

1937

38291

C0533/484  
KENYA

38291

GERMAN MISSIONS PROPERTY

Previous				
	309	15/10	R. 309	✓
	M. Parkin	3/11	298	8/1
23178/34	M: Duncan	5/11/37	297	10/1
	<del>M. Parkin</del>		303	13/1
	298	9/11	299	15/1
Subsequent	297	12/11	297	19/1
	309	14/11	309	29/1
	M. Parkin	19	M. Parkin	21
	<del>M. Parkin</del>		M: Duncan	29/1/38
	M: Flor	22	M: Panni	3/11
R. 297	20/1/37			
R. 309	24/1	M: Duncan	30/1/37	297
R. Robert. Long	25/1	McElood	30	
M. Parkin	26/1	M: Duncan	30/1/37	
303	27/1	McElood		
299	6/2	M. Parkin	7/11	
297	10/2	M: Duncan		
150	10/2	R. 297	2/12	
R. 297	8/4	R. 299	21/12	
309	9/4	R. 297	23/12	
M. Parkin	-	R. 309	24/12	
14/4		M. Parkin	23	
17/4		M: Duncan	27/1/37	
19/4		M: Flor	29	
R. 309		S. C. Anthony	30	
R. 297	29/10			

Case

1. GOODMAN, BROWN & CO., SOLICITORS.....18.1.37.  
Reports completion of the Deed of Transfer, in respect of the Malanga Station, which is in the hands of their agent in Kenya, stamped and accepted for registration as seen as the German Missions (Revesting) Order, 1924 shall come into operation and states that they would be glad if the Gov. could be asked to issue the necessary notice, in accordance with Clause 1 of the said Ordinance. Requests Governor be asked to notify their agent of the date upon which the Ordinance will become operative.

GERMAN MISSIONS.

NOMINAL (G)

Case No. 7  
23178/34

Section 2 of Ord'ce 48 of 1924 provides that the Ordinance shall operate as a complete release and discharge of the Trustees i.e. the Africa Island Division Trust Ltd.

See para 3 of No 5  
23178/24

We asked that the commencement of the Ord'ce should be deferred until such time as the deed of Transfer in respect of the Malanga Station has been executed. Messrs Goodman Brown & Co. now say that this has been done

? Send a copy of No 1 to Mr. Kenny  
Ref No 1 in 23178/34 & suggest that [if he is satisfied that the deed of Transfer has been duly executed] he will be doubtless anxious for the publication of a notice in the Gazette bringing Ord'ce 48 of 1924 into operation

X are we really concerned? Some people out for the Ordinance (the A. Island Division) if they are satisfied I don't think they are needed.

[Signature]

See Messrs Goodman Brown & Co. that a copy of their letter is being sent to the Hon. Sec. for Kenya for his consideration. [Signature]

See marginal into am.  
Othman's agree.

*[Signature]*  
23/11

*[Signature]*  
27/11  
at end

*[Signature]*  
19/4/37  
at end

*[Initials]*

7. GOODMAN, BROWN & CO. .... 19.10.37  
Details circumstances in which they request approval for their claims to  
revert to the position which obtained immediately prior to passing of Special  
Resolution in 1923 and state that, if necessary, the writer would call at  
the Colonial Office to discuss the matter.

2 To Goodman, Brown & Co. - Land - 5.2.37.

DESTROYED UNDER STATUTE

3 To Kenya - 113 - (w/c 1) - Cons - 4/2/37

*[Handwritten marks]*

4. a/c Kenya - 156 - 8.4.37  
States that notice bringing into force the German  
Missions (Revesting) Ordinance, No. 48 of 1924 was  
published in Gazette of 16<sup>th</sup> February last.

? How copy from Goodman  
Brown Co as a Draft  
herewith.

*[Signature]*  
9/4

To Goodman, Brown & Co. (re: draft to file) 14 APR 1937

DESTROYED UNDER STATUTE

This letter is not free from obscurity. I would  
appear that the Trust deed referred to in the last  
line of para 2, and in para 3, is the deed whereby  
such hand-to-mouth arrangements as were made  
during or immediately after the war were regularised,  
in the particular case of Kenya, by putting all German  
Missions into trust. Later this method of dealing  
with German property was generalised under Art 438 of the  
Treaty of Versailles, which the provisions of which were  
implemented in Kenya by the German Missions  
Ordinance 1924. Under this Ordinance a new Trust  
Deed had to be made, which was done in 1926.

flagged  
flagged

The 'special resolutions' of the Africa Island Mission  
of March 1923 cannot be traced, unfortunately, as  
the papers for 1922 & 1923 are being bound. But  
it would seem that these resolutions were made  
in order to bring the constitution of the AIM into line  
with the 1924 Ordinance, the content of which was  
doubtless known already in 1923. That the resolutions  
had something to do with giving the SFS some control  
over the personnel of the Mission is limited in a  
minute of 1928 (flagged): but this is little more than  
a guess.

