

1928

No. 15418

SUBJECT

CO 533/382

*Appointment of town clerk,
Nairobi.*

Previous

See x. 15033/28

Subsequent

15553/29

Requests that applications may be invited for the post of Town Clerk, Nairobi on the terms indicated and that Ministry of Health be consulted as to those received.

~~Mr Allen~~
~~Mr Parkinson~~

Please see the minutes on

pages 13, 16, 23-24 of X10220/27

below. Also the red slip above

no. 32.

I have thought it better

in view of all the fresh particulars

now given to prepare a fresh

v.f. Perhaps P.S. M.T.S. in

taking it ~~is~~ ^{is} ~~destroy~~ ^{destroy} the one

(~~is~~ already) have?

C. J. Eastwood

In view of ~~it~~ I am not 20.11.28

sure whether the P.S. (M.T.S.) will

be a coming into this. As to

proceeding previously proposed see

it with addition of old v.f.

J. W. Allen 23/11/28

JTO

Capt. Abbott

This will not be an appointment
made by the Secy of State, and
I am inclined to think that
we should do better to act as
a post office in the matter.

~~Recommendation of the Council~~
~~is not a recommendation~~
~~of the Council~~
~~to the Secy of State~~

I take it, from the terms
of the telegram, that the
Municipal Council do not
limit the post to an
unmarried man - as
reported here, the phrase
"irrespective of voyage" is
a little ambiguous. The
disposition clear this up; or
~~the analogy of Salt. apply~~
the analogy of Salt. apply
it means 6 months leave
plus the time for the voyage,
but a reasonable use of
the word "irrespective" wd
be to show that the time
for the voyage is ignored
except the leave will be
6 months without extra
leave for the voyage.

If we are not to take
this on, I think we should

have to confer our request
to advice on the application
received - i.e. we cannot take
right to do the advertising,
even at Mayor's expense.

The C.A. will be who
the advertising - & the Mayor
Gov. can recover the cost
for the Council.

For your show, please.

All Parkers
26.11.28

It would certainly seem best
that the C.A. should advertise, & as the choice
I think it wd be best in that case that they should
receive the applications, take the appls. into consideration
upon them & lay the result before you?

19th Dec 1928
26.1.28

(1) If you concur to C.A. sending copy
of the telegram which that they
will advertise this vacancy -
cost of advertisement to be borne
provisionally from Mayor's funds -
say that the provision as to
leave in (d) is not quite clear
& that we will let them know
exactly what is meant very
shortly - meanwhile ask them
to let us have ~~draft~~ draft of

Proposed advertisement &
copy where they will propose
to insert the advertisement
& then say that when
applications are complete
C.A. should advise C.O. in order
that we may take up
2nd of refer. to H/HT

(2) If it is known or surmised
that C.A. have been asked
to advertise this part -
compare how (d) is to
be interpreted - i.e. does
the 6 months include time
spent on voyage?

All P
26.11.28
above

Mr. Collins

consulted Mr. Collins, C.A.
as to details of procedure etc. told
me that they were working with the
C.O. to obtain the planning
which is making that they had in
fact used the 3 considerable assistance
even as regards the fact that
C.A. & Collins suggests therefore that
it might be brought in at
all. Mr. speaks to the
about the 20/11

all sent
20/11

2 to Mr. Tol. 28th Nov. 28 cont.

DESTROYED UNDER STATUTE
4 C.A. (w. copies 1 & 2) 11/11/28 } cont. 30

DESTROYED UNDER STATUTE
4 C.A. (w. copies 1 & 2) 11/11/28 } cont. 30

"Interference of voyage" should have been
"inclusion of voyage" The period of
leave being from Mombasa to Mo

Copy to C.A. 21/11/28 & H/HT 27
with copy to
C.A. 1/12/28
C.A. to C.O. 2/12/28
C.A. to H/HT 2/12/28

