

1932.

Kanya

No. 18084

SUBJECT

C0533/423

Compulsory Retirement

Previous

16086/30

Subsequent

3103/33

Submits, for approval, following list of officers recommended by Exec. Council for compulsory retirement:-
 Lt. Col. O. F. Watkins, Mr R. B. Horne, Miss M. C. Wiley,
 Mr C. W. G. Lane, Mr R. H. Wake-Bowell, Miss L. V. Shelton,
 Miss G. Plaakitt, Miss I. Wilson, Capt. J. F. Walsley-Bourne,
 Mr. E. B. Theunissen, Mr H. L. Sikes.
 Mrs. C. Manning is being allowed to proceed on leave in May next and to return for a further tour of service.

1a Summary of recommendations.

Mr. Whitcomb has very kindly compiled
 1a Summary of recommendations.

The only cases which appear to require comment are the following:-

Mr Lane has returned to Kenya but there is nothing to show why and this need not therefore affect the consideration of his case.

Miss Wilson is nearly 56 years old. There is no necessity to wait any representations she may wish to make in a year's time.

Capt. Mr Theunissen will be nearly 48 in May 1933. He is not considered to be fit for promotion - otherwise it does not appear to be to the advantage of Kenya to retire him at this age unless they propose to clear the vacancy unfilled.

? Subject to any comments by C.O. approve the recommendations in appendix I.

M. S. P. 1/4/32

All are reasonable, and all have had the opportunity to make representations. Such representations as have been received have been considered by the Commission. In the case ^{with} it is difficult to override the Gov's recommendation.

Approved in toto.

W. G. [unclear]
22/6.

22
27.7.7
22.4.72

After discussion, Mr. De [unclear] saw this paper with the [unclear] of [unclear] [unclear], but without the rest of the [unclear] of [unclear] [unclear] with it.

Wed 25.4.72

To file at 86

16.4.32

See 816 above
2.5.32

REPRODUCED UNDER STATUTE

3. Governor Byrne 120.66f. 11th Oct. 32.
2nd. copies of memo, with the Chief Justice & the Treasurer regarding their retirement & records, that Sir J. Baillie should be given leave to retire on October 1932 & that Mr. Rushton should extend his present term until October 1932 when he should proceed on leave pending retirement.

Sir J. Baillie's date of birth is 28th July 1871 and he will reach the age limit of 62 next July. Mr. Rushton's date of birth is 1st April 1876 and he attained the age limit of 55 in April last year - both 30 could presumably be obtained for an extended period because their ages will on their retirement be 64 & 65 - but the former does not recommend ^{any extension} either extension in the former case or further extension beyond the age of 57 in the latter.

Mr. Baillie should see as regards Sir J. Baillie for any other.

As regards Mr. Rushton his last Confidential report (35/2617 BA) was not particularly favourable. He is Chairman of the Agric. Advisory Board which received its funds from Expenditure but this action was supported by the former.

Subject to any other by Mr. Baillie in case of approval the former to proceed with the present 25/12/32

* See 120.66f
1932

Yes. Staffing for Baillie
revised from his file.
But later not taken
into account
25/12/32

N. Jeffin is on leave. I agree with
N. Puntinam.

J.M. 16/10
14/11/32

12

Dr. Allen

14/10/32

Yes. I am not sure that Mr.
Puntinam has had much of a chance,
but he could be found by the end of
the month.

16/11/32

8/1/33

15/11/32

21/11/32

16/11/32

at once

To Gen. Compd

18 NOV 1932

(3 answered)

5 Governor Bygone Conf 1934

30 Nov '32

Submit recommendations in connection with the
compulsory retirement of G.H. Adams, G.H. Smith,
B. G. Bell, E. Jones, G. F. Britton, J. S. Abbott, & also
recommendations that Mr. Blackitt should be allowed to
return for a further term.

DCA's views should be invited
on the proposals regarding Mr. Smith.
It seems strange that Mr. Bell
should have been requested to
"show cause" now when he is about
to be tried on his suspension.
In spite of a somewhat lukewarm

Conf Report (see 1a) Miss Pleasant
is proposed to return for another term.

? Subject to any comments by
DCA on the suit and by CAG
approval of the recommendations and
notes to myself re Miss Pleasant
for Mr. Blackitt

14/1/33

(Mr. Whitcomb had a paper for me)

15/1/33

[Faint, mostly illegible handwritten notes and signatures]

DESTROYED UNDER STATUTE

No. 8078/32
Mr. Smith is only 53 years of age and,
Northern
except for a few months in Nigeria in 1910, has
spent all his service in Nyasaland (1904-1910),
Seychelles (1911-1912), Uganda (1913-1917) and
Kenya (1917 to date) and Europe, i.e. in
countries which, if Tropical, have comparatively
good

good climates.

He was wounded in the arm in France, and his wound still, I believe, troubles him somewhat at times; but I have no reason for thinking that his health affords any ground for retiring him, and the Governor does not put this forward as a reason for the proposal. In fact he puts forward no reason at all, which renders it rather difficult for me to comment on the proposal.

Mr. Smith states that on the score of health he feels entirely capable of continuing in charge of his Department and that he wishes to do a further tour of service.

I do not understand why the question of his retirement was raised by the Colonial Government at all, especially at a time when economy in expenditure is so desirable if it can be secured without loss of efficiency. Of course, if his efficiency as Auditor had been impaired by age or illhealth, there would be reason for the Colonial Government to take up the question of retiring him, if I did not. And if he had been an officer of another Department, they might have thought it desirable to give some other officer junior to him the benefit of early promotion. But a Colonial Government has no particular interest in accelerating the flow of promotion in the Colonial Audit Department. That is my affair rather than theirs.

