

1925

KENYA

C. O.

-9279

26 FEB 25

FROM  
PRITTAIN, H. (PTE SECY  
FINANCIAL SECY TO  
TREASURY.)

Date  
23rd February 1925

Sd

For Cdr

Mr.  
Mr.  
Mr.  
Asst. U.S. of S.

SOLDIER SETTLEMENT FARM.  
LIEUT COMDR KERR & MR T. DUNCAN.

Fwds copy of corres submitted by Mr J.A. Wood respecting application for remission of purchase price.

Perm U.S. of S.  
Part U.S. of S.  
Secretary of State.

Previous Paper

MINUTES within

N. Jeffries

Put by

off 27.2.25  
at once

W.P.

Amnd 26 Feb 25 (200)

Subsequent Paper

~~Mr. B. G. J. G. J.~~  
~~Mr. B. G. J. G. J.~~

With reference to the attached papers, I think it is worth while pointing out that Major Dutton's letter to Mr. Duncan of 12/3/24 puts down the refusal to refund payments already made to a ruling of the S. D. S. In fact the proposal was made by the Governor himself that the Unionism of purchase price should not be retrospective, and so far as I know the S. D. S. has at no time expressed an opinion on the point.

(18308/p2)

I think however that it was inevitable that the Councilman should not be retrospective, & that in any case the matter could not be reopened now.

E. J. G. 25-2-25.

J. G. J. 25-2

9279

26 FEB 25

TREASURY CHAMBERS,  
WHITEHALL

23rd February 1925.

Dear Private Secretary,

Mr. Guinness would be grateful if Mr. Ormsby Gore could suggest a reply which he could send to the enclosed letter from Mr. J.H. Woods of Bury St. Edmunds.

Yours sincerely,

*Robert Montagu*

Private Secretary to the  
Hon. W.G. Ormsby Gore, M.P.

Copy.

Testock House,  
Bury St Edmunds.

20th February, 1925.

Dear Colonel Guinness,

I should be very much obliged if you could assist me to bring the enclosed case with reference to Soldier Settlement Farms in Kenya to the personal attention of Mr. Ormsby Gore.

I shall be up in London on 2nd March and should be glad to attend at the House of Commons any day that week after the 2nd if there should be a possibility of a few minutes interview with Mr. Ormsby Gore, or if this is asking too much, perhaps you could send the case to him so that it would be sure to receive his personal attention.

I have reason to believe that Mr. Ormsby Gore actually met Mr. Kerr when in Kenya but of course he can hardly be expected to remember all the people he interviewed out there.

Yours very truly,

signed J. A. H.

Letter from Lieut. Comdr Thomas Kerr, late R.N.  
to J. A. H. Wood.

Orange Valley,  
P.O. Hoey's Bridge,  
Kenya.

15th May, 1924.

"Briefly the facts are these. Tom Duncan drew a Soldier's Settler's farm. I went into partnership with him. To fix up the Partnership deed properly we needed the Title deeds. At that time it was necessary to pay half the purchase price of the farm to get the Title deeds. We paid. It has been decided since by the Government to remit Purchase on the S.S. Farms. We have asked for a refund of our half Purchase money amounting to £287. 10. 6. They refuse. It is all in T. J. Duncan's name. We are jolly hard up for the money and it seems quite wrong that fellows without working their farms have been allowed to sell getting their Title deeds free and yet this half purchase price is not refunded.

I enclose correspondence; included is a letter belonging to a neighbour (see 11) and he has lent it as it strengthens the case. There are quite a number of others in like case and if it can be righted it will do a good turn to a number of ex-soldiers who came to this land of promise".

Thomas Kerr retired as a Lieut. Comdr in 1920 having served throughout the War in command of Submarines. Since 1920 he has lived in Kenya on his farm except for periods of employment by the Government on salvage work at Dar es Salaam and Victoria Nyanza. He is married and has one child, a boy, aged 14. Tom Duncan, his brother-in-law is a South African who served throughout the War in German West Africa, France and Egypt, he is married and has one child, a girl, aged 3.

P.O. Box 139

Land Department,

Nairobi.

22nd October 1921.

In reply please quote No. K15803 and date.

Sir,

Re Ex-Soldier Settlement Scheme.

With reference to your letter of the 7th instant, I have to inform you that no alterations have been made in the Soldier Settlement Scheme conditions since the issue of Ordinance No 1 of 1919.

In the event of the necessary payments not being made the action taken by Government would of necessity depend on the circumstances of the case. Legally the farm would be liable to forfeiture for non-payments.

In the event of the purchase price being reduced after any payments have been made, the difference would be returnable.

I am, Sir,

Your obedient Servant,

Sgd R. Elliott.

for Ag. Commissioner of Lands.

O.R.A. rnell Esq.,  
Kura Farm,  
P.O. Hoey's Bridge.