1/12 a piece

6 To C.A. (w. copies No. 245) 6 DEC 1928

4 To Mr. Tol. of Health (w. copy) 7 DEC 1928

(H/HT rang up about this: they are
prepared to assist, but they hope
that they will not come into matter
until the C.A. can present them
with a reasonably 'short' list
of applications to examine
& put in a order of merit: they
do not want to have to deal
with hundreds of applications
- Mr. Tol. says that
official who spoke to me -
was not saying that the
H/HT had already helped
with selection for Mombasa;
I said that H/HT had not

scope - but as we shall
 want to send a short list
 of suitable C.A. with minimum
 want to meet to get
 longer list from which to
 will meet short list
 You might let the list
 out C.A. American position
 (by telephone) - see what
 he has to say.
 recd
 2.12.28

Mr. P. [unclear] and
 I have spoken to Mr. [unclear] &
 explained to him. He will
 talk to Mr. [unclear] Harris. He
 will also let us see a draft
 of the advertisement.
 J. [unclear]
 10.12.28
 [unclear]

(Mr. [unclear] also request what qualifications
 was required - 2 1 and how the list
 taken of the A.V.G. which is [unclear]
 agreed [unclear] [unclear])

This draft advertisement was it is proposed to
 insert in the publications indicated after the
 "Xmas holidays".

The C.A. have added preference under
 40 years of age to the qualifications
 given in no. 1. [unclear] also the
 qualifications given in the U.S.
 (which were taken from the [unclear]
 minutes of the [unclear] of 10/22/27)
 2. 14/1/27

Perhaps [] might be amended
 to "Qualified [unclear] preferred."
 Oldmore? agree to the draft
 & to the proposal delay till after
 Christmas

J. [unclear]
 14.12.28

I don't know
 what delay!

2 27/12/28 - [unclear] / [unclear] 10/22/27 which was
 not available

(a) [unclear]
 29/12

(a) Leave is not normally subject to "satisfactory
 service and Mr. Reeves agrees that the word
 "satisfactory" might be omitted - he thinks it ^{must} ~~might~~
 have crept in.

(b) As regards the age limit, I cannot find
 that anything has been laid down, but Mr. Reeves
 would prefer that the limit should be inserted. He
 anticipates

anticipates that the sort of man that we may be expected to get would be under 40, and that in any case a reference to an age limit in the terms of the advertisement would not deter any good candidate slightly over 40 from applying. I think, therefore, we may leave it.

(c) Mr. Reeves agreed that it would be better to substitute "preferably" for "if possible" in the reference to the qualifications as a Solicitor.

Approve the advertisement subject to the amendments at (a) and (c) and agree to its insertion in the publications recommended, at the beginning of January.

J.H. Allen

29/12/29

ha. 9 To C.A. (No 5 amend) 29 DEC 1929

10. GOVERNOR CONFIDENTIAL 128 20 NOVEMBER 1928

States that an arrangement has been reached whereby Mr. Gilbert has submitted his resignation and Government has agreed to pay him £2,000 by way of compensation and provision has been made in the 1929 draft Estimates accordingly.

In view of this dep. of the Press calling now attention to the statement in p. 165 of the Durham Report vol I that "it is necessary that he (the Town Clerk) should be a man of legal training" it appears that it is preferable to omit from "preferably" "if possible"

at (c) in the C.A. advertisement.

May I help Mr. Reeves with this? He is looking up the issue of the advertisement and he has been for me again.

I will be in touch with you.

J.H. Allen

2-1-29

The phrase "of possible legal qualification as a solicitor" came from the Bolton's minute of 10/12/29 and 10/22/29 that was used in the original v.s. Following which from 7 or 8th Dec 29th 165 of the Report he should also have at "as a solicitor" having the phrase "a possible legal qualification" - "adopt this phrase & ask the C.A. telephone (confirming by minute) to amend the CO. letter & striking out the words "if possible" & "as a solicitor".

J.H. Allen

31/12/29

Discussed with Mr. Reeves.

Wrote C.A. a letter in

substitution for that of 28 Dec.
incorporating the alterations
now suggested - unless
admitted at the end of the
off advertisement the
words "The Govt. of"

Rec'd. for W2 10

ALCP

3.1.29

atures

Letter sent 3/1/29. C.R.

