	Stand found
vases - 6 lost - 5 recovered 1 broken	£ 2/-	
Carried over.	£89/-	



DESCRIPTION.	VALUE.	REMARKS.
Brought forward.	289/-	392
rockery, China, Glass.		
Dinner service		Smashed or missing
Japanese tea set		-dc-
Breakfast plates, egg cups		-dc-
Dishes - about 6	£15/-	-dc-
Coffee cups		-dc-
Tumblers		-dc-
Wine glasses - Decanters		A few found
Liquor glasses		-
Books:- Amongst many the following:-		A number of these books
School prizes in handsome bindings		have since been found.
Shakespeare, Coleridge, David Copperfield		Some uninjured
Students aids to Divinity - Longfellow		Some damaged
Plate of Wright - coloured plates		
Dear Khayyam - 2 copies in leather	£10/-	
Bergson - macroce		
Browning - complete edition macroce		
- - - selection leather etc., etc.		
Many novels - cloth & paper		Many missing
Music. Many songs and pieces of music. Two or three works on music.		
Mieder Ohne Worte - leather binding.		
etc.		
Household articles etc.		
Aluminium pots and pans, soufflées, milk and pudding basins, cakettins, ramequins,		A few things recovered.
sewing machine, coffee roaster and grinder, grates, lemon squeezer, buckets, dusters	£ 8/-	
and kitchen cloths, etc.		
Lamps - four - one standard	£ 3/-	Standard for lamp and one lamp recovered.
Waste tables, chairs, including child's folding cot and mattress	£ 5/-	Two tables and 2 chairs recovered.
Child's toys	£ 2/-	Some recovered.
Quackery - mainly English	£ 5/-	Some ducks found.
Old Sewing machine	£ 5/-	Probably repairable, cover missing
Centers table - own property	£ 5/-	Disappeared
Miner Mitsogonee	£ 1-10	Portion of one found
Outer case (depreciation)	£ 5/-	Outer case damaged mechanism unpaired
	£145-10	

<u>DESCRIPTION.</u>	<u>VALUE.</u>	<u>REMARKS.</u>
<u>Brought forward.</u>	<u>£149-10</u>	<u>393</u>
Tennis racquets	£ 2/-	Disappeared
Dosen new tennis balls	£ 1/-	-do-
1000 .22 gnl cartridges - about 200	£ 27/-	-do-
Flower and vegetable seeds	£ 1/-	Some found
10 Egyptian cigarettes	£ 2/-	Disappeared
Various 1 Set of golf clubs and balls, household ornaments and nicknacks, dressing table or- naments, trouser press, clock, patrol, etc., etc., etc.	£ 70/-	
Total	<u>£ 177-10</u>	

Approximate list of losses sustained by

334

H. G. Evans at Kisii

September 28th, 1914.

Description.	Value	Remarks.
1 Drugget Carpet	2:10:0	Missing
2 Rugs	1: 1:0	"
2 Mats	-:10:0	"
12 Window curtains and 1 door curtain	1:10:0	"
1 Deitz Lamp (Table Lamp)	-: 8:0	"
2 Candle Lamps	-: 8:0	"
1 Lord's lantern and reservoir for safari	2: 0:0	"
Personal clothes	2: 0:0	"
1 Cartridge magazine	2:10:0	Badly damaged
† Case whisky	1: 5:0	Missing
1 Cruet (silver)	-:10:0	"
Native curios	1: 0:0	"
About 15 tins of garden seeds	1: 0:0	"
1 Fitz William Girth for saddle	-: 8:0	"
Gunny bomb and brush and saddle for rifle	2: 5:0	"

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217:5:0

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E. J. Dent, A. D. O. Kiseri.

<u>List of goods lost through locking by Kisii.</u>	<u>Value</u>	<u>Rs.</u>
Three speed Raleigh Bicycle		140:00
Jaeger blankets		50:00
1 Kaross 25:10:0		82:00
Dress suit by Thomas & Sons Bond St. 212:12:0		188:00
Dinner " " " " " " 210:10:0		157:00
Tweed suits " " " " " " 2 6:6:0 each		188:00
Golf suit (new) " " " " " " 26:6:0		94:00
Grey Flannel suit (Costa Bir & Souza) M'sa		35:00
Dark Grey dress overcoat silk lined 25:5:0 by Thomas & Sons		78:00
" " Town " " " " " " 25:5:0 " " " "		78:00
Brown Harries flannel lined motor coat 24:4:0		63:00
Creamy white suits (Costa Bir & Souza) @ Rs. 12/-		72:00
Doz. Viyella shirts @ 9/- each 25:8:0		81:00
Tusore silk shirts (Lalohand Moolohand M'sa)		
6 @ 6/50		
3 " 7/50		61:00
doz soft collars @ 2/- 21:2:0		16:00
doz. silk collars (Lalohand Moolohand M'sa) @ 1/-		12:00
Pairs stockings @ 4/6 21:2:0		16:00
doz. pairs <del>with</del> socks ( B & C Kisumi) @ 1:50		9:00
" silk dress socks @ 5/6 21:13:0		24:00
Large uniform cases @ 20/- (Boma Trading & Co. )		40:00
1 1/2 coat 10/- Trousers 5/-		
2 trenchies 7/50 67/50		67:00
1 pair (Howland Ward) 10/0		7:00
pumps) @ 15/-		22:00
1 pair (Boustead & Clarke)		22:00
1 pair 10/0		10:00
1 pair 12:00		16:00
1 pair @ 1/5		6:00
1 pair @ 4/50		9:00
Lamp (B & C Kisumi)		10:00
lateral blue border ( B & C ).		3:00