Mr. Smith is one of the best of our senior Auditors, and I have observed nothing to make me desirous of his retirement. On the

contrary,

5
contrary, his retirement - and especially his leaving Kenya in present circumstances - would be a serious loss to the Department, and one which I am very anxious to avoid for the next 2 or 3 years. In addition:-

- (a) The officers from whom his successor would have to be selected have been appointed to their present posts for so short a time that I should be reluctant to move them for a few years unless it became unavoidable.
- (b) When I started planning last summer the moves which would be advisable to fill probable higher vacancies during the next couple of years, I wrote to Mr. Smith to ascertain what his plans were. He replied in June that he would like to do another tour and then retire. It never occurred to me to suppose that the Colonial Government would put forward a proposal for the compulsory retirement of a member of the Colonial Audit Department against whose efficiency, so far as I am aware, there is nothing alleged. Mr. Smith's plans fitted in well with the Department's probable needs; and I have based my recommendations for filling such posts as Auditor of the Gold Coast and Auditor of Palestine, and my plans for filling the Auditorship of Nigeria when Mr. Knollys retires this year and for consequent promotions on the assumption that Mr. Smith would remain Auditor of Kenya until about 1936; and from this point of view also I should be very

sorry

sorry if Mr. Smith retired during the next 2 or 3 years.

For the above reasons, I ask that the proposal to retire Mr. Smith at the end of his forthcoming leave may not be approved by the Secretary of State.

A. J. Harding

Director of Colonial Audit.

19th January 1932

At a time when we have just agreed to raise the retiring age to 55, and when the question of non-effective charges is one of particular concern, it seems odd that the Kenya Govt. should be going on in the same old way proposing compulsory retirements at 50. The Smith case seems to show that they will regard the matter as one to be dealt with on the basis that the officer should go unless there are strong reasons for keeping him on; whereas the bias is surely ought to be in

6
exactly the opposite direction.

I think that we should reply pointing out this; decline to approve the retirements of Mr. Smith (explaining briefly the D.C.A.'s objections); approve retirements of Mr. Adams, Mr. Butler who are willing to go & are legally entitled to retire voluntarily; as regards the rest say that in the S.O.'s judgment the retirements should only be effected if

- (a) the officer concerned wishes to retire voluntarily; or
- (b) they are so insufficient that it is in the interests of the Govt. that they should go; or
- (c) the retirements will facilitate reorganisation and re-employment.

And say that the Govt. may proceed with the retirements of those who fall within any of these categories and should report the result.

C. J. Proctor
1.1.32

Revd. to
Mr. Green
9/2/33

(An no. letter from DCA is tempore attached to the file; it might be removed when the decision on Dr. W.H. Smith has been taken)

The Expenditure Advisory Committee has not yet reported; four of its members, however, are on L.X. Co., and it is conceivable that the recommendation to retain some of these officers is due to the proposed reorganization of their Departments.

But this is covered by (c) in the office minute with which I entirely agree.

Stewart
22/1/33

S.P.P.
29.1.33

Draft for cover.

I agree with Adams, Smith, Adams, & Butler. Let me definitely hold that Dr. Hunter's place will not be filled and I should see what we should not do in view of his retirement.

The draft should be carefully worded so as not to convey that the fact is not due to the considerations mentioned in the beginning of the office minute and the draft (which I have examined) of the other two

ago, pointing out that financial reasons were necessary for expelling Mr. Hunter, should be looked up and referred to.

I am not sure that it has been said from the necessity point of view which might clash with the line now to be taken.

W.S.
29.1.33 above

I don't think anything has been said which clashes, but I have the dft. through Major Durr.

C.J. Johnson
1/2/33

Discussed with Major Durr. We have looked at the circular of 20/1/32 & the dft. to N. Rhodesia of 2/12/32 (Copies attached) but the draft does not appear to be inconsistent with them.

C.J. Johnson
2/2/33

Revised
9/2

W.S.
5/2

By Air Mail
2/2/33 6

To Est Corp (5 Amund) wms

6 FEB 1933

~~295
P.Fs to be
noted - see
Pg. 6~~

D.C.A. to see

20 2:53

Seen

A. Harding

DCA

23/2/33

~~Provision
see 1111 to~~

(K)

C. O.

Mr.

Mr.

Mr.

Mr. Parkinon.

Mr. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Parlm. U.S. of S.

Party. U.S. of S.

Secretary of State.

DRAFT.

10
whose appointment I note it is not proposed to fill.

5. The ~~compulsory~~ retirement of the other officers mentioned in the first para. of your despatch should, in my judgment, only be effected if

- (a) the officers concerned wish to retire voluntarily; or
- (b) ~~they are so inefficient~~ *their standard of efficiency is such* that it is in the interests of Government that they should be retired; or
- (c) the retirements will facilitate reorganization and retrenchment.

I am prepared to approve of your proceeding with the retirements of those officers whose cases fall within any of the above categories, and I should be glad if you would inform me in due course of the action taken.

6. I approve your
recommendation that Miss G.
Plaskitt, Education Officer,
should be allowed to return
for a further tour of service
if her health is perfectly
satisfactory.

I have, etc.

(Sgd.) R. CUNLIFFE-LISTER

52a 11

Mr. G.H. Adams, District Officer.

50 years of age on the 11th September, 1934.
Completed 20 years service in East Africa on the
17th December, 1928.

He completes a 30 months' tour on the 3rd
April, 1934, when it is proposed that he should
retire unless in the meantime he is promoted to
Provincial Commissioner. Mr. Adams has been
informed locally that in view of the proposal to
reduce the number of Provinces, his chances of
promotion are remote.

