

39485

26 AUG 15

NOT AFR. PROT.

39485

11/2

Governor
Be If is ld 587

1915
29th July

Last previous Paper.

CENTRAL COMMITTEE OF SUPPLIES

Trs copies of letter and enclosures from Nairobi Chamber of Commerce respecting constitution of Committee. States meeting to be held next month to consider powers etc but points out that this is not because of complaints of Chamber. Observes Chamber has not brought to notice any unfair action affecting trading firms.

Sir G. Fiddes.

James ~~the~~ two Gazettes of May 19 1914 (380 / 381) which refer to the formation of the Central Committee.

The Chamber of Commerce in the resolution of 14 May is concerned with the Committee as dealing with commandeered stores, but by 29 May they question of commandeering dis officers & tenders only are referred to. There can hardly be reference to a Court about the acceptance or non-acceptance of a tender, & as regards representations the C^o was set up under martial law, & reference to the Civil courts is restraint of its decisions is impossible.

How sub. case 2 Sept 15

Next subsequent Paper
for 6779/16

As regards the personnel of the C^o Commercial

Commercial Union (C.U.) was created and
in a small plank could not be obtained
without selecting an actually engaged in
trade. The C.U. give us instance in which
the arrangement has proved objectionable,
& these resolutions are more general & vague
new colony.

? Ask: & ask that the Ch. may be
w/af? that their resolution letter of
12 July & the complete book accompanied
it have been received.

And ask Gov. to report the arrangements
made after the discussion he refers to.

Secy. AS. 12.
8.9.

W.C.S. 27.8.15.

Pr. 20.8.15

Am. 31.8.

EAST AFRICA PROTECTORATE.

NO. 587

39485
GOVERNMENT HOUSE
NAIROBI
26 AUG 15
BRITISH EAST AFRICA

July 23rd, 1915.

300

Sir,

I have the honour to transmit herewith copies of a letter and enclosures from the Nairobi Chamber of Commerce respecting the constitution of the Central Committee of Supplies.

2. I have arranged for a meeting to take place next month to consider the powers and duties of the Committee but this decision was not arrived at in consequence of the complaints of the Chamber but as a result of representations made by the Mombasa Branch Supply Committee to the effect that a more normal state of trade now prevails.

3. I would observe that the Chamber has brought to my notice no instance of unfair action by the Committee affecting any trading firm here.

I have the honour to be,

Sir,

Your humble, obedient servant,

Alonso Bayard

GOVERNOR.

RIGHT HONOURABLE

ANDREW BONAR LAW, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET,

LONDON, S.W.

Nairobi Chamber
of Commerce.

INCLOSURE

In Despatch No. 587 of July 29th 1915

Nairobi Chamber of Commerce,

Nairobi,

12th July, 1915.

304

39485

Aug 26 1915

The Chief Secretary,

Nairobi

Sir,

We are directed to acknowledge the receipt of your letter No. 10889/54 of the 21st ultimo, and in reply to forward copy of a resolution passed by this Chamber in general meeting as follows. "That a schedule of the correspondence be sent to the Secretary of State for the Colonies through His Excellency the Governor".

For this purpose we have the honour to enclose a copy of all the correspondence relating to the subject.

We have etc.,

Sd. Geo. W. Oearn
Chairman.
for Nairobi Board of Executors
& Trust Co., Ltd.

Sd. Fichat

Secretaries.

Copy.

NAIROBI CHAMBER OF COMMERCE.

305

15th May 1915.

The Chief Secretary,
Nairobi.

Sir,

We are directed to forward for the information and early consideration of the Government, copy of a resolution unanimously passed at a Special General Meeting of the above Chamber on Friday, the 14th instant. The mercantile community of Nairobi were fully represented at the meeting.

We have the honour to be,

Sir,

Your obedient servants.

(sgd) Nairobi Board of Executors & Trust Co.,
Secretaries.

RESOLUTION.

306

"That this Chamber desires to represent in the strongest possible manner the situation created by the present constitution of the Central Committee of Supplies, whereby trader intervenes between trader and the Military Authorities in all matters relating to the requisitioning of goods under arbitrary powers created by Martial Law, and prays for immediate relief therefrom, and this Chamber further recommends that in the interests of the mercantile community of East Africa, in cases where the differences occur between owners and the central Committee of Supplies in respect of the value to be paid for goods etc; commandeered, it shall be possible for the owners to take their cases before the Civil Courts, whose decision on all questions will be final. That this facility be granted to the mercantile community in East Africa, as it already has been granted in England".