Mr. Allen,

Mr. Gilbert's agreement would normally end on the 21st September, 1929, and he would then be due for six months' leave. He would, therefore, cease to draw pay from Kenya funds on (approximately) the 21st of March, 1930. Now, however, Mr. Gilbert has been forced to send in his resignation which is, nevertheless, only to take effect when the new Town Clerk has been appointed and initiated into his work.

It is most improbable that the new man will be ready to take over before, say, May next. Supposing Mr. Gilbert resigned on the 21st of May, he would thus lose by his resignation ten months' salary. We do not, apparently, know what his salary is, nor do the Crown Agents. (He is wholly a municipal officer at present), but it could hardly be more than £1200 a year. His money loss if he resigned in May next would, therefore, be not more than £1,000.

Even if he resigned to-morrow, it would

not

substitution for that of 20 Dec.
incorporating the alterations
not suggested - unless
existing at the end of the
of advertisement in
words "The Govt. of"

✓
Prescribed for No 10
accept
3. 1. 29
nature

Letter sent 2/1/29. C.S.

Mr. Allen,

Mr. Gilbert's agreement would normally end on the 21st September, 1929, and he would then be due for six months' leave. He would, therefore, cease to draw pay from Kenya funds on (approximately) the 21st of March, 1930. Now, however, Mr. Gilbert has been forced to send in his resignation which is, nevertheless, only to take effect when the new Town Clerk has been appointed and initiated into his work.

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Even if he resigned to-morrow, it would not

not be more than about £1,000, and it would, therefore, seem that the provision of £2,000 as compensation is extremely generous. Surely the amount of compensation which he ~~needs~~ requires should depend entirely on the date on which he actually resigns.

Perhaps Mr. Parkinson would like to take an opportunity of speaking to Mr. Martin about it, and, subject to any explanations which he may have, we should acknowledge this despatch saying that the S. of S. is unaware of Mr. Gilbert's present salary, but presumes that it is not more than £1200 a year, that he is disposed to regard the proposed compensation to Mr. Gilbert as on an unduly generous scale. Point out that it is most unlikely that the new Town Clerk will arrive in the Colony for some months yet, and that the S. of S. would propose to defer any further action until the date of Mr. Gilbert's actual resignation is known.

*I can't trace it as a separate item but it may be included in the Ambulata & Waiver (Specs xxxviii); though it is possible it did not come into the draft file at all.

Gordon
I think this should await the "7/1/29" file in which previous has been made for this payment. If the Lagos file has opened, I think there will be no other lot to approve since it is fairly possible to summarise or criticise the Ambulata
J. Allen

14/1/29
Yes. wait for lot.
Total

Mr. Allen
Mr.
Mr. Bottomley.
Sir E. Harcourt
Sir J. Skelton
Sir G. Grindle.
Sir C. Davis.
Sir S. Wilson.
Mr. Ormsby-Gore
Lord Lovat.
Mr. Amery

12/11
12/11

13 MAY
18

~~12/11~~

20 March, 1924

DRAFT.

Kenya, Cape
D.H.G.

Sir,

I have to refer to
Sir E. Groggs Cape. despatch
No. 124 of the 30th of March
last in which he
reports the arrangement
entered into with Mr. C.
Gilbert regarding his
resignation of his appo-
intment as Town Clerk, Nairobi.

100

Amended

I approve the payment
of £2,000 to Mr Gilbert
as compensation for

~~this case~~, in
the understanding that
this sum has been
provided for under Head

XXVII a Item 2, of the
1929 Estimates and
has therefore been agreed
to by the Legislative Council

There is

(Signed) L. S. AMERY

KENYA

No. 128



GOVERNMENT HOUSE,
NAIROBI,
KENYA.

CONFIDENTIAL.

30th November, 1928.

Sir,

I have the honour to refer to the latter part of your telegram of the 26th August, 1927 relative to the appointment of a Town Clerk for Nairobi Municipality and to my telegram No. 304 of the 16th November, 1928 in which I requested that steps be taken to invite applications for this post.