See no. 79 on 3738 E.A.

Acting Colonial Secretary says:- "Mr. Adams
has not yet shown the strength of character or
personality which would qualify him for substantive
advancement but he is being given a further trial
in an acting capacity during 1932." (15.1.32).

Governor says:- "From what I have seen
of Mr. Adams, I judge him to be a very hardworking
and conscientious officer. He is tactful, quiet
and unassuming. I must await the result of his
work as Acting Provincial Commissioner before I
consider recommending him for fuller advancement."
(23.1.32)

Mr. W.H. Smith, Auditor.

Attained the age of 50 years on the 29th
October, 1929.

He will complete 20 years' East African
service in 1938.

*Has 29 years' service in
his own right.*

he proceeds on leave in march 1933, and his retirement is recommended.

The Governor understands that the Director of Colonial Audit is anxious that this officer should return for another tour. In this connexion - see Mr. Allen's minute of 30th September, 1932, on 927 E.A. - the Director wishes to be given an opportunity to express his views before a decision is taken.

Sir Edward Brigg reported that Mr. Smith is "a conscientious officer but is a little open to the temptation of criticising Government in mixed company." (Undated).

Mr. Moore later reported that Mr. Smith was an efficient officer. (10.2.31).

Mr. V. M. Bell, Education Officer.

Attains the age of 50 years on the 10th May, 1933, and will complete 20 years' service in 1942. He will complete a 30 months' tour on the 29th January, 1934, when it is proposed that he should be given provisional notice of retirement, the notice to be re-considered if he succeeds in the capacity of headmaster in which he is about to be employed.

The Acting Director of Education reported that Mr. Bell "is poorly qualified academically but is industrious and has a good knowledge of elementary school work, showing an interest in native handicrafts." (7.12.31).

14
Attained the age of 50 years on the 10th September, 1930, and will have 20 years' service in 1943. He will complete 30 months' tour in October, 1933, when it is proposed that he should retire.

Confidential report for 1931 says:- Mr. Abbott's general conduct is satisfactory, a good mechanical engineer, weak in civil engineering, qualifications not adequate for promotion but makes up for these defects to a large degree by conscientious and painstaking work, etc.

515



KENYA.

GOVERNMENT HOUSE,
NAIROBI,
KENYA.

NO. 1144

CONFIDENTIAL.

RECEIVED
27 DEC 1932
COL. OFFICE

30th November, 1932.

Sir,

No 2

Answer (6)

With reference to correspondence terminating with your Confidential telegram No.86 of the 26th of April last regarding the compulsory retirement of officers under the provisions of Section 9 of the European Officers' Pensions Ordinance No.XI of 1927, I have the honour to inform you that after consideration by my Executive Council, I have concurred with the following recommendations and now submit them for your approval:-

- (1). Mr. C.H. Adams, District Officer, attains the age of 50 years on the 11th September, 1934, and completed 20 years East African service on the 17th of December, 1928. He returned from leave on 4th October, 1931, and will complete 30 months' service on the 3rd April, 1934.

Council advised that he should be retired at the end of his present tour unless in the meantime he is promoted to Provincial Commissioner. Mr. Adams has been informed that in view of the proposal to reduce the number of Provinces his chances of promotion are remote.

- (2). Mr. W.H. Smith, Auditor, attained the age of 50 years on the 29th October, 1929, and will complete

THE RIGHT HONOURABLE
MAJOR SIR PHILIP CUNLIFFE-LISTER, F.C., G.B.E., M.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, LONDON S.W.

complete 20 years' East African service in 1936. Mr. Smith completed a tour of 30 months' service on the 21st of May, 1932, and proposes to proceed on leave in March, 1933.

Council advised that he should retire from the Service at the end of his present tour.

- (3). Mr. G. M. Bell, Education Officer, will attain the age of 50 years on the 10th May, 1933, and will complete 20 years' service on the 31st of March, 1942. He returned from leave on 30th July, 1931, and will complete 30 months' service on the 29th of January, 1934.

Council advised that Mr. Bell should be given provisional notice of retirement at the end of his present tour, the notice to be reconsidered if he succeeds in the capacity of Headmaster in which he is about to be employed.

- (4). Mr. E. Jones, Education Officer, attained the age of 50 years on the 12th of July, 1930, and will not complete 20 years' service until the 28th of September, 1944. He returned from leave on the 17th of April, 1932, and will complete 30 months' service on the 16th of October, 1934.

Council advised that he should retire at the end of his present tour of service.

- (5). Mr. C. F. Bristow, Superintendent of Police, attained the age of 50 years on the 9th of June last and completed 20 years' service

on the 25th of January, 1931. He returned from leave on the 11th of October, 1930, and will complete 30 months' service on the 10th of April, 1933.

Council advised that Mr. Bristow's present tour should be extended by six months, i.e. to October 1933 and that he should then retire from the Service.

- (6). Mr. E.E. Abbott, Executive Engineer, Public Works Department, attained the age of 50 years on the 10th September, 1930, and will complete 20 years' service on the 26th of August, 1943. He returned from leave on the 20th of April, 1931, and will complete 30 months' service on the 19th of October, 1933.

Council advised that he should retire from the Service at the end of his present tour. The officers concerned were informed that these

recommendations should not be regarded as prejudicing any subsequent recommendations which the Expenditure Advisory Committee may make as regards specific posts.

The above officers were given an opportunity of making representations in respect of their compulsory retirement and the accompanying summary, which contains such representations as were received, was duly considered by Executive Council. Except in the case of Mr. Bristow Council saw no reason to vary the advice already tendered to me.

