

1855

Received of the Hon. Secy of the  
Treasury the sum of \$1000  
for the purchase of the  
land in the town of  
Hingham

and the sum of \$500  
for the purchase of the  
land in the town of  
Hingham

and the sum of \$500  
for the purchase of the  
land in the town of  
Hingham

and the sum of \$500  
for the purchase of the  
land in the town of  
Hingham

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for the purchase of the  
land in the town of  
Hingham

and the sum of \$500  
for the purchase of the  
land in the town of  
Hingham

rank is referred to in the General  
Manager's letter of the 15th March  
1907, a copy of which was enclosed

(3095/17)

in Sir F.J. Jackson's despatch  
No. 100 of the 15th March, 1907.

~~the universal custom of all steam-  
ships, and it is evident that this~~

*the chief  
Railway steamer for  
last year before  
to the rank of Officer  
I must point out the*

question should be more readily  
appreciated in the Colony than it  
can be here. After consulting  
the Superintendent of Marine, the

General Manager of the Railway  
decides that no useful purposes

~~would be served by preserving this  
condition~~

I shall have no objection  
to the abolition of this condition

~~from~~ D of the list of pensionable  
appointments.

the Company is... for...  
 ... than its... per ton  
 ... in (d) and... remove the need for...  
 ... Government will not agree to...  
 ... agricultural development rate based on the...  
 ... only being taken into consideration in assessing the...  
 ... now or at any future date. In regard to (g) and (h) the  
 General Manager points out that in view of the great expense  
 of maintaining... figures with  
 ... staff... the regular preparation of such  
 figures of which... was made on this railway in favour  
 of the South African...  
 given month from... to  
 to avoid increasing staff...  
 regularly simply to meet... such...  
 (Company's) Ltd.

should be worked...  
 was that separate...  
 from short...  
 borne by the Uganda Railway...  
 ... between... and...

... however separate accounts insisted...  
 ... Clause No. 29 acceptable provided refer...  
 abstract conform to amended form of estimate in your possession.  
 In that case (a) Company should make good losses on the branch  
 disclosed by the separate accounts and (b) Uganda Railway should  
 be defined as embracing... worked by the administration  
 whether they are in Ker... and. The setting off

losses against ultimate purchase... sufficient as in the  
 absence of soda industry Uganda Railway may not wish to recover  
 line at any time IV opening words for Clause No. 30 of the lease  
 require modification. The Company has not yet paid freight for  
 traffic carried immediately preceding the liquidation and in  
 future must provide bank guarantee in the same manner as other  
 consignors of traffic if freight etc. to be carried to ledger  
 account instead of paid for in advance.  
 It should be placed beyond doubt that the Company's Port  
 can be used only for Company's soda traffic as the Company  
 recently wished to undertake maize export, in competition with  
 Government pier. In view of the very substantial concession  
 offered by this Government it is considered that discussion on  
 the foregoing basis should be quite definite and final.

DECODE

of a telegram from the Governor of

Dated

192

Received in the Colonial Office at

303

accounts from hitherto separated  
 clearing arrangements between Kenya  
 Uganda lines, Lake, etc. if  
 however separate accounts insisted  
 then principle in Clause no. 29  
 acceptable provided references to  
 abstract conform to amended  
 form of estimate in your  
 possession. In that case (a)  
 Company should make good  
 losses on the branch disclosed  
 by the separate accounts and (b)  
 Uganda Railway should be defunct  
 as embracing all lines worked by the  
 administration whether they are in  
 Kenya or Uganda. The setting  
 off losses against ultimate funds  
 not sufficient as in the absence of  
 good industry Uganda Railway  
 may

10 10 10

POSTAGE WILL FOLLOW



CVT

*C. Frank Best*

Postmaster: 8¢-9¢ p.m.  
NY-8.55 a.m.

