



pp. 22  
pp. 17/2

Mr. Paskin.

- I attach a further letter from Sir Thomas Moore, M.P., regarding the Dobbie estate in Kenya. Perhaps you would suggest the terms of the further reply which the S. of S. should send? - -

J. C. Gray  
16/2/38.

DESTROYED UNDER STATUTE

On the 3<sup>rd</sup> Nov last the Leg. Co. adopted a  
 motion authorising the Treasurer to advance  
 £15,000 for the settlement of this & one or two  
 other cases; & in his speech of the 3<sup>rd</sup> Dec. the  
 Gov. said that he had instructed the P.T. to  
 take the necessary action after consulting the  
 Investments Advisory Board, to secure it by suitable  
 securities - from cases. The Law  
 Dept. of course proposed to secure it then  
 settlement, but to withdraw the Gov. -  
 on the mortgages. As regards amount of  
 interest I understand that it is proposed to  
 scale down the rate to something like 3 1/2%.  
 It will obviously take time to work out  
 the details of the settlements to the point of  
 the various parties & it is not altogether  
 surprising that they have not yet been  
 able to do so. Nevertheless it is unduly  
 long after the public announcement of the  
 provision which was being made to deal with  
 them. There is clearly nothing further that  
 the S. of S. can say to Sir T. Moore without  
 reference to the Kenya, & I have it from  
 an informant that the S. of S. is "making

29159/1/37

16 2 38

"inquiries" can be regarded as covering an inquiry of the Gov. & that no further action will be sent.

It will be sufficient to write to the Gov. on the 17th.

J. Paskin  
7/2.

As we are referring to the Governor it will take some time and I think that Mr. Creasy would probably like Sir Thomas Moore to know what is being done. I annex the draft of a letter for his signature.

Approved

17.2.38.

To Sir T Moore (Kenya)

23.2.38

DESTROYED UNDER STATUTE

DESTROYED UNDER STATUTE

Kenya G.O. (P.C. 1)

24 FEB 1938

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Mr. Paskin.

I attach a further letter from Sir Thomas Moore, M.P., regarding the case of Mr. Lobbie's estate in Kenya. I imagine that the Secretary of State can hardly advise Mr. Lobbie's solicitors as to the course they should pursue in the circumstances indicated in their letter, but perhaps you would advise Mr. Ormsby Gore how he should reply to Sir Thomas Moore?

J. Creasy

9.2.38

It rather looks as though the Public Trustee in Kenya is attempting to "bounce" Mr. Dobbie into an acceptance of the offer of Mr. Cartwright to wind up this mortgage for a total payment of £3,200, in order to get this particular mortgage out of the way before putting forward proposals to Mr. Dobbie for the settlement of the remainder of his claim out of the £15,000 which was voted last November. Insofar as, under this proposal, Mr. Dobbie would receive, in respect of this particular mortgage, less than he would have received out of the £15,000 if Mr. Cartwright's £3,200 had not again become available, I do not think that it is a fair proposal. At the time when Mr. Dobbie was previously prepared to accept this offer (in order to make the best of a bad job) the

the Government of Kenya had not accepted the view of the Secretary of State that they were under a moral liability towards these minors, whose estates had been invested in agricultural mortgages in Kenya, and it seems to me to be unreasonable to ask Mr. Dobbie to accept this offer in the changed circumstances.

On the other hand, it should not be overlooked that the Secretary of State did not suggest that Kenya should make good ~~out~~ <sup>the whole of the</sup> losses, both in capital and in interest, suffered by these minors. In the case of Miss Bright-Williams, which was discussed at the meeting with Sir R. Pass (No. 1 on 38259/1/37), the total amount of the estate was approximately £7,800, exclusive of arrears of interest; and in that case it was suggested that Kenya should offer to settle for a round figure of £7,000. In the absence of any information as to the basis on which Kenya was contemplating a settlement with Mr. Dobbie it is difficult to be certain that ~~the total amount which they had been offered had exceeded what they were prepared to offer him more than £22,200 in respect of this particular mortgage;~~ though, seeing that this would represent a loss of £800 on his capital and the whole of his arrears of interest, it is, I think, reasonable to suppose that under a settlement of his whole estate out of the £15,000, he would do better in respect of this particular mortgage.

I am inclined, therefore to write to Kenya and reply to Colonel Moore as in drafts herewith.