With regard to Mr. Smith, the Auditor, it was understood that the Director of Colonial Audit for reasons connected with the organisation of his own

Department

Summary:

Department was anxious that this officer should return for another tour. It was felt that such considerations were a matter for your own decision after consultation with the Director of Colonial Audit, but as far as this Colony is concerned Council saw no reason to reconsider the advice already tendered to me.

No2

2. I take this opportunity of referring to the approval which was given in your telegram under reference to the retirement of Miss G. Plaskitt, Education Officer, with the concurrence of my Executive Council I now recommend that she should be allowed to return for a further tour of service if her health is certified to be perfectly satisfactory.

I have the honour to be,
 Sir,
 Your most obedient, humble servant,



BRIGADIER-GENERAL.
 GOVERNOR.

RETIREMENTS FROM THE SERVICE.

In Minute No.367 of the 2nd September, subject to any further decision which may be taken in regard to specific posts as a result of subsequent recommendations by the Expenditure Advisory Committee, Executive Council endorsed the recommendations of the Sub-Committee for the retirement of the following officers:-

1. Mr. C.H. ADAMS, District Officer, on the 3rd April, 1934, the end of his present tour, if not promoted to Provincial Commissioner in the meantime;
2. Mr. T.D. BUTLER, District Officer, on the 19th September, 1934, the end of his present tour, if not promoted to Provincial Commissioner in the meantime;
3. Mr. J.F.C. BRADSHAW, Senior Veterinary Officer, on the 5th November, 1934, when he will have completed 20 years' East African Service;
4. Mr. W.H. SMITH, Auditor, in March, 1935, when he proposes to go on leave;
5. Mr. G.M. BELL, Education Officer, on the 29th January, 1934, the end of his present tour, subject to re-consideration dependent on his work as a Headmaster;
6. Mr. E. JONES, Education Officer, on the 16th October, 1934, the end of his present tour;
7. Mr. C.F. BRISTOW, Superintendent of Police, on the 10th April, 1933, the end of his present tour;
8. Mr. F.E. ABBOTT, Executive Engineer, Public Works Department, on the 19th October, 1933, the end of his present tour;

and of the following officers at the end of their next tours:-

9. Mrs. A.D. HAMMOND, Matron, Education Department;
10. Mrs. E. STANLEY, Matron, Education Department.

2. The officers with the exception of Mr. Bradshaw in whose case, at the request of the Director of Agriculture, it was decided to postpone action for a few months, and Mesdames Hammond and Stanley, were notified of Executive Council's decision and were asked whether they wished to submit any representations before the 1st November, 1932, in regard to the decision.

3. The following replies have been received:-

Mr. C.H. ADAMS

Mr. C.H. ADAMS states that his retirement at the end of his present tour is quite agreeable to him and he has no representations to make; he begs, however, that if an opportunity for promotion does arise it will not be overlooked.

Mr. F.D. BUTLER applied for immediate retirement and he has been allowed to retire.

Mr. W.H. SMITH has requested to be allowed to return for a further tour of service which would suit his private arrangements (completion of son's education at Cambridge). Mr. Smith also states that on the score of health he feels "entirely capable of continuing in charge of my Department".

Mr. C.F. BRISTOW represents that his retirement early next year, i.e., at the end of his present tour in April, 1933, "would be in the interests neither of Government nor of the Force" and refers to economies which his experience has enabled him to effect. Mr. Bristow further states that on account of the moratorium on leave he altered all arrangements in anticipation of the moratorium applying to his tour and requests that, in the event of its being decided to retire him at the end of his present tour, his tour be extended until October, 1933.

The Commissioner of Police in commenting upon Mr. Bristow's representations states that Mr. Bristow's representations had received careful consideration before his recommendation was made to Government and the reason advanced by Mr. Bristow asking his tour to be extended to October, 1933, does not appear to be particularly cogent, as he does not propose to fill his post on Mr. Bristow's retirement and his retention for a further period will involve additional expenditure to that anticipated in 1933. On the other hand he sees no reason on general grounds why Mr. Bristow should not be permitted by His Excellency to remain until October, 1933, as desired.

4. No representations have been received from Messrs. Bell, Jones, and Abbott.

5. No notifications were addressed to Messrs. Hammond and Stanley in view of the fact that the Sub-Committee recommended their retirement at the end of their ~~next~~ tours of service which commence approximately in December, 1933, and January, 1934, respectively.

5. It is a matter for decision whether the original recommendations in the cases of Messrs. Smith and Bristow should be confirmed or altered in the light of the representations received.



KENYA.
No. 130

GOVERNMENT HOUSE,
NAIROBI,
KENYA.

CONFIDENTIAL.

4 NOV 1932
GOV. OFFICE

October, 1932.

Sir,

No1

Correspondence.

With reference to my Confidential despatch No. 25 of the 9th February, 1932, I have the honour to enclose copies of correspondence which has passed between the Chief Justice, the Treasurer, and myself relative to the question of their retirement.

2. It will be observed from Sir Jacob Barth's reply that he suggests that he should proceed on leave in October next, and retire at the expiration of the leave due to him, unless on grounds of economy it is considered desirable that he should return for one more short tour. While it is true that the Colony on Sir Jacob's retirement will have to meet both the salary of a new Chief Justice, and also a maximum pension in respect of the same office which Sir Jacob has already earned, I do not feel that such considerations would justify me in suggesting that Sir Jacob should be invited to extend his service beyond the period which in other circumstances would be contrary to his personal inclinations. I therefore recommend that he should be given leave to retire in October next as he suggests.