Whatever the resolutions dealt with, it seems safe  
(?) to tell Goodman Brown that these resolutions may now  
be cancelled, since all the business of the trust-formation  
of sometime German Missions has now been brought  
to an end, leaving no reason why the AIM should  
not be free to go its own way. Clocheville  
25/10

It is I think safe to assume that the additions to the Articles of Association, inserted as a result of the missing resolution of 1923, are those noted in No. 9 on X. 15093/28.

But for greater certainty it might be as well to reply, regretting that the 1923 copies are not at present available in this Dept., & ask them to send a copy of the Articles of Assocn, marking the provisions wh. it is now desired to repeal.

As we should  
certainly do this.  
A.D.

J. J. Paine  
3/21

I have "fd" the attached draft letter to the Company, as requested.

A. Duncan.

To Messrs Goodman Brown (Tansd) & Coy. - 9.11.37

9 Goodman Brown & Co \_\_\_\_\_ 11/11/37 4  
Transmits copy of Memo & Arts of Association of African Inland Mission Trust, indicates the alterations it is desired to make, & requests return of documents in due course.

The effect of the alterations in the Articles of Association of the ATM wh it is now desired to revoke were (a) to give the JofS control of the personnel of the Directorate (as had been supposed) and (b) to ensure that the Company remained British.

There wd seem to be no reason why the Company should not be submitted to official control any more than any other similar Company, & hence no reason why the revocation desired should not be permitted.

Dft accordingly for caution letter wh.

Clough White.  
12/11

J. J. Paine  
10/11/37

10. Now please see note above Draft.

Clough White.  
12/11

In the Reference in No. 7 to the amendments made in the Articles of Association by the Resolution of 1923, Messrs. Goodman Brown and Co. referred only to the fact that these amendments were such as to give the Secretary of State certain powers of control over the affairs of the African Inland Mission Trust Limited. From the copy of the Resolution supplied with No. 9, however, it will be seen that the amendments went much further and contained the stipulation that "The Company should at all times be and remain a British Company under British control registered in Great Britain or a

British

British Colony, and having its principal place of business within H.M. Dominions, the Chairman and Managing Director (if any) and a majority of the other Directors .... shall at all times be British subjects, and neither the Company nor its undertakings shall at any time be or become directly or indirectly controlled or managed by foreigners or any foreign corporation."

As the 1922/23 papers, which would have shown why this stipulation was made, are not available, and as I was quite unaware whether the African Inland Mission Trust had any other interests (apart from the Leipzig Luthern Mission), which might have made it desirable to retain this provision in the Articles of Association, I asked Mr. Costley White to go further into the matter, and he has produced the note attached.

It is not very conclusive, but, on the whole, I see no particular reason for retaining this stipulation.

J. Paskin  
19.11.1937.

[If this is agreed, no legal v. amiss, as I have not passed the file through Mr. Duncan.]

There is no other need to retain the British Control clause now. It was obviously put in when we were very suspicious of Germans.

J. G. Flood  
11/11

This is really a matter of policy for the Department to decide; but, as you have sent me the papers, will give you my views.

I should not think of complying with the request in Nos. 7 & 9, that the Company should revert to the position which obtained immediately prior to the passing of the Special Resolution of 1923 (copy now enclosed in No. 9), without (1) seeing a representation of the Solicitors and ascertaining the facts, and (2) examining our own 1922-23 papers (when these are available), in order to make sure that the proposal will not have any undesirable effect from our point of view.

30/11/37

A. Duncan.

Mr. Duncan

I am much obliged. Would you be willing to see one of the firm if we ask him to call? Mr. Brown has been here many times & would be ready to come I feel sure.

J. G. Flood  
30.11

Mr. Flood

Certainly. Perhaps Mr. Paskin and I could see Mr. Brown one day next week.

30/11/37

A. Duncan.

12. Goodman, Brown & Co. 17.12.37

Requests whole of Resolution to rescinded & gives reasons thereof: returns print of Memos & Articles of Association & of Special Resolution of 1923 requesting return thereof in due course.

