

1925

113

KENYA

C. O.
52637
24 NOV 25

FROM
LIVERPOOL UGANDA CO.

DATE
20th November 1925.

For CIRCULATION:—

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

Form U.S. of S
Part U.S. of S
Secretary of State.

CONSIGNMENT OF COTTON, LOST ON UGANDA RLY.

Relate circumstances in which Railway have failed to deliver 62 bales of cotton handed to them in April. Railway now seek to force acceptance of cotton of a different quality and mark. Request advice.

Previous Paper

✓

MINUTES

Mr Higgins called on Mr. Sandeman Allen. I was certain expansive we should expect this, not of thing.

It is my duty to say I would willingly also write to the following but that word "inefficiency" prevents it. It is entirely unfair.

Yours faithfully,

Letter handed to Mr. Higgins 24/11/25 - see minutes returned

20th Nov 25

ms. Higgins
Nov 25

Handwritten initials

Subsequent Paper

Mr. Higgins & Mr. Gray called on 2-25-05
[unclear] the reply to [unclear] already
prepared.

Mr. Higgins said he had not meant to be
oppressive - he thought we should be
have a policy as to compensation in such cases.
I said I did not know of a case of the kind -
that U.R. did not as a rule take things; & that
the legal position of the U.R. was no
doubt the same as that of a railway in this
country - which Mr. Higgins said was that
the Railway undertakes nothing except to
accept the freight charges.

I had just received a telegram
from the U.R. - rather incoherent but
implying that the votes were lodged in
a fine at Litcham in April (or May) -
expressing that they and other companies had
not been informed - and saying that
the matter had been fully explained to
the President of the Insurance Co.

Of course if destruction by fire can
be proved there is no more difficulty.
Apart from that, and ^{but} from the legal
standpoint, I said that the Railway's liability
must depend on the broad facts of the case
& the prospect of generously providing a
comp

one received
+ 3609/10/05
in SR have
in any station
L22J
27/4

rest of clothes from less respectable

people - that it could only be left in
Mr. G. H. H. hands, and that they should

secure a friendly decision with him on their
arrival if Mr. Preston had not settled the matter
by then.

I admitted that the S. G. was responsible
for the U. G. and a Reg. but only as a final
Court of Appeal.

London & Putney Wed. 26. 11. 25 at

10
11
12

THE LIVERPOOL UGANDA CO. Ltd.

3, LORD STREET

Head Office 3, LORD STREET

LIVERPOOL

22 Nov 1925

Dear Mr. Bottomley

Mr. Conry himself arrived
London tomorrow at 1.45 pm. & will
stay the night at Pounce's Hotel,
25 St. We will try to call on you at

THE LIVERPOOL UGANDA CO. Ltd.

Head Office: 3, 14 CHAPEL STREET
LORD STREET

LIVERPOOL.

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November 20th 1926.

Dear Mr. Bottomley,

You will perhaps remember meeting Mr. Coney and myself at the meeting we had with Mr. Grimsby-Sore on October 14th.

You very kindly told us to see you, or communicate with you if we had any difficulties.

We have still owing to us from the Uganda Railway 62 Bales of Cotton of which they took custody about March/April, and which they even now cannot make delivery. We heard from our agents, Messrs Smith Mackenzie & Co on the 22nd September that the Railway Company could find no trace of these 62 Bales, and in consequence we were obliged to buy back our Contract at the higher price than ruling, from our Buyer.

We have today received a cable from Mr Preston (who has ~~since~~ returned to Uganda) advising us that the Railway now intend to force us to take delivery of certain cottons, which they have left on their hands - the residue of the season.

This will of course involve us in a serious loss, as the market is now 3d per lb lower than it was when the Contract was cancelled.

At the end of a season, it is most unlikely that any cotton that we may get would be equal to that which is still to be delivered to us on the Waybill.

It seems to us most unfair that we should

THE LIVERPOOL UGANDA CO. Ltd.

14 CHAPEL STREET

Head Office: 3 LORD STREET

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LIVERPOOL,

W. W. HIGGIN
J. H. CONEY
A. HAINESLEY

-2-

Address
LIVERPOOL
158 BANK

be penalised for inefficiency on the part of the
Railway Company.

We should like your opinion and ^{advice} as to whether the
Railway Company should not pay our claim, and reimburse them-
selves by the sale of the Cottages, and whether we are compelled
to accept cotton of a different quality and mark to what we
delivered, after such a great length of time.

We hope to be in London about the middle of next
week, and if convenient, will call and have a talk to you, as
we intend going to Uganda, about the beginning of the New Year,

Yours sincerely,

W. W. Higgin

Mr. Bottomley,
Kenya & Uganda Office,
Colonial Office,
London.

Mr. [unclear] 52637
[unclear] [unclear]

C. D.
R 25 NOV 1925
D.

25 Nov. 1925

- Mr. Strachey. 26
- J. Shuckburgh.
- Davis.
- G. Grindle.
- J. Masterton Smith.
- Ormsby-Gore.
- Mr. Amery.

Dear Mr. Higgins,

I have your letter of the 10th of November, but I am afraid I cannot advise

you to take up the matter with the Ministry, with the General himself.

The information you give would not make the I. A. C. to intervene, and in any case it is essential that

people should exhaust their local remedy first. The question you put to me are strictly for a lawyer.

I am sure you will find me feeling sympathetic, but you will understand that if the traffic competition has brought him a large number

DRAFT.

W. Higgins Esq

If complaints be made to
go early in dealing with them.

As to "inefficiency", Mr. Felling &

his staff have been complimented

by the S. D. for their handling of

much
larger volume of traffic than

capable judges had estimated

and the Lyons Railway could

possibly carry.

Yours sincerely

W.S.S.