3. Mr. Hughton is now 56 years of age and will be 57 by the time he is due for leave at the conclusion of his present tour. While I am sensible of the very useful services he is performing as Treasurer at a period of considerable financial difficulty, I am not in favour of retaining officers beyond the age of 55 which is normally regarded locally as a suitable

THE RIGHT HONOURABLE
MAJOR SIR PHILIP GUNLIFFE-LISTER, P.C., G.B.E., M.C., M.P., retiring
SECRETARY OF STATE FOR THE COLONIES.

18 NOV 1932
General Conf

3340
2617

retiring age. These considerations apply with even greater force to appointments which involve continuous nervous strain and overwork. For these reasons I feel that the utmost I can recommend to meet Mr. Rushton's wishes is that he should be permitted to extend his present tour until October next when he should proceed on leave pending retirement. In passing I would mention that the cases quoted of Mr. Scott and Mr. Knightly are scarcely analogous. Both are non-pensionable officers and both were engaged in special circumstances to effect re-organization or reforms in their respective Departments, which it was considered called for special qualities of administration. Mr. Scott will be retiring in the course of the next two or three years, while the question of the continued employment of Mr. Knightly has, I understand, been brought to the notice of the Expenditure Advisory Committee.

I have the honour to be,
 Your most obedient, ^{Sir} humble servant,

BRIGADIER-GENERAL.
 GOVERNOR.

Government House,
Nairobi,

PERSONAL.

15th September, 1932.

Dear Chief Justice,

From returns just submitted to me I see that you will reach the retiring age on the 23rd July next year. What are your intentions and wishes in the matter?

As you know, the Secretary of State will only consider extensions in very exceptional cases and should you desire to do another tour I will be very glad to forward any representations you may make on the subject to Sir Philip Cunliffe-Lister.

Yours sincerely,
Ed. J. A. Byrne

His Honour Sir Jacob Barth, C.B.E.,
Chief Justice,
Supreme Court,
Nairobi.

Mombasa,

1st October, 1932.

Dear Sir Joseph,

Thank you so much for your letter of the 15th ult. which I received on my return from Dar-es-Salaam. After over thirty years' service in Kenya I feel that I ought to retire and make way for some one else. The only thing that makes me hesitate is the fact that such retirement would increase rather than diminish the expenditure of the Colony. If it would assist the Colony I am willing to do one more short tour otherwise, if it be agreeable to Government, I should like to complete my present tour of service including the moratorium on leave. That will mean going home at the end of Oct. 1933 and retiring at the end of my leave roughly about the end of May 1934.

Yours sincerely,

sd. J.W. Barth

CONFIDENTIAL & PERSONAL.

15th September, 1932.

Dear Mr. Rushton,

From the returns furnished to me I notice that you will be 57 years of age when you go on leave next year and that were you to return for another tour you would reach 60 before the completion of that tour.

I have consistently held the view that in the interests of the Service generally it is undesirable to retain officers after they have reached a certain age and I have always made recommendations to the Secretary of State accordingly, notwithstanding the fact that the officers in question were, like you, rendering most valuable services to the Colony.

I do not know what your intentions and wishes are but should you desire to continue for another tour I will gladly forward to the Secretary of State any representations you wish to make to him.

Yours sincerely,
Ed. J. A. Byrnes

The Hon. E. H. Rushton,
c/o The Treasury,
Nairobi.

MJM

THE TREASURY,
NAIROBI,
KENYA,

27th September, 1932.

Dear Sir Joseph Byrne,

I have to thank you for your letter dated the 15th inst. and for the very kind way in which you have raised the question of my retirement on pension.

I should like to take advantage of your offer to forward any representations I may wish to make to the Secretary of State, and I would therefore represent as follows:-

That I be allowed to go on leave in April next and return for a final tour of service. I am afraid my reason for making this request is no more than reluctance to leave a service I love. I believe that the Board of the infantile Land Bank and the Agricultural Advances Board would both wish this and there are recent precedents in the cases of Mr. H. S. Scott, Director of Education, and Mr. F. W. Knightly, Government Printer. The former went on leave at the age of 57 years and 10 months and the latter at the age of 60 years and 3 months, both, I believe, to return for a further tour of service. Both these officers are pensioners of the South African Government.

If the foregoing request cannot be granted, I would ask to be allowed to go on leave prior to retirement about October or November next year. This is no greater concession than has been granted in several cases and I believe an extension of the final tour was approved by the Governor in Council as of general application to retiring Heads of Departments. It is important to me for the following reasons:-

Owing to my very mixed service my pension will

be

be a modest one. My wife's pension from the Widows' and Orphans' Pension Scheme would be, in the event of my death, less than £190 per annum. I embarked upon a scheme to supplement the latter, the final and rather heavy payments to which fall due next year. I should have difficulty in meeting them out of my pension.

I ought perhaps to explain that although I have no children of my own, it has fallen to me to educate and start in life three orphan connections and for greater part of my service my salary was a small one. Only in the last year or two have I been able to save a small sum.

When I accepted transfer from Fiji, I confidently expected to serve Kenya for two full tours with a period of leave (with passage grants) in between. The moratorium interfered to some extent with this expectation.

I hope this letter will not be regarded as a plea ad misericordiam but as a plain statement of the circumstances of my case.

Perhaps you, Sir, will be so good as to forward a copy of this letter to the Secretary of State when making such recommendations as you may feel to be right and proper.

Yours sincerely,

ed.H.K.Bushton.

MM

1a²⁸

2193 E.A. Lt.Col.O.F.Watkins (Provincial Commissioner)

Appointed to Kenya 16th January, 1908, and completed 20 years East African service on the 15th January, 1928.

