

18182

1932

C.O. 533/425  
KENYA

18182

SHEIKH RASHID bin SALIM EL-MAZRUIPETITION as to his pension

Previous

Gov. 28522/1910

Mrs. Preston	24/10
Mr. Dawson	24
311	25

e. D.

A. 295

Subsequent

R 297	26/10
Mrs. Preston	26/10
Mr. Dawson	26/10

R 297

6/6

Multiple

2/6

Mrs. Preston

9

Th. Allen

10/6

Mr. Dawson

15/6

~~Mr. Dawson~~

R 297

6/9

Mrs. Preston

1/9

Mr. Allen

7/9

Mr. Dawson

7/9

Mr. Dawson

8/9

1 Sheikh Rashid bin Salim El-Majidi.

2570732  
Prays for an adjustment of  
the pension payable to him in respect  
of his services as Lisali from 1894-1907

2 Sheikh Rashid bin Salim  
(Pety to Sir R. Hamilton) 2570732

under Col. Reg. 200, the petition  
must be sent to the Governor for transmission  
to the S.O.S.

? send a copy of (1) to the  
Governor of Kenya for his comments in  
the form of (2) on 16042/30 as in draft  
herewith.

A.H.D.  
9-6-32

If Sir R. Hamilton wishes to reply to No. 2, the  
reply must include a summary of the  
proper procedure under Col. Reg.

S. Hamilton  
9/6

Mr. Lyall

There can be no doubt as to the  
effect of the action, so I have to say this  
Draft to the Ex.

S. Hamilton  
10/6/32

DESTROYED UNDER STATUTE

No Rashid bin Salim S.O. - 21.6.32.

4 To Gov 468 (N/1) cons 25 JUL 1932

Am/

S Gov Kenya - 373 - 1932

In answer as stated, is unable to recommend favorable consideration of the present petition.

As regards the petitioner's length of service it seems reasonable to accept the statement in the Provincial Commissioner's letter mentioned in para 3.

As regards the question of the basis upon which pension should be computed this has already formed the subject of a petition in 1910 (38523/10) to which the S. G. replied that it was impossible to entertain the application.

Request the Governor to cause the petitioner to be informed that his petition has been carefully considered but that the S. G. sees no reason to entertain it.

H.S. Paine Secy

6/9/32

To R. Hamilton, Nairobi, and to be returned to me at same stage

as proposed

(Encl. 2 to 38523/10)

The trouble has arisen from his being told (incorrectly) in 1910 that his pension was calculated on the same lines as those of European officers?

But we can only act as proposed

C. J. Jeffrey

7.9.32

\* The mistake was corrected a month later. I think what he wanted, tho' sent the first letter, meant that European officers did not receive pension for service under the Company.

Sir R. Hamilton

I keep this for you as you know the petitioner. Let Jeffrey know there is no case.

W. C. S. 8.9.32

Sheikh Rashid has been afraid, from financial difficulties ever since I have known him.

6  
Ly  
To Gov. 744 (5 Annual) 3 OCT 1932

Rashid Salim (55, N. Hamilton) 24 Oct 32

DESTROYED UNDER STATUTE

Requests that decision regarding his petition may be conveyed by telegram

? send copy of 7 to former King  
reference to and enclose the  
prepaid reply form for return by  
Rashid Salim

W. Ross & Co  
24/10/32

LA Hamilton  
en atre

Rashid Salim 24 Oct 32

DESTROYED UNDER STATUTE

Similar to No. 7

? send this also in 116 lines  
my number atre

W. Ross & Co  
26/10/32

7 & 8 differ only in the  
address

LA Hamilton  
2/11 atre

DESTROYED UNDER STATUTE

To Gov 818 (197 & 8) 3 NOV 1932

C. O.

*P. C. 46*

Mr. Priestman *3/9*

18182/32 Kenya.

Mr. *Tracy*

Mr.

Mr. Parkinson.

C.D.  
R 1-OCT  
D. 10

Mr. Tomlinson.

Sir C. Battamley.

Sir J. Shuckburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

*3 October*  
September, 1932.

Sir,

I have the honour to

**DRAFT.**

KENYA.

(5)

NO. *744*

GOV.

acknowledge the receipt of your despatch No. 373 of the 10th August on the subject of a petition from Sheikh <sup>*bin*</sup> ~~Al~~ Salim El-Masrui.

2. I shall be glad if you will cause the petitioner to be informed that his petition has been carefully considered but that I see no reason to intervene.

I have, etc.

(Sgd) P. CUNLIFFE-LISTER.

KENYA

No. 373



GOVERNMENT HOUSE  
NAIROBI  
KENYA

RECEIVED  
- 5 SEP 1932  
GOVERNMENT HOUSE

10<sup>th</sup> August, 1932.

