

1923

KENYA

435

C O
36432

REC'D
23 JUL '23

Scott, Col
J.

DATE

18th July 1923

CIRCULATION -

Mr. *Bygones*
Mr.
Mr.
Asst. U.S. of S.
+ *Sci. Head 24/7/23*
Permt U.S. of S.
Part U.S. of S.
Secretary of State.

SUBJECT

Management of his farm

Complains of judgment in case of his charges against J. Campbell

Previous Paper

S
28493

MINUTES

I think *Mr. Hunter's* letter in 28493 gives us material for answering any Parliamentary criticism.

? Ach. not, I read copy of his letter to O.A.G. 15.

G.C.S.
23.7.23.

J.P.B.
24/7

H.J.R.
24/24/23

Mr. [unclear]
[unclear]

Subsequent Paper

40105
23

at once
20/7 25-2-23

Copy sent to [unclear] - 2 Aug 23

44 Mint Street,

Edinburgh. 436

18th July 1923.

His Grace.

The Duke of Devonshire,
Under Secretary of State,
Colonial Office.

London. S. W. 1.



Sir,

Reference your letter N^o ^S28493/B dated 25th June 1923.
~~111111~~

I received your letter of above number and date and must state that I am very greatly surprised at your reply to my letter of the 6th June, regarding the trial of John Erwin Campbell in Kenya Colony. You state that "you must accept the verdict of the jury and cannot carry the matter further". I on the other hand state that I shall never submit to such a most dishonest decision and flagrant miscarriage of justice. That dishonest verdict has only made me more determined than ever that I shall never cease taking action until justice is given me. Already my case is in the hands of a Member of Parliament, and I shall write to the Prime Minister asking him to bring my case up in Parliament. If necessary it will be taken to the House of Lords. I shall also write to King George asking his interfronce on my behalf. That dishonest decision now prevents me from having any further claim upon the £250 for which John Erwin Campbell

and the dishonoured cheque. It has been known for
some time that various persons have been favoured in
courts of Nairobi and the consequences are that
criminals of John Edwin Campbell's type are committing
crimes because they know that nothing can be done to
them. There is no deterrent action upon crime. Men
who have been wronged and lost much in money and
time are afraid to take action because they can
never depend upon justice being given them. Virtually
speaking there is neither Government nor Law in Kenya
Colony. Still it is those who have been wronged
who must have a voice and receive consideration
and justice. I am heavily taxed to support Govern-
ment Officials, I also pay to receive justice, John
Edwin Campbell does not pay to be a criminal.
I have spent over three thousand pounds sterling
to develop Kenya Colony. He has done his utmost
to ruin it, yet in every respect he is given the
most careful consideration and is encouraged in his life of

While I was in Egypt I learned that three
miscarriages of justice had taken place during the
premiership of the Late Lord Kitchener, two for
small sums, one for £40000. The cases were brought
to his notice, he caused an independent tribunal to
be formed to judge the cases. In every case the
judgment was reversed and the monies restored to
the rightful owners. On that and other accounts Lord
Kitchener was honoured and respected wherever he was.
On the other hand Kenya Colony is in a state of
corruption and if such miscarriages of justice be
allowed to continue, revolution must follow.

those who have been wronged and unjustly treated
cannot be expected to support the Government that has
treated them so. I only ask for justice, every man
has a right to it.

438

Previously to this case I trusted the British
Government and that of Kenya Colony absolutely,
and both have failed me in every respect. I am
being treated as if I were a great criminal which I
do not think I am. I have paid heavy taxes for over
twenty five years, given many years service voluntarily
in the Territorial force, was six and a half years
during the war, lost many thousands of pounds
in my practice, and now I suffer injustice and ruin.

If John Ervin Campbell commits similar crimes
hundred times he must be acquitted every time.
He has proved himself to be a great criminal, every
man in Kenya knows that and yet he receives the
encouragement of the Government. Had John Ervin
Campbell committed the same crime against Your Grace,
the Governor of Kenya Colony the judgment
would have been a just one. The crime of
uttering a dishonoured cheque is always a serious
one.

I again ask your Grace to see that
justice is given me.

I have the honour to be
Sir,

Your Obedient Servant.

James Scott

Lieut. Col. R.A.M.C.T.

36432/23 Kenya

433
C. D.
R 30 JUL
D

DRAFT. Amount
₹ 0,05

1st Aug.
July 1923

Scott M.D. re

MINUTE.

