

1937

38017

CO 533/477
KENYA

38017

WRITES-OFF OF LOSSES OF PUBLIC FUNDS

Previous

1936

M. Baskin

11. 299. 17/5
297 3/18

309 5/1
M. Baskin 7/1

Subsequent

1938.

C. S. D. 18/1
DET 27/1
H. Dawe 28.1
E. A. Dept 31/1

R. 297 26/27

R. 309 29/6

M. Baskin 20

299 6/7

297 14/7

R. 309 14/7

M. Baskin 21

M. Flood -

R. 299 29/7

297 16/8

R. 309 16/8

M. Baskin 15/8

299 25/8

297 20/8

R. 309 6/9

R. 299 4/2

297

298 (Amended)

11. 98

C.I.
FINANCIAL.

1. GOV'S DEP., KENYA..... 279..... 18.5.37.
Details circs. in which he requests approval of write-off
of Shs.60/- stolen from mail bag, the amount to be shared
by Govts. of Kenya, Uganda & Tanganyika.

? Approve the writing off
of Sh. 60/-

Draft been with
C.F. [unclear]
29/7/37

Kenya - 588 - (1 amad)

5/7/37

DESTROYED UNDER STATUTE

3. GOV. KENYA..... 316..... 10.6.37
Details circumstances in which he requests sanction to
write-off of £45/12/- representing 76 Native Hut & Poll
Tax tickets stolen at Kisii.

? Approve the writing off
of the £45.12.00

C.F. [unclear]
24/7/37

The killing of the woman, who occurred
steadily before the incident the course
of wh. this loss occurred led to a
charge of manslaughter, & the case
was fully dealt with in No 7 on 3840/37.

It is not surprising that, after
that occurrence, the D.O. & the people with
him sh. have concentrated on preventing
a repetition, & that this involved a
relocation of vigilance at the "receipt of custom".

? a proposal.

J.P. [unclear]
21/7
J.E.O. [unclear]
" [unclear]

G.I.
FINANCIAL.

1. GOV'S DEP., KENYA..... 279..... 18.5.37.
Details circs. in which he requests approval of write-off
of Shs. 60/- stolen from mail bag, the amount to be shared
by Govts. of Kenya, Uganda & Tanganyika.

2

? Approve the writing off
of Sh. 60/-

Draft herewith

A.P. Rowlett

29/6/37

DESTROYED UNDER STATUTE

Kenya - 5K - (1 ansd) - 5/7/37

3. GOV. KENYA..... 316..... 10.6.37.
Details circumstances in which he requests sanction to
write-off of £45.12/- representing 76 Native Hut & Poll
Tax tickets stolen at Kisii.

? Approve the writing off
of the £45.12.00

A.P. Rowlett

14/2/37

The killing of a woman, who occurred
shortly before the incident in the course
of which this loss occurred led to a
charge of manslaughter, & the crime
was fully dealt with - No 7 on 38110/37.

It is not surprising that, after
that occurrence, the D.O. & the people with
him shd. have concentrated on preventing
a repetition, & that this involved a
relaxation of vigilance at the receipt of custom

? a proposal.

J.P. Rowlett
21/7

J.P.O. Rowlett

" done

Kenya - 577 - (3000) - 29/7/37

DESTROYED UNDER STATUTE

5 In Kenya 109 24.7.37.
Details in which he requests covering sanction to write off of £10 being shortage of cash in Police Immigration Office M. town which was discovered after dismissal of ...

In the despatch reporting the conviction of Assistant Inspector Keble the Governor stated that the defalcations had all been made good, and that so far as could be ascertained no loss of public moneys had taken place. A cash shortage of £10 has now been discovered and there may be more.

Approve the writing off as in draft herewith.

C.A. Rowlands

19.8.37.

Kenya - 682 - (5000) - 28/8/37

DESTROYED UNDER STATUTE

No. 1 on 20468/100/37 Personnel.

