

EAST AFR. PROT.

No. 39952

C O  
39952

No. 2 NO. 08

(Subject)

Reasonable Service

Let's see how far we can go in the  
regards that may count for the  
service done with you.

General Dept (Mention)

4. 2. 12

3/1

Mr Cox.

I have great doubts about this  
claim. Mr Grant, as Mr Elles shows  
in 1870's or as you will see from previous  
papers has had temporary jobs paid  
by bonuses as well as salary. I think  
it is a strong reason to give him my  
business rights in respect of earlier service.  
and without the Treasury we could do nothing.

I think the worst thing will be to say  
that he is not entitled, but that when the

time comes for him to retire the whole case  
will be considered in its merits.

If Mr. H. is the Treasury and I am sure  
they will refer.

Citt  
27 Nov.

Mr. Antabon

I do not see how this claim  
can be sustained. If we reply  
as Mr. Harris proposes I think  
we ought to say distinctly that  
no promise whatever can be  
made that on his retirement  
his past service will count for  
pension.

H73e  
28/11

I would not reply as Mr.  
Harris proposes, but would  
explain that the claim cannot  
be sustained and why.

It seems to me (but I have  
not read all the papers) that  
it was hardly justifiable to refer  
to the bonus as being in any  
way an equivalent of pension; and

357  
it would be well to correct  
this mistake. The proper  
answer w<sup>d</sup> appear to be that  
his service was not continuous,  
and that, as in all cases of  
temporary engagements, it must  
be assumed that the salary  
was fixed at a higher rate  
than it w<sup>d</sup> have been if the  
service had been pension-  
able. If the service had  
been continuous, i.e. a continuous  
series of temporary engagements  
followed by permanent employ-  
ment there might have been  
some ground for counting his  
temporary service to the extent  
of  $\frac{2}{3}$  under the principle em-  
bodied in Reg. 11 of the W. M.  
Pension Regs., but I gather  
that this was not the case,  
and I am doubtful whether  
the principle has been recog-  
nized as regards Dist. Africa

Ant. Jan. 73  
at once

2 NOV 08

To H. M. Secretary of State  
for the Colonies,  
Downing Street,  
London S.W.

Sir,

I have the honour to hand you herewith some further correspondence which recently took place between the Uganda Railway Authorities, H. E. the Governor of British East Africa and myself re my application to be allowed to count past service towards my pension.

As I verbally explained last week, to Mr H. R. Read C.M.G of your Office, I was taken aback after my return to England to receive the last communication from British East Africa, and with his sanction forward you the correspondence which does not yet appear to have reached the Colonial Office.

I do not know that I can do more than ask your earnest consideration of the facts stated in my two letters upon this subject.

To me and indeed all whom I have consulted it appears a most extraordinary state of affairs that a tried and trusted servant of the Government (as I think I can claim to be, if I judge from the thanks and praise received not only from my immediate superiors but from H. E. the Governor and the Hon. the Lieutenant Governor) should be debarred from counting past service towards pension, a claim granted to almost all the officers in the service, many of them years junior to myself in service.

The Manager of the Uganda Railway the Hon. H. A. F. Currie assures me that both H. E. the Governor and himself have strongly supported my claim in this/

this matter therefore I have the more confidence  
in asking your reconsideration of my case.

I can assure you that my duties have been long  
and very arduous and carried out in a very trying cli-  
mate which is bound to tell upon one's constitution  
however robust one may be.

I have the honour to be,

Sir,

Your obedient servant,

Richard Grant  
Assist. Surg. Super. (Marine)  
Eggenia Railway.

24<sup>th</sup> Oct. 1908  
300 Bath St.  
Glasgow.

The Locomotive Superd.,  
Kenya Railway,  
NAIROBI.

Sir,

I have the honour to acknowledge receipt of your No. 3882/08 of 6th May /07 enclosing Copy of Colonial Office letter to H.E. The Governor E.E.A. Protectorate re, my appointment to permanent staff etc, etc.

I acknowledge with thanks this appointment and trust I may continue to render satisfactory service.

Further I have to thank the Government for the payment of bonus of £300 on the completion of the S.S. "Nyansa" which has been duly paid me.

The only point with which I am greatly disappointed is that dealt with in Para. 3 of Colonial Office letter, viz:- the date from which my pensionable service will count.

I respectfully request that H.M. Secretary of State will be good enough to re-consider the decisions in this matter in view of the facts stated in my letter to you No. 34 dated 16/1/08 and the following additional facts.