27826/22  
30218/22  
1922 papers attached  
1923 still with Buder  
Jan 29/22

The 1922 pp was attached show why the provision was made that the A.M.T. Ltd should be British. In a note by Sir G. Burke (flagged) it is stated that because the Trustee is a Limited Company it is necessary to insert provisions in the Cos Articles of Association giving the Sigs certain powers of control especially and enabling him to prevent the Trustee "from changing its constitution and character at will". Had the Trustee been a number of individuals not associated in a company different powers would have been taken by the Sigs to give a similar degree of control.

In the draft letter to the Conference of Missions Secretary under Sir G. Burke's (flagged) note there appears a draft clause for insertion in the Trustee's Article of Association, together with suggestions for other clauses, giving the Sigs the required controls. This draft clause is identical with clause (1) of the Special Resolution\* it is now desired to revoke.

\* copy now under (12)

In (12) it is stated that the A.M.T. is prepared to retain the provision that it shall remain British — & although it would be simpler were the provision revoked along with the others.

As we had have Mr Goodman Brown's assurance that the Amulungo Station is the only remaining station with which the A.M.T. has to do — see minute of 29/12 and as we now know — from the 1922 pp — that the reason why British Control of the Company was insisted

\* but the Trust is to continue to exist.

7  
upon was in order to give the Sigs control over a trustee who had now ceased to exist, the A.M.T. ? may be informed that no objection will be raised to the revocation of his Special Resolutions of 1923.  
Clarke, White 23/12

My own view is that, now that this Trust is concerned only with the comparatively insignificant property which is being retained by the African & German missions, after the bulk of the German mission property has been handed back to the Sigs, there is no longer any reason to retain either the arrangements for control by the Sigs, or the stipulation that the Trust should remain a British concern.

It will be seen from 30218/22 that the stipulations made in this case follow those made in the case of the T.T. missions & the Commercial Trust. I assume that there is no necessity to embark on the very great amount of labour which would be involved in tracing whether any corresponding action has been taken in that case.

JJ Pasani  
23/12

12. Goodman, Brown & Co. 17.12.37

Requests which of Resolution be rescinded & give reasons thereof: returns print of Memo & Articles of Association & of Special Resolution of 1923 requesting return thereof in due course.

27826/12  
& 30218/12  
1922 papers attached  
1923 still with Burke  
Dec 29/12

The 1922 pp was attached & as why the provision was made that the A.M.F. Trust Ltd should be British. In a note by Sir G. Burke (flagged) it is stated that because the Trustee is a Limited Company it is necessary to insert provisions in the Co's Articles of Association giving the Sigs certain powers of control especially and enabling him to prevent the Trustee "from changing its constitution and character at will". Had the Trustee been a number of individuals not associated in a company different powers would have been taken by the Sigs to give a similar degree of control.

In the draft letter to the Conference of Missionary Societies under Sir G. Burke's (flagged) note there appears a draft clause for insertion in the Trustee's Articles of Association, together with suggestions for other clauses, giving the Sigs the required controls. This draft clause is identical with clause (1) of the Special Resolution\* it is now deemed to remain.

\* copy has been made (12)

In (12) it is stated that the A.M.F. is prepared to retain the provision that it shall remain British - & although it would be simpler were the provision removed along with the others.

As we now have Mr Goodman Brown's assurance that the Mulango Station is the only necessary station with which the A.M.F. has to do - see minutes of 26/12 and as we now know - from the 1922 pp - that the reason why British Control of the Company was insisted

\* had the Trustee  
to continue to  
exist.

upon was in order to give the Sigs control over a Trustee who has now ceased to exist, the A.M.F. may be informed that no objection will be raised to the restoration of his Special Resolutions of 1923.

Clotie White 23/12

My own view is that, now that this Trust is concerned only with the comparatively insignificant property which is being retained by the African Island Mission, after the bulk of the German mission property has been handed back to the Leipzig Mission, there is no longer any reason to retain either the arrangements for control of the Sigs, or the stipulation that the Trust be & remain a British concern.

It will be seen from 30218/22 that the stipulations made in this case follow those made in the case of the T.T. mission & the Communion Trust. I assume that there is no necessity to embark on the very great amount of labour which would be involved in tracing whether any corresponding action has been taken in that case.

JJ Parson  
23/12

We seem now to have got to the bottom of this.

I should prefer to retain the element of British control; but, in all the circumstances, and having regard to the ~~passage~~ marked X in No. 12, I do not want to press the point if the practice is no longer to insist upon such control.

29/12/37 A. Duncan.

The Commonwealth Trust is indeed an evil precedent to follow! All the mission assets former property of the Basel Trading Co. has now been returned to its owners - who however were not German but Swiss.

The action taken was due to the "never again" policy of the years 1919-22. In regard to missions that policy was very largely I fear, due to commercial jealousy of the Basel Mission Trading Society on the part of the British firms in West Africa and to Sir C. Huxley's erroneous idea that the Basel Society was German. I do not think it would be taken now.