7 Gov Kenya 458 11.8.37
Requests covering sanction to write off £500 representing loss of H.L. Bull the stamps ...

Approve the writing off of £500. Draft herewith

C.A. Rowlands
29/8/37

8 Kenya - 767 - (7000) 17/9/37

DESTROYED UNDER STATUTE

9. GOV. KENYA 756 17.12.37
Details in which he requests sanction to write off Shs 1586/83 stolen from Native Civil Hospital, Kisumu - Messrs. Grainger & Derashri to make good sum of Shs. 100 each.

A cash box containing f. sch 1910/4 was stolen from the Native Civil Hospital Kisumu by a burglar who entered by the unlocked doors in the night of March 31st and removed the box from the screens leading into the fields. Sch 23/86 has been removed from the Chief and it is proposed to require two officers to accompany all the boxes of m-pous bills for the hospital, to ensure that the cash has been placed in the office in Kisumu.

Approve writing off of sch 1586/83 in draft herewith

Chas. J. White
5/1

C. S. D.

The question of making "officers responsible" hay up is one, I think, in which we have some general philosophy: and I should

be glad to have your
comments.

(f) Maave

71

It is a case in which the money
lost was directly in the custody
of the Officer concerned & that therefore
he alone is responsible for the repayment
of the whole amount. In deciding
whether any relief should be afforded
to the Officer "it is customary to
take into account the officer's record
of conduct, the circumstances of the
loss, & the relation of the amount
involved to his salary" (see para 4
of J in 24535 Ch. - also the emphasis
of the general principles in such cases
conferred to Kenya in an earlier case
in NO 4 in 15888/29 Kenya)
Taking these factors into account &
having regard to recent practice
the refunds required of Mr. Derashri
& Mr. Grainger (more particularly the
latter) are I think too small.
After allowing for the sum recovered
Mr. Derashri was really liable for
286.59 Shs. & Mr. Grainger 1500.33 Shs.
In each case the sum is roughly

+ E. deciding the m. O.
he is held to have
shown no negligence
the discharge of his
"superior's" responsibility.

* Mr. Grainger £380
Mr. Derashri (20 per
20 Ests. Shs.) 1500
£70

20% of a year's salary & on that ground
alone full repayment would be hardly
proper. Allowing for both officers' records
(being satisfactory) (which may I think be
assumed) & taking into account the great
degree of negligence shown in Mr. Derashri
particularly since he had accepted the
case - though as an act of fraud - &
money for which he was not really
responsible - I should say that the
relief ought not to exceed 50% of
the loss in his case & 45% in the
case of Mr. Grainger, that is, they
should be required to repay, respectively
say 150/- (about 10% of salary) &
345/- (about 5% of salary).

L. Brearley
14/1

I think that the general principles to be
followed in the consideration of such cases might
again be explained to Kenya along the lines of the
first paragraph of the D.C.A.'s minute of the 29th
October, 1929 on 15588/29. But, if the D.C.A. agrees,
I would not attempt from this end to assess any
higher repayment as suggested at the end of
Mr. Brearley's minute but would say that following
the general principles explained the Secretary of
State would have been prepared to approve the
proposal to require both Mr. Derashri and Mr. Grainger
to refund a larger sum than Shs. 100, but that he
approves the Governor's proposals unless on reconsideration he

he decides to revise his recommendations.

27/6/38
17.1.38

Num. 3570/28.

Mr. Dawe.

I agree generally in the action proposed
in Mr. Lloyd's minute of the 17th of January,
1938.

A. J. Harding

Director of Colonial Audit.

27-1-38

I agree

Df. acc.

Att. true

A. J. Dawe
28/1

10/2/38
10.2.38: Kenya 64. 9. 28. 4 FEB 1938

he decides to revise his recommendations.

2062
17.1.38

No. 3570/28.

Mr. Dawe.

I agree generally in the action proposed
in Mr. Lloyd's minute of the 17th of January,
1938.

A. Harding

Director of Colonial Audit.

27-1-38

I agree.

Dft. acc.

