

1923

AFRICA  
APPOINTMENTS

C.O.  
34597  
11 JUL 23

GENERAL M. B. S. S.  
AGAM DAS

DATE

UNDATED

CIRCULATION :-

SUBJECT

TERMINATION OF APPT

Complains of and requests re-appt as M.O. of Asstt Surgeon.

*18/7*  
*Agam Das*  
*Boothman*  
U.S. of S.

U.S. of S.

U.S. of S.

Secretary of State.

Previous Paper

MINUTES

He has no information as to his engagement or its termination  
?ing to O.A.S. Kaya for report  
+ so upon work.

*13/7/23*

adding that he is at liberty to apply as in our letter of 10/10/21 for another post somewhere else but top. cannot say what prospects there are.

\* Plus anything M.S. Dept. can say as to Iraq.  
*Off. 14/7/23*

*copy comes before 1000 cont. 30/7/23*  
*13 NOV 1923 for 57936/23*  
*copy correct to C.O. 6 DEC 1923 L/56794/31*

Subsequent Paper

*57936*

H. H. H.  
[unclear]

I know of no vacancies in  
Iraq. but we might

? bring his application  
act  
to the [unclear] sending  
a copy of his letter and  
let him make an  
approach of the kind

would? be made locally.  
& applicant could be informed  
[unclear] [unclear]  
17723

The Iraq Mail Service  
has recently been or is  
about to be considerably  
reduced owing to financial  
stringency. Moreover any  
posts which may be  
available (& I know of none)  
should be filled by Iraqis  
or Englishmen - not by  
Indians. I don't think that  
we can hold out any  
prospect of a post in Iraq  
to his letter, nor do I

Think it necessary to

I should merely add, as  
to Iraq, that there are  
no prospects there.

John  
1917

It is for [unclear], as this is  
a good chance that the [unclear]  
[unclear] may be covered [unclear]  
or later they should see the  
draft.

[We must suspend judgment  
on the attachment, but it  
would seem that, apart from the  
fact that it is being [unclear], no  
signal agreement was a mistake -  
unless there was a [unclear]  
between it & his [unclear].]

Oct. 21.7.23 [unclear]

his friend

To

This:

*to*  
The Colonial Secretary.  
The Assistant Private Secretary,  
(Appointments)

220

Colonial Office,

London S.W.11

*220/111*

Sir,

Most respectfully I beg to submit the following few lines for your kind perusal and favourable action.

Following the directions given in your office letter dated 14th October, 1921 No: 511, I applied for the post of a Medical Officer or Civil Assst Surgeon to the Colonial Secretary, Kenya Colony. They instructed their Agents at Bombay to engage my services and I was engaged for a period of 3 years to start with.

Before that time I was very nicely employed in the Patna State as a Medical Officer of the Jail and the Military Hospital and that was a permanent job. I had to give it up in favour of the Kenya Colony, considering this offer as a permanent job in the long run.

I embarked from Bombay on the 12th of July, 1922; but on my disembarkation at Mombasa I learnt that the Principal Medical Officer had forgotten to cancel his letter for my engagement and that he no longer needed me on account of the financial straits of the Country being very bad then. I was kept almost for 4 months on different duties and after that I was served one month's notice of termination of services according to section 13 of the agreement, which in fact is only a safety-valve clause for the termination of services of any body making some mistake where yet not coming easily in the grip of law.

In all there were 8 Assst Surgeons and I was the only qualified one with them, all others being either promoted from Sub-Assst Surgeons or from mere compounders.

Out of eight, four were Christians <sup>(some Europeans)</sup> and four Indians. One Christian was to retire on account of his age and another wanted to leave by his own will; hence out of the remaining two Christians and four Indians, both the Christians and two Indians were kept and all of them with no qualifications.

P.T.O.

My qualifications ( M.B.B.S. registrable in United Kingdom) were the same as those of the Medical Officers there yet I was not drawing even half as much and was holding a subordinate post, but no regard was given to this fact.

Again my work was always to their fullest satisfaction and there was never a complaint against me as is obvious by the certificates by the Medical Officers and the Principle Medical Officer, the copies of which are attached herewith.

But simply because an Indian though holding similar degree as so many European Officers, was retracted out of sheer partiality even from the subordinate service, lest some day I may be making some requests for the post of an officer, whereas the half-European Asstt. Surgeons of the qualifications were being recommended for Medical Officers posts.

Considering the partiality of the head of the department and my sacrifice of the previous services, all this has come about, on account of the office mistake or not cancelling their orders, for which I do not stand responsible and yet I am the sufferer, I, for Justice sake request either to be paid atleast for full period for which agreement was signed or to be given the post of a Medical Officer or Asstt. Surgeon ( - Civil) in the same or some other Colony as Somaliland, Uganda, Tanganyika territory or Mesopotamia Civil or Railway.

