

1938

38164

CO 533/494

38164

KENYA

Local Government

lands & Settlement Dept. Staff.

Registration Division

Previous	R297	4/8
	309	5/8
	Mr Grossmith	5/8
	Mr. Brown	9/8
	L. J. H. Hartley	4/8
	Mr. Parkin	1/8
	295	=
	297	/
1937		
38325/37 (Lands & Settlement)		
Subsequent		
	297	17/5
	Mr Grossmith	21/5
	Mr Lloyd	8/6
	Mr. Johnson	2
	Mr. Dawson	29/6
	Mr. G. T. Tinsley	29/4/18
	Sr. C. B. Stanley	25/6
	R. 300	4/7
	297	1/7
	309	14/7
	Mr. Brown	14/7
	R207	24/7
	309	30/7
	Mr. Parkin	1/8
	Mr. Grossmith	4/8

Local Govt
CI hands

1. Gov. depy. 91 Conf. ——— 9.5.38
Notes for early transfer of J.E. Gardin, hands &
Mines Dept, T.T., to fill new post of Registrar
of Titles & incl. pp. of parties.

See minutes re below No. 6
On 4.2.07/1/38 T.T.

A.S. [unclear]
31/5/38

The reply to the petition on 42034/8/38 could be as recommended by the O.A.G. in paragraph 5 of No. 1 on that file, but should be held up until a decision has been reached about the Kenya vacancy and can then refer to the offer of transfer to Mr. Jardin (if he is selected) and the promotion within Tanganyika of Mr. Willmatt and ask that Mr. Donaldson may be informed that he has been noted for transfer (this should be done) and will be considered whenever suitable openings occur.

X

noted
on 4.2.076/1/28
TT

J. G. D.
10.6.38

G. J. Jeppia
10/6

A. J. Dawe
11.6

E. J. Boyd
13/6/38

S. J. J.
13.6.38

W. J. D. 14.6.38
alone

2. To Gov. ^{TT} Tel No 100. Cny - ~~6/6/38~~ 18/6/38
(draft on 42034/1/38 TT)

3. O.A.G. Del 139. TT 21/6/38

DESTROYED UNDER STATUTE

Mr. Morris is better qualified and is recommended.

(PFO)

29117 P.A.

31218 P.A.

In reply to 2 the O.A.G. strongly recommends Mr. A. L. Morris for the post of Registrar of Titles, Kenya, in preference to Mr. J. E. Jardin.

The Governor "unhesitatingly" recommends Mr. Morris, but on a comparison of the confidential reports on their respective files it is a little difficult to understand the warmth of the recommendation. Mr. Morris is reported as being "shrewd, methodical, diligent, and polite in dealing with members of the public". Mr. Jardin is considered to possess a shrewd and accurate mind and was strongly recommended for this very appointment by the Land Officer as recently as November, 1937. It is, however, a little difficult to know what value should be attached to the reports when the same officers is variously reported on as being "dour" and "of a cheerful disposition". I think that account must be taken of the fact that in 1933 Mr. Morris forfeited two increments of salary on account of alcoholic excess. There has, however, been no subsequent lapse and against this we must perhaps set Mr. Jardin's period of ill health in 1930 when he was suffering from tuberculosis. Mr. Morris was first appointed to Tanganyika on 13/8/26 and Mr. Jardin on 8/6/28.

No doubt the O.A.G. considered the points mentioned above and in view of the strong terms of his telegram the appointment will

will presumably have to go to Mr. Morris. If that is so, then the answer to the petition on 42034/8/38 suggested in Mr. Lloyd's minute of 10/6/38 on ^{is 2034/40} this ^{some} file will need reconsideration and that file should be recirculated to him when present action is completed.