(Attm)

A. J. Dawe
28/

10 No. Kenya Cont. 9. Approved. 4 FEB 1938

G. O.

Mr. Costley-White 13.1.38.

~~Mr. Downing~~

Mr. Dawe. 1.2

Sir H. Moore.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Perms. U.S. of S.

Parly. U.S. of S.

Secretary of State.

C. D.
R 1 FEB
D. 3 /

Downing Street,

4 February, 1938.

Sir,

DRAFT.~~KENYA.~~NO. 62
GOVERNOR.

(9) I have etc. to acknowledge the receipt of your despatch No. 756 of the 17th of December, 1937, regarding the theft in March of that year of Shs. 1910/69 from the Native Civil Hospital at Kisumu.

2. Some general remarks regarding the assessment of liability of a public officer in cases of the theft of public money placed in his charge are contained in Lord Passfield's despatch No. 909 of the 18th of November, 1929, to which I would invite reference. Looking at this case in the light of the principles mentioned in that despatch, I should have been

(4 in
15588/29)

FURTHER ACTION.

been

10

C. D.
R 1-FEB
D 37

Mr. Costley-White 13.1.38...

Mr. Dawson.

Mr. Dawe. 1.2

Mr. H. Moore.

Mr. G. Tomlinson.

Mr. C. Bottomley.

Mr. J. Shuckburgh.

Mr. U.S. of S.

Mr. U.S. of S.

Secretary of State

J.R.

84

Downing Street,

February, 1938.

Sir,

FT.

(9)

I have etc. to acknowledge the receipt of your despatch No.756 of the 17th of December, 1937, regarding the theft in March of that year of Shs.1910/69 from the Native Civil Hospital at Kisumu.

2. Some general remarks regarding the assessment of ^{the} liability of a public officer in cases of the theft of public money placed in his charge are contained in Lord Passfield's despatch No.909 of the 18th of November, 1929, to which I would invite reference. Looking at this case in the light of the principles mentioned in that despatch, I should have

(4 in 15588/29)

ACTION.

been

been prepared to approve a proposal to
require both Mr. Grainger and Mr. Derashri
to refund a larger sum than Shs.100/-.
But unless on further consideration in
the light of this despatch you wish to
revise your recommendation, I am prepared
to approve your proposal and to authorise
the writing-off of Shs.1586/83, representing
that part of the total loss which will then
be outstanding.

I have, etc.

(Signed) W. ORMSBY GORB.



17 December, 1937.

REGY

Sir,

With reference to Colonial Regulation No. 278 and to a Miscellaneous despatch of the 20th November, 1931, from Sir Philip Cunliffe-Lister (now Viscount Swinton) on the subject of the write-off of losses of public money occasioned by negligence on the part of a public officer, I have the honour to report, for your consideration, a proposal to write off the sum of Shs. 1586/83 lost in the following circumstances.

2. On the night of the 31st March last a cash box containing Shs. 1910/68 was stolen from an office in the Native Civil Hospital, Kisumu, the sum was made up of a balance of unpaid wages of Hospital staff (Shs. 306.50), and Health Office staff (Shs. 1604.19). Police investigations show that the thief entered the building by a door which was not locked, opened the door of the office which was also not locked, and found the cash box containing the money secured by four screws to a table in the office; he wrenched it from the table and took it away with him.

3. I am advised by the Director of Medical Services that it was not the normal practice to leave so large a sum of money in a cash box in an unlocked office, which is of course contrary to Financial Orders. The usual procedure/

THE RT. HON.

W. ORMSBY GORE, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, LONDON, S.W.1.

procedure is as follows. Cheques are signed by the Medical Officer in charge on the morning of the day on which it is intended wages should be paid, and are cashed at the Bank by the clerk who pays the Hospital staff, and the European Laboratory Assistant who pays the Health Office staff, respectively. The money is then taken to the Hospital where payment proceeds throughout the day at certain intervals during which it is necessary to keep it in the cash box. Payment of the Health Office staff is usually completed during the day, but small sums due to Hospital staff on night duty, or in out-dispensaries, frequently remain unpaid. In these circumstances it was the practice to retain the money in the cash box in the clerk's office which was locked and is under the surveillance of the dressers on night duty; if it happened that the sum left over was large, the money was deposited in the safe of the cashier at the District Commissioner's office.