- Mr. Burt July 26
- Mr. Mackintosh
- Mr.
- Mr. Davis
- Sir G. Grindle
- Sir H. Read
- Sir J. Balfour Smith
- Mr. Ormsby-Gore
- Duke of Devonshire

copy to Mr. J. E. Campbell

I am re to act the rest
of your letter of the 18th of
July, relative to the
trial of ^{Mr.} J. E.
Campbell in Kenya.

Yours
(Signed) H. J. READ

7/36432/23
re: 6 only
m of 2/1

MINUTES

MINUTES NOT TO BE WRITTEN
ON THIS SIDE.

is the the union
differs a matter
to write.

Copy of letter to
B.C.A.G. work for
copyable by department

(ref)

31773

C 5
37574
27 JUL 1933

"The Cedars",
Abbey Park Road,

KENYA.

26th July, 1933.

Sir,

Referring to an interview I had a few days ago at the Colonial Office with Mr. Bettenley, I beg to bring the following before your notice and request your kind consideration of the matter.

Having considerable financial interests in Kenya Colony as owner of a coffee plantation on Farm known as Kasarimi, Kyambu, and also largely interested as shareholder in a limited company called The Nairobi Fibre & Produce Co. Ltd. registered in England, and the owner of another coffee plantation on Farm No. 10 286 situate on the Fortall Road, near Chania Bridge, Kenya Colony, I was in that country (then British East Africa) in 1919 and 1920, and in or about the month of December 1919 I, on behalf of myself and 5 ex-soldier settlers, formed a Syndicate, and as representing that Syndicate I attended a Government Sale of certain farms, and purchased by public auction the following farms :-

No. of Farm	Acres	Purchase Price. (in Rupees)	Deposit Paid. (in Rupees)	Amount of
1000.	4000.	70,000	7,000	1000/-
1001.	3700.	60,000	6,000	1000/-
1002.	3000.	50,000	5,000	1000/-
	10,700.	180,000	18,000	3000/-

In addition to the deposit paid we also paid certain rentals and survey fees.

The conditions of sale were, amongst other things, deposit of 10% payable on signing contract to the Auctioneer

Lami adjoining Farm 1000 at a Royalty of 50 cents per ton.

The Company's machinery consists of :-

- 100 H.P. Portable Steam Engine,
- 100 H.P. Steam Engine,
- Blows for Engines, Tanks and Suction,
- Spares for Engines purchased in England
- from Messrs. Lee & Jerrard,
- of the net cost of .. 24,125. 0. 2.

- Saw Benches,
- Shingle Machine, etc. purchased from
- The Lane Manufacturing Co.,
- New York, at the net cost of.. 1,115. 12. 2.

- Cupress Steam Pump,
- Hoisting and Pulley Block Benches,
- Portland Cement Cms.
- Low Capacity Machine.

and everything requisite for the most up-to-date milling plant, and the total cost expended plus freight, transport and erection and buildings was approximately .. £12,000. All the above machinery is erected and in full working order, but owing to the increased expense incurred through the standardization of the Rupee at 2/- whereby all salaries and wages were automatically increased by 50% and royalties by the same amount, and the remaining instalments of unpaid purchase money also increased to the like extent, and the consequent slump in trade throughout the country, the Company is unable to continue business under present conditions and disabilities, as the total expenditure incurred up to date is more than the total Issued Capital, the balance over the issued Capital and certain moneys advanced by me on debentures being owing to the Bank in Nairobi.

While visiting Nairobi again about the month of March, 1921, after the alteration of the coinage, I personally interviewed the Lami Office Authorities, also the then Governor General Northey, and explained

another set of people, and although the question of
 payment of compensation by the Government has been raised
 on various occasions, I am afraid no material good is
 likely to result in respect of this. Under all the
 circumstances, the Government might, I think, fairly
 and reasonably help this Company in the same way they
 came forward to the assistance of the Soldier Settlers
 who had taken the farms and who were affected by the
 exchange in exactly the same manner as this Company.
 In these cases, I understand, the purchase prices and rents
 were, in the first instance, reduced by one-third to
 make the prices consistent with the pre-currency basis,
 and this was, I understand, subsequently, so far as
 the purchase price is concerned, altogether waived and
 forgiven by the Government.