H. Cantwell
21.6.38

From Branch with no doubt consider the claims of Mr Morris, his father & Mr Coulson for the Kenya vacancy for 3P/644/1/38 Kenya. H. Cantwell 24/6

of the two T.T. candidates Mr Jardin can I think be eliminated in view of the Governor's recommendation, unless the fact that his appointment would mean a saving to Kenya - as he could start at a lower point in the salary scale than Mr Morris (Mr Jardin's salary is £462 (max + 20) & Mr Morris £600 - the salary of the Kenya post being £425 - 720) - can be allowed to sway the issue. But if Kenya's recommendation of Mr Jardin is not accepted it is a clear fixed bet between Mr Morris & Mr Coulson, and subject to his father's views as to his suitability I should regard Mr Coulson, Deputy Registrar, Rhodesia, as having the stronger claim, as he has ten years' more ^{total} service than Mr

what may and what may appear to be

Morris and six years more in his present post (£600). In his minute of 10 June he says expressed the view that as Mr Coulson had been mainly employed on the reorganisation of mining titles his experience might be too limited to fit him for the Kenya post; but he was stated on his 1935 Conf. Report to have a sound practical knowledge of the reorganisation of deeds & to be suitable for the post of Registrar of Deeds, having acted efficiently for over six months in an Acting Registrar of Lands & Deeds.

W.D. Hasman
28.6.38

I do not think that Mr. Coulson, who is described by both Mr. Mackenzie-Kennedy and Sir R. Storrs as essentially a clerical officer, would be as capable of performing the duties of this office (which are described in the enclosure to No.1) as would be either Mr. Morris, who is an Assistant Land Officer, or Mr. Jardin, who has acted in that capacity in Tanganyika.

It lies in my view between those two candidates, and since the Kenya Government may be reluctant to pay the initial salary (£650 per annum) which Mr. Morris would expect to receive if transferred, I think that the first step should be to telegraph to Sir R. Brooke-Popham with reference to No.1 on this file giving him the substance of No.3 and saying that unless he sees objection the Secretary of State proposes to offer the

appointment

appointment to Mr. Morris at £650 per annum as his present salary, which he has received since March, 1936, is £600 per annum. It might be added that Mr. Jardin is getting £480 per annum and if selected in preference to Mr. Morris would be offered the transfer at £500 per annum.

J.J. G. J
18.6.38

G.J. G. J
29/6

J.J. G. J
29/6

G.J. G. J
29.6.38

So far as I am concerned I may be desirable to indicate in detail that it was my intention to bring the name of Mr. Jardin into consideration.

W.D. Hasman
30.6.38

18/7
Cons
4.7.38
DESTROYED UNDER STATUTE

Copies of H. 6050
on 22/7/38 T.S.

Action on T.T. 44
must await
reply to 44

There is no reply yet to 44, and until then I do not think I can take any action on 42076/1/38 T.S.

W.D. Hasman
14.7.38
W.D. Hasman

Kenya Tel. III Conf. 26-7-38
Ref # - prefer Jardin for reasons set out in deep which follows.

We can only wait for the
dispatch.
The Dept should see
Clemens (1/2)
Clerke (1/2)

W. S. M. 11873
as once

6. Kenya Tel Conf. 21-1-38
Ref # 05. In cl letters giving qualifications of
A. S. Morris and sending app't of Mr Jardin.
Requests Mr Jardin be app'd as soon as
possible

Kenya shares info re Jardin
and in shares, 3/11/38, re the
app't to him.

W. S. M. 11873

There is a difference of opinion
between Tanganyika & Kenya. Tanganyika
considers Mr Morris as better qualified
than Mr Jardin for the Kenya
vacancy. Kenya prefers Mr Jardin
because of his legal training.
They have both had long experience
in the Lands Dept, Tanganyika,
but Mr Jardin has had 10 years
experience in a lawyer's
office as well. I can understand
Tanganyika's wish to retain
Mr Jardin - see Conf Report (1937)

On 3/11/38 but I think he
should have the Kenya appointment.

C. T. Somerville
P.F.

It was decided that the choice lay between
Jardin and Mr Morris - see Mr Lloyd's remarks of 28/6/38
on this file. Kenya's objection to Mr Morris seems to be
that he has had no legal training outside the experience
which he has gained in the Lands Dept of T.T., whereas
Mr Jardin has had nearly 20 years' experience of land
and legal work.

As Kenya definitely prefers Mr Jardin (and he would
save them money), he should be offered the post.

W. S. M. 11873

J. T. Somerville
11/8

W. S. M. 11873
as once

7. T.T. Conf. 31.8.38

JB Garden app'ts Registrar of Titles 31/8/38

381641/38

C. O.

Mr. *E. G. ... 157 f*

Mr.

Mr.

Sir H. Moore.

Sir G. Tomlinson.

Sir *...*ottomley.

Sir J. Shuckburgh.

Baron U.S. of S.

