

EAST AFR. PROT.
No. 19317

C O
19317
1822 30 MAY 06

1906
9 May
at previous Paper.

(Subject.)

Mr R. Barton Wright's Pensionable Service

Transmits application of Mr Wright
that his service on railway may count for
pension purposes.

(Minutes)

Mr P The main point is that Mr Wright
wishes to have his service on the Rly counted
towards pension, altho' he now holds a permanent
pensionable app^t in another Dep^t

There are two similar cases which have looked up
- papers obtained from the F.O. - D. Waters, transferred
from the Rly to the West Hill, & Mrs Cairns to the
Telegraph Dep^t for the Rly. Their applications that Rly
service might count for pension were referred
by the F.O. to the Tny, who refused to entertain them
on the ground that the Local Pension Reg^d
made no provision for the payment of pension
from Post funds - in respect of such service.
This is very unlikely that they would agree in
Mr Wright's case.

Mr Wright's claim for pension is based on a
misreading of para 44 of his Agreement (in red
herewith). It is clearly stated there that in the
event of his appointment on the Railway being
permanent, previous service is that app^t

Copy sent to 22nd of 2505/7

901/35055/

will count for pension, should pension be granted in respect of such service, (as has now happened - the case of the Tly Officers vide SA para 3 of my letter on the Tly Edition in 2928 attached)

Mr Wright however apparently took this to mean that his prev Tly service would equally count towards pension - if pension rights were granted ~~in respect of Tly~~ in respect of Tly service - if he was transferred to a post & pensionable appointment in another Dept

Had he decided to stick to the Tly he would, in all probability, have now been one of the 12 men whose service he is made pensionable for the sake of their 1st appointment. That is his own look out, however & I do not see that ~~the~~ a gratification misunderstanding of a plain agreement - on his part can be turned in to a plea on which to hang a plea for securing something for him. But his agreement did not entitle him.

? act - draw Commission attention to para 14 of Mr Wright's agreement & say that as Mr W. voluntarily gave up his Tly app^t & accepted another which, at the Commission's request, was made pensionable for his benefit, (vide F.O. Dept No 274 of 1703 to Mr C. Elton attached) had E. considered that no good purpose would be served by submitting his application to the Tly

VTB 15
6

Yours for concern
atones
14.8.1906

297

C. O.
19317
Commissioner's Office,
R. O.
30 JAN 06

Commissioner's Office

May 20 1906

EAST AFRICA PROTECTORATE.

No. 235.

(Incl. 1.)

My Lord,

I have the honour to transmit herewith an application from Mr. P. Barton-Wright, who was for five years one of the Assistant Engineers on the Uganda Railway, that his service on the Railway may be allowed to count for pension.

- 2. The circumstances of his transfer to the permanent staff of the Protectorate are correctly stated by Mr. Wright.
- 3. All the Railway officials at that time, including Mr. Wright, were in possession of agreements whereby they were entitled to claim that their past service should count for pension in the event of their appointments ever being made permanent and pensionable.

H. M. Principal Secretary of State

for the Colonies,

Downing Street,

London, W.C.

This has not been sanctioned in Your Lordship's
Telegram of February 25th. It is desirable to submit that if
it would be somewhat hard if a similar privilege were not
accorded to Mr. Wright, who would, had he remained in the
service of the Railway, not be entitled to it.

I have the honour to be,

With the highest respect,

My Lord,

Your Lordship's most obedient,

humble servant,

J. H. B. Sullivan

N^o 1733/37

Land and Survey Office,

Nairobi,

7th, May, 1934.

19317

30 MAY 06

Sir-

I have the honour to place before you the following facts for your favourable consideration.

I am informed by the Manager of the Uganda Railway that he has been officially informed that these officials who have now been placed on the Permanent Staff are placed on the same footing as Protectorate Officials back service counting for pension.

I would point out that when I asked for transfer from the Railway, which I was employed for over five years, to the Protectorate Service, it was understood that a Provident Fund was to take the place of pension.

I was informed by Sir George Whitehouse that I had been selected for the Railway Permanent Staff, but Sir Charles Elist told me that the new post of Chief Surveyor was a pensionable one, and this determined me in making my application for transfer though the salary of the post applied for was considerably lower than that held by me on the Railway. The day that the list of the Railway Permanent Staff was issued, Sir George Whitehouse called me into his office and informed me that he had put my name out, as he had been notified by the Foreign Office that I had been appointed Chief Surveyor. Three days later I received official intimation that I had been appointed Chief Surveyor, but on a three years agreement; this I

refused

His Majesty's Commissioner,

cc., cc., cc.,

Nairobi.

His Majesty's Commissioner (P).

refused to accept. Sir, Charles Eliot asked me if I would remain till he could get a reply from home and he would represent my case to the Foreign Office. This I consented to do, with the result that a despatch came out confirming my appointment as pensionable, but informing me that my service for pension would count from the date of transfer. In my agreement with the Railway the clause occurs that all my back service would count towards pension should pension be given, as pension had not then been given- I accepted the terms assuming that should it be accorded later my case would be given due consideration. It is with this view that I submit the above statement, and trust that my back service may be allowed to count for pension in the same way as allowed to my brother Railway Officers and which by my agreement I had been led to expect.

I would add that I entered the Government Service in December 1896, my only break being due to illness occasioned by climatic conditions in the Strait Settlements. It seems hard that of these 19½ years only 8 should be allowed to count. For my record in that Colony I would be glad if you would refer to Sir, Frank A. Swettenham late Governor or Mr. A. B. Young, present Chief Surveyor, to both of whom I am well known.

I have the honour to be,

Sir,

Your most obedient,

Humble Servant.

J. Arthur Houghton

Comme EAT
19319

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Letter

9 May

20 June 1906

DRAFT.

EAT n: 423

Comme

MINUTE.

Mr. Lobb ²² *10/25/6*

Mr. Reed ²³

+ Mr. Anthonis *July 1906*

Mr. Cox.

Mr. Lucas.

Mr. Graham.

Sir M. O'Malley.

Mr. Churchill.

The Earl of Elgin.

for conison

ansd 25055

Sir,

I have the honor
to acknowledge the receipt of your
despatch n: 235 of the 7th of
May transmitting in
application from Mr. Barton
Wright that his service
under the Uganda Fly
Committee may be
allowed to count towards
pension.

I would point out,
however, that the
particular clause in
the Barton Wright
Agreement ~~was~~ which
he refers to he cites
in support of his request
and is not

Capt. Gen. 23 Oct. 1907

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3. It is clear from the
 records that a ^{number} of
 that a ^{number} of ^{persons} rights of
 granted in respect of
 service under the Rly
 Committee would be
 admitted only - ^{officers}
~~in ^{the} ^{establishment}~~ ^{who}
~~who~~ ^{had}
~~been~~ ^{been}
 held places in the ^{fixed}
 establishment of the
 Rly. ~~was~~ ^{was}
 and had in Barton left
 remained in the service
 of the Rly Committee he
 would ^{at the present time} ^{be}
~~one~~ ^{one} of the ^{probable}
~~officers~~ ^{officers}
 on the permanent staff
 whose former service
 has ~~been~~ ^{been}
 allowed to count
 towards pension.

thereas if

instead of remaining in the
 Railway with the prospect of
 eventually obtaining a
 permanent offit. in that
 Dept.

Mr Barton Wright
 has been directed to
 take up and appoint
 under another Dept
 which at ^{the} ^{present}
 reports was ⁱⁿ ^{the}