SOLDIER SETTLEMENT SCHEME

Letter from the Land Department, Nairobi, dated 22nd October 1921.

P.O. Box 139  
Nairobi.

Dear Sir,

Reference is made to your letter of the 7th instant regarding the purchase price of the farm. The purchase price is not to be reduced after any payments have been made. In the event of the necessary payments not being made, the action taken by Government would depend on the circumstances of the case. Legally the farm would be liable to forfeiture for non-payments. In the event of the purchase price being reduced after any payments have been made, the difference would be returnable.

1924. 12th March  
 1924. 12th March  
 1924. 12th March  
 1924. 12th March

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1924. 12th March

I have the honour to acknowledge the receipt of your letter of the 23rd February which has been placed before His Excellency.

I am directed to inform you His Excellency has made inquiries into your case and many others of a similar nature. His Excellency has, however, owing to a ruling of the Secretary of State for the Colonies that remission of Purchase price cannot be retrospective, been unable to help in such cases.

I am therefore to convey to you His Excellency's regret that he is thus unable to accede to your request for remission of purchase price owing to this decision.

I have the honour to be Sir,  
 Your obedient Servant,  
 Sgt. E.A.T. Dutton,  
 Major  
 Private Secretary.

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1924. 12th March

1924. 12th March

1924. 12th March

1924. 12th March  
 1924. 12th March  
 1924. 12th March

Colony and Protectorate of Kenya.

No 2/1874/1924.

Government House,  
 Nairobi,  
 Kenya, East Africa.  
 12th March 1924.

Sir,

I have the honour to acknowledge the receipt of your letter of the 23rd February which has been placed before His Excellency.

I am directed to inform you His Excellency has made inquiries into your case and many others of a similar nature. His Excellency has, however, owing to a ruling of the Secretary of State for the Colonies that remission of Purchase price cannot be retrospective, been unable to help in such cases.

I am therefore to convey to you His Excellency's regret that he is thus unable to accede to your request for remission of purchase price owing to this decision.

I have the honour to be Sir,

Your obedient Servant,

Sgt. E.A.T. Dutton,  
 Major

Private Secretary.

T. G. Duncan Esq.,  
 Farm 243B,  
 P.O. Hoey's Bridge,  
 Trans Nyola.



Nairobi Club,

Kenya Colony.

5th May, 1924.

Dear Duncan,

After trying I find it is impossible to do anything in this matter. I have found also that there are several cases like yours - quite a lot in fact - and that two have gone to S of S with no result. I am very sorry but nothing that I can do will help.

Yours sincerely,

Sgt. . . . Coney.

Local Member of the  
Legislative Council.

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The Originals are in the possession of Mr. J.A.H. Wodd, Tostock House, Bury St Edmunds, Suffolk who will be glad to obtain any further information that may be required.

T.O. Duncan  
1833



R. Cairns

Mr. Jeffries 25/2/25

Mr. Bottomley 25.2.25

Mr. Gant

Mr. Shuckburgh

Sir G. Davis

Sir G. Grimle

Sir J. Masterton Smith

Mr. Ormsby-Gore

Mr. Amery

Q to for Mr. Gant's signature

DRAFT for correction

26 Feb 1925

Private Secretary to

Dear Britain

Financial Secretary to the Treasury

With reference to your note of the 23<sup>rd</sup> of Feb, Mr. Ormsby-Gore asks me to return to J. A. H. Wood's letter to Mr. Guinness, and to say that he fears that it would be of little use his seeing Mr Wood about the <sup>money paid by</sup> ~~sum of~~ <sup>of</sup> ~~his~~ <sup>letter</sup> -

Commander Kerr and Mr. Duncan, <sup>for their part in Kings</sup> ~~to which~~ <sup>the letter</sup> refers.

Cairns to be kept

It is undoubtedly agreed

from the point of view of the  
sufferer, that one person should  
have to pay while someone else  
who delayed payment should  
get off; but it has to be  
remembered that in remitting  
the rate of the Soldier Settlement  
farms the Govt. of Kenya made  
a very substantial sacrifice in  
order to enable those who simply  
could not pay for their farms  
to make good; and the financial  
position of the Colony would not  
have permitted of the sacrifice  
being increased by refunding the  
money which had already been  
paid in by those who were in  
a position to pay it.

~~It is proposed that the~~ I return the letter  
~~that was sent to you on 11th Nov 1952~~ from Nairobi to  
~~the Director of Settlements~~ The Director  
I return the letter  
from Nairobi to  
The Director  
I return the letter

Madam's Office

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S. Thomas Hospital

S.E.

should be grateful if you would  
kindly return testimonials sent - ten  
years ago - if possible before the  
holidays -

It would be a great help to me if  
you would kindly tell me whether  
any appointment as Madam of  
Team Training School. handie  
has been confirmed -

Yours faithfully  
Janet Bell