The Malanga mission has been returned to the Lutheran Mission and there is no need to go on with British control.

So I agree to drop it - we can return the point ~~dead~~ etc as there is a copy in M1/54537/22.

J.P.O. Hood 29.12.

W.C.H. 30.12.37

to ascertain the stipulation that the Trust should be a company in British Company. A.D.

13 To Messrs Goodman Brown (London & Co.) - 8/1/38  
& Coy. red in orig.

14/1/38 for the draft (B)

1st Lt. Kenya 25 (7/6. 7, 8, 9, 12 + 13) - A/1. 14 JAN 1938

15 Messrs Goodman Brown & Co. 11.1.38  
Ltr (B) & encls copy of proposed Special Resolution to effect the rescission.

? Mr Duncan to see, & put by  
Clothing note 20/1

Batter ? see (? without comment)

J.P. Hood 21/1

Spec. I should think we might put by.

29/1/38 A. Duncan.

P.S. The dates seem to be rather curious!

In Nos. 7, 9, & enclosure to 15 they are firm as March 9 + 26 1923; whereas in Nos. 12, 13, & 15 the date is April 12 1923.

A.D.

I have noticed this apparent confusion of dates, but had satisfied myself that they all relate to the same resolution.

This can now be put by.

J.P. Hood 31/1



We seem now to have got to the bottom of this.

I should prefer to retain the element of British control; but, in all the circumstances, and having regard to the ~~paragraph~~ <sup>passage</sup> marked X in No. 12, I do not want to press the point if the practice is no longer to insist upon such control.

29/12/37 I. Duncan.

The Commonwealth Trust is indeed an evil precedent to follow! All the ~~misadventures~~ <sup>misadventures</sup> former property of the Basel Trading Co. has now been returned to its owners - who however were not German but Swiss.

The action taken was due to the "never again" policy of the years 1919-22. In regard to missions that policy was very largely, I fear, due to commercial jealousy of the Basel Mission Trading Society on the part of the British firms in West Africa and to Sir C. Hoare's erroneous idea that the Basel Society was German. I do not think it would be taken now.

The Malango mission has been returned to the Lutheran Mission and there is no need to go on with British control.

So I agree to drop it - we can return the ~~point~~ <sup>point</sup> etc as there is a copy in M1/54537/22.

J. P. O. Flood  
29.12.

55th  
30.12.37  
as above

13 To Messrs Goodman Brown (12 and 1 encl) - 8.1.38  
& Coy. ret'd in orig.

1/10/38  
draft (B)

1st Lt. Kenya 25 (7, 8, 9, 12 + 13) A/1. 14 JAN 1938

15. Messrs Goodman Brown & Co.  
Acks (B) & encls copy of proposed Social Resolution to effect the rescission.

? Mr Duncan to see, & put by  
Closely while 20/1

Better? acc (? without comment)

J.P. O.  
21/1

See. I should think we might put by.

29/1/38 I. Duncan.

P.S. The dates seem to be rather curious!

In Nos. 7, 9, & enclosure to 15 they are firm as March 9 & 26 1923; whereas in Nos. 12, 13, & 15 the date is April 12 1923.

I. D.

I have noticed this apparent confusion of dates, but had satisfied myself that they all relate to the same resolution.

This can now be put by.

J.P. O.  
31/1 done

To obtain the stipulation that the Trust should be run as a British Company. A.D.

9  
15

GOODMAN, BROWN & Co.

SOLICITORS

ALAN W. BROWN

INCORPORATING

GOODMAN, SAUNDERS SQUIRES & CO  
THOMAS & HERRITT.

Telephone: HOLBORN 7406 (2 Lines)  
Telegrams: VIRSOMUS, HOLB. LONDON

RECEIVED  
12 JAN 1938  
C.O. REGY

30, JOHN STREET,

BEDFORD ROW,

LONDON, W.C.1.

11th January, 1938.

Your Ref. 38291/37

Dear Sir,

Africa Inland Mission Trust Limited  
Properties at Mulango, Kenya

We are obliged by your letter of the 8th instant informing us that no objection will be raised to the Special Resolution of the 12th April 1923, amending the Articles of Association of the Company, being rescinded.

For your information we have pleasure in enclosing a copy of the proposed Special Resolution to effect the rescission.

Yours faithfully,

*Goodman Brown & Co.*

The Under-Secretary of State,  
Colonial Office,  
London, S.W.1.

13  
N 194

The Companies Act 1929

NOTICE OF MEETING TO PASS  
SPECIAL RESOLUTION

(Pursuant to S.117.)

