

EAST AFR. PROT.

C. O
36135

36135

REC'D
OCT 18 00 13

Edward L. P.
Kens. Octo.

Govt. House Furniture.

1913

17 Oct.

Last previous Paper.

34328

Declines payment in respect of any apartments not occupied by his family or for any periods during which he was absent from the Prot.

Protheroe

Mr. Protheroe

Address of the

Sir G. Fiddes

with regard to Sir P. Seymour's two objections.

- (1) Public and private apartments. He declines to pay for any rooms except those occupied by himself and family. It has been ruled (see minutes on 19228 and 2885) that C.R. Reg 389 must be interpreted as meaning that all bedrooms are to be charged for.
- (2) Sir Percy declines to pay for the period during which he was absent from the Prot. He is wrong again. Since C.R. Reg. 389 provides that the payment is to be regarded as a standing charge on the Governor's salary, and to payable by him so long as he draws salary.

We can only advise that above and say that the Govt. thinks that he will see his way to paying the acct without raising further objections — though I doubt whether expenditure will be any more. 74 8 22 10 13

copy sent for and 1/11/13

1913 11/12 A.F.R.W.

Next subsequent Paper.

14240/11

(1) The distinct ruling that all bedrooms must be charged for dates from 1907 (see ref. to 15000 minutes on 3257/2 + 19228/2). But it is clear that Sir P. Girouard will accept obligation only for what was before him in black & white at the date of his appt. and will cause difficulties even on that.

(2) Here the black & white is rather. The rule is to charge during absence has appeared with body of C.R. 389 since that 1908 W. list. [It was laid down in a 1902 circular]. It was therefore certainly before Sir P. G. when he was appointed.

If we were to give way on (1) - i.e. as I understand to propose to do out all except the first five & the last six ^{items} ~~items~~ in Exd. 2 to 19218 the bill would be reduced by roughly £36, & if we can be rid of the matter at that price I think it would be worth it. We should of course point out that this shirking a liability imposed on every Governor since before the date of his appt. to S.A.P. & shift to ^{the} point as regards payment during absence.

LWS. 23/10/12

As to (1) - my argument is that the rule that all bedrooms must be charged for was before Sir P. Girouard in black & white at the time of his appt. & throughout the period covered by his Governorship.

The Col Regis says "Unless it is otherwise provided by local law the Govt will pay s.p.c. per annum on the estimated value of the furniture in the bedrooms, kitchen & other rooms not used

additions of the work
in which I have
written is the only
basis in this part of
it to since Sir P.G.
became Govt

for the public reception of company, & of all other articles provided at the cost of the colony & used by him, but he will be subject to no charge on account of the furniture of the [public] reception rooms or of the offices used by himself or by his private secretary or A de C."

Under the wording of the above regulations it seems to me that no bedroom can strictly speaking be exempted from the s.p.c. charge, except on the hypothesis that a bedroom can be used "for the public reception of company"; & I blush at the idea of a bedroom being put to such a use.

Even assuming that certain bedrooms in this or other Govt Houses are usually kept for official ~~visitors~~ visitors, such visitors are not publicly received in ^{the} bedrooms.

But we have no hold of our Sir P. Girouard - ~~substantively~~ & it may very likely be expedient to waive our claim to the extent which Mr Gottonally suggests, or even more. If this were deemed advisable, we might use the fact of ^{Sir P.G.} his having had to entertain the Comynights as a reason for our retreat.

should do this
Catt

On the other hand I particularly dislike the idea of climbing down, for the claim is correct & proper & ought never to have been disputed.

T.C.H. 24/10/12

(1) The distant ruling that all bedrooms must be charged for dates from 1907 (see ref. to 15000 in minutes on 3258/12 + 19228/12). But it is clear that Sir P. Girouard will accept obligation only for what was before him in black & white at the date of his appt. and will cause difficulties even on that.

