

1933

3194

1933

3194

KENYA  
CO 533/436

Compensation for loss of Officers' <sup>Private</sup> Effects

Previous

36662/35

Subsequent

Room 309	8/9/12
Mr. P. Weston	9
311	14/9
298	19/9
297	19/9
Room 209	21/9
Mr. Weston	21/9
297	26/10
Room 309	31/11
297	24/11
Room 309	6/11
297	6/12
Room 309	8/11
Mr. Weston	6
309	7
298	8/12
297	21/12
Room 209	22
298	21/1
297	5/11
Mr. Weston	9
297	

297	25/5
Room 309	26
Mr. West.	26
Mr. Green	27
311	27/5
298	6/6
297	24/7
Mr. Green	24/7
Mr. Weston	3/8
311	7/8
298	4/8
297	28/8
Mr. Weston	29/8
297	29/8

1618

1 Governor Byrne 278 \_\_\_\_\_ 29 April 23

Submits for favourable consid. a claim for compensation on behalf of three natives employed by the same Dept in respect of loss of personal effects, & seeks authority to pay claims not exceeding \$200 without reference to S. of S.

Para. 1-3. Approve.

Para. 4. ? Approve.

*[Signature]*  
26/4

certainly: we can trust Governors on a point like this:

But some uniformity is desirable & we had better I suppose call the other 2. A. places. Treas' would not I think agree.

see 265  
26.5.

Treasury will agree if anyone with me in the Treasury has it. This is not always the case, but officials such as Mr Stokes can understand our position in the matter.

Put it to them in words T.T. (Secretary) that in a matter such as this where native custom and sentiment are concerned the S. of S. must depend on local advice let me see you off at once

*[Signature]*  
27.5.23

47 2 To Treasury (est.?) Cons. 6/6/23  
H

Mr. Gussmith

No reply to No 2 has been received.

20/7/33

? Remind Secretary

Regulatory 297

A. Gussmith  
24/7/33

(in copy)

A. Gussmith  
3/8/33

3 To Treasury

B/C Ross

25/6

6/8/33

(P)

Mr. Gussmith

Reply to No 2 has not yet been received.

15.6.33

Mr. Gussmith  
Regulatory 297

A. Gussmith  
27/6/33 above

(P)

Remind. note minute above.

7.9.33  
Regulatory 297

? Remind Secretary  
C. Ross

A. Gussmith  
8/9/33

A. Gussmith  
9/9/33

To Treasury

Ross

19/9/33

DESTROYED UNDER STATUTE

Mr. Gussmith on No. 2 2 sub. 2 app. 5

to reply for comment on does not seem to be  
to Mr. Gussmith from the TSS. correspondence  
A copy of the minutes will be sent to the  
to Mr. Gussmith can be sent to Mr. Gussmith  
RW: 22/9

To Kenya 739 (1 annual) 26 SEP 1933

(P)

A. Gussmith Deputy Head 582

10 October 33

Enquire whether a reply to No 2 can now be given

DESTROYED UNDER STATUTE

Crossed No. 5

P.W. Ross

T.W. Ross  
20/10/33

Practical. Ross  
6.9.33

To reply to No 2 has been received

14.11.33

Letter advised minutes are (No 2) 14.11.33  
Dear general  
RW: 6/11

(P)

Remind. note minute above.

6.12.33  
Regulatory 297

It's not for short of 8 months since  
reminded to TSS  
? Remind again in short app  
RW: 6/12

and b.v. in 2 weeks

A. Gussmith  
6.12.33

DESTROYED UNDER STATUTE

To Treasury - Ross - 8/12/33

8. Treasury 19<sup>th</sup> Dec. 23

Concern the proposal to give authority to Govs. of Kenya, Nyasaland & T.T. for payment of compensation to natives.

We can now tell the other

E.A. Territories.

PP. diff. cover to all. passing

diff. this to. Sec.

*[Signature]*  
20/12/33

- 9 20 T.T. 18
- 10 " Nyasaland 6
- 11 " Tanganyika 14
- 12 " N. Rhodesia 3
- 13 " Gambia 1

w/cor 10 5 - 4 JAN 1934

Present to use  
fract.