304

ALBUQUERQUE N.M. JUN 10 1964

*Chapel*

Class

1927

REINOC PUSYRHSUB ONZGHEURO SHYFOJGAS

YZSCAOS OYRTHNRES OBIZRATJOF MBOFEL JAS

4, 19070 085 - 192 200 ILMTHFEUC ONBVSJSA

SULYKTO I OJLNTSBO ANZHSNERZ

ABNAN ONVYDOGA BODUXELJTW ONAKILLOYT

ZODDGT OYHCELIJTS BRGXON RAN SEIYVCOHNN

IFSSU MUR-10EAD ANSWELAES IYNSYAGDTS

UZJUNRO OYRSTREND ONBVIKOGY SCOUXENRAT



12. Statement, if the circumstances warrant it, that the Applicant "has discharged his duties with diligence and fidelity, to the satisfaction of the Head Officer or Officers of the Department," to be signed by any two of such Head Officers, if there shall be more than one, or by such Head Officer, if there shall be but one, together with "such a report as will exhibit the merit, and value, and labour of the services of the Person whom headed, embracing as long a period of his public service as can be authentically stated," and observations as to Special Services, Suspension, Reprimand, &c., with full particulars of any injuries received on duty, or other claims or matters for consideration.

I have pleasure in certifying that Mr. Ali Mohamed Jagani 1st Grade Clerk of this Department has performed his duties with diligence and fidelity and has shown himself to be a capable intelligent clerk.

*M. A. M. van der Lede*

A U D I T

13. Computation, by the Treasurer, of the Pension, &c.—

I certify that the Pension which may be paid to the Applicant according to the Rules of the Colonial Service, amounts to Two thousand four hundred and ninety four shillings and ninety cents (Sh. 2494-80) a year.

and I base my Certificate on the following calculation:—

1st Appointment - 3rd April 1901  
of Retirement - 11th November 1923

	Years.	Months.	Days.
Actual service	21	7	22
Deduct period of leave, without pay.	0	2	22
<b>TOTAL</b>	<b>21</b>	<b>5</b>	<b>0</b>

Probable service - 22 years  
Annual salary and emoluments - Sh. 6804-00 a year  
Whereof 22/50ths - Sh. 2494-80 a year

THE TREASURER,

NAIROBI, 14th November 1923.

*K. M. M. van der Lede*  
For Treasurer.

The Colony and Protectorate of Kenya.

Instructions







295/23/24

332

Kenya.

DRAFT.

C. D.  
10/23  
11/24

DO NOT WRITE IN THESE SPACES  
11/24

Kenya

53

Sir,

NO. 47

I have the honor

Five Guineas  
MINUTE

to acknowledge the receipt of  
your despatch No. 2314 of the

Mr. Brew King  
Mr. Calder 10/1/24

6th of March 1924

Mr.  
Sir G. Lewis.

inform you that I am

Sir G. Grindle.

award of a pension

Sir H. Read.

of Shs: 504/-

Sir F. Masterion Smith.

Mr. Ormsby-Jones.

Duke of Devonshire.

Yours faithfully,  
Headmaster  
Sept. 1924  
(Signed) DEVONSHIRE



COLONIAL PENSIONS, &c.

PARTICULARS required to be furnished in reference to persons recommended for Superannuation, Compensation or Compassionate Allowances, or Gratuity, &c.

1. Name of Applicant: *[illegible]*

2. Office or Situation: *[illegible]*

Recommended for: *a pension*

3. Service in Years and Months: *15 years*

4. Salary or Wages: *(Average)*

5. Emoluments: *Average value*

Total amount of Salary and other emoluments which Superannuation claimed: *[illegible]*