AFRICA INLAND MISSION TRUST  
LIMITED

NOTICE IS HEREBY GIVEN that an Extraordinary  
General Meeting of the above Company will be held at

on the                      day of                      1938 at  
in the                      noon for the purpose of considering, and,  
if thought fit, passing the following resolution as a  
Special Resolution, viz:-

"That the Special Resolution passed by the Company  
on the 9th day of March 1923 and confirmed by the  
Company on the 26th day of March 1923 effecting certain  
alterations in the Articles of Association be rescinded".

DATED this                      day of                      1938.

BY ORDER OF THE BOARD.

Secretary.

38241/37

13

G. O.

Mr. C. White 20/12  
Mr. Parkin 31/12 f.

O. D.  
R 31 DEC  
7/1

- Mr.
- Sir H. Moore.
- Sir G. Tomlinson.
- Sir C. Bottomley.
- Sir J. Shuckburgh.
- Parlt. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

*Gentlemen,*

8.1.38

I am etc. to ack. the receipt of your letter of the 17<sup>th</sup> of December concerning the Africa Inland Mission Trust Limited, and to inform you that no objection will be raised to the ~~revocation~~ <sup>re-issuance</sup> of the Special Resolution of 1923, amending the Articles of Association of the Company, being rescinded.

The documents enclosed in your letter are returned to you herewith in accordance with your request in the last para. of that letter.

I am etc.

(Signed) A. J. DAWE.

**DRAFT.**

Messrs Goodman Brown & Co.

*Copy to Kenya (P)*

2 copies to (12) in original

**FURTHER ACTION.**

Copies of 7, 8, 9,  
12, 13 this to  
Kenya of.

GOODMAN, BROWN & Co.

SOLICITORS

ALAN W. BROWN

INCORPORATING

GOODMAN, SAUNDERS, SQUIRES & CO.  
THOMAS & HERRITT

Telephone: HOLBORN 7486 (2 Lines)  
Telegrams: VIRBORUS, HOLB. LONDON.

RECEIVED

18 DEC 1937

C. O. REGY

30, JOHN STREET,

BEDFORD ROW,

LONDON, W.C.1.

17th December, 1937.

The Under Secretary of State,  
Colonial Office,  
Downing Street, S.W.1.

Sir, Africa Inland Mission Trust Limited  
(Your Ref: 38291/37.)

We have now had an opportunity of taking our clients' instructions upon the discussions which took place recently when we saw you at the Colonial Office.

We are instructed that there has never been any intention that this Company should be other than British, and if it will facilitate matters the directors are quite prepared for the Article 1(a) defining British Control to be retained, the other alterations and additions to the Articles, the subject matter of the said Resolution of the 12th April 1923, to be rescinded.

At the moment, upon a careful perusal of these other alterations, it seems to us that it may be somewhat difficult to retain Article 1(a) above referred to without reference being made to the subject of the British control in other Articles of the Company, and it would really be far simpler if the whole of the Resolution was rescinded.

We shall be glad if you will reconsider the matter in the light of this letter, and if the Secretary of State for the Colonies can see his way to this latter course being adopted our clients would be grateful. Alternatively, if for the reasons you gave us recently it is essential to retain the element of British control, if the matter is to be dealt with expeditiously, our clients will accept it, and upon receipt of your formal consent to the rescission of the remaining alterations comprised in the Resolution we will consider carefully the form of Resolution which must be proposed at the necessary Extraordinary General Meeting in order to carry out the proposal.

For your assistance we return the print of the Memorandum and Articles of Association and of the Special Resolution of 1923, which kindly arrange to return to us with your reply as we have no other copies available.

We are, Sir,  
Yours faithfully,

*Goodman & Co.*

*copy to Foreign Office  
and 13  
2 calls with*

12  
12

History of the African Inland Mission Trust Ltd

15

See slip above (a) 1920 African Inland Mission prepared to purchase the property of the Leipzig Evangelical Mission

" 1921 S.G.S. decide that such purchase was impossible

" 1921 First suggestion for a Trust.

and (a) 3221/3) 10 June 1922 A.I.M. Trust Limited incorporated

March 1923 Special Resolution altering the Articles of Association of the A.I.M.T. This is the resolution it is now desired to rescind. It was made at the request of the S.G.S., in order, presumably, to bring the A.I.M.T. into line with the

a 21353/24

German Mission Ordinance of Jan 1924, which was probably in draft at the time of the Special Resolutions, and which was passed in order to implement Article 438 of the Treaty of Versailles. That Act laid down that existing missions should continue to be used as missions under the control of S.G.S. of Trustees appointed by Govt. In the case of the Leipzig Mission this was done by the

in X15637/24

Trust Deed of 1926, which had been in draft for two years at the time it was made. Already in