*[Signature]*  
A. J. ...

8. Treasury \_\_\_\_\_ 19<sup>th</sup> Dec. 23  
 Council's proposal to give authority to Gov. of Kenya  
 to advance T.T. for payment of compensation to natives.

We can now tell the other  
 E.A. Territories.

PP. diff. comm. to all. passing  
 diff. this to Sec.

*[Signature]*  
 20/12/34

- 9 To T.T. 10
- 10 " Uganda 6
- 11 " Nyassa 14
- 12 " N. Rhodes 3
- 13 " Gambia 1

1/10/10/34 - 4 Dec 1934

PLEASE TO ALL  
*[Handwritten initials]*

C. 29  
*[Handwritten signature]*

C. O.

9-13  
January 1924  
December 1923

- Mr. Maclellan 29/11
- Mr. Vennart 11/1/34
- Mr. Peel 2/1
- Mr. Parkinson 2/1
- Mr. Toulterson 2/1
- Sir C. Bottomley
- Sir J. Shackburgh
- Permt. U.S. of S.
- Parly. U.S. of S.
- Secretary of State

Cliffe 2/1  
McCook 3/1/34

O.D.  
R 3 JAN  
D 4

DRAFT. for consen

① Langonyka Terr.

no. 18  
S.O. 2/3

② Uganda Prov.

no. 6  
S.O. 2/3

③ Nyasaland

no. 4  
S.O. 2/3  
to Gov 26 9 33 (1)  
to Gov 26 9 33 (5)

④ Northern Rhodesia

no. 3  
S.O. 2/3

⑤ Zanzibar

no. 1  
S.O. 2/3

**FURTHER ACTION.**

I have etc. to transmit to you,  
for your information, <sup>copies</sup> a copy of  
corres. with the Governor of Kenya  
regarding the payment of  
compensation to natives in respect  
of the loss of personal effects in  
circumstances beyond their control,  
during the performance of their  
official duties.

2. It will be seen that

I have agreed that, in any such  
cases which may arise in future,  
payment of compensation not  
exceeding £20 may be made  
without prior reference to me.

I <sup>now</sup> approve a similar procedure

(H.M.S.)

being adopted in

(201) the Tanganyika Territory

(202) Uganda

(203) Nyasaland

(204) Northern Rhodesia

(205) Zanzibar

(Signed) PLYMOUTH

(for the Secretary of State)

8 <sup>5</sup>

Any reply to this letter should be addressed to—

THE SECRETARY,

TREASURY,

WHITEHALL, LONDON, S.W.1.

and the following number quoted

8.38163.



TREASURY CHAMBERS.

19 December, 1933.

RECEIVED  
20 DEC 1933  
C. O. REGY

Sir,

No 4

I have laid before the Lords Commissioners of His Majesty's Treasury Mr. Flood's letter of the 8th December, 1933 (3194/33.) and earlier correspondence regarding a despatch from the Governor of Kenya requesting standing authority for the payment, without prior reference to the Secretary of State, of compensation not exceeding £20 to natives who incur the loss of personal possessions while employed by Government.

In reply I am to request you to inform Secretary Sir Philip Cunliffe-Lister that, in the circumstances represented, My Lords concur in his proposal to give the authority for which the Governor asks and so that, in such matters, a uniform practice may be followed in all the East African Dependencies, They agree to similar standing authority being given to the Governors of Nyasaland and the Tanganyika Territory.

I am,  
Sir,  
Your obedient Servant,

*Ed. [Signature]*

The Under Secretary of State,  
Colonial Office.

24



C. O.

3194/33 Kenya

C. D.  
R. 22 SEP  
D 25-4

5

- Mr. Davies 22/9/33
- Mr. Fenner
- Mr. Flood 22/9/33
- Mr. Parkinson
- Mr. Tomlinson
- Sir C. Blomley
- Sir J. Shuckburgh
- Permd. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

26 September, 1933.

SAT

Sir,

I have the honour to ack.

DRAFT. DESPATCH. *Can*

(1)

KENYA.