In case this request of mine goes unacared for I will be compelled to have my voice heard through the Indian Press and the Government of India.

Hoping to be considered early and favourably I remain  
obliged.

I beg to remain,  
SIR,

Your most obedient servant,

*Harnam Das Luthra*  
-M.B.B.S.  
Bombay Bazar,  
Karachi.

Native Civil Hospital 223  
NAIROBI

Dear, 3rd 1922.

Mr H. D. Luthera was attached to this Hospital for five months. During this period I found his work satisfactory in every way. He has a good knowledge of Tropical diseases in addition to a sound knowledge of Medical and Surgical work. He is well up microscope work as regards the diagnosis of tropical diseases. His conduct was most satisfactory.

F.L. HENDERSON, B.A. (Contab.)  
M.R.C.S.(Eng.) L.R.C.P. (Lond)  
Senior Medical Officer,  
1/0  
Native Civil Hospital,  
and Ukamba Province.

MEMO

KENYA  
-0-

Native C.V. Hospital, Dept.  
4. XII. 1922.

Asst Surgeon H. D. Luthera M.B. was attached to this Hospital for five months. During the whole time he performed his duties to my entire satisfaction. He leaves owing to retrenchment, he, being the junior Assistant Surgeon, and through no fault of his own.

Sd. James Thomson.

P.O. Box No. 140.  
Telephone No. 420.

224

~~NO. 178~~  
MEDICAL DEPARTMENT,  
HEAD OFFICES,  
NAIROBI, 6th OCTOBER, 1922.

Sir,

As a result of retracements to be effected in the Medical Department, I regret to inform you that the post held by yourself has been abolished.

2. The Hon'ble Treasurer will be requested to book your passage to India at an early date.

3. In accordance with section 13 of your agreement you are entitled to one month's notice of termination which will expire on November 10th 1922.

I have the honour to be,

Sr.

Your obedient servant,

Sd/ John L. Gilke,

PRINCIPAL MEDICAL OFFICER.

To:-

Asst. Surgeon Harman Das Luthra,  
N.C. Hospital., Nairobi.

Thru'  
The Senior Medical Officer,  
N. C. Hospital,  
N a i r o b i.

*of*

M 3057/25

*RC*

DRAFT. *Kenya* no 1060

*only* ~~13~~ *amnd.*  
5/1936

30 July 42

MINUTE.

Mr. *Dec 25/7/25*

Mr. *Butterby*

Mr. *26/6*

Mr. Davis

Sir G. Grindle

Sir H. Road

Sir J. Macartain Smith

Mr. Ormsby-Gore

Director of Domestic

*copy to 20 DEC 1929*

*li*  
I have the li li.  
to you, for review, the  
encl. copy of corres<sup>nd</sup>  
with Mr. H. D. Luthers,  
relative to the remuneration  
of his appt. as an  
Asst. Surgeon in  
Kenya.

*2/11/25*  
*from Dublin*  
*(see encl)*  
*24/7/25*  
*22/11/25*  
*from Luthers 1/19/24*  
*(at his inst)*  
*to Luthers 16/1/24*  
*(app's paper)*

(2) should be glad  
to receive a full

C. D.  
R 26 JUL  
D 17

Downing Street,

30 July, 1923.

Sir,

I am etc. to acknowledge receipt of your undated letter ~~on the 26th July~~ regarding the termination of your engagement as an Assistant Surgeon in Kenya, and to inform you that the O.A.G. of Kenya is being asked for a report on the matter.

2. You are at liberty to apply for further employment in accordance with the advice given in the letter from this Dept. of the 14th/Oct. 1921;

but His Grace is unable to state what whenever any of the Government refuses to prospects ~~these are~~ of your being offered an appointment given further employment. As regards

(1) ~~if I am to add~~ Iraq, ~~I am to add~~ that there is no yet as regards employment possibility of employing you.

in Iraq, it is regretted that I ~~am etc.~~ there is no prospect of the Administration being able to meet you  
(Signed) H. J. READ  
wishes.

**DRAFT.**

H.D. LUTHERA ESQ. M.B., B.S.

MINUTE.

- Mr. Lowell 24.7.23.
- Mr. ~~Lawson~~ 25.7.23
- X Mr. Wood 25.7.23
- X Mr. ~~Wood~~ 26.7.23

- Sir G. Orindie.
- Sir H. Read.
- Sir J. Masterton Smith.
- Mr. Ormsby-Gore.
- Duke of Devonshire.

*copy to 20. 15 DEC 1923*

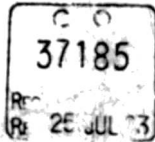
*Handwritten notes and signatures at bottom left.*



22  
O. Markus,

C/o Sir Henry Cooper Eggar,  
Winchester House,  
London, E.C.2.  
24th July 1923.