Originally proposed (No. 1 in 16086/30) that he should retire on completion of 30 months tour in April, 1932. -

Lt.Col.Watkins submitted representations in which he "notes with regret that the economic directors of the Colony have reached the unflattering decision that it is better to pay me £1000 a year for doing nothing, even in these times of stress, than to continue my appointment", and asks to be allowed to continue his tour until some date between November 1932 and April 1933, the exact date to be notified by him later. (Encl. to No. 1)

Now recommended that he should be allowed to continue his present tour until not later than April 1933 (42 months). He will then have reached the age of 55 and will have 25 years service.

Confidential report for 1931:-

Actg.Col.Secy. - "An able officer with wide administrative experience. A good insight into native mentality, but has an irritating manner on paper and is inclined to be tactless".

Governor - "A man of wide knowledge and attainments. I have always found him to be a loyal and pleasant colleague but I quite understand

the

2002 E.A.

the shortcomings set forth at different times by my predecessors. I have recently recommended him for a higher post in Somaliland as I believe he is well qualified to lead and administer a native dependency".

MR. F. B. HORNE.

(Provincial Commissioner).

First appointed to Kenya on 30th April, 1904. Originally proposed (No. 1 in 16086/30) that he should retire at the end of his next tour, i.e. about the end of 1934 (including leave). He will then have completed over 30 years East African service and will have reached the age of 53.

Mr. Horne was informed accordingly in a letter from the Colonial Office (No. 5 in 2002 E.A.) He is stated to have called subsequently at the Colonial Office and asked to be noted for promotion to any of the small governorships; and he has added "if however there is any chance of promotion in the Colony I would of course prefer to remain here, where my local knowledge and experience would be my greatest asset" (Encl. to No. 1)

Original recommendation now renewed,
i.e. to retire on completion of present tour in May, 1934.

Confidential Report for 1931:-

Actg. Col. Secy. - "An energetic and capable officer, who has secured the confidence of the natives to a remarkable degree. He is equally successful in his dealings with other sections of the community. The Actg. Chief Native Commissioner concurs in this opinion."

Governor -

16311 E.A.

Governor - "Mr. Horne is doing excellent work as Provincial Commissioner of the difficult Kikuyu Province. He knows the natives and their ways thoroughly and is liked and respected both by them and by the Europeans residing in the settled areas."

Miss M. C. Wiley

Clerk - Native Affairs Department.

First appointed to Kenya on 20th March 1921. Originally proposed that she should retire on completion of a 20 months tour about June, 1932 (No. 1 on 16086/30).

Now recommended that she should retire on completion of present tour of 30 months, i.e. about December 1932 when she will have completed nearly 12 years East African service and have reached the age of 52.

Representations - "No definite representations to make at present but trusts that "if convenient to Government and provided I remain in good health and if it suits me to request that my services may be continued for another tour, it will be possible for Government to give sympathetic consideration to such a request."

No confidential report.

13151 E.A.

MR. C. E. CLARK.

Examining Officer, Customs Department.

First appointed to Kenya 20th August 1919. Recommended that he should retire at the end of his tour (February 1932). Is stated to have attained the age of 50 years on 14th March 1926 (but see enclosures to Nos. 1 and 2 on personal file).

No representations were submitted by Mr. Lane in the Colony but since his arrival on leave he has asked for reconsideration (No.46 on 13151 E.A.). In reply, he has been informed (No.47 on file) that he is still at liberty to submit representations to the authorities in the Colony. Has now returned to Kenya. (See in personal file)

No Confidential report.

13626 E.A.

MR. R. H. WAKE-BOWELL.

Education Officer.

First appointed to Kenya 13th February 1920. Recommended that, in accordance with his own wish, he should be allowed to retire voluntarily at the end of his present tour of 20 months, i.e. about June, 1933, when he will have reached the age of 50 years, and will have completed over 13 years East African service.

14183 E.A.

Miss L. V. Shelton.

Education Officer.

First appointed to Kenya on the 12th May, 1920.

Recommended in 1930 (No.1. on 16086/30) that she should retire on completion of her next tour of service early in 1934 when, including the leave which will be due, she will have completed 14 years East African service and will have reached the age of 56.

No representations have been received from Miss Shelton and the above recommendation is now renewed.

Confidential

Confidential Report 1931:-

"Has managed a large elementary school in a difficult area with great success" "excellent record as a teacher"

16433 E.A.

MISS G. PLASKETT

Assistant Mistress, Education Department.

First appointed to Kenya on 1st March, 1922. Recommended that she should retire at the end of her present tour of service in April, 1933, when she will have completed 11 years East African service and will have reached the age of 50.

No representations have been received from Miss Plaskett.

Confidential Report 1931:-

"A capable teacher whose efficiency is no longer increasing on account of her age and health. She has been relieved of her supervision duties in connection with children's meals and has asked to be relieved of boarding house duties next year"

2823 E.A.

MISS J. WILSON.

Matron, Medical Department.

First appointed to Kenya March 1914, but had previous service in West Africa dating back to 1910.

Recommended that she should retire at the end of her present tour in February 1933.

"unless she makes further representations when the desirability of extending her tour can be

be

be considered." With the leave due, Miss Wilson will have completed 19 years East African service and will be nearly 56 years of age.

No representations have been received from Miss Wilson but the Director of Medical and Sanitary Services has stated "the normal period of Miss Wilson's tour does not expire until February, 1933. I see no reason at the moment why this should not be extended should Miss Wilson so desire, but in view of the fact that it is more than a year before effect could be given I consider it advisable to defer making definite recommendations".