*104*

Sir,

I have the honour to refer to your despatch No.468 of the 23rd of June last, transmitting a petition from Sheikh Rashid bin Salim El-Mazrui for an increase in the amount of pension granted to him on his retirement from the Service in 1909.

2. The petitioner relies on two considerations in support of his plea. The first is disposed of by the decision conveyed in the late Mr.Harcourt's despatch No.767 of the 29th of December, 1910, to the effect that the petitioner could not be granted a pension based on actual service with the addition of years granted to European Officers.

3. There remains only consideration of the question of the length of service on which the pension has been based.

No record is available as to the date of the petitioner's first appointment to the Service but in a letter dated the 10th of October, 1910, addressed to him by the Provincial Commissioner, Mombasa, he was informed that his service counted as from the formation of the Protectorate in 1895 and that he could not count service under the Company.

4. The matter was fully explained to the petitioner in answer to a memorial addressed to the Governor on the 3rd of November last and a copy of

this

THE RIGHT HONOURABLE  
MAJOR SIR PHILIP CUNLIFFE-LISTER, P.O., G.B.E., M.C., M.P.  
SECRETARY OF STATE FOR THE COLONIES,  
LONDON S.W.

*Gov 3852 2/1910*  
*3 OCT 1932*  
*Command 744*

1st Dec. 1931.

this reply is enclosed for your information.

5. I need hardly emphasize further that under the ruling contained in His Grace the Duke of Devonshire's despatch of the 12th of November, 1923, the petitioner obtained a permanent increase in his pension in that payment thenceforward has been made at the rate of two shillings for each rupee paid before the change in currency.

6. In the circumstances I am unable to recommend your favourable consideration of the present petition.

I have the honour to be,  
Sir,  
Your most obedient, humble servant,

*H. L. L. L.*

GOVERNOR'S DEPUTY.

Government House,  
Nairobi,  
1st December, 1931.

Sir,

With reference to your petition dated the 3rd November, addressed to His Excellency the Governor, on the subject of the amount of pension due to you, and your letter of the 26th November, I am directed by His Excellency the Governor to inform you that careful consideration has been given to the points raised and the following facts have been elicited.

In reply to your letter of the 16th February, 1910, addressed to Mr. Isaac, the then Acting Provincial Commissioner at Mombasa, in which you submitted that you were entitled to a pension computed on a retiring salary of £320 per annum, together with an additional annuity of £100 per annum, you were informed that the Secretary of State had decided to award you a pension of £69.6.8 per annum (based on your retiring salary of £320 per annum) together with a yearly payment of £100 secured to you by the agreement of 1898. The total annual sum to be paid to you was therefore £169.6.8. - the grant of the £100 payment being conditional on a corresponding reduction being made in the salary of your successor.

You further submitted, on the 12th November, 1910, that your pension should be based on actual service with the addition of the extra allowance of years granted to European officers on climatic grounds and your petition was laid before the then Secretary of State who was unable to entertain your application.

For your information I would inform you that the basis of assessment of your pension was as follows:-

SHEIKH RASHID BIN BALIM

EL MAZRU, Service



Service from 1.7.95 to 26.5.09 13 years, 10 months and 26 days.

Service for purposes of pension 13 years.

Actual salary (Rs.400 p. m. at Rs.15 to the £) £320 a year.

Whereof 13/60ths ... £ 69. 6. 8. but to which was added the special annual payment of ... £100. 0. 0.

making a total of ... £169. 6. 8 per annum.

This pension was sanctioned by the Secretary of State after the most careful investigation of your case. Moreover, since 1922, you have been paid your pension at the rate of Shs.30/- to the £1, i.e., Shs.2/- for each Rupee previously received and you have thus received since this date an addition of 50% to your pension. From the papers in this office it appears that although you were not medically boarded until August 1909, as you state, you drew salary up to the 26th May, 1909, only, and your pension was paid to you from the 27th May, 1909, inclusive.

There are therefore no arrears due to you in respect of either pension or salary and His Excellency directs me to say that while he is aware of your services to the Crown in the past he regrets that he is unable to agree that any further financial assistance from Government funds can be made to you.

As regards the land to which you refer in the penultimate paragraph of your letter, I am to say that this matter has been carefully considered, but His Excellency directs me to inform you that he cannot intervene.

I have etc.

Sd. T. CLINTON WELLS  
PRIVATE SECRETARY.

18182/32 Kenya

*Handwritten initials*

C. O.

Mr. Hyde 9.6.32

*Administrative (17.21/6 and)*

Mr. *Freeman*  
Mr. *Allen*

Mr. Parkinson.