(4) an X16082/26

November 1926 the suggestion was made that the 1924 Ordinance should be withdrawn. Its machinery had been found cumbersome and the view was beginning to be generally held that missionary property should be returned unconditionally to its original owners.

minutes of 24th Nov 26

(3) an X17093/28

The A.I.M.T. agreed that the Ordinance should be withdrawn, but wished not to return all the property of the Leipzig Mission to its original owners. It was desired to retain control of the Mulungu Station, & to keep the Trust in operation as a sort of "holding company".

① on X 1607/29

Discussion as to the procedure whereby the return of some but not all of the Leipzig Mission was to be effected was protracted, and was not accelerated by the Leipzig Mission's decision not to resume operations in EA. Instead it was deemed to enter into a friendly agreement with the A.M.T. over the disposal of the property. When by the

② on 1604/30

Ordinance of July 1931 The 1924 Ordinance was repealed it was thus still necessary to make provision for the revocation of the Trust Deed of 1926 and the red disposal of the property. In a

③ on X 17300/31

friendly Agreement of Feb. 1932 between the Leipzig Mission and the A.M.T. it was agreed that the Trust Deed should be terminated, all the property should revert to the Leipzig Mission, and the Mulango Station immediately sold back to the A.M.T. To effect this the

④ on 18080/32

Ordinance of 1934 was passed revoking the Trust Deed but providing that it should not take effect until a day determined by the Governor. This day was to be the day upon which the transfer of the Mulango Station by the Leipzig Mission to the A.M.T. was completed. Owing to the change of régime in Germany there was much delay over the transfer, and it was not till February 1937 that a proclamation was issued in the Gazette commencing the Trust Deed by bringing the 1934 Ordinance into effect.

⑤ on 23178/34

⑥ on -37

Close White.  
3/12

Mr Parkin

In discussion you raised several points, to which the following will help to give answers.

A. When does the AIM want to see the Articles of Association and not wish to see the Trust? See No. on X 150/2.

It is intended by the AIM to keep the Trust going as a holding company or the Mulango Station.

B. Does the AIM have dealings in its other ex-enemy stations in EA, the affairs of which might be affected by the action now intended?

I have been able to find no direct assurance to the effect that the Leipzig Evangelical Mission was the only ex-enemy mission which the AIM took over. But see a minute by Mr Seel dated 29.12.35 on XF 6082/26. There it is stated that,

While a Trust Deed was executed under the 1924 Ordinance in the case of the Leipzig Mission, this method of dealing with ex-enemy Missions was so cumbersome that it was deliberately not used in the case of the Neukirchen Mission. The Censor of that

minute is "once bitten twice shy", with the emphasis upon the "once": & this is contradicted by no reference to such when I have been able to find in the pp between 1924 & 1929. It is difficult, reading through the pp., not to receive a

a very strong impression that the ATM was exclusively concerned with the Leipzig Mission in EA. But this is no proof!

C. Does the ATM have dealings outside EA which might be affected by the action now proposed? Again I have

found no proof but (1) the form of Chart 15 written under B. above (2) its name (3) the fact that the Trust, we know, was formed to deal with the Leipzig mission <sup>(see slip above No 7 on X1503/29)</sup> and (4) absence of any reference to other concerns, especially in the note under the draft of No 8 on 10/3/29, would all lead to the belief that there was or never had been any dealings of the ATM with other extraneous projects.

No 4.  
D. ~~Chart 15~~ on X10226/27 shows that 10 years ago the SFS was ready to aid the abolition of the Trust in Colo. As the ATM want to keep the Trust going, for a perfectly sensible purpose, ~~for~~ the SFS had not, I think, be chary of seeing the Trust was from all quarters he may have over it. Although there is no proof positive that this Leipzig Mission is all with which the ATM Trust was concerned, it is, I feel, rather straining at a quail to

15  
demand complete assurance in the absence of any indication at all that the ATM has ever had more than one iron in the fire. The action of the ATM throughout has been completely straightforward, and, although complicated, quite understandable.

However, if it is deemed to make more certain about B & C above, there will be no difficulty in having a talk with the ATM's solicitors. But I should have thought that unnecessary, and that the draft may go forward.

Clive White.

17/11

(I have checked that the 1922-23 bp are at the binders, & available only with considerable delay)



GOODMAN, BROWN & Co.