4. On the occasion of the Burglary, however, an unusual set of circumstances prevented the payment of the Health Office wages. After the two consignments of money for wages had been drawn in the ordinary way the unexpected arrivals of two aircraft at the airport necessitated the presence there of the Medical Officer of Health, the Senior Sanitary Inspector and the Laboratory Assistant who carried out tests, on instructions issued in connection with the carriage of infection by insects on aircraft. This work was not finished until 5-30 p.m. and the Medical clerk, Mr. Derashri, was entrusted by the European Laboratory Assistant with the custody of the Health Office staff wages. He had also in his custody the unpaid balance of Hospital staff wages referred to above. Mr. Derashri did not take any steps to have the money placed in the safe at the

District Office and seems to have considered that the money would be adequately protected by being placed in the cash box in his office.

5. The burglar has been apprehended and convicted of the theft of Shs.1910/69, of which a sum of Shs.123/86 was recovered, leaving a balance of Shs.1786/83 of public money lost. It is evident that in the circumstances attending the loss there is an element of negligence on the part of certain officers. The three officers primarily concerned in the loss are the Medical Officer in Charge, Kisumu Native/Hospital, the European Laboratory Assistant, Mr. Grainger, and the Medical Department Grade I clerk, Mr. Derashri. The extent to which any of these officers should be held responsible for the loss has been carefully considered by my advisers.

6. With regard to the Medical Officer in Charge they are of opinion that while he must be held generally responsible for the supervision of the Hospital and its financial arrangements, he was alive to this general responsibility and that he cannot be regarded as responsible for any shortcomings of his subordinates; they do not therefore consider that it would be reasonable to make him liable for any part of the loss.

They are, however, satisfied that Mr. Derashri must be held to have acted with negligence. He was entrusted with a large sum of money, for part of which he was directly responsible, part of which he was looking after as an act of grace. He expected that his senior officer would return before 4 p.m. and by 5 p.m. he states that it was too late to deposit the money in the District cashier's safe. Apart from his failure to observe Financial Orders

in/

1240

4.

in keeping money in the cash box overnight, his failure to observe the elementary precaution of securing the door of his office constitutes an act of negligence which I cannot but regard seriously. I have therefore accepted the recommendation of my advisers that he should be called upon to pay the sum of Shs.100/- out of the amount lost.

Mr.Grainger, the European Laboratory Assistant, was also responsible for the safety of a large sum of money. It is true that he had entrusted this to Mr. Derashri but it was no part of Mr.Derashri's duties to take the money into custody. My advisers consider, and I am in agreement with their view, that while Mr Grainger may have had reason to think that Mr.Derashri would take all proper steps to safeguard the money, it was clearly his duty when he returned from the airport to ascertain what steps had in fact been taken, and if he considered them inadequate to make other arrangements. His failure to take this precaution renders it impossible to exonerate him from having acted negligently, and I accept the recommendation of my advisers that he too should be called upon to make good a sum of Shs.100/-.

7. I trust that you will approve these recommendations and accord your sanction to the write-off of Shs.1586/83 which would then be finally outstanding. I should add, for your information, that a safe has now been supplied to this hospital.

I have the honour to be,

Sir,

Your most obedient, humble servant,

R Brooke-Popham

AIR CHIEF MARSHAL

G O V E R N O R.

KENYA
No. 458



GOVERNMENT HOUSE
NAIROBI
KENYA

G. O. [unclear]

10 August 1937.

Sir,

(3) on 7/683/10

2
6/5/12/33
Lent
in inc

Review

With reference to a miscellaneous despatch of the 20th November 1931 from Sir P. Cunliffe-Lister (now Lord Swinton) and to Mr. Thomas's Circular despatch of the 23rd May 1936 on the subject of the writing-off of losses of public money, I have the honour to request your covering sanction under the provisions of Colonial Regulation No. 278 to the write off of a sum of £5. 4. 0. lost in the following circumstances.