J.P. Passon

14.3.38

M: Wallace

We have discussed, so I fear after thought you.

J.P. 15/3

We have been given the idea of stating Kenya regards as an equitable settlement or how the note of £15,000 was calculated. I have therefore altered the draft to imply that financial settlement is unfair, rather than the terms of the particular offer. O. B. 15/3/38

I have modified the dft. letter to Sir T. Moore as it seems undesirable to imply that the S. of S. could in any case advise an individual whether he should accept an offer made by the



Kenya Public Trustee

A. M. Dave

163

I have found it slightly altered the terms of the draft debenture - it looked a little like suggesting a leap for the ordinary.

Old 16.3

No. 16. loc. de L. Moore (w. 10. 1. 5) 7<sup>th</sup> March 38

13/6

No. 16 Kenya Prof. Com. 9/2. 17 JUN 1938

9. 16. Deputy No 149

States that proposals Article 3. 58. have been communicated to Mr Van Dewater and the Solicitor of the Dobbie and Miss Bright Williams (dup register SF. 1)

This still seems in question, though we must find SF. 1. that in the Bright Williams case, Kenya has adopted our suggestion to offer £7000 in settlement of Miss Bright Williams' claim of about £2000 capital + interest of interest. We can only await a reply to No 8

2. 16. 9.

CLTm  
A. M. Dave  
30.3

29/3

Re. to reply received to no 8 5

Crogray  
297

15/6/38

Remind LF

CLTm

CLTm

13.6

May 16 issue fl.

reply not used  
to date - 17/6

No. 16 Kenya Prof. Com. 9/2. 17 JUN 1938

11. Governor 152

14/38  
P/S; two copy of correspondence showing that settlement has been reached in matter of the Dobbie estate with above therein, and copies of correspondence between Public Trustee and the miners concerned.

This is good news. We already had heard that settlement had been reached in Miss Bright Williams' case, - was all the other cases have been settled too.

on 3025/1/18

Mr Dobbie's solicitors apparently agreed to the independent settlement of the Cartwright mortgage either before they had seen No. 7 or in deliberate contradiction to the advice in it. In either case it would seem that the Gov is absolutely right in letting the matter lie. The Gov's decision to ask

~~Mr Dobbie to take a transfer of the Clark-Davies mortgage may perhaps have seemed more than a "little disappointing" to Mr Dobbie - but he has accepted.~~

? write to Sir T. Moore saying  
we have now heard one question has  
been settled (sp for Mr Trafford Smith);  
& ask to Gov saying S.O.S. has been  
pleas'd to learn that all the cases  
have now been dealt with satisfactorily.

Christy White  
19/8

drafts ready for conon. h.

H. S. S. G.  
20.8.38

Smith 27/8

12 to D. Bl. S. T. Jones (in)

22.8.38

12 to H. S. S. G. (2) 11 Howard.

31.8.38

REPRODUCED UNDER STATUTE

38259/2/38

C. O.

Mr. Colby White 20/8

Mr. Sunrise 22/8

Mr. Trafford Smith 22/8/38

Sir H. Moore.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

Trafford Smith's sig

22nd

August 1938

Dear Sir Thomas Moore,

In Mr Macdonald's absence from London I have been asked to write to you with reference to Lord Harcourt's letter of the 10th of March about the estate of Mr Stephen Dobson.

A report has recently been received from the Genl of Henry's estate which will all the questions relating to the Mr Dobson's estate, including that of the Cartwright mortgage, have now been satisfactorily settled.

Yours sincerely,

(Signed) TRAFFORD SMITH

DRAFT for action

(7)

Lieutenant Colonel  
Sir Thomas Moore  
CBE, M.P.

House of Commons

On this matter as you wish to give to him

FURTHER ACTION.



CONFIDENTIAL

RECEIVED

18 AUG 1938

C. O. REGY

11 August, 1938.

Sir,

I have the honour to refer to the Confidential (2) despatch of the 24th March from Mr. Ormsby-Gore (now Lord Harlech) regarding the estate of Mr. Stephen Dobbie and to transmit copies of correspondence which has passed between the Public Trustee and Mr. Dobbie's Solicitors from which you will observe that a settlement of this matter has now been reached.