Baron U.S. of S.

Secretary of State.

21 Aug '38

in;

-2
DRAFT.
*...
...
...*

(2) These etc to refer to my
Confidential telegram
No. 100 of the 18th of June
regarding the qualifications
of Mr J. E. Gardin and
Mr A. L. Morris for
appointment as
Registrar of Titles in
the Registration Division
of the Department of
Local Government,
Lands and Settlements,
Kenya, and to invite

FURTHER ACTION.

Kindly reference to my
Staff despatch No 2021. of
May's date.

accy Staff
31215 EA.

2 Mr Munis does not appear
to have ^{had} any legal training
apart from the ~~experience~~
which he has gained during
his service in the Panchayat
Land Department. On the
other hand, Mr Jordin has had
nearly twenty years experience
of legal and land work and
registration of titles. In these
circumstances I have agreed
that the vacant Kanga
post should be offered to
Mr Jordin.

Shas. et.

KENYA

No. 141

RECEIVED

3 AUG 1938

COL. OFFICE



GOVERNMENT HOUSE
NAIROBI
KENYA

CONFIDENTIAL

27 July, 1938.

Sir,

No. 5.

With reference to Kenya Confidential telegram No. 111 of the 26th July regarding appointment to the vacant post of Registrar of Titles in the Registration Division of the Department of Local Government, Lands and Settlement, I have the honour to inform you that on receipt of your Confidential telegram No. 81 of the 4th July enquiries were addressed to the Government of the Tanganyika Territory as to the qualifications and experience of Mr. A. L. Morris, Assistant Land Officer, for the post. I enclose copies of the reply of that Administration and of a letter from the Acting Commissioner for Local Government, Lands and Settlement, in which he recommends that the appointment should be offered to Mr. Jardin.

In the circumstances therefore if no objection is seen I shall be glad if the offer can be made to Mr. Jardin as soon as possible.

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

R Brooke-Polham

AIR CHIEF MARSHAL,

G O V E R N O R.

THE RIGHT HONOURABLE

MALCOLM MACDONALD, M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON S.W.

KENYA

No. 141

RECEIVED

3 AUG 1938

COL. OFFICE



GOVERNMENT HOUSE
NAIROBI
KENYA

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In the circumstances therefore if no objection is seen I shall be glad if the offer can be made to Mr. Jardin as soon as possible.

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

R. Brookes-Popham

AIR CHIEF MARSHAL,

G O V E R N O R .

THE RIGHT HONOURABLE

MALCOLM MACDONALD, M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON S.W.

TANGANYIKA TERRITORY.

NO. 10705/339.

CONFIDENTIAL.

THE SECRETARIAT,

DAR ES SALAAM.

15th July, 1938.

Sir,

I am directed to refer to your confidential telegram No. 379 of the 12th of July and to inform you that the Director of Lands and Mines reports that Mr. A. L. Morris, Assistant Land Officer, who is under consideration for transfer on promotion as Registrar of Titles in your Colony, has been an Assistant Land Officer since March, 1928. He has acted on various occasions as Assistant Registrar General of Documents and is at present Assistant Registrar of Titles and a revenue authority. During the year 1937 Mr. Morris acted as First Assistant Land Officer.

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

sd. P. M. HUGGINS.

For ACTING CHIEF SECRETARY TO THE
GOVERNMENT.

THE HONOURABLE

THE CHIEF SECRETARY,

COLONY AND PROTECTORATE OF KENYA,

NAIROBI.

TANGANYIKA TERRITORY.

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Sir,
Your obedient servant,

sd. P. M. HUGGINS.

for ACTING CHIEF SECRETARY TO THE
GOVERNMENT.

THE HONOURABLE

THE CHIEF SECRETARY,

COLONY AND PROTECTORATE OF KENYA,

NAIROBI.

23rd July, 9.

~~CONFIDENTIAL~~

~~URGENT~~

MISC.72/18/1/71.

The Hon. Chief Secretary,
NAIROBI.

VACANCY FOR REGISTRAR OF TITLES.

Ref. Your Ltr. No. 10705/380 of 15th July '59.

It would appear that Mr. Morris and Mr. Jardin have been performing duties of a similar nature, although as the senior in grade the former would no doubt be undertaking greater responsibility.