6. Cause of retirement: *Ill - hc*

7. Dates of Commencement and Termination of their Emoluments, distinguishing from Allowances: *[illegible]*

Title of Appointment	Date of Commencement	Date of Termination	Amount
Clerk	1-1-19	30-9-19	2200
Senior Clerk (Sh. 1920 a year)	1-1-20	30-9-20	2200
Senior Clerk (Sh. 2380 a year)	1-1-21	30-9-21	2400
Senior Clerk (Sh. 2380 a year)	1-1-22	30-9-22	2640
Senior Clerk (Sh. 2380 a year)	1-1-23	30-9-23	2640
Senior Clerk (Sh. 2380 a year)	1-1-24	30-9-24	2640
Senior Clerk (Sh. 2380 a year)	1-1-25	31-3-16	2600
Senior Clerk (Sh. 2380 a year)	1-4-16	31-3-17	2800
Senior Clerk (Sh. 2380 a year)	1-4-17	31-3-18	3360
Senior Clerk (Sh. 2380 a year)	1-4-18	31-3-19	3540
Senior Clerk (Sh. 2380 a year)	1-4-19	31-3-20	3720
Senior Clerk (Sh. 2380 a year)	1-4-20	10-3-21	4320
Senior Clerk (Sh. 2380 a year)	11-12-20	12-12-21	4920
Senior Clerk (Sh. 2380 a year)	11-12-21	10-12-22	5280
Senior Clerk (Sh. 2380 a year)	11-12-22	17-6-23	5640



293

20th December, 1933.

My Lord Duke,

I have the honour to refer to your

Grace's despatch No. 1407 of the 21st of September last and to transmit a petition addressed to Your Grace by Mr. M. A. Monteiro, late IV Trade Clerk in the Coast Agent's Office. I greatly regret to state that this petition has been delayed by over six months and has been so informed.

2. Mr. Monteiro was one of the clerks retrenched in 1932 in the establishment of the Public Works Department in order to effect economy. In view of the heavy retrenchment in that Department, it was inevitable that hardship should be done to some of our clerks.

3. In considering his case it is given that the next vacancy of a clerk which occurs shall be offered to this clerk at a salary of £24 per annum with House Allowance and on two years probation. In view of the reports on the work of his Department to the effect that he is not all short, I should not feel justified in placing Mr. Monteiro on the permanent staff immediately. If his acceptance of a later recommendation for confirmation, it will be a matter for consideration whether the period between his resignation and re-engagement shall be considered as leave without pay.

4. The Regulations under the Superannuation Acts

Yours Grace

THE DUKE OF DEVONSHIRE, K.G., P.C., G.C.M.G., G.C.V.O.,  
SECRETARY OF STATE FOR THE COLONIES,  
DOWNING STREET, LONDON, S. W.,

letter No. 2966/17/35 of the 20th September 1922, conveying that my employment in the Government Coast Agency is to be terminated without undue delay and instructing me to state in reply by the 30th of September 1922, whether I wished to avail myself of a passage to India—a concession granted under the provisions of His Excellency's Circular No. 56 of the 10th March 1922.

As I had no other alternative but to comply with the arrangements of the higher authorities, I replied to His Excellency the Director of Public Works on the 29th September stating that I would avail myself of the passage to India but that I reserved to myself the right to appeal against the decision, as I felt that my case had been treated rather unjustly to me after 11 years service.

In this connection I beg to submit that my service was found efficient for the period of 11 years I had put in in the Department, as I was never refused the certificate of Fidelity and Diligence which is required according to the Colonial Regulations to draw the usual yearly increments. During my service I have worked under Messrs. D. D. Waller, H. C. Giles, H. Pickwood, J. H. Noon, A. E. Hoey, A. B. Palmer and A. H. Wilson as officers in charge of the Government Coast Agency and one and all have recorded their appreciation of my efficiency in the discharge of the duties entrusted to me.

On the 7th March 1923 I appealed to His Excellency the Governor and requested him that, taking into consideration that my service extended over 11 years, I may be reabsorbed in the service when a vacancy occurs, and proved by facts that the Public Works Department had saved retrenchment to their own Clerks at the cost of the sacrifice of the clerical staff of the Coast Agency over which Department they held supervisory

Jan 29/23  
298/23  
out

Kenya

O. D.  
R 21 JAN  
D N

348

DRAFT.

23 Jan 1923

S<sup>30</sup>  
Sir

Post Comm. Gen.  
MINUTE.

