

1921

(AF)

KENYA

C O  
54972  
5 0V 21

FROM  
FOURTH

DATE

4TH DECEMBER 1921

SUBJECT

MESSRS GILLES & JOHNSON

COMPLAINT AS TO CUSTOMS DUTIES

Mr. [unclear] 14/11  
Mr. [unclear] 14/11  
Mr. [unclear]  
Mr. [unclear]  
Mr. [unclear]  
Mr. [unclear]  
Mr. [unclear]

Enclosed copy of letter from Messrs Gilles & Johnson  
to the Customs Authorities with a copy of the  
warrant of seizure of goods and a copy of the  
proceedings in the Court of Customs and Excise  
in which it is stated that the goods were taken for  
seizure under the provisions of the Customs Act  
of 1906.

INDEXED

*Handwritten signature*

*Handwritten notes:*  
The goods were taken to the  
Customs House at Mombasa  
on 14th Nov 1921. The  
goods were taken under  
the provisions of the  
Customs Act of 1906.  
The goods were taken  
under the provisions of  
the Customs Act of 1906.

*Handwritten notes:*  
Subject was the S. [unclear]  
which is a copy of the  
of the [unclear] to the [unclear]  
[unclear] and [unclear] [unclear]  
[unclear] [unclear] [unclear]

*Vertical handwritten note:*  
Am. case 16 [unclear]

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54972

that they cannot be  
 this way to say to  
 terms of the institution  
 carried to the far water  
 Knapton and then a  
 reports to the State of 31 May  
 1906 at the point  
 at the Ambassador  
 the time of the promotion  
 the time of the  
 called in that to be  
 a time and act  
 to be finished into a city  
 of the city and to the  
 the Ambassador to make  
 the city of the town.

may be sent to the  
 Governor

WRS

12.20.20

Supra.

Mr. Bostwick has  
 intentionally left out the  
 point as to the maximum  
 of 10% in its general  
 report. If the U.S.

object to an increase  
 of import duties beyond 10%  
 it will be an arbitrary  
 different point from the  
 one of the divisive income  
 proposed in the revenue  
 commission's report and will

It would be well to  
 commission the revenue  
 freedom to increase the  
 other names of the  
 and may be of the

any further communication  
No. H8162/182/60  
not to any person by name.  
The Director-General of the  
London, S.F.

C O  
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5 0V 21

Foreign Affairs presents his  
Secretary of State for  
the Colonies and a copy of the  
of the Secretary of State copy of the  
is glad to be advised what answer  
States Ambassador

Foreign Office,  
4 November 1921.

Reference to previous correspondence

Colonial Office letter No. H1010

Description of Enclosure

Name and Date

From  
The United  
States  
Ambassador  
No: 258  
31 October 1921

Director of  
New York  
appears should  
Joseph

No. 258.

LONDON, October 31, 1921.

My Lord:

I have the honour to refer to Your Lordship's note No. 1237/182/50 of October 18th regarding the complaint of the firm of Childs and Joseph against the British Customs Officials at Nairobi, and to say that I have taken note of Your Lordship's suggestion that Messrs. Childs and Joseph may have recourse to the legal remedy which is open to them. I would point out, however, that the dispute appears to have arisen out of a difference in the interpretation of the Customs law levying a ten per centum ad valorem duty which was, whenever practicable, payable in kind. According to information in my possession the shipment received at Mombasa was readily divisible and one-tenth was turned over to the Customs officials. The remainder was allowed to pass untraced. Some time after the goods were taken over by the importer, the Customs officials, finding that the sale of their tithes in kind brought less than ten per centum of the invoice valuation of the shipment, demanded a payment of a sum sufficient to make up the balance, under penalty of closing the port to further imports by the firm, which penalty has now been imposed.

Furthermore, I beg to draw Your Lordship's attention to the provision in the treaty of May 31, 1902, between the United States and Great Britain for a maximum duty of ten

Her Honourable  
the Marquess Curzon of Kedleston, K.G.  
Etc. etc. etc.

per