Mr. Tomkinson.  
Sir C. Bottomley.  
Sir J. Shuckburgh.  
Permt. U.S. of S.  
Party. U.S. of S.  
Secretary of State.

C.D.  
R 21 JUN  
D 23

*Handwritten signature*

23 June, 1932

**DRAFT**

Kenya

No 468

Genius

*petition 25.5.32*

Sir,

I have etc. to transmit to you a copy of a petition which has been received from Sheikh Rashid bin Salim El-Ragmi.

I shall be glad to receive your opinion on this petition, and I have to

request that inasmuch you  
will cause the writer to  
be informed that I have received  
the petition and, in accordance  
with Col. Reg. No. 200, have  
forwarded it to you for  
report.

I have etc.

(Sgd.) P. CUNLIFFE-LISTER

16  
2  
G/O KATHI'S COURT

MOHBASE.

25th May 1932.

Sir,

I have to-day forwarded to the Secretary of State for  
the Colonies <sup>my petition</sup> regarding my pension. You know me very well  
well that I was a Liwali of the Dist. of Tawaungu. At present  
all my properties are sold and I am in financial difficulties  
and I have applied for an increase in my pension. I am sure  
that you will be able to read the petition forwarded by him  
to the Secretary of State, and that you will help the best  
you can in this respect for which I shall be much obliged.

Yours faithfully,

*Rashid bin Sahn*  
*Uso Khannio mgene*  
*Ex Libris*  
*of the*

Sir R.W.H. Hamilton,  
Under-Secretary of State for the Colonies,  
c/o. Secretary of State of Colonies  
White Hall,  
London, England.

R

C/O Kadis Court,  
K O M P O S I T I O N  
22nd May, 1932.

The Secretary of State for the Colonies,  
Colonial Office,  
White-Hall,  
London.

A N N I L A N C E

Sir,

The Petitioner Shams Rashid bin Salim El-Mazrui humbly begs to state as follows:-

1. The Petitioner was a Liwali under Government from the year 1894 to the year 1909 when he retired from the service owing to ill-health.
2. In calculating the pension of the Petitioner, the period of service has been computed by the Government from 1st July, 1896 to 26th May, 1909 making 13 years 10 months and 20 days according to which computation the Government has been giving him a pension of £.69.6.8 i.e. 320 x 13 / 60.
3. The Petitioner began serving the Government as "Liwali" from February 1894 in which month his father died. It is a well-known fact that in the Masani Rebellion of 1894-5, which took place immediately after the death of the Petitioner's father, the Petitioner served the Government to the best of his ability in putting down the rebellion, which shows that the petitioner was in the active service of the Government immediately after the death of his father, which took place in February, 1894. Even if the month of February, 1894 is not taken into account and the services of the petitioner are calculated from the 1st of March 1894 to 26th May, 1909, when the petitioner retired from the service, the period of his service under the Government amounts to 15 years, 2 months and 26 days, and as such his pension should have been computed on the basis of 15 years full service instead of 13 years.
4. Further the petitioner claims that his pension should have been computed on the basis of 15 years service and annual salary of £.320. according to European Pension regulations together with

copy to 3074682 1932

5. Owing to the ignorance on the part of the petitioner, he did not realise the loss occasioned to him thereby. The petitioner therefore humbly submits that his pension should have been computed as 320 x 270 / 480 i.e. 2.180. per year.

6. The petitioner depends for his maintenance on the pension and annuity he receives from the Government and has no other source of income and unless his pension is calculated as stated in this petition, he will be put to considerable inconvenience.

7. The petitioner submits that taking into consideration the meritorious services rendered by the petitioner and his relatives to the British Government during the time of the said rebellion at the risk of their lives and in view of the fact that the petitioner renounced certain hereditary rights to which he was entitled and also the fact that he is now old and infirm and in financial difficulties as all his properties are sold, and that the Government have been helping several other persons or their heirs in consideration of their past services, the petitioner prays that your honour may be pleased to grant this application as the petitioner can not keep up his status as the Chief of the Marui Tribe, with the present pension and annuity.

The petitioner therefore prays that :-

- (a). having received 2.69.6.8. only per year from 26th May 1909, the date of his retirement from service, to the 26th May 1931 instead of 2.180. per year to which the petitioner is entitled, he may be given the difference for 22 years.
- (b). He further prays that henceforth he should be paid a pension of 2.180. per year according to the European Officers' Pension Ordinance and also the annuity of 2.100. making altogether 2.280. a year instead of 2.169.6.8. paid to him till now and that the said amount of 2.280. a year be paid to him beginning from this year.

13  
END

- 3 -

begs to remain,

Your Most Humble Servant,

*Rushad bin Salim*