

1911

4539

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13 Feb 11

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Section
Date
1911
11 Feb
Last printed Paper

Death of R. D. Salata -
Assistant to High Court -
Reports with regret. Requests
authority for compassionate gratuity
amount - R 1500

Wt. Head

Certain difficulties arose with regard to
this

(1) A point of detail -

the only proposal to give a whole year
salary, i.e. R 500, but one of the conditions
laid down by the Treasury is that a
compassionate gratuity must not
exceed 6 months' salary of the deceased
officer, in this case R 750. In the
Secretary's case, with the help of the Govt.
the Prime Minister in exceptional circumstances
we have got a gratuity equal to the
year's salary, but it wd be very bad
policy to try for more than R 750
in this instance - as it wd be bound

over 500 may be
over 500

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40,000 11/10 A.B.W.

Next subsequent Paper

Leas
12126

to fact

(2) Another point of detail -

Sec 3 states that the ^{indian} children are in "somewhat restricted circumstances". Now since this type cords laid down that the applicant for a compensation must be "distressed" ^{to show his relatives} able to afford the help for which she ^{is} asking.

(3) A point of principle -

All these cords as to compensation ^{principles} applicable to natives at all ^{2. ~~cases we use~~ ~~those made~~ ~~cases~~}

talked to the N. Nigerian Dept. through I do not find anything in paper. I agree with Mr Anderson who holds strongly that the cords are all applicable to natives (by which I mean, non-Europeans of all kinds). His ^{often} ^{repeatedly} ^{pointed} out that a compensation grant - that he received after death ^{had} have been "clearly due to the ^{loss} of his ^{service} ^{was} ^{presumably} ^{indian} or ^{natives} of Africa are ^{not} ^{at} ^{all} ^{exposed} ^{to} ^{the} ^{same} ^{risks} ^{as} ^{the} ^{European} ^{are} ⁱⁿ ^{fact}, ^{one} ^{of} ^{the} ^{Niger} ^{is} ^{that} ^{would} ^{be} ^{given} ^{for}

for the employment of Indians in Uganda
was that they could instead be
employed - though this has been
somewhat discredited lately. 191

It is clear that according to the reg^s
of the Department which govern the grant
of compassionate gratuities to
European officers widows & children,
no gratuity can be asked for in
his father's case without further
inf^o as to the "somewhat
straitened circumstances" in the course
of death - & to ascertain these
we should send out the usual
application form to be filled
up, calling attention ~~to~~ to the
straitened circumstances which must be
complied with in all these cases.

But of the orders for com-
passionate grants (4. Dec 1899/107
N. Nigeria) we ask to hold for
natives. It is no use doing that
& I think that we should first obtain
a ruling from the Treasury -

I write to Messrs. giving the
substance of this disp. & saying
that in any case - I should return
further inf^o as above, before

before submitting any application
to G.L. - but point out that
S.S. is not certain whether
the cases in Pres. letter of
31 July 1907 are meant to govern
the case of non-Europeans.
L. refer to the "cases" as to
cause of death being "due to
crisis of service" which would
hardly appear to be applicable
to non-Europeans in a tropical
country like E.A.

Advt
27/2

Mr. Haines
Mr. Diller
So passed - but I think
that the weight should be given to
Mr. Tait's "long & faithful
service" & that we should lay stress
on the point of wanting to the
Treasury?

H. J. R.
28/2

Advt for pension but we must not
put it in - simply
C. H.
1 Mar
at all

GOVERNMENT HOUSE,
NAIROBI,
BRITISH EAST AFRICA.

EAST AFRICA PROTECTORATE.

January 11th 1911.

No. 22

Sir,

I have the honour to report with regret the death of Mr. R. D. Talati, Librarian to the High Court, on the 30th ultimo from the effects of a paralytic stroke.

2. He first entered the Consular Service in Zanzibar in 1888 and was subsequently brought to Mombasa by the late Sir George Mackenzie for service in the Imperial British East Africa Company. In 1890 he was appointed Clerk of the British Court at Mombasa and remained in the Judicial Department up to the time of his death.

3. The Principal Judge now informs me that his widow and two young children are left in somewhat straitened circumstances and suggests that, in view of Mr. Talati's long and faithful services to Government, a compassionate gratuity of Rs. 1,500 may be granted to her.

4. I have the honour to endorse this recommendation and to state that it would, in my opinion, be a fitting return for the good work conscientiously performed by Mr. Talati and a token

THE RIGHT HONOURABLE

LEWIS HARGREAVES, F.C.S., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON, S.W.

of the action to which he was held by the Judicial Department.

5. If you should approve this course the expenditure can be met from savings in the "Personal Emoluments" of the Judicial Staff.

I have the honour to be,

Sir,

Your humble, obedient servant,

ACTING GOVERNOR.

May / 4 559 Ed.

DRAFT

Mr. C. to the Treasury

No March 1941

MINUTE.

Li.

- Mr. Barkinson 4/3
- Mr. Read 4
- Mr. Harris 11
- Mr. Fiddes
- Mr. Just.
- Mr. Cox.
- Sir C. Lucas.
- Col. Seely.
- Mr. Harcourt.

I am etc. to request that you will
 refer the B.C. of the Treasury
 that he has received a copy
 from the copy of the Ed. I. which
 reports the death of Mr. R. D.
 Talbot, historian to the High
 Court, recommending the
 grant of a compensation
 gratuity to his widow
 2. Mr. Talbot first
 entered the Customs service in
 Lawy Bar in 1888

was subsequently brought
to Mumbai by the
late Mr George Mackenzie
for service in the I. B. E. A.
C. In 1890 he was
appointed Clerk of the British
Court at Mumbai &
remained in the Judicial
Dept. up to the time of
his death.

3. The Principal Judge
recommended that in
view of Mr. Zolati's long
faithful service to the
Govt a gratuity should
be granted to the widow
who with her two young
children is in somewhat
straitened circumstances.
Mr. Jackson endorses this
recommendation & considers
that it will be a fitting
return for the good work

work consistently per-
formed by Mr. Zolati ^{1.5}
in view of the estate
in which he was held
by the Judicial Dept.
of the "Prague" and
submitting the application
for Mr's favourable
consideration, Mr. Harcourt
~~will~~ would in any case
obtain further info. as
to the cause of Mr.
Zolati's death & the
how far the widow
may be considered
to be destitute. But
he will be glad to learn
in the first place
whether he is correct that
curses laid down in
your letter No. 12774/07

of

of the 31st July 1907

should apply to the
case of non-Europeans.

The
~~first~~ first condition, for
instance, is that

the officer's death is
clearly due to the conditions
of his service, but

such a condition hardly
appears to be applicable

~~to an Indian~~ to
Indians or other non-

Europeans, ~~being~~ who

~~logical~~ ~~condition~~

~~the~~

would naturally live

in a tropical country

if they were not serving

the Govt.

It is suggested however that
the spirit of recent legislation as to
pensions to the country may apply

in 1898/22 to be a provision for
some special pension in the case of
that which is...