- Mr. Brew Jan 18
- Mr. Calder 19. (J)
- Mr.
- Sir C. Davis.
- Sir G. Girdle.
- Sir H. Wood.
- Sir J. Masterton Smith.
- Mr. Ormsby Gore.
- Duke of Devonshire.

I have to act the part  
of your deputy, NO 1775 of  
the C<sup>o</sup> of Secy, forwarding  
a petition from Mr. A.  
Monteiro, late IV Grade  
Clerk in the Coast Sports  
Office, for re-employment  
or, alternatively, for the  
grant of a pension.

I have to request that



sub-section 2 of Section 5. Therefore, subject to any contrary provisions in any other part of the Bill the governing effect of Sections 4 and 5 is that a person who is a prohibited immigrant under Section 5 cannot enter the Colony, and a person who is not a prohibited immigrant under Section 5 is entitled to enter the Colony.

Section 11... applying to an employer of a... subject to the proposed immigration... employees, and you will notice that the... effect of the... is to... the proposed employ... from the operation of clause (a) of Section 5. Therefore... this section does is to... with a certificate an immigrant... enter the Colony, although he comes normally under (a) of Section 5. It does not say that without a certificate he cannot come in if he does not come under Section 5.

Section 12 again only places restrictions upon people who have not got a certificate and are not prohibited immigrants under Section 5.

Section 13 deals with people who inform the authorities that it is their intention to carry on a trade. Now, to begin with, no immigrant need inform the authorities of anything of the sort. All they have got to say is if he is not a prohibited immigrant under Section 5 and they are entitled to enter. As a matter of fact, however, Section 13 in terms only applies to people who are not otherwise entitled to enter the Colony, that is to say, to people who are prohibited immigrants.

Preamble. The preamble is to give effect to clause 9, Part II, of the Control Paper, presented by His Majesty's Government to Parliament which states the principle that the admission into the Colony of immigrants of any race must be governed by the economic interests of the Natives.

Clause 3 (g). To permit of the free immigration between the territories named in the clause otherwise disqualified. The restrictions are fairly obvious as some of the territories are adjoining territories.

Clause 4. To provide machinery for the control of persons entering the Colony.

Clause 5 (1) (f). The words "or of any other description" added to widen the scope of the clause. It has been ruled that the words "or of any other description" be read ejusdem generis with the words "or of any other description" thus reports e.g. from the Department of another country.

Clause 5 (2). To give effect to the provisions of the Immigration Act 1925.

Clause 6. To give effect to the provisions of the Control Paper.

Clause 7. The object of the introduction of the words "involving moral turpitude" is to preclude a person from being excluded merely because he has been convicted of some minor offence.

Clause 8. It is necessary to make suitable provision for the detention of intending immigrants pending appeals and until it is ascertained whether there is a vacancy under clause 12.

Nairobi, December 22, 1924.

TELEGRAM TO PRIVATE SECRETARY TO THE GOVERNOR  
D. B. L. V. A.

Your telegram of 21st - New provisions of the  
Immigration and Employment Bill of importance are  
Clause 11 which contains the provisions of the  
Immigration and Employment Board which consists of the  
Immigration and Employment Officer and other  
members of the Board.

(1) Such Immigration and Employment Board shall be  
constituted of such persons as the Governor may think fit  
and shall include:-

(a) The Chief Native Commissioner or other officer  
of the Native Affairs Department representing the  
interests of the African natives of the Colony.

(b) A European who shall be a member of the  
Executive Council or of the Legislative Council.

(c) A Representative of the Italian Community.

Clauses 11 and 13 which provide that a Certificate  
shall be obtained by any person wishing to bring into the  
Colony a person to work as clerk, salesman, artisan or  
other employee from outside the Colony, such employer to  
satisfy the Immigration Officer that he cannot obtain in  
the Colony an employee suitable for the work. In the  
event of an immigrant arriving without a certificate he  
must satisfy Immigration Officer that he is secured of  
employment or that his services are necessary for economic  
requirements of the Colony, statement to be corroborated  
by prospective employer or Immigration Officer may  
satisfy himself that there is an opening for employment  
that it is in the interests of the African natives of  
the





1880/23/24

363

Downing Street,

January, 192

Sir, I have the honor to

acknowledge the receipt of your Confidential  
despatches No. 577 of the 14th Dec

and No. 583 of the 17th Dec, together  
also of your letter of the 14th

December 1920, and of your letter of  
January 1921.

