

1935

1935

38067

KENYA  
C0533/457

38067

Printing & Stationery Department.  
Vacancies.

Previous

23096/34

Subsequent

1936

Reg 297	4/3
Room 309	17/3
Mr. Freestone	12
Mr. Nelson	15
Mr. Hunt	
Professors	15/3
Mr. Hood	
297	27/3
R 309	
Reg 297	8/4
Room 309	9/4
Mr. Freestone	9
File 301	
R 297	

2

1. Governor Byrne 107 (Air. Mail) - 23 February 1935.

C.I.

Title.

Transmits a memorandum giving particulars of terms of service which can be offered to candidate for vacancy for Proof Reader. Requests that Crown Agents may select a suitable candidate and the date of his sailing communicated by telegram.

Secretariat Circular No. 2 of 28th January 1935 will give the Crown Agents any further information they may require about conditions of service.

In conversation with Mr. Reeves (C.I. appointments) he mentioned that he thought it would be best if people appointed on probation to the new European Local Civil Service could be required to sign a passage agreement. I see no objection to this. The passage agreement should embody the terms in <sup>para</sup> paragraph 2 of the memorandum.

? Send a copy of the despatch with enclosure to Crown Agents reference No. 8 on 23096/34 and ask them to take steps to select and engage a suitable candidate on the terms shown in the memorandum. Add that if they consider it advisable the candidate should be required to sign a passage agreement. Request that they will inform the Colonial Office of the sailing date of the candidate chosen.

(Sgd.) C.A. Grossmith.

13/3

" L.B. Freeston.

13/

(1) It is apparently contemplated that Local Civil Service officers selected in this country should receive no formal document of any kind! They will simply go to Kenya, where they will receive a letter of appointment as in Appendix IV of the Print on 23068/2 i.e. an appointment on a purely temporary

basis terminable by the Government at will conferring no rights as regards leave or passages on termination. This is not in my opinion a satisfactory state of affairs. I think the officer ought to be given a formal letter by the Crown Agents to the following effect:-

(a) That he has been selected for service as ..... and on arrival in Kenya will be appointed by letter on a purely temporary basis for a period of twelve months, which period may be extended by the Head of his Department.

(b) That on the conclusion of twelve months' service he will become eligible for a permanent appointment in the Local Civil Service and will become subject to the regulations applicable to that Service, the main provisions of which at present (they are variable) are - as in the enclosure to No. 1.

(c) That, if while he is serving on a temporary basis his appointment is terminated by the Government otherwise than by dismissal, he will be provided with a free passage to this country and a sum of £25 towards the cost of passages for his wife and/or family if they are with him in the colony, provided that these rights will lapse if they are not exercised within six months: (1) That in the circumstances referred to in (a) above, if he returns to England immediately on his release from duty, he will be given leave with full pay for the period of the voyage to this country and in addition for 10 days in respect

3  
of every completed period of 3 months' resident service or one month whichever is the greater: but that otherwise he will only be given such leave, if any, as is required to enable him to enjoy one clear month on full pay after his release from duty.

The officer should also I agree sign a passage agreement in the usual form except that liability to refund should only extend to twelve months.

I regard the above as the minimum reasonable: and I should prefer that provision for passages under (c) should be increased to free passages for the officer and his wife and family and for leave under (d) to two months in this country. Twelve months or less is not much in which to save up for family passages, nor is one month in which to find time in which to find work. (I will be recalled that retrenchees get 3 months' full pay in this country.) If he is a married man with children, his position if, while on probation, he becomes unfit, or if he turns out to be deficient in technical training (as sometimes happens) or if he is a genuine misfit, will be an unenviable one, if he only gets £25 towards his family's passages and a month's leave in England.

I think Kenya ought to be consulted about these matters by air mail; meanwhile the Crown Agents could be looking about for candidates.

It would be much more satisfactory, really, to have a formal agreement, and I would suggest this to Kenya,

after paying the passage of his wife & family (also £25) to Kenya

15/3

and a draft.

Meanwhile C.A. can  
be advertising, though  
from No. 8 on 23096/34 it  
does not seem at all  
likely that any satisfactory  
results will come.

C.J. Rhodes  
15.3.35.

This brings Kenya straight up against  
the difficulty caused by their own fiction of  
the local Civil Service. If they were  
engaging a man on the spot they could offer  
him whatever terms they liked and it would be  
for the man to accept or not. But they  
haven't got any man on the spot and, therefore,  
they are asking the Crown Agents to invite  
people in this country to buy pigs in pokes.  
It may be that Kenya deliberately do not want  
any conditions to be stated in the offer made  
here, and that if we tell the Crown Agents  
to give a formal letter to whatever man they  
select, as suggested by Mr. Acheson, we shall  
be doing something that is directly opposed to  
Kenya's wishes. On the other hand, by  
sending a copy of conditions of service, Kenya  
evidently contemplates that those conditions  
shall be offered to the candidate, and if they  
are offered to him in writing as, of course,  
they

they would have to be, they would I think constitute  
the basis of a contract.