(2) Here the black & white is with us. The rule is to charge during absence has appeared with body of C.R. 389 since the 1908 W. list. [It was laid down in a 1902 circular]. It was therefore certainly before Sir P. G. when he was appointed.

If we were to give way on (1) - i.e. as I understand the papers to act out all except the first five & the last six ^{items} ~~items~~ in Encl. 2 to 19228 the bill could be reduced by roughly £36, & if we can be rid of the matter at that price I think it would be worth it. We should of course point out that this shirkings a liability imposed on every Governor since before the date of his appt. to S.A.P. & shift to ^{the} point as regards payment during absence.

LEW. 23/1/13

As to (1) - my argument is that the rule that all bedrooms must be charged for was before Sir P. Girouard in black & white at the time of his appt. & throughout the period covered by his Governorship.

The Col Regis says "Unless it is otherwise provided by local law the Govt will pay s.p.c. for absence on the estimated value of the premises in the bedrooms, kitchen & other rooms not used

... of the word Sir, which I have taken in this part of the notice Sir P.G. became Govt

for the public reception of company, & of all other articles provided at the cost of the Colony & used by him, but he will be subject to no charge on account of the furniture of the [public] reception rooms or of the offices used by himself or by his private secretary or A.C.C."

Under the wording of the above regulations it seems to me that no bedroom can strictly speaking be exempted from the s.p.c. charge, except on the hypothesis that a bedroom can be used "for the public reception of company"; & I blush at the idea of a bedroom being put to such a use.

Even assuming that certain bedrooms in this or other Govt houses are usually kept for official ~~visitors~~ visitors, such visitors are not publicly received in ~~the~~ ^{the} bedrooms.

But we have no hold of our Sir P. Girouard - ~~substantively~~ & it may very likely be expedient to waive our claim to the extent which Mr Gottroby suggests, or even more. If this were deemed advisable, we might use the fact of ^{Sir P.G.} his having had to entertain the Comnaughts as a reason for our retreat.

On the other hand I particularly dislike the idea of climbing down, for the claim is correct & proper & ought never to have been disputed.

T.C.H. 24/10/13

should not do this, Cath.

(1) The intent being that all bedrooms must be charged for dates from 1907 (see ref. to 15100 in minutes on 3257/2 + 19228/12). But it is clear that Sir P. Girouard will accept obligation only for what was before him in black & white at the date of his appt. and will cause difficulties even on that.

(2) Here the black & white is with us. The rule as to charges during absence has appeared in the body of C.R. 389 since the 1908 W. list. [It was laid down in a 1902 circular]. It was therefore certainly before Sir P. G. when he was appointed.

If we were to give way on (1) - i.e. as I have ventured to propose to cut out all except the first five items of the list as ^{items} ~~charges~~ in Encl. 2 to 19228 the bill could be reduced by roughly £36, & if we can be rid of the matter at that price I think it would be worth it. We stand of course point out that this is shifting a liability upon every Governor since before the date of his appt. to S.A.P. & which to ^{the} point as regards payment during absence

LWS. 23/11/13

As to (1) - my argument is that the rule that all bedrooms must be charged for was before Sir P. Girouard in black & white at the time of his appt. & throughout the period covered by his Governorship.

The Col Regis says "Unless it is otherwise provided by local law the Govt will pay s.p.c. for amusem on the estimated value of the furniture in the bedrooms, kitchens & other rooms not used

addition of the words "in which I have written is the only one in this part of the house since Sir P. G. became Govt"

for the public reception of company, & of all other articles provided at the cost of the Colony & used by him, but he will be subject to no charge on account of the furniture of the [public] reception rooms or of the offices used by himself or by his private secretary or Aide C."

Under the wording of the above regulation it seems to me that no bedroom can strictly speaking be exempted from the s.p.c. charge, except on the hypothesis that a bedroom can be used "for the public reception of company". I blush at the idea of a bedroom being put to such a use. Even assuming that certain bedrooms in this or other Govt Houses are usually kept for official ~~visitors~~ visitors, such visitors can not publicly receive in ^{the} bedrooms.