If the Government can see their way to assist
 in this respect, and to reduce the Royalty on Timber
 Concessions there is every prospect of the industry being
 continued, which must be for the good of the country
 and everyone concerned. On the other hand, if the
 Government insist on requiring payment of instalments,
 rents and Royalties at the same rate in shillings as in
 original Rupees, which is putting an additional burden of
 50% on the ^{original} Rupee values, there is nothing further to be
 said. The machinery and buildings which are fixed and
 built on the Farm practically in the midst of the Forest
 Concession and which are, I believe, generally admitted
 to be the most up-to-date and best equipped plant in
 the country, must be scrapped and sold for what they
 will realize, which will probably be not as much as 5%
 of the cost, or they must be allowed to lie there to rust
 and decay.

to... I am advised that a... of which I understand there is not one at the present time in the country, and the installation of... the cost of which would not be a tithe of that of the machinery already installed, can be introduced into the country with every prospect of success, but no business man could possibly consider putting up further capital into a concern where capital expenditure is such as to preclude the possibility of anything but loss resulting in the long-run.

I have provisionally booked a passage for Kenya by the "Elizabeth Castle" sailing 4th October next with a view of providing further capital if there is any prospect of the business being able to be carried on without loss and with a view to saving total wreckage of the Company and total loss of its capital already expended, and to provide employment for ex-soldier settlers and others.

quite apart from financial loss to myself and friends, with all deference, it appears to me to be a mistaken policy and a bad reputation for a new country that a business venture well and adequately equipped, should be closed down owing to impossible conditions created by the Government of the country.

If you wish for information as to my standing and bona fides all I can say is that I am an ordinary business man taking little interest in politics or political parties. I may or may not be remembered by Captain Guest with whom I was slightly in touch in November 1918 when he was Conservative Whip in the House of Commons. I am fairly well known to the

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in the country, and the installation of physical machinery,
the cost of which would not be a tithe of that of the
machinery already installed, can be introduced into the
country with every prospect of success, but no business
man could possibly consider putting up further capital
into a concern where capital expenditure is such as to
preclude the possibility of anything but loss resulting
in the long-run.

I have provisionally booked a passage for
Kenya by the "Thames" sailing 4th October next
with a view of providing further capital if there is any
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without loss and with a view to saving total wreckage
of the Company and total loss of its capital already
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November 1918 when he was Conservative Whip in the
house of Commons. I am fairly well known to the

I have the honor to acknowledge the receipt of your letter of the 14th inst. in relation to the proposed application for the extension of the charter of the Standard Bank of South Africa, Ltd. in connection with the proposed amalgamation of the Standard Bank of South Africa, Ltd. with the Standard Bank of South Africa, Ltd. and the Standard Bank of South Africa, Ltd. I have the honor to inform you that the Board of Directors of the Standard Bank of South Africa, Ltd. has considered the proposed application and has advised that it is not in a position to recommend the extension of the charter of the Standard Bank of South Africa, Ltd. in connection with the proposed amalgamation of the Standard Bank of South Africa, Ltd. with the Standard Bank of South Africa, Ltd. and the Standard Bank of South Africa, Ltd. I have the honor to inform you that the Board of Directors of the Standard Bank of South Africa, Ltd. has advised that it is not in a position to recommend the extension of the charter of the Standard Bank of South Africa, Ltd. in connection with the proposed amalgamation of the Standard Bank of South Africa, Ltd. with the Standard Bank of South Africa, Ltd. and the Standard Bank of South Africa, Ltd.

London Joint City & Midland Bank, London, also to the Standard Bank of South Africa, London. The latter are also well acquainted with my firm Store Bros, who are South African Merchants carrying on business in 48 St. Dunston St, Goswell Road, London, E.C. as Store Bros. (London) Ltd, in Johannesburg as Store Bros (Johannesburg) Ltd, in Kimberley as Store Bros (Kimberley) Ltd, in Veringsburg as Store Bros. (Veringsburg) Ltd, in Salisbury, Rhodesia, as Store Bros. (Salisbury) Ltd, and who have various interests throughout the Colony, Transvaal and Rhodesia. My firm, however, are not financially interested in any East African affairs.

If I could have any intimation as to the likelihood of this application receiving favourable consideration, or otherwise, it would be of great assistance to me, as if I know that nothing can be done I can by cable arrange for the Mills being closed down and assets sold for what can be realized without incurring the expense of the journey.