SOLICITORS

ALAN W. BROWN

INCORPORATING

GOODMAN, BAUMANN, SQUIRES & CO

TAGHAR & HERRITT

Telephone: REGENT 7485 (2 Lines)  
Telegrams: VIRAGOUS, HOLB. LONDON.

30, JOHN STREET,  
BEDFORD ROW,  
LONDON, W.C.1.

RECEIVED  
NOV 11 1937  
G. O. REG

11th November, 1937.

The Under Secretary of State,  
Colonial Office, S.W.1.

Sir, Africa Inland Mission Trust Limited  
(Your Ref: 38291/37)

In reply to your letter of the 9th instant we have pleasure in sending you our copy of the Memorandum and Articles of Association of the Africa Inland Mission Trust Ltd., together with a copy of the Special Resolution passed on the 9th March 1923 and confirmed on the 26th March, by which the Company's Articles of Association were altered in compliance with a requirement of the Colonial Office.

The Company's desire now is to revoke the alterations in the Articles carried out by the special resolution above referred to.

We trust you will now be able to deal with the subject matter of our previous letter, and as the copies we send you are the only ones available at the present moment, we feel sure you will take care of them and return them to us ultimately. Possibly the records of your Department for 1923 will shortly be discovered.

We are, Sir,

Yours faithfully,

*Goodman*

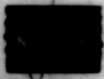
9.

8

*Copy to King's College*

*We did not see any copy*

*Delivered*



C. O.

Mr. Paskin 3/11/37

Mr. Duncan 5/10/37

Mr.

Sir H. Moore.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Perm. U.S. of S.

Parly. U.S. of S.

Secretary of State.

f.s.

And (9)

James R.S.

DOWNING STREET.

9. November, 1937.

DRAFT.

MESSRS. GOODMAN, BROWN  
AND COMPANY.

*Copy to King's*

Gentlemen,

With reference to your letter of the 19th of October in regard to the desire of the Africa Inland Mission Trust Ltd. that certain amendments should be made in the Articles of Association of the Trust, I am etc. to inform you that the records of this Department relating to the year 1923 are not at the moment available. I am accordingly to request you to furnish a copy of the Articles of Association, indicating the alterations which it is now desired to make.

I am, etc.

Signed J. E. W. FLOOD

FURTHER ACTION.

GOODMAN, BROWN & Co.

SOLICITORS

ALAN W. BROWN

INCORPORATING

GOODMAN, SAUNDERS SQUIRES & CO

THOMAS & HERRITT

Telephone: HOLBORN 7486 (2 Lines)

Telegram: VIRBOROL HOLS. LONDON

Checked by  
P.C.  
D. 27/10

27.10

RECEIVED  
20 OCT 1937  
C. O. REGY

30, JOHN STREET,

BEDFORD ROW,

LONDON, W.C.1.

18th October, 1937.

The Under Secretary of State,  
Colonial Office, S.W.1.

Sir,

Africa Inland Mission Trust Ltd.  
(Reference - 3111/37)

We would refer you to the earlier correspondence which has passed between us relative to this Trust, and you will doubtless remember that the intention to the effect to an agreement between the Africa Inland Mission Trust Ltd. and the Leipzig Lutheran Mission has now been passed in the form of an Ordinance, Kenya Ordinance No. 47, of 1934, entitled "German Missions (Revocation) Ordinance 1934" and brought into force early this year.

Following this the Leipzig Lutheran Mission Station has now been transferred by the Leipzig Lutheran Mission to our clients, and the Trust Deed of the <sup>30th</sup> 18th September 1923 made between the Secretary of State on the one part and the Africa Inland Mission Trust Ltd. of the other part has now been revoked in pursuance of the Ordinance above referred to, the purposes for which the Trust Deed was originally entered into having now ceased to exist.

We would also refer you to a Special Resolution of the Africa Inland Mission Trust Ltd. passed on the 14th March 1923 and confirmed on the 26th March 1923, by which the Articles of Association were altered in such a way as to give the Secretary of State certain powers of control over the affairs of the Africa Inland Mission Trust Ltd. The alteration was made in pursuance of the requirements of the Colonial Office as a result of the provisions of the Trust Deed above referred to, so that this Deed has been terminated our clients naturally desire to revert to the position which obtained immediately prior to the passing of the Special Resolution in 1923, and we shall be glad to have an expression of approval of such a course being taken, and an indication of the requirements of the Colonial Office in the circumstances. If necessary the writer would be pleased to call to discuss the matter with your representative.

We are, Sir,  
Yours faithfully,

*Goodman Brown*

30  
Nov. 8. 37  
A. W. Brown

GOODMAN, BROWN & Co.