2. The clerk assistant to a Chief in the Malindi District was issued with 115 Hut and Poll Tax stamps, 11 of which were sold and the proceeds duly accounted for. Instead of keeping the remainder of the stamps under lock and key, the clerk put them in the pocket of a coat which was stolen. Subsequent proceedings, which resulted in the conviction of the thief, shew that he was at the time of the theft in an intoxicated condition and after destroying the stamps, threw them away. I am advised that the clerk has been dismissed for his negligence on this occasion, and I would take this opportunity of informing you that no other loss of this nature has occurred since Chiefs' clerks were entrusted in May 1936 with the duty of selling these tax stamps.

THE RT. HON.
W. ORMSBY GORE, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, LONDON, S.W.1.

3. I have accordingly signed a Special Warrant for the amount and should be glad in due course to learn that you approve of this action.

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

W. B. Brocke-Poppan
AIR CHIEF MARSHAL
GOVERNOR

KENYA

No. 409

RECEIVED
- 4 AUG 1937
C. O. RECK



GOVERNMENT HOUSE
NAIROBI
KENYA

214 July, 1937.

Sir,

With reference to previous correspondence on the subject of the conviction on criminal charges and the dismissal from the Kenya Police Force of ex-Assistant Inspector B.E. Keble, I have the honour to inform you that while at the time of his dismissal it appeared that no loss of public monies had taken place, there has now been disclosed a shortage of cash amounting to Shs.200/- in the Police Immigration Office, Mombasa, which came to light in the following circumstances.

2. I am advised that enquiries resulting from an application from an immigrant for a refund of deposit paid, revealed that on the 7th May, 1936, the Police authorities at Kisumu despatched a draft numbered 2000 for Shs.200/- to the Immigration Officer, Mombasa, to cover the landing deposits of two immigrants. The receipt of this draft was duly acknowledged by ex-Assistant Inspector Keble. The immigrants arrived on the 8th May, 1936, and one was given a free entry, the deposit of Shs.200/- being returned to the Police, Kisumu, in currency notes and an acknowledgment obtained. The other immigrant, Udham Singh Laka Singh, was allowed to proceed to Kisumu, and the Assistant Superintendent of Police,

Kisumu/

THE RT. HON.
W. ORMSBY GORE, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, LONDON, S.W.1.

20468/100/17

19
attached - (6)

Kisumu, was requested by ex-Assistant Inspector Keble to issue to him a conditional permit and immigration deposit receipt for Shs. 200/-.

Reference to the "A" form by which the deposits received from immigrants who arrived by the same boat as Udham Singh Laka Singh were paid in to the Treasury office, Mombasa, indicates that the name of Udham Singh Laka Singh was not included. The draft, however, by which his deposit was transmitted to Mombasa was handed in to the Treasury Officer as part of Shs. 11,800/- paid in on that "A" form. It would appear that the draft for Shs. 400/- was submitted for Shs. 400/- cash received on the steamer, Shs. 200/- of which was returned to Kisumu, as detailed above, and Shs. 200/- misappropriated.

A copy of the conditional permit issued at Kisumu was forwarded to the Immigration Officer, Mombasa, and appeared in the latter officer's files, but there is no record in the cash book or ledger of the deposit of Udham Singh Laka Singh. Ex-Assistant Inspector Keble has already left the Colony.

3. I have accordingly signed a Special Warrant for the sum of £10 which has been duly refunded to the applicant, and I should be glad to receive in due course your covering sanction for the write-off involved, under the provisions of Colonial Regulation No. 278.