2. While I am inclined to agree that in all the circumstances it might have been preferable to have included the Cartwright mortgage in the general settlement, I consider that, having regard to the fact that Mr. Dobbie's solicitors, with a full knowledge of the facts, accepted the Public Trustee's offer several weeks subsequent to their letter to Sir Thomas Moore included in your despatch under reference, no useful purpose would now be served by reopening a matter which they now regard as closed.

3. With regard to the Clark-Dansie mortgage, the omission of which from the Public Trustee's offer is referred to in Messrs. Mackintosh and Bain's letter of the 14th March, although it is not quite accurate to say that this mortgage was entered into at Mr. Dobbie's specific request, it was agreed to by him

after

THE RIGHT HONOURABLE

MALCOLM MACDONALD, M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET,

LONDON, S.W. 1.

after he had attained his majority.

The security in this case is more than adequate to cover the outstanding balance of the principal sum loaned, and it would appear to be not unreasonable to require Mr. Dobbie to take a transfer of this mortgage.

4. With reference to the final paragraph of Lord Harlech's despatch, I enclose for your information copies of the correspondence which has passed between the Public Trustee and the other minors concerned, with the exception of Miss Bright-Williams, from which you will observe that a settlement has now been reached in every case.

5. You have already been informed of the settlement reached in the case of Miss Bright-Williams in my despatch No. 447 of the 5th August.

I have the honour to be,

Sir,

Your most obedient, humble servant,

*R Brooke - Dopham*

AIR CHIEF MARSHAL,  
GOVERNOR.



WITHOUT PREJUDICE

Messrs Mackintosh & Bain,  
Solicitors,  
42, Bank Street,  
Kilmarnock,  
SCOTLAND.

Gentlemen,

RE: S. E. DOBBIE - Trust Cause  
No. 1 of 1927.

I have the honour to refer you to my letter No. 4707/A/27 of the 16th October, and to inform you that as a result of a resolution passed by the Legislative Council an Investment Advisory Board, to advise and assist the Public Trustee regarding his investments, has been constituted. At a recent meeting of this Board it was agreed that I should offer to your client a sum of £5,150.15.51 in full and final settlement of principal and interest in respect of Mr. Dobbie's interests in Messrs Fletcher's, Harper's and Williamson's mortgages.

2. I shall be obliged by your letting me know as soon as possible whether your client is prepared to accept this sum which is purely *ex-gratis* and the Kenya Government does not admit liability in any way for the position of these mortgages. In the event of your client accepting the mortgages will be taken over by the Government of this country.

3. /

3. With regard to the second mortgage of £1,500 given by Messrs Clark & Densie, I have to inform you that as this was arranged at Mr. Dobbie's request after he had attained his majority the Board agreed that Mr. Dobbie should be asked to take transfer thereof forthwith and I shall be obliged by your sending me your client's formal approval regarding this.

4. Mr. Cartwright's mortgage is also not included in the proposed settlement as Mr. Dobbie had come to an agreement with Mr. Cartwright, at the time the position of his trust was referred to Government, as explained in my letter No. 4707/A/37 dated the 16th October, 1937.

5. In conclusion I would like to add that I have been instructed by the Hon'ble Colonial Secretary to this Government to communicate direct with you as Solicitors for Mr. S. E. Dobbie and this procedure has been confirmed by the Secretary of State.

I am, Gentlemen,  
Your obedient servant,

RGG/UDM.

PUBLIC TRUSTEE

The Public Trustee,  
Law Courts,  
P.O. Box 251,  
Nairobi,  
Kenya.

Dear Sir,

Re: S.E. Dobbie - Trust Cause No. 1 of 1927.

We had your letter of the 4th instant reporting that the Investment Advisory Board had instructed you to offer £5,156.15.5 in full settlement of the principal and interest in respect of our client's interest in Fletcher's, Harper's and Williamson's mortgages, and having had the opportunity of fully discussing the matter with Mr. Dobbie and his Aunt we have been authorised to accept the offer. We accordingly cabled you today in the subjoined terms. We shall be glad if you will arrange with all expedition for such steps being taken as will enable you to transmit the amount to this country.