I think that the position is that Kenya  
want one set of things in accordance with their local  
Civil Service arrangements, while Mr. Acheson  
contemplates a totally different set of circumstances  
which involve engagement in this country. There is  
no reason why we should endeavour to lay down here  
more favourable terms for the candidates than Kenya  
is prepared to offer. If candidates accept Kenya's  
terms well and good, if they don't accept Kenya will  
not get any candidate and will have to consider  
modifying the terms, but it is hardly for us to do so

Draft despatch herewith.

sent

18.3.35.

X

When drop has gone send copy with to C.A. & urge them  
to proceed to interview & select candidates

2 To Kenya, 220 (1 Amended) 25/3/35

3 J.C.A. (at 1 & 2) 4/4/35

H. A. Governor made 165 (Amended) 25/4/35

Concurs in the remark of the Govt. Printer that Mr. Batten  
who has now completely recovered his health should be re-engaged  
as proof reader & registration may be taken accordingly

N.B. The post of Proof Reader in the Govt. Press  
has been vacant ever since  
Mr. Batten was <sup>\*</sup>invalided out  
of the service on the 27<sup>th</sup> March  
1934. Mr. Batten has  
Neuroasthenia  
probably the result  
of chronic amoebiasis

Recently informed the Post Printer that he has now completely recovered his health, & it appears that the Post Printer wants him back.

He came at the Co. on the 7<sup>th</sup> March & said that he was quite fit. I have no doubt that he is confident that he is fit to return but - he was a neurasthenic, and in June

1934 medical opinion was definitely against his return to the Africa. It would be most unfortunate to raise his hopes unduly, but if Sir T. Parker agrees, ? we can offer him re-engagement on local Civil Service terms subject to X in No 4

C.A. Jones with  
9/4/35

In view of Dr Horn's report in Dec. 1933 (38 on his file) it seems highly improbable that ~~he would~~ Mr. Butler will be passed fit for service. But I think he should be given the opportunity of a further exam<sup>n</sup> by the C.P. at his own expense, if he wants to. Moreover, we shall be in a strange position if we can send the Kemp

See minutes below No 51 on 31047 E.A.

See minutes below No 49 on 31047 E.A.

5  
Hopt<sup>n</sup> an up-to-date medical report, rather than relying on one that is 16 months old.

2 Tell him that the Kemp Hopt<sup>n</sup> is prepared to engage him on local Civil Service terms (quote them briefly) if he is passed fit by the C.P. Say that, if he desires to, he should present himself for exam<sup>n</sup> by the C.P. (letter of authority enclosed), and that he should produce <sup>available</sup> any evidence ~~that~~ from his private medical attendant regarding his state of health since Dec. 1933.

Copy above to Dr. Horn, quoting [ ] in para 2 of the despatch. (No 4)  
P.P. aft. comm<sup>n</sup>; Sir T. Parker  
shd. see aft.

A. D. [unclear]  
9/4/35

asked in the memo. in 1

Action taken on personal file

J. Brown Agents (Mem) \_\_\_\_\_ 10 April 35

DESTROYED UNDER STATUTE

State that they are suspending action regarding the  
vacancy for proof reader pending receipt of further instructions.

Put by C. A. [unclear] 3/18/35 at m.

action  
more  
on the  
file  
sent  
1615

~~Mr. J. Batten~~ Mr. J. Batten has been re-engaged as  
proof reader see 31047 E.A. Batten -

C. J. det M. [unclear] page 5

AIR MAIL

KENYA  
No. 165.



4  
GOVERNMENT HOUSE  
NAIROBI  
KENYA

RECEIVED  
-5 APR 1935  
C. O. REGY

28<sup>th</sup> March, 1935.

Sir,

No 1

Manual (56 on 31047 & 4)

With reference to Sir Joseph Byrne's despatch No.107 of the 23rd of February, on the subject of the filling of the vacancy for a Proof Reader in the Government Press, I have the honour to inform you that information has been received that Mr.M.J.Batten, formerly Proof Reader in the Government Press, has recently applied to you for further Colonial employment.

No. 45 on  
31047 EA.

2. You will be aware that the reasons for the termination of Mr.Batten's previous appointment in this Colony were ill-health, see correspondence ending in Kenya Note No.S/Est.19/1356/56 of the 4th of January, 1934. [Mr.Batten in a recent letter to the Government Printer states, however, that he has now completely recovered his health and in the circumstances the Government Printer recommends that he be offered re-engagement on the terms enclosed in the despatch under reference and subject to his being passed as quite fit by the doctors who had him under observation during his late illness.]