I am,
 Yours faithfully,



The Undersecretary of State,
 Colonial Office,
 Downing St,
 London, S.W.

London Joint City & Midland Bank, London, also to the
 Standard Bank of South Africa, London. The latter are
 also well acquainted with my firm Store Bros, who are
 South African Merchants carrying on business in 48 St. Sutton
 St, Cecil Road, London, E.C. as Store Bros. (London) Ltd,
 in Johannesburg as Store Bros (Johannesburg) Ltd, in
 Kimberley as Store Bros (Kimberley) Ltd, in Veringboomingen
 as Store Bros. (Veringboomingen) Ltd, in Salisbury, Rhodesia,
 as Store Bros. (Salisbury) Ltd, and who have various
 interests throughout the Colony, Transvaal and Rhodesia.
 My firm, however, are not financially interested in my
 East African affairs.

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 likelihood of this application receiving favourable
 consideration, or otherwise, it would be of great
 assistance to me, as if I know that nothing can be done
 I can by cable arrange for the Mills being closed down
 and assets sold for what can be realised without incurring
 the expense of the journey.

I am,
 Yours faithfully,

[Handwritten signature]

The Undersecretary of State,
 Colonial Office,
 Downing St,
 London, S.W.

S. 37574/23 Kenya

448
C. D.
R - 4 AUG.
D 8

DRAFT.

Ansul 55365

11 Aug 1923

1131

O. J.

Sir,

MINUTE.

I have to transmit

- Mr. *Brett Aug 3*
- Mr. *Bottomley*
- Mr. *3/8 p*
- Mr. Davis.
- Sir G. Grindle.
- Sir H. Read.
- Sir J. Masterton Smith.
- Mr. Ormsby-Gore.
- Duke of Devonshire.

to you, for your answer, a copy of course with all

and to help you.
C. Gore, ~~referring to~~

~~request for a reduction in the purchase price of certain farms in~~

26 July
9th Aug
(in hand draft)

2dfw

[Signature]

Kenya, ~~the~~ ~~inform~~ in
the crisis explained in
my letter.

I shall be glad
to receive ~~an~~ ~~early~~ ~~reply~~
at your early convenience for
despatch ~~containing~~ ~~the~~
recommendations in
regard to his request for
the ~~matter~~
respective with the purchase price
of certain farms in Kenya.
TC

(Signed) DEVONSHIRE

Kenya
37574/23

449

DRAFT.

Stone Esq

Amos
46,440
/s/

9 August 1923

MINUTE.

Mr. Bock Aug 3

Mr. Bottomley 3/5

Mr.

Mr. Davis.

Sir G. Grindle.

Sir H. Road.

Sir J. Masterton Smith.

Mr. Ormsby-Gore.

Duke of Devonshire.

copy sent 11/51 11 Aug 23

I am so to ack. the recd of
your letter of the 26th of
July & to inform you that
the Oaf of Kenya will
be consulted with regard
to your application for some
reduction in the purchase
price of certain farms

20/6

Kenya, ~~the~~ ~~information~~ in
the case explained in
my letter.

I shall be glad
to receive ~~an early~~ reply
at your early convenience for
for despatch ~~of the~~ ~~matter~~
recommendations in
regard to his request for
~~the~~ ~~matter~~
respective in the purchase price
of cotton farms in Kenya.
TC

(Signed) DEVONSHIRE

S 37574/23 Kenya

449

DRAFT.

Shore Esq

Amount
K 6,140

Sir,

ST

9 August 1923.

I am to ack. the recd of

your letter of the 26th of

July & to inform you that

The Oaf of Kenya will

be consulted with regard

to your application for some

reduction in the purchase

price of certain farms

MINUTE.

Mr. Burt Aug 3

Mr. Bottomley 3/5

Mr.

Mr. Davis.

Sir G. Grindie.

Sir H. Read.

Sir J. Masterton Smith.

Mr. Ormsby-Gore.

Duke of Devonshire.

copy for 11.51 " Aug 23

20/6

in Kenya, belonging to
a syndicate with which
you are connected. ~~but~~
I am convinced
that it will probably be to
that you should
show interest ~~to~~ await the

Governor's decision, postponing
proposed
my visit to the Colony
if necessary, as there may be

~~likely to be~~ various

difficulties in meeting you

with best

(Signed) H. J. READ

Jr