Our client is a little disappointed that the Board has not agreed to take over the Clark & Densie £1500 also. It is hardly correct to say that the arrangement by which a payment was made in account of the principal sum on the footing that Mr. Dobbie should take a second mortgage of £1500 was made at Mr. Dobbie's request. The offer was one which was made to Mr. Kestings, and in his letter to us of 28th May 1956 reporting the offer, he stated that under the circumstances he thought Mr. Dobbie would be very well advised to accept the terms offered. We have all along stated that we were unable at this distance to give him advice as to the strength or weakness of the various mortgages in which Mr. Kestings had invested our client's funds, and have, when our opinion was asked, stated to the Public Trustee that Mr. Dobbie must be guided by him. Mr. Dobbie would have preferred to have had his whole monies transferred to this side but as it is a condition of the Board's offer that he should be asked to take a transfer of the £1500 mortgage we presume you will see to this being carried out. When this has been done, it would be obliging if you would hand the mortgage and other necessary papers in connection with the Clark & Densie investment to Messrs Dely & Figgis with the request that they should see to the uplifting of the interest and remitting to us, as we take it you will not be able to do this for Mr. Dobbie. Mr. F.S. Clark's Policy, which was also assigned to the Land Bank by way of additional security, should be of considerable importance, Mr. Clark now being 79 years of age. The Policy in 1956 amounted to slightly over £2000. The back interest on our client's loan to Clark up to 30/4/56 amounted to £450, and we shall be glad to have it confirmed that the £540 referred to in Mr. Kestings's letter to us of 28th May 1956 was charged to the extent of £250 in

in full settlement of these arrears of interest.

With regard to Cartwright's loan, Mr. Dobbie has instructed us to repeat his former acceptance of Cartwright's offer, and our cable of today also includes this. The acceptance is on the understanding, as embodied in our former correspondence, that the sum of £3,200 is remitted to us clear.

We are,

Yours truly,

(sgd) MACKINTOSH & BAIN.

Note referred to:-

Intestate, Nairobi. Dobbie accepts Beard's offer;

also £3200 clear Cartwright.

Legal

21st March, 1968.

H. F. Watkins, Esq.,  
P. O. Box 58,  
NAKURU

Sir,

RE: MISS F. B. WATKINS - TRUST CAUSE NO. 5  
OF 1957.

I have the honour to inform you that as a result of the resolution passed by Legislative Council an Investment Advisory Board to advise and assist the Public Trustee regarding his investments was constituted and at a recent meeting of this Board it was agreed that I should offer, on behalf of your daughter, a sum of £202,6.41 in full and final settlement in respect of principal and interest on account of your daughter's interest in Mr. Fletcher's mortgage.

I am writing to you as guardian asking you whether you will be prepared to agree to my accepting this sum and placing it on Fixed Deposit Receipt until such time as your daughter comes of age, and I shall be obliged by your letting me know as soon as possible whether you are prepared to agree to my accepting the amount offered which is purely ex-gratia and the Kenya Government does not admit liability in any way for the position of this mortgage.

Your early reply will be appreciated.

I am, Sir,  
Your obedient servant,

Sd. H. B. CUMMING

PUBLIC TRUSTEE



COPY.

13  
P. O. Box 58,  
NAKURU.

6th April, 1958.

The Public Trustee,  
NAIROBI.

RE: MISS F. B. WATKINS - TRUST CAUSE NO. 5 OF 1927.  
and your letter 1882/A/58 of 2nd inst.

Dear Sir,

I thank you for your letter and also for the Balance sheets.

I am afraid I have no alternative but to accept your offer of £202.6.41 in settlement of Fletcher's mortgage.

I agree that you place this money on Fixed Deposit until my daughter comes of age.

I should like your Committee to know how it came about that this money was invested in Fletcher's mortgage. When the money was left for me to invest as Trustee for my daughter and nephew. I wrote the Public Trustee suggesting that I invest it (as far as I can remember) in Rift Valley Sports Club debentures or K.P.A. or Creamery. All of which are flourishing and paying good dividends.

The Public Trustee replied that he could not accept them for such purposes and said if I sent him the money he would invest it.

This I did and got a reply that he had invested it at 7%.

Being the Public Trustee and thus acting for Government, I naturally did not ask for details. I felt sure Government would only invest in gilt edge stock.

I am glad my nephew came of age some years ago, and he, at any rate was able to get his in full.

Yours faithfully,

H. T. WATKINS.

5th May, 1968.

The Legal Guardian of Miss E. B. M. Klopper.

Sir/Madam,

RE: E. B. M. KLOPPER - TRUST CAUSE NO. 1 OF 1929.