3. I concur in this recommendation and shall be glad if action can be taken accordingly.

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

*A. S. Wood*

ACTING GOVERNOR.

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

C. O.

Mr. Grossmith.

Mr. *Deighton*

Mr.

Mr. Parkinson.

Sir G. Tomlinson

Sir C. Bottomley.

Sir J. Shuckburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

38067/35.



Downing Street.

April, 1935.

DRAFT.

THE CROWN AGENTS

FOR THE COLONIES.

*23rd February 1935 (No. 1)*  
*W/Carboms.*  
*25th March 1935 (No. 2)*

*108*  
*3096/34*

Gentlemen,

I am etc. to refer to your letter of the 21st August, 1934, (Reference M.3394) regarding the vacancy for a Proof Reader in the Government Press, Kenya, and to transmit to you a copy of a despatch from the Governor regarding the terms of service which may be offered to candidates.

2. A despatch has been sent to the Governor, a copy of which is also enclosed, concerning certain of the conditions <sup>*of same*</sup> and the method of appointment of the selected candidate. On receipt of the Governor's reply

FURTHER ACTION.



a further communication will be sent

to you, but in the meantime I am to

ask you to endeavour to obtain a

suitable candidate on the terms

offered with salary at the rate of

£360 rising to £540 per annum.

I am, etc.

**KENYA  
PASSAGE AGREEMENT.**

**Agreement** made this .....

day of ..... One thousand

..... nine hundred and .....

**Between** .....

(hereinafter called the officer) of .....

in the County of .....  
of the one part and THE CROWN AGENTS FOR THE COLONIES, of  
4, Millbank, Westminster, in the County of Middlesex, for and on behalf of the  
Government of Kenya (hereinafter called the Government) of the other part.

**Whereas** the Officer who hath been duly selected by appointment as aforesaid holds the appoint-  
ment of .....

.....  
in the services of the Dependency of Kenya, hereinafter called the Dependency will be provided with  
a passage thereto.

NOW the said Officer in consideration of the premises doth hereby agree that should he fail to  
proceed to the Dependency as and when directed, or prior to the expiration of the term of service  
that shall have been fixed by the Government either quit the Dependency without permission or leave  
the service of the Government or be dismissed or removed from his appointment in consequence of  
misconduct (he will refund and repay to the Government or to the Crown Agents for the Colonies,  
the amount paid for his passage to the Dependency and transport to his post or such part of it as  
the Government or the Secretary of State may direct.

PROVIDED always that nothing herein contained shall bind or oblig the said Officer to repay  
the aforesaid amounts if at the time he shall leave the service of the Government as aforesaid it  
shall be certified by a duly qualified Medical Officer employed by the Government or by a Consulting  
Physician to the Colonial Office that the said Officer is unable from bodily or mental infirmity  
not due to his own default and continu in the performance of his duty.

AND the said Officer in consideration of the premises doth hereby also agree that should he  
fail on any occasion duly to return to the Dependency for further service under the Government or  
to take up service under the Government of any other British African Dependency if transferred, or  
should he prior to the expiration of the term of service that shall have been fixed by the Government  
either quit the Dependency in which he is serving without the permission of the Government, or  
leave the service of the Government, or be dismissed or removed from the service in consequence of  
misconduct, he will refund and repay to the Government of the Dependency or which he is serving  
or to the Crown Agents for the Colonies, on demand, the whole or such part of the cost of his  
passage to the Dependency as the Government thereof, or the Secretary of State shall direct.

**Witness** our hands the day and year above written

SIGNED by the said

in the presence of:—

Of the  
Witness. { Signature.....  
          { Address.....  
          { Occupation.....

Sign here  
over a  
Sixpenny  
Stamp.

SIGNED by .....  
(on behalf of the Crown Agents for the Colonies as aforesaid) in the presence of:—

.....  
of the Office of the Crown Agents for the Colonies

C. O.

Mr. Flood. 18 3.35.

Mr. Addison 18

Mr. Jeffries. 19/3

Mr. Parkinson.

Sir G. Tomlinson

Sir C. Bottomley.

Sir J. Shuckburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

38067/35. Kenya.

Answered by N.O.H. on 25/2/35  
Downing Street.

25 March, 1935.

C. D.  
R 10 1A1  
D

Sir,

**DRAFT.**

KENYA.

NO. 220

GOVERNOR.

I have the honour to acknowledge the receipt of your despatch No. 107 of the 23rd February forwarding particulars of the terms of service for the vacant post of Proof Reader in the Government Press. The Crown Agents for the Colonies are being asked to endeavour to obtain a suitable candidate on the terms offered, with salary at the rate of £360, rising to £540, per annum.