4. I take this opportunity of informing you that I am advised by the Commissioner of Police that he has issued instructions for all files to be examined immediately and compared with the cash book and ledger. On completion of that inspection it will be ascertained that no further instances of similar irregularities have occurred. I should/

should add that since these defalcations came to light, detailed instructions approved by the Treasurer have been issued to the Immigration Officer, Mombasa, which are designed to prevent any further misappropriations of this kind.

I have the honour to be,

Sir,

Your most obedient, humble servant,

A. Brooke Popham

AIR CHIEF MARSHAL

GOVERNOR

KENYA

No. 317



GOVERNMENT HOUSE
NAIROBI,
KENYA

June, 1937.

BY

Sir,

With reference to Mr. Amery's despatch No. 558 of the 3rd August, 1928, and to Colonial Regulation 278 regarding the write-off of losses of public money, I have the honour to request your covering sanction to the write-off of seventy-six Native Hut and Poll Tax tickets, representing an amount of £45:12:00, lost in the following circumstances.

2. 11/10/37

2. In March last, Hut Tax was being collected in the camp of the District Officer, Kisii; the receipts were being issued by a senior Hut Counter and the District Officer's interpreter was counting the money received. After 24 receipts from a book containing 100 had been issued the supply of tax-payers ran short, although it appeared that a certain number were in the precincts of the camp ready to pay. The senior Hut Counter accordingly left the cash and receipt book with the Interpreter in order to find further payers. In the meantime a lorry passed through the camp at high speed; the District Officer attempted to hold it up because shortly beforehand a native woman had been killed by a lorry passing through the camp. He was unsuccessful and the Interpreter ran out hastily to see if he could be of any assistance. The receipt book was therefore

THE RT. HON.
W. ORMSBY GORE, F.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, LONDON, S.W.1.

therefore left unguarded and when both men returned some moments later it was found that the receipt book containing 76 unused tickets was missing.

3. The foregoing facts were elicited as a result of an enquiry held on the spot by the District Officer immediately following the discovery of the loss. In his finding the District Officer stated that he had no reason for disbelieving any of the statements made by the Hut Counter or Interpreter, both of whom he considered to be thoroughly trustworthy persons; he found that the book containing the receipts had been stolen but that there was nobody on whom suspicion could be fixed. I am advised that all possible steps were taken to investigate the loss and to make it public in the Kisii and neighbouring districts.

4. No trace of the missing receipts has been found to date. The Treasurer and Auditor have both expressed the opinion, with which I am in agreement, that the loss was due to carelessness not amounting to negligence. A special warrant for the amount has issued accordingly and I trust that you will convey to me in due course your approval of this action.

I have the honour to be,

Sir,

Your most obedient, humble servant,

B. Brooke-Popham

AIR CHIEF MARSHAL.

G O V E R N O R.

KENYA.

No 279



GOVERNMENT HOUSE
NAIROBI
KENYA

RECEIVED

19 JUN 1937

C O REGY

Sir,

With reference to the third paragraph of a miscellaneous despatch of the 20th November, 1936, from Sir Philip Cunliffe-Lister (now Lord Swinton) regarding losses of public money occasioned by negligence, I have the honour to report, for your consideration, the loss of a sum of Shs. 60/- by the Joint Posts and Telegraphs Department, Kenya, Uganda and Tanganyika, in the circumstances detailed below.

2. A mail bag was despatched by rail from Nairobi to Kisumu on the 3rd December, 1936, and when handed over to the guard of the train by the postal agent at Kitigori was correctly sealed and intact: it reached Kisumu on the evening of the 4th and was in accordance with the usual procedure locked up in the railway station. The following morning it was observed that the mail bag in question was no longer sealed, but was tied with string only: the bag was opened in the presence of the Assistant Stationmaster, when it was discovered that a cash receipt of Shs. 60/- forwarded from Kitigori to the Postmaster, Kisumu, was missing.

3. Investigations carried out by the Railway Police showed that the theft occurred at Kisumu Railway station before the bag had left the custody of the Kenya and Uganda Railways & Harbours Administration. I am advised that

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THE RT. HON. W. ORMSBY GORE, F.C., M.A.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, LONDON, S.W.1.