To the Under Secretary of State,  
Colonial Office,  
Downing Street,  
London, S.W.1.



Ref. 10734/1923  
The East African Trading Company.

Sir,

I beg to refer to my yesterdays call and to the interview which Mr. Dixon kindly granted me on that occasion.

463  
21  
Henry  
On the 3rd of January 1922 you wrote to Sir Henry Cooper Eggar as follows: 'As regards the liquidation of the firm's business in Kenya, Mr. Churchill is advised that the liquidation must continue, unless Messrs Ley and Markus are able to come to satisfactory arrangement with all their creditors. In that event there would probably be no difficulty in securing the discharge of the Liquidator'

After lengthy negotiations we succeeded to come to an arrangement with Messrs David Sassoon & Co. Ltd. and The National Bank of India. Ltd. as the result of which we concluded on the 14th of August 1922 an Agreement, of which a Copy is in your possession. In that Agreement it is stated, that the sums, which shall be paid by us to these two creditors, shall be accepted by them as in full satisfaction of the amounts or balances owing to them, and they shall release and discharge us and our estate and effects from all actions, claims and demands in respect of such amounts or balances and such release shall be binding and effectual.

351  
22  
Henry  
On the 31st August 1922 you informed Sir Henry Cooper Eggar that it is being suggested to the Governor of Kenya, that, unless he sees any objections, the Liquidator should be discharged.

354  
23  
On the 5th of March 1923 you wrote to Sir Henry, that according to a telegram received from the Governor of Kenya, the absolute discharge of the liquidator is being gazetted as from 31st December 1922.

This being so, we appointed by special Power of Attorney the Standard Bank of South Africa, Ltd. as our duly appointed Agents and gave them all the necessary informations and

respect to his reference to an alleged Power of Attorney, which was never issued by us in the Banks favour.

As however the Custodian apparently did hand over our property to the National Bank for management, there is certainly no reason, why he should not withdraw the management of that property from the National Bank, and since his discharge was gazetted on 7th March last, he is not only justified, but legally bound, to surrender such property to us or to our duly appointed Agents, The Standard Bank of South Africa, Ltd.

I therefore beg to request you to kindly send a cable to His Excellency, The Governor at Dar-es-Salaam, with the suggestion to instruct the Custodian to immediately withdraw without fail from the National Bank the management of our immovable property at Tanganyika and to hand it over to our duly appointed Agents, The Standard Bank of South Africa, Ltd. »

A cable reply from Dar-es-Salaam intimating the due performance of the suggestion, will be greatly appreciated.

I may be allowed to mention, that the quick settlement of this matter is of very great importance to ourselves, since we are going to send several of our own people out to East Africa in the course of next month and I shall be particularly grateful for your kind, prompt and effective attention.

Should you consider it necessary, I am prepared to defray the cost of the cable.

Incidentally I want to point out, that in the report No.22 of 10th January 1922 from the Governor at Dar-es-Salaam to the Colonial Office an amount of 23522 shillings is mentioned, plus a probable further sum of 4000 shillings, whereas the Custodian in his reply to the Superintendent of The Standard Bank of South Africa Ltd. states that he only holds shillings 1964/89. No intimation from the Custodian or Liquidator has been received as to this difference.

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

*Charles Hill.*

M. Kanga

27/05/22

Plans sent to S&S

C. D.
R 30 JUL
1922

~~for~~ Cashed serial 2200

231

6/11/22  
28/7/23

DRAFT.

To

Gov. Dhanabalan

Ans. 30/7/22 (2994/22)

Your leaf. 10<sup>th</sup> January

MINUTE.

19/9/23  
1922  
copy to Adam  
see to by WSP

Markus is informed  
in February 1922  
Custodian handed

Mr. Dixon 27<sup>th</sup> July

Mr. Bula 2<sup>nd</sup> August

Mr.

Mr. Davis.

Sir G. Grindle.

Sir H. Read.

Sir J. Masterton Smith.

Mr. Ormsby-Gore.

Duke of Devonshire.

over management of firms  
Tanganyika  
Territory to National  
Bank of India under  
old power of attorney on  
undertaking to protect  
interests of creditors  
Markus denies having  
used such power of  
attorney also undertakes

Low (see minute)

that Custodian ~~will~~ holds on his ~~part~~  
only shillings 1966. 89 ~~of which~~ your

last states amount realized shillings

23,352 with possible shillings 6000

to come. Telegraph as soon as possible

full report on fortions. As stated in

my last. 2<sup>nd</sup> September 1921. 667 fortions (4982)

in firm are Czechs. Slovaks see also

last paragraph my last. 24<sup>th</sup> January 1922 (6)

139. In the case under what authority

is Custodian continuing to deal with matter?

Sincer