Confidential Report 1931:-

"Has a pleasant disposition and gets on well with patients and others Loyal and industrious and tactful, ... very anxious and willing to help ... Might exercise closer supervision over the professional duties of the nurses under her control."

3186 E.A.

CAPTAIN J. P. WOLSKLEY-BOURNE

Assistant Commissioner of Police.

First appointed to Kenya on 16th January, 1911. Recommended that he should retire on completion of his present (30 months) tour in August, 1932. He will then have completed 21 years East African service and will be 54 years of age.

No

No representations have been received from this officer. 31

Confidential Report 1930:-

"An able officer, self-reliant, with an excellent knowledge of his responsibilities, especially administrative organisation. Is well qualified for promotion. At present acting as Deputy Commissioner of Police whose duties he is performing in a very satisfactory manner.

3493 E.A.

MR. E. B. THEUNISSEN.

Superintendent of Police.

First appointed to Kenya in April 1911. Recommended that he should retire on completion of his present (20 months) tour in May, 1933. He will then be 48 years of age and will have completed 22 years East African service.

No representations have been received from this Officer.

Confidential Report 1930:-

"A most conscientious officer specially detailed for Railway Police duties, a post most suitable for his qualifications. Is loyal and tactful. Not fitted for further promotion."

3003 E.A.

MR. H. L. SIKES.

Director of Public Works.

Pensionable service in East Africa dates from 30th January, 1919. (Previous service in E.A.P. from 1907 - 1913).

Desires to retire at the end of a 3½ years tour in April 1934. He will then be 52 years of age and will have completed 15 years pensionable East African service.

This

This is recommended for approval.

Confidential Report 1931:-

Governor - "A versatile and hardworking official who, during the time I have been here has performed his duties in a very satisfactory manner. . . . He shines more as a technical engineer and as a student than as an administrator but his qualifications in the latter capacity have, I think, been somewhat underrated".

3543E A Mr. A. B. Manning

Inspector, Customs Service

App'd to Kenya on 5th Dec. 1919.
Originally proposed that he should
retire at the end of present tour of
service in May, 1932.

Is now being allowed, in
accordance with representations
submitted by him, to return for
a further tour of service. He
will, therefore, retire sometime
in 1930 when he will complete
about 7 years East African service
& will be 54 years of age (See
last para. of No. 1 in this file)

Conf. Report, 1931/10

"A zealous competent
but unimaginative officer"

KENYA.

No. 25

CONFIDENTIAL.



RECEIVED
7-MAR 1932
COL OFFICE

GOVERNMENT HOUSE,
NAIROBI,
KENYA.

9th February, 1932.

Sir,

With reference to correspondence terminating with Lord Passfield's Confidential telegram No.249 of the 25th October, 1930, regarding the compulsory retirement of officers of this Administration under the provisions of Section 9 of the European Officers' Pensions Ordinance No.XI of 1927, I have the honour to inform you that after consideration by my Executive Council the following recommendations were recorded and are now submitted for your approval.

Noted on
16/02/32

16.4.32

Ans. Tel No. 86

(1). Lieutenant-Colonel O.F. Watkins, C.B.E.,

D.S.O., Provincial Commissioner, attained the age of 50 years on the 23rd December, 1927, and completed 20 years East African service on the 15th January, 1928. He returned from leave on the 27th October, 1929, and will complete a 30 months' tour on the 26th April, 1932.

Council advised that he should be allowed to continue his present tour until not later than April 1933.

(2). Mr. E.B. Horne, C.B.E., Provincial Commissioner,

attained the age of 51 years on the 8th April, 1931, and he completed 20 years East African service on the 29th April, 1924.

Council advised that he should retire at the end of his present tour, i.e. approximately May 1934.

(3). Miss M.C. Wiley, Clerk, Grade A, Native

THE RIGHT HONOURABLE
MAJOR SIR PHILIP CUNLIFF-LISTER, P.C., C.B.E., M.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, LONDON S.W.

Affairs

Affairs Department, attained the age of 50 years on the 9th August, 1929, ⁽¹⁹³⁰⁾ but will not complete 20 years East African service until the 11th March, 1941.

Council advised that she should retire at the end of her present tour of 30 months.

X(?)
See encl
to nos. 1-57
on 10/1/41 EA

- (4). Mr. C.W.G. Lane, Examining Officer, Customs Department, attained the age of 50 years ^{x(?)} on 14th March, 1926, and would complete 20 years East African service on the 28th August, 1940. ¹⁹³⁷

Council advised that he should retire at the end of his present tour. He proceeded on leave pending retirement on the 6th of February.

- (5). Mr. R.H. Wake-Howell, B.S.O., Education Officer, Education Department, attains the age of 50 years on the 11th February, 1933, and would complete 20 years East African service on the 12th February, 1940.

Council advised that, in accordance with his request, he should be allowed to retire voluntarily at the end of his present tour of 20 months.

- (6). Miss L.V. Shelton, Education Officer, Education Department, attained the age of 50 years on the 8th February, 1928, and would complete 20 years East African service on the 11th May, 1940.

Council advised that she should retire at the end of her present tour.

- (7). Miss G. Plaskitt, Education Officer, Education Department, attains the age of 50 years on the 26th April, 1933, and would complete

complete 20 years East African service on the 28th February, 1942.

Council advised that she should retire at the end of her present tour in April 1933.

- (8). Miss I. Wilson, Matron, Medical Department, attained the age of 50 years on the 7th April, 1927, but will not complete 20 years East African service until 24th March, 1934.

Council advised that she should retire at the end of her present tour in February 1933, unless she makes further representations when the desirability of extending her tour can be considered.