(1) The bonuses paid me for the building of the "Clement Hill" & "Nyansa" were verbally and in semi-official letters from my superiors - stated to be offered as an extra inducement - if that were required - to push the work through with the utmost despatch as is commonly done in contract work, not as a fair equivalent of my expectations of a pension in respect of previous services.

(2) I admit that my employment was not continuous, but, as pointed out previously that was only in the interests of Government economy though such against mine.

If further argument were required, I can point to the

cases/

cases of several Government Officers in this Protectorate alone, whose service likewise was broken and who are I believe allowed to count this service towards pension.

(3) If need be, I am prepared to refund the bonuses paid me if this be the principal difficulty.

I feel confident that if all the facts of the case be fully understood the Colonial Office may be able to come to a more just decision.

I have the honour to be, Sir,

Your obed. servant,

(Signed) Richard Grant.

Fort Florence,

8th July 1906.

UGANDA RAILWAY.

Loco Supt's Office,  
NAIROBI, July 31st 1908.

Copy of the following forwarded to Mr Grant for his information.

G. SANDFORD  
Locomotive Superintendent,  
Uganda Railway.

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Copy of letter No. 2242/17 dated 26/7/08.  
From - The Manager, Uganda Railway.  
To - The Loco Superintendent, Nairobi.

With reference to your letter No. 2294/08 of the 9th instant enclosing Mr Grant's letter of the 8th July 1908 in reply to Colonial Office despatch No. 174 of the 8th April last, regarding his previous service on the Railway, I have the honour to inform you that His Excellency the Governor has ruled that nothing further can be done in the matter.

Will you kindly advise Mr Grant accordingly.

---

Schulz

Dist. Nov 4

363  
November 3. 1904

My dear Anthonis,

The writer of the inclosed letter was well known to me as Superintendent of African Protectorates.

He did invaluable work under very arduous circumstances, & I trust that his case deserves most favourable consideration.



and exceptional treatment -  
My recollection entirely confirms  
his statements that his services  
were practically continuous and  
exclusively given to the public.

I much hope that it may be  
found possible to accede to his  
request -

Yours sincerely

Genl. Pitt

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request -

Yours sincerely  
Clemens & Hill

To Sir Clement L. Hill K.G.B., M.C. & C.  
House of Commons

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Dear Sir,

I beg to lay before you the following facts in connection with my employment by H.M. Government in British East Africa.

In February 1898, being then 30 years of age, I was engaged by the Crown Agents for the Colonies to proceed to Uganda and erect the steamer "Sir William McKinnon" at Lake Victoria Nyanza. Shortly after my arrival at the coast, owing to outbreak of the Uganda Mutiny, the Foreign Office transferred me to the service of the Uganda Railway then under construction and which at this date had only reached about 80 miles from the coast. The steamer "Sir William McKinnon" had been despatched in parts from Great Britain about five years prior to my engagement and when I arrived in Africa, it was scattered over the country at various distances from the sea coast. Owing to the railway being unavailable at that date, the work of collection and transportation of this steamer to Lake Victoria Nyanza was attended with greatest difficulty. On arrival at the Lake, further difficulties arose in connection with labour question and the want of mechanical appliances. I had only the assistance of a white foreman and had to rely entirely on native labour, but, notwithstanding all difficulties, I managed to complete the steamer, and handed her over to the Uganda Protectorate Authorities in November 1900. At the/

the conclusion of this work, I received a letter from Sir Clement Hill, who was then the Foreign Office Administrator of African Protectorates, thanking me for my services in this particular matter and a small bonus was paid me in recognition of the manner in which I had carried through the work.

As there was then no further work at the Lake and my engagement as regards the erection of the "Sir William McKinnon" having terminated, I returned to this country. I was however almost immediately re-employed by the Uganda Railway Foreign Office Committee to superintend the construction of the steamers "Winifred" and "Sybil" which were then being built in this country for the Victoria Nyanza Service, and thereafter to erect these steamers. In January 1902, I proceeded to erect them at the Lake and this work was successfully accomplished by the month of May 1904. I was then told by the Officials that further steamers were projected and that I would probably be employed in their erection, and pending my re-engagement for this purpose, I returned home in May 1904. I did not take any other employment as my health had been considerably affected by my previous residence in Uganda and I preferred to wait further employment from the Government. About six months afterwards (in December 1904) I was engaged by the firm of Sir Alexander Rendell & Robertson, the Consulting Engineers to/