Carried forward Rs. 1662:00

	Rs.	1662:00
Bought forward:-		
Dessert plates blue border ( B & C )		2:00
Soup " " " " "		3:00
Cups and saucers		4:00
Set (Barnstaple ware) 10/6		7:00
Vegetable dishes ( B & C )		10:00
Cheese plates " " "		2:00
Tea pot (Brown) " " "		2:00
Coffee (Brown) " " "		2:00
Meat dish " " "		1:00
" " " " "		2:00
" " " " "		3:00
Port tumblers " " "		3:00
Port glasses " " "		1:00
Sherry glasses " " "		1:00
Liquor glasses " " "		1:00
Large table knives		10:00
Small table knives		8:00
Large table forks		10:00
Small table forks		9:00
Dessert spoons		9:00
Table spoons		9:00
Tea spoons		2:00
Silver set (Pepper, mustard and salt) Lalchand Moolchand M'ss		15:00
Serviettes		5:00
Table clothes @ 6/-		12:00
Reading Lamp		12:00
Dietz Lamps ( B & C )		9:00
Writ pots and pans 4 sauce pans		16:00
2 Bread tins		1:00
3 pudding basins		3:00
1 Kitchen Knife		2:00
1 Kettle		1:00
1 " "		1:00

-3-

Brought forward:-	Rs.	1846:00
4 chop boxes @ 3/50		14:00
1 Gramophone (His Master's voice £5:10:0)		82:00
1 Arab Knife (Silver cased from Ljwali Ali bin Salim)		60:00
3 Roll Floor matting @ 7/50		21:00
2 Oil paintings @ £2/-		60:00
2 tennis rackets		25:00
1 Silver plated Trocar & Cannula £1		15:00
1 Hardy Greenhear. salmon rod £5:5:0 (Hardy)		79:00
1 hardy split cane Trout or (Hardy) £3:3:0		47:00
1 Salmon reel £1:10:0 (Hardy)		22:00
1 Salmon line (Silk waterproof 100 yards) £1 (Hardy)		15:00
1 Trout reel £1:10:0 (Parlow)		15:00
1 Trout line (40 yards silk double toper) 8/- (Parlow)		6:00
Salmon fly book containing 50 or 60 Salmon flies		50:00
1 Barometer in travelling case £2		30:00
1 " " Silver case		15:00
Malay dictionary 2 vols by Wilkinson bound in full Morocco from Messrs. Gritchard & Co. Valuable.		
Manual of survey of India out of print Valuable.		
75 Fowls @ 50/-		17:00
118 cows 98/-, 101/-, 85/-		20:00
By 1 uniform case.		2704:00
2 Shirts		34:00
		2670:00

## Approximate list of loss sustained by

F. C. de Mello, Dist. Clerk, Kisii.

<u>Description.</u>	<u>Value.</u>	<u>Remarks.</u>
Iron bed with mattress & mosquito curtain	Rs. 60/-	Bed broken to pieces. Curtain missing also mattress.
Table	8/-	Missing
Table lamp	18/-	-do-
Bestwood chairs @ Rs.5/- each	20/-	-do-
Desk chair	10/-	Only frame found
China; personal	25/-	Missing
Cookery and provisions	30/-	-do-
Household articles- pots, kitchen utensils &c.	15/-	-do-
Filter	20/-	Found damaged.
	<u>Rs. 200/-</u>	

Approximate list of loss sustained  
by F. J. F. Macedo Fernandes  
Aest. Dist. Clerk, Kisii

Articles	Value	Remarks.
Long Table	15/-	Missing.
Wood chairs	15/-	"
Table lamp	15/-	"
Matress for bed	12/-	"
Quilt curtain	15/-	"
Curtain	5/-	"
Worsey cooking utensils etc.	25/-	"
Wood stuff	15/-	"
	15/-	"
ig etc.	25/-	"
in other things. Hat rack.		
hat, tiss, etc.	10/-	

Total Rs. 167/-



List of loss sustained by N. R. Jani,  
Clerk at Homa Bay, on 12th Sep-  
tember, 1914.

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<u>Description.</u>	<u>Value.</u> Rs.	<u>Remarks.</u>
2 Boxes silk and cotton cloth	150/-	
3 Chairs	15/-	
Jle	15/-	
eds	50/-	
jewellery	150/-	
Cooking pots, sundries, etc.	100/-	
Total	<u>Rs. 460/-</u>	

Gov. 25296/1915

Est.

SC

C. D.  
R: 19 JUNE  
D: 17

75

18 June 1915.

Ans'd 30845

DRAFT

The Secretary  
Treasury

MINUTE.

Mr. Varma - 15/6/1915

Mr. Pattamley 15.6.15

Mr. Rao 15

Mr. [Signature]

Sir G. Fiddes.

Sir H. Just.

Sir J. Anderson.

and Estington.

Mr. Harcourt.

Treas 30845

copy to Gov: 51, 12 July 15

20 April D

3

Sir,

I am directed Sec. to transmit to you, for the credit of the funds comm<sup>rs</sup> of the Treasury, the accompanying copy of a despatch from the Governor of the Est. with its enclosures, on ~~the subject of certain~~ claims received from Officers and clerks at Kisii station for compensation for loss sustained in consequence

of the German  
invasion of the  
Kisii district in  
September last.

2. Mr. Bona Law

is of opinion that  
the officers and  
clerks in question

have a moral  
claim for compensation

in respect of their

losses, but he is not certain that it would be  
possible to distinguish between  
public officers and other persons  
would be glad if ~~the matter~~ <sup>it were possible</sup>

Their Lordships could

furnish him with inf. as to  
any case in which compensation for  
any precedents which  
can be granted or refused which  
would be of assistance

in dealing with the matter.

(Signed) H. J. READ.

Secy for the Under Secretary of State