Copy.

307

No. 810889/37

The Secretariat, Nairobi,
East Africa Protectorate.

May 20th, 1915.

Sir,

I have the honour to acknowledge the receipt of your letter of the 15th inst forwarding a copy of ~~your~~ resolution passed by your Chamber, and in reply to inform you that the question of the Central Committee of Supplies is at present engaging the special attention of His Excellency.

I have the honour to be,

Sir,

Your most obedient servant

(sgd) W. J. Munsen.

for the Chief Secretary to the Government.

The secretary,

Nairobi Chamber of Commerce.

Nairobi.

Copy.

303

810899/39

The Secretariat, Nairobi,
East Africa Protectorate.

May, 25th, 1915.

Sir,

With reference to your letter of the 20th instant, I am directed by His Excellency the Governor to inform you that he has made personal enquiries into the nature of the work performed by the Central Committee of Supplies, and that he is satisfied that it is necessary in the public interest that the Committee shall continue to maintain that supervision over commercial transactions in the nature of purchase and sale which it has exercised with advantage and discretion since the commencement of the War.

His Excellency does not therefore propose to curtail the authority vested in that body, nor to provide for the review of its decisions by the Civil Courts.

I have the honour to be,

Sir,

Your most obedient servant,

(sgd) C.C. Sewring.

Chief Secretary to the Government.

The Secretary,
Chamber of Commerce,
Nairobi.

Copy.

NAIROBI CHAMBER OF COMMERCE.

309

Nairobi,
29th May 1915.

The Chief Secretary,
Nairobi.

Sir,
In acknowledging the receipt of your letter No. S10899/39 of the 28th inst. in which the Chamber is informed in reply to their resolution forwarded to you under cover of our letter of the 15th instant, "that His Excellency the Governor has made personal inquiry into the nature of the work performed by the Central Committee of Supplies and that he is satisfied that it is necessary in the public interest that the Committee shall continue to maintain that supervision, etc.", we are directed most respectfully to point out that the resolution did not deny the necessity of such a body as the Central Committee of Supplies, but prayed for immediate relief from the situation created by the present constitution of such Committee, whereby trader intervenes between trader and the Military Authorities. To illustrate more clearly the opinion of the Chamber, the inclusion in the Central Committee of Supplies of tradesmen, who are permitted, through the firms they represent, to hold stocks, to tender for supplies, and then in their individual capacities (as members of the Supply Committee) are given the power to influence tenders in the direction of their own firms, is manifestly unfair and entirely unconstitutional.

This view is taken by the majority of the Merchants and Traders of this town as represented by about thirty of the members of this Chamber at their Special General Meeting held on the 14th instant; a schedule of those present is enclosed. Now that the Chamber has explained the meaning of this resolution, it prays for the further consideration of same. It is noted that His Excellency declines to curtail the authority vested in the Supply Committee, or to provide for the review of its decisions by Civil Courts. As to the former, no curtailment was requested in the resolution, as to the latter, the Chamber whilst being bound to accept His Excellency's ruling, beg nevertheless to place on record its expression of disappointment and regret in that a facility granted in other parts of the Empire is withheld here.

We have the honour to be,
Sir,
Your obedient servants,
(sgd) Nairobi Board of Executors & Trust Co.
Secretaries.

COPY.

310

B10889/47

The secretariat, Nairobi,
East Africa Protectorate,
June 4th 1915.

Sir,

I have the honour to acknowledge the receipt of your letter of the 29th ultimo, and to inform you that it was placed before the Governor.

2. His Excellency is surprised that the Chamber should so have demeaned itself as to cast unsupported imputations of unworthy conduct upon commercial gentlemen of proven probity and high standing in the country. On the information before him he is unable to accept the suggestion made as worthy of credence.

I have the honour to be,

Sir,

Your most obedient servant,

(Sgd) C.C. Bowring

Chief Secretary to the Government.

The Secretary,
Nairobi Chamber of Commerce,
Nairobi.

COPY.

NAIROBI OF CHAMBER OF COMMERCE.

311

Nairobi,
11th June, 1915.

The Chief secretary,
to the Government,
Nairobi.