2. Negotiations have been undertaken with the Municipal Council with a view to implementing the recommendation made by the Local Government Commission at page 165 of their Report as to the necessity for obtaining for this office a man of legal training and municipal experience. The present Town Clerk, Mr. L. Gilbert, was appointed as Treasurer to the Municipality in 1920. Subsequently, after taking over the duties of Town Clerk on a temporary basis, he was appointed to the post on an agreement terminating on September 21st, 1929 and providing for payment of salary until the expiration of six months leave from that date.

(3)

TO.

THE RT. HON. LT. COL. L.C.M.S. AMERY, P.C., M.P.

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET,

LONDON, S.W.

Plm & Coy - 20 Nov 1928

*10220/27
(No. 21)*

No. 1.

3. Under section 19 (1) of the Local Government (Municipalities) Ordinance, 1928 the appointment of a Town Clerk is subject to the approval of the Governor, one third of the annual emoluments of the office being contributed by Government under section 87 (6) (c) of the Ordinance. In the course of the negotiations with the Council on the matter, it became clear that their attitude was that they would acquiesce in the appointment of an officer with previous Municipal experience and legal training, provided that adequate compensation be made to Mr. Gilbert with whose services they stated they were fully satisfied. I agreed that compensation was due and in the circumstances that it should be payable by Government. An arrangement has accordingly been reached whereby Mr. Gilbert has submitted his resignation to the Council and Government has agreed to pay him the sum of £2,000 in compensation. Provision has been inserted in the draft Estimates for 1929 accordingly. Mr. Gilbert's resignation has been accepted by the Council but will not take effect until a new Town Clerk has been appointed and has been initiated into the work.

I have the honour to be,

Sir,

Your most obedient, humble servant,

Edward Gigg

GOVERNOR.

Mr. Easton 28
Mr. Allen 27

21/12/13

21 Dec 13

- Mr. Bottomley.
- Sir E. Harding.
- Sir J. Shuckburgh
- Sir G. Grindle.
- Sir C. Davis.
- Sir S. Wilson.
- Mr. Ormsby-Gore.
- Lord Lovat.
- Mr. Amery.

S 3

R 28 DEC
D 26

DRAFT.

no 1

Chant's

Dear Sir,

I am sorry to ask the
 rect of yr letter M/1213
 of the 13th Dec. in which
 you enclosed a copy of
 draft of the advertisement
 which it is proposed
 to insert issue
 inviting applications
 for the post of Town
 Clerk, Nantwich,
 subject to the
 following conditions & the word
 "satisfactory" from the
 phrase "after four
 years' satisfactory
 service" to read
 "satisfactory"

"if possible" -
"a creator" -
"to please"

and if possible from legal
qualifications is a scholar
+ (c) to the contrary the fact is from
to read and preferably
the last sentence.
possess legal qualifications

~~is a scholar~~ Subject
to amendment on these
the top of.

two points, he concurs in
the terms of the proposed
advertisement, and approves of

to its insertion in the
publications recommended
subject to New York
at the beginning of January

Law

Edw. H. Allen

omitted, and that the phrase

"if possible" is to be read
"if possible" from
the phrase

and if possible from legal
qualifications as a editor
+ (C) to the words the Stat of "from
did read" and finally
the last sentence
possess legal qualifications

~~as a editor~~ Subject
to amendment on these
the Stat.

two points, he concurs in
the terms of the proposed
advertisement, and approves of
its insertion in the

publications recommended
and published in New York
at the beginning of January

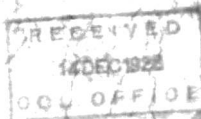
Law

Ed. H. Allen

ALL COMMUNICATIONS
TO BE ADDRESSED TO THE
CROWN AGENTS FOR THE COLONIES.
THE FOLLOWING REFERENCE AND THE
DATE OF THIS LETTER BEING QUOTED.

N/1213

TELEGRAMS: CROWN LONDON.
TELEPHONE: 7700 VICTORIA.