3. The copy of Tanganyika Territory Confidential letter No. 10705/380 of the 15th instant, accompanying your above quoted memorandum, does not, however, refer to any outside legal experience which Mr. Morris may have had, and I, therefore, understand that he has had no legal training apart from the experience which he has gained during his service in the Tanganyika Land Department.

4. On the other hand, Mr. Jardin has had nearly twenty years experience of legal and land work, particularly of conveyancing and the investigation and registration of titles, and it is for this reason that I consider that he would be more suitable than Mr. Morris for the post of Registrar of Titles in this Colony.

5. I shall be glad, therefore, if a telegram may be sent to the Colonial Office to the effect that Mr. Jardin is preferred and that he be offered transfer at a commencing salary of £200 per annum.

C. E. MORTIMER

AG: COMMISSIONER FOR LOCAL GOVERNMENT,
LANDS AND SETTLEMENT.

draft on
42076/1/38.
H

Answer

←

TELEGRAM from the Secretary of State for the Colonies to the Officer Administering the Government of Tanganyika Territory.

(Sent 7 p.m., 18th June, 1938.)

No.100. Confidential.

Your telegram No.215 Confidential. Promotion of Willmot to be Accountant Township Authority approved.

Governor of Kenya has asked that arrangements may be made for transfer of Jordin to post of Registrar of Titles in that Colony. Please telegraph whether he or Morris (see your confidential despatch of 26th of April) is regarded as having better qualifications for the post.



CONFIDENTIAL.

9 May, 1938.

Sir,

I have the honour to invite your attention to the provision which exists under Head XVII, Item 36, of the 1938 Estimates for a new post of Registrar of Titles in the Registration Division of the Department of Local Government, Lands and Settlement, and I shall be glad if arrangements can be made for the transfer to the vacant post of Mr. J. E. Jardin, Lands and Mines Department, Tanganyika Territory, whose application for the appointment was forwarded under cover of your despatch staff Confidential (2) of the 11th January last.

2. I share the views of the Acting Commissioner for Local Government, Lands and Settlement that Mr. Jardin's qualifications are such as to make him a most suitable candidate for the vacancy.

3. I am satisfied that there is no one at present in the service of this Colony who can be recommended for the appointment in preference to Mr. Jardin and I shall be glad to receive your approval of my recommendation as soon as possible in order that arrangements can be made with the Governor of the Tanganyika Territory for the early transfer of Mr. Jardin.

4. In accordance with standing regulations I forward a form of particulars of the vacant office for record.

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

W. A. G. G.
GOVERNOR'S DEPUTY.

68 on 31218 60 (1)
(In line)

Form.

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

13
END

COLONY AND PROTECTORATE OF KENYA.

Particulars of the Office of
now vacant in the Colony of

Registrar of Titles
Kenya.

1. Duties of Office, and qualifications required for their performance.

Duties.

Drafting of Crown Leases and other documents relating to land - assessment of documents for stamp duty purposes and registration and investigation of titles deeds.

Qualifications.

Legal training and practical experience of conveyancing and land registry work.

2. Emoluments of Office.
(a) Pensionable.
(b) Non-pensionable.

£425 x 25 to £600 x 30 to £720.

Nil.

3. Allowances, quarters, and other circumstances affecting the value of the Office, including grant of free or assisted passages to the officer and his family on first appointment and on leave.

Quarters or House allowance. Latter payable at rate of 15% of initial salary with minimum of £50 for single officer and £75 p.a. if married.

Passages:- B4. passage by Union Castle Line and £40 family allowance from England, or half the cost of officer's passage from nearest port of embarkation.

4. Nature, number, and amount of securities required, and mode of giving them.

5. Acts, laws, or Ordinances, making provision respecting any of the above matters with reference to the sections in which such provision is made.

6. Whether house accommodation is available or readily procurable, whether furniture, etc., should be brought from England, and any other particulars of a like nature likely to be useful for the information of candidates.

House accommodation readily procurable.
Furniture not required to be brought.

7. Whether free medical attendance and medicines are provided.

Free medical attendance and medicines. Hospital fees payable according to salary scale.

8. Whether and, if so, what rates and taxes are payable.

Non-Native poll tax Sh.40/- per annum.
Income Tax in accordance with relative ordinance.
Widows' & Orphans' Pension Fund at prescribed rates.

5th May 1938.
Nairobi.

.....
Head of Department.