Sir,

We are directed by the Committee of the Chamber of Commerce to acknowledge with thanks your letter of the 4th instant No. 810889/47.

The Committee quite fails to understand on what grounds the Chamber is charged with having "so demeaned itself as to cast unsupported imputations of unworthy conduct upon commercial gentlemen of proven probity and high standing in the country", and the Chamber strongly resents the accusation that it has for one moment desired His Excellency "to accept any such suggestion as worthy of credence".

It expresses its regret that what was suggested merely as a reconsideration of general principles appears to have been interpreted as a descent into a personal attack upon unofficial members of the Central Committee of Supplies.

What the Chamber has endeavoured apparently without success, to make clear is that

It quite agrees as to the necessity for such a body as the Central Committee of Supplies
but that

That Chamber is most emphatically of opinion that it is wrong in principle to expect any individual, however good his intentions, to exercise an absolutely unbiased judgment in placing an order or deciding a tender in which he is directly or indirectly interested.

It will surely be admitted that such an individual would be liable to err, either from an excess of fair-mindedness, to his own detriment, or, from over confidence in his own judgment as to the superior quality of the particular goods stocked by him, to the detriment of his fellow traders.

If however the truth of the above assertion be not assented to and it be held that such a trader can judge quite impartially of the merits of goods stocked by his own firm, as compared with those of other competing traders and that his inside knowledge of the prices of other tenderers would impose on the latter no handicap, and that such information would in no way influence him consciously or unconsciously in the case of his firm submitting future tenders, this Chamber has no further arguments to put forward.

The Chamber view the case as being of such importance that it would strongly urge its reconsideration by His Excellency, and venture to again emphasize the fact that the position created is unconstitutional and does not exist in any other part of the British Empire.

We have the honour to be,

Your obedient servants,
(sgd) Nairobi Board of Executors & Trust Co,
Secretaries.

COPY.

312

No. SID89/52.

The Secretariat, Nairobi,
East Africa protectorate,
June, 12th, 1915.

Sir,

I have the honour to acknowledge the receipt of
your letter of the 11th instant which will be placed before
His Excellency the Governor on his return to Nairobi.

I have the honour to be,

Sir,

Your most obedient servant,

(sgd) C.C. Bowring.

Chief Secretary to the Government.

The Secretary,

Nairobi Chamber of Commerce.

Nairobi.

COPY.

No. S10889/54.

The Secretariat, Nairobi.
East Africa Protectorate,
June 21st, 1918.

313

- Sir,
- In continuation of my letter of the 15th instant, I have the honour to inform you that your letter of the 11th idem was placed before the Governor.
1. His Excellency desires me to say that he is pleased to receive the assurance of the Chamber that its previous communication was not intended to impugn the integrity of any member of the Committee of Supplies, but that, such being the case, the letter in question appears to have been unfortunately worded.
 2. He is satisfied that it is essential that the Committee be so constituted as to number among its members a proportion of gentlemen having an intimate knowledge of local commercial affairs, and is further of opinion that no case has been shown for criticism of the appointments made.
 3. His Excellency is not prepared to alter its composition, nor to agree to the withdrawal of any member therefrom except at the request of the individual and with the assent of the Committee.
 4. I shall be obliged if you will inform your Chamber accordingly.

I have the honour to be,

Sir,

Your most obedient servant,

(Sgd) C.G. Bowring
Chief Secretary to the Government.

Sos. 39485/1915.
E.A.P.
S.P.



2 Sept 1915.

DRAFT.

E.A.P.
to be

for Sir H. Belfield

MINUTE

Mr. Harper, 1/9/15.

Mr. Bottomley, 1.9.15. f.

Mr.

Mr.

Sir G. Fiddes.

Sir H. Just.

Sir J. Anderson.

Mr. Steel-Maitland.

Mr. Bonar Law.

Ans 679/16

I have the honour to
acknowledge the receipt of
your despatch no 587
of the 29th July and to
request that you
will cause the Nairobi
Chamber of Commerce
to be infd that I
have received their
letter of the 12th July
and the copy which
accompanied it, on
the subject of the

constitution of the
Central Committee of Supplies.

2. I shall be glad
to receive a report showing
the arrangements made after
the meeting referred to in
para 2 of your despatch.

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REGISTERED BY PATENT OFFICE
LONDON, ENGLAND