I have the honour to inform you that as a result of the resolution passed by Legislative Council, an Investment Advisory Board to advise and assist the Public Trustee regarding his investments was constituted, and at a recent meeting of this Board it was agreed that I should offer on behalf of the above named minor £66,127ats (Shs. 1,521/27) in full and final settlement in respect of principal and interest on account of the minor's interest in Mr. Fletcher's mortgage.

2. I am writing to you as guardian asking you whether you will be prepared to agree to my accepting this sum and place it on either Fixed Deposit Receipt or purchase some Trustee stock until such time as the minor comes of age, and I shall be obliged by your letting me know as soon as possible whether you are prepared to agree to my accepting the amount offered which is purely ex-gratia and the Kenya Government does not admit liability in any way for the position of this mortgage.

3. Your early reply will be much appreciated.

I am, Sir/Madam,  
Your obedient servant,

Sd. W. B. CUMING

PUBLIC TRUSTEE

COPI.

To the Public Trustee.

P. O. TIMAU.  
Porth Kenya.

5th July, 1938.

Dear Sir,

Ref. to your letter dated 20th June, 1938.

I shall be very grateful if you will  
put the £36.15.27 (1,321/27) on fixed deposit  
or purchase her (Elizabeth Magadlene Klopper) some  
Trustee Stock.

Kindly do which you think to be to her  
best advantage.

Yours faithfully,

Mrs. A. M. Muller.

30th March,

8.

1857/A/38

R. D. Hamilton, Esq.,  
P. O. Box 502,  
NAIROBI.

Sir,

RE: HAMILTON TRUSTS.

I have the honour to inform you that as a result of the resolution passed by Legislative Council an Investment Advisory Board to advise and assist the Public Trustee regarding his investments was constituted and at a recent meeting of this Board it was agreed that I should offer on behalf of the above Trusts a sum of £1,500 in full and final settlement in respect of principal and interest on account of the above Trusts' interest in Mr. J. F. H. Harper's mortgage.

2. I am writing to you as guardian of Miss I. Hamilton, Master's D. M. and I. R. S. Hamilton, asking you whether you will be prepared to agree to my accepting this sum and placing it on either Fixed Deposit Receipt or purchase some Trustee Stock until such time as your children come of age, and I shall be obliged by your letting me know as soon as possible whether you are prepared to agree to my accepting the amount offered which is purely ex-gratia and the Kenya Government does not admit liability in any way for the position of this mortgage.

3. As the next meeting of the Board is to be held on Monday, 4th April, your reply before this date will be much appreciated.

I am, Sir,  
Your obedient servant,

(Sd.) W. B. CUMMING

PUBLIC TRUSTEE.

RGG/UDM.

COPY/

P. O. Box 302,  
NAIROBI.

8 Apr. 1936.

The Public Trustee,  
Law Courts,  
NAIROBI.

Dear Sir,

HAMILTON TRUSTS. YOUR NO. 1637A36.

In reply to your letter of 30th ult., and following upon my interview with your Mr. Green yesterday, I have to confirm my acceptance on behalf of my three children and Mrs. Lockhart of the sum of £1500 in full and final settlement of principal and interest invested for the above trust in Mr. J.F.H. Harper's Mortgage.

I am further agreeable that this sum should be placed either on fixed deposit or in some Trustee Stock.

As in the past, I shall be pleased if the interest due to Mrs. Lockhart could be sent to me annually in accordance with the authority lodged with you.

When effect has been given to the investments of the above funds, I should be glad if you would let me have just a memo of the amount invested on behalf of each of the above persons.

As advised, I am leaving this country permanently in July this year, and my address in future will be:-

c/o Messrs. Mackinlay & Co (London) Ltd.,  
21, Chiswell Street,  
LONDON - E.C.1.

Yours faithfully,

(3D.) R. DOUGLAS HAMILTON.



1416/A/58.

4th March, 1958.

WITHOUT PREJUDICE.

Mrs. M. F. van Deventer,  
Fern No. 5161,  
THOMSON'S FALLS.

Madan,

TRUST CASE NO. 4 OF 1925.

With reference to my letter No. 5295/A/37 of the 29th November, I have the honour to inform you that as a result of the resolution passed by the Legislative Council an Investment Advisory Board, to advise and assist the Public Trustee regarding his investments, was constituted and at a recent meeting of this Board it was agreed that I should offer you a sum of £500 in full and final settlement of principal and interest in respect of your interest in Mr. J. H. F. Harper's mortgage.