The 12th January, in which I informed  
you that I considered it necessary to

take action with regard to the proposed  
Immigration Bill should be held over

until I had been able to communicate with  
you by despatch.

2. I enclose a copy of a memorandum  
which embodies the views of my Legal  
Adviser as to the failure of the Bill  
as drafted to carry out its object of  
adding to the categories of prohibited  
immigrants under the existing law.

This objection in my opinion

DRAFT.

*Amat*

Confidential (2)

Mr Coryndon.

MINUTE.

Mr. Bottomley 16.1.24

Mr.

Mr. Bamba (not available)

Sir G. Davis 17/1

Sir G. Grindle.

Sir H. Read 16/1/24

Sir J. Masterton Smith.

Mr. Ormsby-Gore at once 17.1.24

Duke of Devonshire.

25/1/24

minutes on  
63-25 indicated  
in pencil

Downing Street,

January, 1924

Sir,  
I have the honor to acknowledge

*Amol*

the receipt of your Confidential  
despatches No. 577 of the 11th Dec  
and No. 578 of the 12th Dec, 1923,  
also of your letter of the 11th Dec

**DRAFT.**

Confidential (2)  
Mr Coryndon.

December (No. 59) and of the 11th

**MINUTE.**

January, *How in*  
the 12th January, in which I informed  
you that I considered it necessary to  
take action with regard to the proposed  
Immigration Bill should be held to say  
what I had been able to communicate with  
you by despatch.

- Mr. Bottomley 16.1.24
- Mr. *Banks (not available)*
- Sir C. Davis 17/1
- Sir G. Grindle
- Sir H. Read 16/1/24
- Sir J. Masterton Smith
- Mr. Ormsby-Gore at once 17.1.24
- Duke of Devonshire

25/25

2. I enclose a copy of a memorandum  
which embodies the views of my Legal  
Advisers as to the failure of the Bill  
as drafted to carry out its object of  
adding to the categories of prohibited  
immigrants under the existing law.

This objection in my opinion

*See memo on  
63-23-24 discussed  
in pencil*

Ordinance would proceed would be a matter

for instructions by the Board, but that *shall*

is not in itself sufficient

entry of a particular immigrant

be decided by a Board of impartial

composition, and it seems to me

that the present proposals covering under

provisions for admitted immigrants

under the existing law, provision

will enable every case

to come before the Immigration Board

regards the right of an

exception has been taken to appeal

only to the Governor in Council, and

view of the tendency which exists to

suspect the Ordinance would in fact

administered on lines of racial discrimi-

tion, I think it desirable that you should

consider whether a rejected immigrant (not

prohibited under the existing law) should

not have the right of appeal to the Court.

7. In regard to Clause 13 of the

draft, it appears to me that the point which

I raised in my telegram of the 21st, namely

52184

that persons wishing to enter for the

purpose of agricultural occupations

should be indefinitely brought within

the Bill, have not been sufficiently

carried out by the new marginal note

(Trading and Earning Immigrants)

At the same time, it is to be understood

even if no definite provision is made

in the Ordinance, that persons visiting

the country for the purpose of

investigating the possibilities of

farm or other occupations (in particular

natives of India going to Kenya in

connection with the proposed Lowlands

settlement of Indians) are to be freely

admitted.

8. My attention has also been

drawn to the stringent provision in

Clause 15 as to penalties of an employer

in the event of the employee becoming

a prohibited immigrant. The clause

would appear to make it practically

impossible for anyone in Kenya to

engage a person from outside under

contract

*Course*

in the White Paper which will require

justification. I am not myself clear

as to what classes of persons would be

excluded under this further description

it would not equally be excluded as competing

with the natives,

native

...

id

9.