But we have no hold of our Sir P. Girouard - ~~notoriously~~ & it may very likely be expedient to waive our claim to the extent which Mr Gottonaley suggests, or even more. If this were deemed advisable, we might use the fact of ^{Sir P. G.} his having had to entertain the Comraughts as a reason for our retreat.

will not do this
C.A.H.

On the other hand I particularly dislike the idea of climbing down, for the claim is correct & proper & ought never to have been disputed

T.C.H. 24/10/13. T.O.

as the amount to means, that
 legal proceedings, Gov. ten 1. 18
 can compel him to be proper
 not to pursue the matter further.

And compare to Gov.

Pro. 20. 10. 13

above

U. 14. 10. 13

2c
533
8 Great George Street,
Westminster, S.W.



17th, October 1915.

Sir,

I have to acknowledge receipt of your letter of the 11th October ¹⁹¹⁵ 1915, and note, with regret, that Mr Secretary Harcourt is unable to find any reason why I should be relieved from certain charges which I have contended are not debitable against me.

I would beg to reiterate that these accounts are, through no fault on my part, of three years standing and that as originally presented they were grossly inaccurate and even now are not, in my opinion equitable, reasonable or accurate.

Failing a distinct ruling at the time as to the nature of public or private apartments I must most respectfully regret that I cannot agree now to any interpretation which would seek to make me responsible beyond those in occupation by my family, nor can I accept any obligation of payment for periods when I was absent from the Protectorate.

I am, Sir,

Your obedient servant.

The Under Secretary of State,
Colonial Office,
London, S.W.

R. J. Howard

36125

EMD

584

C. D.
R. 7 NOV
D. 17

see

7 NOV
7 September 1813

Sir,

I have the honor to ack.

the recd. of your despatch no.

360 of the 13th of May and

to transmit to you for your

wife the accompanying copy

of further correspondence with

his P. Guionard on the

subject of the amount

due from him to the

Protectorate Govt. of the

E. A. P. in respect of

rent of furniture in

Govt. House during his

tenure of office as Gov^r of

the Protectorate.

2. You will observe that

I propose to take no further

steps for the recovery of the

debt.

I am

DRAFT.

Conf:

E. A. Prot. No

For
Belfield

MINUTE.

Mr. Boscawen 30/10/17

Mr. Read 30

Sir G. Fiddes.

Sir H. Just.

Sir J. Anderson.

Lord Emmott.

Mr. Harcourt.

to P. Guionard 24 July (4228)

29 Sept. (")

20 Oct (5428)

11 Oct (")

17 Oct. (56125)

7 Nov
20 Oct (")

20 Oct
etc. hereint.

no plan

53

Feb 1913
7 Nov 1913

Sir,

I am etc to ackn the
recd of your letter of the 17th
of Oct respecting the claim
submitted to you on the
percentage payable on the
furnish of Government

(36135)

DRAFT.

P. P. C. S. Lion and HONG. DSO. RE

MINUTE.

Mr. D. D. 29. 10. 13

Mr. B. D. 29. 10. 13

Mr. H. 30. 10. 13

Sir H. Just.

Sir J. Anderson.

Lord Emmott.

Mr. Harcourt.

6/5
5 Nov 13

House, Nairobi.

2. Mr. H. notes that you
decline to recognise a liability
~~before it discharges the debt~~
which he has found to be correct
~~which~~, according to the Reg^{ns}

and to well-established
as a rule
practice, in owing to the Pract^{ice}

Govt of the EA Prot^{ect}

3. As there are ^{now} no means,
short of legal proceedings, by
which the Govt can ^{enforce}
~~use to make payment~~, he
prefers not to pursue the
matter further.

person I add to place a
tentative wording that
the minute is open to
the answer that it is not
in Sir P. S. S. S. S. S.
Some of the is, does not
pay the gas tax
C. H. B.

Copy for

Copy for Conf 7 Nov

2/11/13