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7/683/30
in file

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c

a departmental enquiry was held on that subject with the result that evidence was obtained from a number of certain of the staff... in regard to which, I am... has been taken.

The arrangements... services on behalf of the... the total... that no... that you would... of the amount which would be... three... ments concerning... /21/

(over 405x60)

Secretary of State by the Governor... of this despatch... Government of the... territory...

I have the honor to be,
Your most obedient, humble servant,

Admiral
GOVERNOR'S DEPT.

2.

therefore left unguarded and when both men returned some moments later it was found that the receipt book containing 76 unused tickets was missing.

3. The foregoing facts were elicited as a result of an enquiry held on the spot by the District Officer immediately following the discovery of the loss. In his finding the District Officer stated that he had no reason for disbelieving any of the statements made by the Hut Counter or Interpreter, both of whom he considered to be thoroughly trustworthy persons: he found that the book containing the receipts had been stolen but that there was nobody on whom suspicion could be fixed. I am advised that all possible steps were taken to investigate the loss and to make it public in the Kisii and neighbouring districts.

No trace of the missing receipts has been found to date. The Treasurer and Auditor have both expressed the opinion, with which I am in agreement, that the loss was due to carelessness not amounting to negligence. A Special Warrant for the amount was issued accordingly and I trust that you will convey to me in due course your approval of this action.

I have the honour to be,

Sir,

Your most obedient, humble servant,

Brooke Pepham

AIR CHIEF MARSHAL

GOVERNOR.

KENYA.

No. 279

RECEIVED

19 JUN 1937

C. O. REGY



GOVERNMENT HOUSE,

NAIROBI.

KENYA

18 JUN, 1937.

Sir,

With reference to the third paragraph of a Miscellaneous despatch of the 20th November, 1931, from Sir Philip Cunliffe-Lister (now Lord Swinton) regarding losses of public money occasioned by negligence, I have the honour to report, for your consideration, the loss of a sum of Shs. 60/- by the Joint Posts and Telegraphs Department, Kenya, Uganda and Tanganyika, in the circumstances detailed below.

2. A mail bag was despatched by rail from Kibigori to Kisumu on the 3rd December, 1936, and when handed over to the guard of the train by the postal agent at Kibigori was correctly sealed and intact; it reached Kisumu on the evening of the 4th and was in accordance with the usual procedure locked up in the Railway station store. The following morning it was observed that the mail bag in question was no longer sealed, but was tied with string only; the bag was opened in the presence of the Assistant Stationmaster, when it was discovered that a cash remittance of Shs. 60/- forwarded from Kibigori to the Postmaster, Kisumu, was missing.

3. Investigations carried out by the Railway Police showed that the theft occurred at Kisumu Railway station before the bag had left the custody of the Kenya and Uganda Railways & Harbour Administration. I am advised that

THE RT. HON. W. ORLESBY GORE, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWLING STREET, LONDON, S.W.1.

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Received

a departmental enquiry was held by that Administration with the result that evidence of negligence on the part of certain of the staff at Kisumu station was disclosed, in regard to which, I am informed, disciplinary action has been taken.

4. The arrangements by which the Kenya and Uganda Railways and Harbours Administration undertakes certain services on behalf of the Post Office date from 1921 and the rates at which mail is carried have been calculated on the basis that no liability in this respect is accepted by the Railway Administration. I should be glad to learn, therefore, that you would approve the rate of the amount, which would be shared by the three Governments concerned under an arrangement agreed upon in 1936, details of which are contained in a letter, dated 11th of the 4th February, 1936, addressed to the Under Secretary of State by the Secretary to the Conference of East African Governments.

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5. Copies of this despatch are being supplied to the Governments of the Uganda Protectorate and the Tanganyika Territory and to the High Commissioner for Transport.

I have the honour to be,

Sir,

Your most obedient, humble servant,

Admond

GOVERNOR'S DEPUTY.