2. I shall be obliged by your letting me know as soon as possible whether you are prepared to accept this sum which is purely ex-gratis and the Kenya Government does not admit liability in any way for the position of this mortgage.

I am, Madam,  
Your obedient servant,

Sd. W. B. CUMMING.

PUBLIC TRUSTEE.

RGG/UDM.

COM.

Fern 5161/3

THOMSON'S FALLS.

16th March, 1958.

The Public Trustee,  
NAIROBI.

Dear Sir,

Your letter to hand No. 1416/A/38 of 4th  
March, '58 regarding the offer of £500 made by you.

I am accepting the offer. Will you kindly  
let me have this amount by cheque.

Yours faithfully,

Mrs. M. F. VAN Deventer.

KENYA  
No. 149



GOVERNMENT HOUSE  
NAIROBI  
KENYA

15 March, 1958.

Sir,

With reference to your despatch No. 96 of the 24th February transmitting a copy of a letter from Lieutenant-Colonel Sir Thomas Moore, C. B. E., M. P., regarding the estate of Mr. Stephen Dobbie, I have the honour to inform you that, with the approval of the Investment Advisory Board, proposals dated the 4th March have been communicated by the Public Trustee to Mrs. Van Deventer and the Solicitors of Mr. Dobbie and Miss Bright-Williams.

I have the honour to be,

Sir,

Your most obedient, humble servant,

*Arthur*  
GOVERNOR'S DEPUTY.

THE RIGHT HONOURABLE

W. ORMSBY-GORE, P. C., M. P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET,

LONDON, S. W. 1.

C. O.

- Mr. Panni 15/3/38
- Mr. Walker 15/3
- Mr. Dawn 16.3

Ans: 11  
54

Downing Street.

24. March, 1938.

Sir H. Moore.

Sir G. Tomlinson.

X Sir C. Bottomley. 16/3

Sir J. Shuckburgh.

Perm. U.S. of S.

Parly. U.S. of S.

Secretary of State.

Stamp: R 17 MAR 1938

Sir,

With reference to my despatch

(4) No.96 of the 24th of February, I have

the honour to transmit to you for your

consideration copies of further

correspondence with Lieutenant Colonel

Sir Thomas Moore, C.B.E., M.P., in

regard to the estate of Mr. Stephen Dobbie.

2. As I understand the position,

Mr. Dobbie has been again asked to

agree to a settlement in the case of

the Carterright mortgage, to which he

had previously assented, but which had

subsequently become impracticable. It

further appears that Mr. Dobbie has

been asked to assent to the settlement

of this particular matter as a separate

issue and not in relation to any

proposals for the settlement of his

claim as a whole.

**DRAFT.**

KENYA.

CONFIDENTIAL. (2)

GOV.

Fr. Col. Moore 15/3 (No. 5)

To Col. Moore

FURTHER ACTION.

If

3. If this is the case, I feel some doubt whether ~~it is a fair proposal to place before~~ <sup>as such a scheme would be</sup>

Mr. Dobbie. It is stated in the letter from Messrs. Mackintosh and Bain that Mr. Dobbie had agreed to accept £3,200 in October last in order to make what was understood to be the best of a bad investment, but this was before the Government of Kenya had, in effect, admitted its moral liability for the actions of the Public Trustee in these cases, by inviting the Legislative Council to agree to funds being made available in order to enable the Government <sup>to take over these mortgages</sup> on an equitable basis.

4. I assume that this <sup>again</sup> proposal has been placed before Mr. Dobbie with the intention that <sup>so that if he were willing</sup> in the event of <sup>his</sup> accepting it, <sup>in full settlement</sup> no payment in respect of this mortgage would be made from the funds voted by the Legislative Council. In my view

- G. O.
Mr.
Mr.
Mr.
Sir H. Mowbray
Sir G. Tomlinson
Sir C. Bottomley
Sir J. Shackburgh
Perm. U.S. of S.
Part. U.S. of S.
Secretary of State.

DRAFT.

FURTHER ACTION.

view however, the proper course for the Government to take, in the circumstances, which I have assumed, would be to deal with Mr. Dobbie's estate as a whole and to effect a settlement with him by payment to him of the aggregate amount which would have been paid if this offer of £3,200 from Mr. Cartwright in respect of this particular mortgage had not again been made. I request that I may be furnished, at an early date, with particulars of the proposals which the Government of Kenya has in mind to place before Mr. Dobbie and the other ~~minors~~ concerned for the taking over of their mortgages.