813
4, MILLBANK,
WESTMINSTER,
LONDON, S.W.1.

15th December, 1928.

Sir,

I have the honour to acknowledge the receipt of your letters numbered 1541/28 of the 30th November and 6th December respectively enclosing copies of telegraphic correspondence with the Governor of Kenya relative to the selection of suitable candidates for consideration for appointment as Town Clerk to the Municipal Council of Nairobi.

2. We have approached the Ministry of Health unofficially regarding this appointment and have arranged to consult them when the replies to the advertisement of the vacancy have been classified and their assistance is desired in connection with the selection of candidates.

3. We forward herewith, as desired, a draft of the advertisement which we propose to issue together with a list of the publications in which it is proposed to insert it. In this connection we confirm the telephonic conversation with your Department when it was understood that the following are the qualifications for the post. It will be seen that they have been embodied in the draft advertisement enclosed:-

"Municipal experience in this country and if possible legal qualifications as a Solicitor. A Town Clerk with experience in a small town is suggested but better still a Deputy Town Clerk of a large town".

Copy made (2) on 15/12/28
21 FEB
The Under Secretary of State,

COLONIAL OFFICE.

14

4. In view of the proximity of the Christmas holidays we consider that it is advisable to postpone the insertion of the advertisement in the press until the beginning of January.

5. We await the further instructions of the Secretary of State in the matter.

I have the honour to be,

Sir,

Your obedient servant,

W. A. W. W. W.

for CROWN AGENTS.

14
4. In view of the proximity of the Christmas holidays we consider that it is advisable to postpone the insertion of the advertisement in the press until the beginning of January.

5. We await the further instructions of the Secretary of State in the matter.

I have the honour to be,

Sir,

Your obedient servant,

W. A. Wichhart

for CROWN AGENTS.

30/1/1951

~~SECRET~~
TOWN CLERK - NAIROBI.

DETAILS OF PROPOSED ADVERTISEMENT AND LIST OF PUBLICATIONS.

"LOCAL GOVERNMENT JOURNAL" "MUNICIPAL JOURNAL"
"TIMES" "SCOTSMAN" "LAW TIMES"

Applications are invited for the post of Town Clerk to the Municipal Council of Nairobi, Kenya. The term of engagement will be for four years, of which the first year will be on probation. Salary £1,250 a year rising by annual increments of £50 to £1,500 a year. The appointment is non-pensionable; quarters and medical attendance will not be provided. First Class passages out and home for the person engaged only. Half salary is payable during the voyage ^{out} commencing from the date of embarkation. Six months' leave inclusive of voyages from Mombasa to England and from England on return to Mombasa, on full salary after four years' ~~satisfactory~~ service. Three periods of 14 days' local leave on full salary will be granted during the four years' service. Applicants, preferably under 40 years of age, must have had previous municipal experience in this country, and ~~if possible~~, possess legal qualifications ~~as a Solicitor~~; previous experience as a Deputy Town Clerk of a large town or a Town Clerk of a small town is also essential, preferably the former. Candidates with the qualifications and experience specified should apply at once for a Form of application to the Crown Agents for the Colonies, 4, Millbank, London, S.W.1., quoting the reference No.M.1213. A recent photograph of the applicant will be required when the formal application is submitted. The applications of the most suitable candidates will be forwarded to ~~the Government of~~ Kenya for consideration.

X 02/12/20 6 16

- Mr. [unclear]
- Mr. [unclear] 570
- Mr.
- Mr. Bottomley.
- Sir E. Harding
- Sir J. Shuckburgh
- Sir G. Grindie
- Sir C. Davis.
- Sir S. Wilson,
- Mr. Ormsby-Gore
- Lord Lovat.
- Mr. Amery.

6 Dec 20

DEC 20

Gentlemen

Dear paragraph of his letter from

DRAFT

C.A.