SOLICITORS

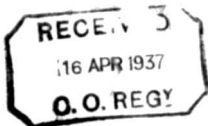
ALAN W. BROWN

INCORPORATING

GOODMAN, SAUNDERS SQUIRES & CO  
THOMAS & HERRITT

Telephone HOLLORN 7686 (3 LINES)  
Telegrams VIBSONUS, HOLB. LONDON

30, JOHN STREET,  
BEDFORD ROW,  
LONDON, W.C.1



15th April, 1937.

The Under Secretary of State,  
Colonial Office,  
S.W.1.

Dear Sir,

Africa Inland Mission Trust Ltd. and  
Leipzig Lutheran Mission. Land at  
Mulango. (Ref: 38291/37.)

5

We are obliged to you for your letter of yesterday's date enclosing a copy of the Supplement to the Official Gazette of the Colony of Kenya published on the 16th February last and containing a notice bringing into force Kenya Ordinance No.48 of 1934.

We are reporting to our clients, the Africa Inland Mission Trust Ltd. and anticipate communicating with you again shortly on certain questions which arise as a result of the coming into force of the Ordinance as affecting articles of the Trust.

Yours faithfully,

*Goodman*

KENYA.

No. 156



20  
4  
GOVERNMENT HOUSE,  
NAIROBI,  
KENYA.

RECEIVED

- 7 APR 1937

C. O. REGY

8 MARCH 1937.

Sir,

3.  
with reference to your despatch No. 113 of the 6th February concerning the legislation to give effect to the agreement between the Africa Inland Mission and the Leipzig Lutheran Mission relating to certain properties in Kenya, I have the honour to inform you that the necessary notice bringing into force the German Mission (Revesting) Ordinance, No. 48 of 1934, was published in the Gazette of the 16th February last, in consequence of representations made by Mr. Green, Advocate, of Eldoret, acting as the agent of Messrs. Goodman, Brown & Company.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

*Adm. Wade*

ACTING GOVERNOR.

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

3

C. O.

38291 / 3 Kenya

Mr. Whitehouse 2/2

Mr.

Mr.

Sir C. Parkinson.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

And (4)

SH

6 Feb., 1937.

Sir,

Reference is made by me to the

DRAFT.

Notes Kenya

no: 113

G.A.G.

14  
23/1/34  
Kya

despatch from Sir Philip Cunliffe -  
Rider (now Director General)

No. 125 of Noe 13th. of Feb., 1935,  
the Regulation to give effect to  
concerning the agreement

between the African Inland  
Mission & the Leipzig Lutheran  
Mission relating to certain  
properties in Kenya, I have etc.

to be to you, for your consideration,  
a copy of a further letter  
from Messrs. Goodman, Brown &

16.1.37  
(1)

2 Dfts.

FURTHER ACTION.

• By. From which you will see that the Decree of Transfer in respect of the Mulango Station has been completed.

2. I assume that you will now arrange for publication in the Gazette of a notice bringing into force the German Missions (Reversing) Ordinance, No. 48 of 1934.

I have etc..

(Signed) W. ORMSBY GORE.

GOODMAN, BROWN & Co.  
SOLICITORS.

ALAN W. BROWN  
INCORPORATING  
GOODMAN, BAUNDELL, SQUIRES & CO.  
THOMAS & MERRITT.

Telephone: HOLBORN 7408 (3 Lines)  
Telegrams: VIRREBUS, HOLB. LONDON

30, JOHN STREET,  
BEDFORD ROW,  
LONDON, W.C.1.

RECEIVED  
18 FEB 1937  
C.O.1

18th January, 1937.

The Under Secretary of State,  
Colonial Office,  
S.W.1.

RECEIVED  
20 JAN 1937  
C.O. REGY

Dear Sir, Reference 23178/34

Adverting to the previous correspondence between us, particularly to your letter to us of the 1st February 1935, we are pleased now to report the completion of the Deed of Transfer in respect of the Mulango Station. It has been executed by all parties concerned and is in the hands of our agent in Kenya, stamped and accepted for registration as soon as the German Missions (Revesting) Ordinance 1934 shall come into operation.

Accordingly we shall be glad if you will arrange for the Governor of Kenya to issue the necessary notice, in accordance with Clause 1 of the said Ordinance. It would be helpful and effect a saving of time if you could arrange for the Governor to notify our agent, Mr. Digby Green, Advocate and Solicitor, P.O.Box 14, Eldoret, Kenya Colony, of the date upon which the Ordinance will become operative.

Yours faithfully

*Goodman Brown*

And. - 2.  
Copy to Kenya - (3)

(2) av  
23/1/34

PC  
order  
2/1

22  
ad