I have, etc.

(Signed) W. ORMSBY GORE.



FROM  
LIEUT.-COL SIR THOMAS MOORE,  
C.B.E., M.P.

49, ALBEMARLE STREET,  
W.1.

4th March, 1938.

Dear Ormsby-Gore,

Since writing you on February the 15th in regard to the case of my young Constituent Mr. Stephen Dobbie, I have received the further enclosed letter from his Solicitors which has put me in rather a difficult situation.

I really do not feel I am in a position to advise them in respect of the last paragraph of their letter as I have not the necessary knowledge of the conditions in Kenya to do so. I wonder, therefore, if you would be good enough to consider their request and to let me know what you think, in the interests of Mr. Dobbie, should be done.

I hesitate to put this burden on to you but I really can see no other way out.

Yours sincerely,

*Thomas Moore*

The Rt. Hon. W. Ormsby-Gore, M.P.  
The Colonial Office,  
Downing Street,  
S.W.1.

*Copy to ...*

MACKINTOSH AND BAIN.

42, BANK STREET,  
KILMARNOCK.

21st February, 1938.

Lieut- Colonel Sir Thomas Moore, C.B.E., M.P.,  
House of Commons,  
London.

Sir,

Re. Stephen E. Dobbie, Alloway.

In our letter to you of 1st November last we mentioned that one of the investments made by the Public Trustee was a loan of £4,000 to a man Cartwright. The rate of interest was 7%, and as no interest has been paid for a number of years it will be in arrear to the extent of over £2,000. The best terms which the Public Trustee could get for a settlement was a suggested payment by Cartwright through friends of £3,500 which Mr. Dobbie was advised to accept, but this offer fell through owing to Cartwright (who had in the meantime been made bankrupt) stipulating that certain assets which had been taken possession of by his Trustee should be returned. We understand that the Public Trustee then allowed the bankruptcy proceedings to go on but at what stage they are at present we have not been advised. At one point, we had, in order to make what was understood to be the best of a bad investment, agreed to accept £3,200 provided that sum was remitted in full to Mr. Dobbie, but, as we have stated, there has been no report to us since October last. To-day we have received a letter from Mr. Wm. B. Cumming, the Public Trustee, informing us that he has received a letter to the effect that Cartwright's Agents in Nairobi "have received instructions that a sum of £3,200 is now available "for payment to your client". He asks that we should let him know by cablegram whether we are to accept this

sum

24  
this sum in full settlement on behalf of Mr. Dobbie.

In the light of what you stated in your letter to us of 22nd November last we hesitate to do anything which might prejudice the position and be considered adverse to Mr. Dobbie's moral claim for re-stitution. Might we trouble you to say how in your opinion we should act.

Apologising for troubling you.

We are,

Yours truly,

(Signed) Mackintosh and  
Bain.

From  
LIEUT.-COL. SIR THOMAS MOORE,  
C.B.E., M.P.

49, ALBEMARLE STREET,  
W.1.

15th February, 1938.

Dear Ormsby-Gore,

38259/2 34

May I recall to your mind some correspondence we had in connection with an estate belonging to a Constituent of mine, Mr. Stephen Dobbie which was invested in land in Kenya by the Public Trustee of the Colony after his father's death.

38259/3/37

You wrote to me on the 18th November saying that you had learned within a few hours of writing that the Government of Kenya proposed taking steps to settle the claims of minors whose money was invested by the Kenya Public Trusts in agricultural land in the Colony, although you added that you had not, at that time, received any confirmation by way of despatch from the Government.

Now I have just received a letter from Mr. Dobbie who states that no further development regarding the settlement of his affairs in Kenya has taken place, although his agents have recently received a communication from the Public Trustee in which he enclosed a copy of his capital and income account. The Public Trustee, however, made no mention of any progress in the settlement of the outstanding capital account.

Mr. Dobbie is very concerned and indeed gravely anxious at his inability to further himself in his career through lack of this necessary capital. There seems to be no justification for the delay and I shall be glad if you will kindly take whatever steps are necessary to expedite a settlement.

Yours sincerely,

The Rt. Hon. W.G.A. Ormsby-Gore, M.P.,  
The Colonial Office,  
Downing Street,  
S.W.1.

*Thomas Moore*