NO. 739

O. A. G.

the receipt of Sir Joseph Byrne's despatch, No. 278 of the 29th of April, and to inform you that I approve the payment of Sh. 60 to as compensate three natives employed by the Game Dept. for the loss of (in civit. beyond their control) their personal effects during the performance of their official duties.

(9)  
(10)  
(11)  
(12)  
(13)

T. T.  
W. S.  
W. S.  
N. Reed  
G. S.

*copy to*

2. With regard to the fourth

paragraph of that despatch, I agree that in any similar cases which may arise in future, payment of compensation not exceeding £20 may be made without prior reference to me.

I have, etc.,

(Sgd.) P. CUNLIFFE-LISTER.

FURTHER ACTION.

1194/55 *7/31*

7  
my  
M.

C. O.

Mr. *Tracy 7/31*

Mr. *Keating 31/5/33*

Mr. *Truman 31*

Mr. Perkins

Mr. Tompkins

Mr. C. Backus

Mr. J. Shubert

Genl. U.S. of S.

Party U.S. of S.

Secretary of State

C. O.	
A	1-JULY
D	3

*Approved* *82* *No 8*

6 *June*, 1955

**DRAFT.**

*The Secretary,  
Treasury*

*I am in the  
Committee to you  
to be laid before  
the H.C. of the  
Treasury, copies of  
a dispatch from  
the Gov. of Kenya  
requesting standing  
orders for the  
payment, without  
prior reference to  
the H.C. of  
compensation and  
sanctions for the  
Kisumu who in*

*From Gov. of Kenya  
(1955)*

C. O.

Mr.

Mr.

Mr.

Mr. Pullman.

Mr. Tompkins.

Sir C. Bellamy.

Sir J. Shackburgh.

Friend U.S. of S.

Party U.S. of S.

Secretary of State.

**DRAFT.**

*Handwritten text, possibly a signature or address, including "The T.T."*

*Handwritten signature or initials.*

(Signed) A. B. ACHESON.

KENYA.

No. 278.



GOVERNMENT HOUSE,  
NAIROBI,  
KENYA.

RECEIVED  
27 MAY 1933  
COLL. OFFICE

27<sup>th</sup> APRIL, 1933.

Sir,

36662/23

With reference to His Grace the Duke of Devonshire's despatch No. 1176 of the 20th August, 1923, I have the honour to commend, for your favourable consideration, a claim for compensation, which has been received on behalf of three natives employed by the Game Department, in respect of loss of their personal effects in circumstances beyond their control.

2. In November, 1932, the natives in question, two Game Scouts and a Tracker, were ordered to proceed by dhow from Lamu to Malindi on duty. The dhow sank off Kipini and these natives lost personal possessions valued at Shs. 60/-.

3. I trust you will agree that this is not a case in which the persons suffering loss should have been expected to insure, and will sanction the payment of Shs. 60/- compensation.

4. I take this opportunity of referring to the previous ruling on this subject and of enquiring whether you would be willing to consider extending my powers in order to enable me in such cases, where no new principle is involved and the claims are small, to authorise payment of compensation not exceeding

£20/

THE RIGHT HONOURABLE  
MAJOR SIR PHILIP CONLIFFE-LISTER, P.C., G.B.E., M.C., M.P.,  
SECRETARY OF STATE FOR THE COLONIES,  
DOWNING STREET,  
LONDON S.W.1.

*Copy of* { T.T. (P)  
Nga (P)  
Nyer (A)  
N'Alund (A)  
Jany (A)  
Lamy & Tany (2)  
Lambert (5)

£20, without reference to you. I would, in this connection, draw your attention to the fact that such power has already been conferred on me by Lord Passfield's despatch No. 839 of the 23rd October, 1929, in respect of compensation to the dependents of native Government employees, who die as a result of accidents sustained in the course of their official duties.

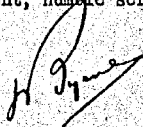
Nos

27444/27

I have the honour to be,

Sir,

Your most obedient, humble servant,



BRIGADIER GENERAL.  
GOVERNOR.