2. I foresee, however, that there may be some difficulty in the satisfactory selection of a candidate since the man selected will naturally wish to have some definite terms of appointment in his possession before he leaves England.

FURTHER ACTION.

Copy to G.A. (3)

C. O.

Mr.  
Mr.  
Mr.

Mr. Parkinson.  
Sir G. Tomlinson  
Sir C. Bottomley.  
Sir J. Shuckburgh.  
Permt. U.S. of S.  
Parly. U.S. of S.  
Secretary of State.

**DRAFT.**

**FURTHER ACTION.**

I accordingly suggest that the Crown Agents should give him a formal letter (1) to the effect that he has been selected for service and on arriving in Kenya will be appointed by letter on a temporary basis for the period of twelve months, which period may be extended at the discretion of the Head of his Department: (2) That on the conclusion of twelve months' service he will become eligible for a permanent appointment in the local Civil Service and if so appointed will become subject to the regulations applicable from time to time to that Service: (3) That if his appointment is terminated otherwise than by dismissal while he is serving on a temporary basis, he will be provided with a free passage back to this country and will be granted a sum of £25 towards the cost of passages for his wife and family

if

if they are with him in the Colony, provided that these rights will lapse if not exercised within six months: That if his appointment is terminated otherwise than by dismissal he will if returning to England immediately release from duty, be granted leave with full salary for the period of voyage and for ten days in respect every completed period of three months resident service or for one month whichever is the greater: but that otherwise he would only be granted leave, if any, as is required to enable him to have one clear month on full after his release from duty.

3. The question has been raised by the Crown Agents whether <sup>he should</sup> he should sign a passage agreement in the usual form and I think it would be the most satisfactory course that he should be called upon to do so with the provis

the

that liability to refund the cost of his  
passage should only extend to twelve  
months.

4. There may be some difficulty  
in engaging a suitable candidate on the  
terms suggested, and I should be glad  
to learn whether you agree with the  
suggestions set out in the preceding  
paragraphs.

I have, etc.

(Sgd.) P. GUNLIFFE-LISTER.

AIR MAIL

KENYA

No. 107



GOVERNMENT HOUSE  
NAIROBI  
KENYA

RECEIVED  
-4 MAR 1935  
O. O. REGY

23<sup>rd</sup> February, 1935.

Sir,

With reference to your despatch No. 697 of the 28th August, 1934, on the subject of the filling of the vacancy for a Proof Reader in the Government Press, I have the honour to transmit a Memorandum giving particulars of the terms of service which can now be offered and I shall be glad if the Crown Agents can be asked to recruit a suitable candidate on the terms and on a scale of salary of £360-20-2460-20-2 per annum.

2. I shall be grateful for a telegraphic notification of the sailing date of the candidate chosen.

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

BRIGADIER-GENERAL,

G O V E R N O R.

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

No. 23096/34

Memorandum.

*Lyne (2)*

*Copy to C.A. 3*

*Copy of mem. to C.A. On 21/9/34*

ad

The officer selected will serve in a probationary capacity for one year and on arrival in the Colony will be issued with a letter of temporary appointment in the form of Appendix IV to Secretariat Circular No. 2 of 1935.

At the end of one year's satisfactory service the officer may be offered appointment to the permanent staff of the European Local Civil Service, when he will be required to contribute 5% of his salary to a Provident Fund and approximately the same percentage to a Widows' and Orphans' Pension Scheme.

Quarters.

No free quarters are provided. Should the officer occupy Government quarters he will be charged rent of 5% if his salary is £360 a year or less and 7½% if over £360 a year.

The officer selected will be granted a free first class passage to Mombasa Grade V British India Line or B.S. Union Castle Line.

Leave.

Vacation leave will be granted at the rate of 10 days for each completed 3 months of resident service. In addition 18 days local leave may be taken annually. This 18 days local leave may be added to the vacation leave in any year in which vacation leave is taken. All vacation leave will be inclusive of the periods of any voyages.

Passage.

The officer will be considered to have earned 25% of the cost of a passage for each year of resident service.

A family passage allowance of £25 is granted towards the cost of passage for a married officer's wife and/or family provided the officer himself is 30 years of age at the time the passage is taken.

Medical Attendance,  
Local Transport  
and Travelling.

Medical Attendance and Local Transport and Travelling will be as laid down from time to time in the Code of Regulations.

The officer may at any time after the expiration of 3 months' service determine his engagement on giving 3 months notice in writing or on paying to the Government one month's salary in lieu of notice and in either case repaying the cost of his passage to the Colony. He shall not in either case be entitled to a return passage to the place of engagement.