the Uganda Railway, to draw designs and specifications as also to superintend the construction of the "Clement Hill" then about to be ordered for the Uganda Railway, at which I was employed until March when I went out to Victoria Nyanza to erect this steamer. This work was successfully completed, and after that, I erected the cargo steamer "Nyansa". At the conclusion of these works, His Excellency the Governor, the Lieutenant Governor, and the General Manager of the Railway were good enough to express themselves as highly satisfied with my work. I was thereafter permanently appointed Assistant Locomotive Superintendent in the Marine Department of the Uganda Railway at the maximum salary provided for that post viz:- £600 per annum. During the construction of the "Clement Hill" and the "Nyansa" I was offered bonuses amounting to £600 if I succeeded in completing these steamers within a certain limited time. This I managed to do and a payment of £600 was granted and paid to me. After my appointment to the permanent staff, I applied to the Colonial Office to have my previous services count towards my pension. The Honourable H.A.F. Currie, the Manager of the Uganda Railway, was kind enough to strongly endorse my application, which he considered a most equitable one, and I understand His Excellency the Governor, in forwarding my application, recommended its favourable consideration. The Colonial Office however wrote to His Excellency the Governor/

Governor that my previous service could not be made pensionable in respect that my employment was not continuous and that the bonuses amounting to £600 which I received were a fair equivalent in lieu of pension. If the Colonial Office adhere to this view, my services will only date from March 1908 for pension which will be a great hardship for me.

Strictly speaking, I understand that the Colonial Office regulations require that services for pension must be continuous but the regulations are subject to modification in special circumstances. In any event, I submit that for all practical purposes my services were continuous in the true meaning of the regulations. I served nearly eleven years, only about two and a half of which were spent in Great Britain, an amount just about equal to the leave which I would have enjoyed had I been all the time upon the permanent staff. Furthermore, during the time I was at home I was not all the time on leave but engaged in drawing specifications or superintending Government work for part of the time. Technically however at the end of the construction of the "Sir William McKinnon" and the "Winifred" and "Sybil" there were short breaks in my service. Had I been on the permanent staff, these short breaks would have corresponded to the ordinary official leave, except that the permanent officials would have got/

get their pay when I get nothing. I took no other employment during these two short periods, so that during the whole eleven years, I hold that I was in a broad and practical sense continuously in the employment of the Government.

As regards the position taken up by the Government that the bonuses paid to me are a fair equivalent instead of a pension, I cannot understand this contention as the bonuses paid to me were given as a special incentive and reward for the speedy completion of the work and were duly earned by me on this ground. In any case, it is absurd to say that these bonuses are anything like commensurate to the advantage to me of having my former services count towards my pension. If however the question of the bonuses were the only obstacle, I am willing and have already offered to refund them to the Government.

Without unduly magnifying the value of my services, it will, I think, be freely admitted by all my Official superiors that I brought to the work special engineering experience and skill which the Government would have found it difficult to procure elsewhere. I can only add that my work in the erection of five steamers aggregating a tonnage of 4000 to 5000 tons on Victoria Nyansa in the heart of Africa and that without any delay or mishap of any kind to the entire satisfaction of the Government speaks for itself.

I have spent ten of the best years of my life entirely in the Uganda Railway Service at Victoria Nyansa in what is admitted one of the most unhealthy stations of the line and I therefore think that I am warranted in asking for fairer treatment from the Government than at present they seem disposed to give

I shall be much obliged if you can assist me in the matter, so that my application to the Government to allow my past services to count for pension may be favourably re-considered.



C.D.  
D  
23

24 February 1909

DRAFT

Gray

99  
for Sir J. S. ...

With reference to the last

MINUTE 23

(page 6) paragraph of my last predecessors

Mr. Hunter 3

Mr. Harris 10

Mr. Just.

X Mr. Antrobus 20

Mr. Cox.

Sir C. Lucas.

Sir F. Hopwood.

Col. Seely.

The Earl of Crewe.

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despatch No. 174 of the 8th of April last regarding the application of Mr.

Mr. Grant, Asst. Locomotive Dept. of the Uganda Railway

that his previous service (regarded as reasonable) I have the honour to

acquaint you that Mr. Grant during his recent leave of absence addressed a further representation to the

Mr. Antrobus.  
Please see within  
seen with  
C.H.