To Sec Gen 28 Nov (AOY) ✓
 From Sec Gen 10 Dec 20 (AOY) ✓

Copy to Sec Gen of Dec 20

Recd

Copy to H.A. 17

He granted
 an 18 m pay after 11
 years service

X Receipt X

this copy of the 30 a now
 regarding the appointment of a
 Town Clerk for Nairobi.
 I am to transmit to you
 the acc copy of letter
 forwarded to you from the
 Comd^g with the

Sum of Kenya which
 from which you will see that
 the fund of 100000/-

is enclosed for six months
 of the period of the voyage etc.
 from Nairobi to
 England from London
 in return to Nairobi

43

15418/28

Mr. Allen 30/11

Mr. Parkinson 30/11

Mr.

Mrs. Bostanley

Sir E. Harding

Sir J. Shuckburgh

Sir G. Grindle

Sir C. Davis

Sir S. Wilson

Mr. Ormsby-Gore

Lord Lovat

Mr. Amery

Downing Street,

30 November, 1928

Gentlemen,

I am, etc., to transmit to you the accompanying copy of a tel. from the Governor of Kenya, regarding the selection of suitable candidates for consideration for appointment as Town Clerk, Nairobi; and to request that you will make arrangements for advertising the vacancy in the terms indicated, the cost to be

charged in the first instance to Kenya funds.

100/- cost of a 20-... change

2. As the provision as to leave mentioned at (d) of the Governor's telegram is not quite clear,

enquiry

Copy & copy of draft of 30/11/28

2 DRAFTS *Car: r. rather unworkable*

THE C.A. FOR THE COLS.

Dr. Gov. Tel 16 Nov. No. 103
 To M. of H. 30/11/28
 (Companion draft)

It is the understanding that this is not an advertisement which will be made by the Govt of Kenya, but it will be convenient that

X 15248/22k 18

- Mr. Eastwood 25.11
- Mr. Allen 28/11 atace
- Mr. ~~Butcher~~
- Mr. Boltonley
- Sir E. Haravey
- Sir J. Shuckburgh
- Sir G. Grindle
- Sir C. Davis
- Sir S. Wilson
- Mr. Ormsby-Gore
- Lord Lovat
- Mr. Amery

Recd. No. 5
 Coded sent 28/11/28

without price

230pm
 11/29
 12 NOV.
 129

28 November

Your telegram of 16 November
 no 304 Town Clerk
 Crown Agents have been

asked to advertise
 Is please quote
 host @ ~~does six months~~
 irrespective of voyage length
~~have include period~~
 will understand as meaning
 that the six months period
 of ~~voyage~~
 is additional to
 period of voyage
 have also return
 voyage if re-engaged

DRAFT.

Tel. cost

Governor

Nairobi

copy to G.O. U.D.F.

Secy.

Also a letter

V.

1A 19

VACANCY FORM.

MR. Allen

REFERENCE X 152418/28 Ken

(1) PROMOTIONS BRANCH

(2) PRIVATE SECRETARY (APPOINTMENTS).

COLONY Kenya

VACANCY Town Clerk, Nairobi.

CAUSE OF VACANCY New post.

EMOLUMENTS including any special notes as to £1250 rising to annual increments of £50 to £1400.

- (a) Terms of appointment. Two years contract of which the first year will be on probation. Non-portable, without ~~benefit of gratuity~~
- (b) Allowances. Free 1st class passages from port of embarkation to Nairobi for self only. Half salary on voyage back. ~~Free to include himself & family.~~
- (c) Quarters. Quarters not provided
- (d) Passages. Six months leave irrespective of voyage, on full pay after 4 years service. Three periods of 14 days leave on full pay during contract period

REMARKS including any special notes as to No free medical attendance

- (e) Married Candidates. No objection
- (f) Duties. Usual duties of Town Clerk.
- (g) Qualifications required. Municipal experience in this country as Town Clerk or Deputy Town Clerk of a large town - If possible legal qualifications as a solicitor.

have no really good candidate a these books
for the class I am R. should get into touch
with the Ministry of Health (presumably) for
a following case in which to proceed.

have no really good candidate in their books
for the class I am R, shared it with each
with the Ministry & Health (presumably) for
a preliminary course as to how to proceed.