- (9). Captain J.F. Wolseley-Bourne, M.C., Assistant Commissioner of Police, attained the age of 50 years on the 7th February, 1928, and completed 20 years East African service on the 15th January, 1931.

Council advised that he should retire at the end of his present tour in August 1932.

- (10). Mr. E.B. Theunissen, Superintendent of Police, attains the age of 50 years on the 13th July, 1934, but he completed 20 years East African service on the 1st April, 1931.

Council advised that he should retire at the end of his present tour, which will be confined to one of 20 months only, in May, 1933.

(11).

** This is probably correct (all encl. to No. 1 on 2523 E.A).
 Same item as above v. Nos. 70
 271 & other entries on file*

(11). Mr. H.L. Sikes, Director of Public Works, attained the age of 50 years on the 12th December, 1931, but will not complete 20 years East African service until the 29th January, 1939.

Council advised that, in accordance with his request, he should retire at the end of a '3½ years' tour, in April 1934.

E. It will be noted that in certain cases, viz. those of:-

Lieutenant-Colonel O.F. Watkins.

Mr. E.B. Horne.

Miss M.C. Wiley.

Miss L.V. Shelton.

Captain J.F. Wolsley-Bourne

recommendations were made for their retirement in Mr. Moore's despatch Confidential No. 21 of the 14th February, 1930, but it was ruled by Lord Passfield in his Confidential telegram No. 50 of the 19th May, 1930, that they should be given an opportunity of making any representations, should they so desire, in respect of their compulsory retirement and in accordance with these instructions they, together with the remaining officers whose retirements are recommended in this despatch, were given an opportunity to submit their representations in this respect.

The accompanying summary of the representations received from these officers was circulated to the members of Executive Council for their information and, as I have stated, I concur with the advice tendered by my Council.

3. I take this opportunity of stating that on the advice

No 1 or
16086/30

No 1 or
16086/30

Summary.

*Note on
16/09/30*

advice of the Commissioner of Customs Mr. A. C. Manning, Inspector, Preventive Service, Customs Department, to the compulsory retirement of whom reference is made in Sir Edward Grigg's Confidential despatch No. 125 of the 4th September, 1930, is being allowed to proceed on leave in May next and to return for a further tour of service.

I have the honour to be,
Sir,
Your most obedient, humble servant,

BRIGADIER-GENERAL.

G O V E R N O R .

RETIREMENTS FROM THE SERVICE.

In Minute No. 359 of the 2nd October Council recommended the provisional retirements from the Service of eleven officers who have either attained, or who are near to, retiring age, or who have completed or will complete 20 years' East African service during the ensuing 30 months. A copy of the Executive Council Minute is attached as Appendix I.

2. In accordance with regulations the officers concerned were afforded an opportunity of making whatever representations in regard to Council's recommendations. The following is a summary of the representations received:-

Lieutenant Colonel O.F. Watkins, C.B.E., D.S.O.,
Provincial Commissioner.

notes with regret that the "economic directors of the Colony have reached the unflattering decision that it is better to pay me £1000 a year for doing nothing, even in these times of stress, than to continue my appointment".

Colonel Watkins asks to be allowed to continue his tour until some date between November 1932 and April 1933 - the exact date to be notified by him later. His present tour of 30 months ends on the 26th April, 1932.

Mr. E.B. Horne, C.B.E., Provincial Commissioner.

This officer was notified of Executive Council's recommendations by the Secretary of State and has replied that he called on the Colonial Office before he left England and asked if there was any prospect of promotion to any of the smaller governorships,

and

and requested them to make a note of his application. Mr. Horns adds "if however there is any chance of promotion in the Colony I would of course prefer to remain here, where my local knowledge and experience would be my greatest assets".

Miss M.C. Wiley, Clerk, Grade "A", Native Affairs Department.

Miss Wiley has expressed her appreciation of the action of Government in reconsidering its previous decision that she should retire at the end of 20 months and states that she has no definite representations to make at present, but trusts that "if convenient to Government and provided I remain in good health and if it suits me to request that my services may be continued for another tour, it will be possible for Government to give sympathetic consideration to such a request".

Mr. C.W.G. Lane, Examining Officer, Customs Department.

No representations have been received from this officer and he is proceeding on leave pending retirement on the 7th February next.

Mr. R.H. Wake-Bowell, D.S.O., Education Department.

This officer has replied that it is his wish to retire under the provisions of Section 9 of the European Officers' Pensions Ordinance on the completion of a 20 months' tour.

Miss I.V. Shelton, Education Department.

No representations have been received from this officer.

Miss G. Flaskitt - Education Department.

No representations have been received from this officer.

Miss I. Wilson - Matron - Medical Department.

No representations have been received from Miss Wilson, but the Director of Medical and Sanitary Services has stated "The normal period of Miss Wilson's tour does not expire until February, 1933. I see no reason at the moment why this should not be extended should Miss Wilson so desire, but in view of the fact that it is more than a year before effect could be given I consider it advisable to defer making definite recommendations".

Captain J.F. Wolsley-Bourne, M.C., Assistant Commissioner of Police.

No representations have been received from this officer.

Mr. E.D. Theunissen, Superintendent of Police.

No representations have been received from this officer.

Mr. H.J. Sikes, Director of Public Works

This officer desires to serve for a tour of 3 1/2 years and to retire at the end of it, i.e. in April 1934. His normal tour of 30 months expires in April 1933.

3. It is a matter for decision whether the original recommendations contained in the Appendix should stand or whether any should be varied as the result of the representations which have been received from the officers concerned.

APPENDIX I

EXECUTIVE COUNCIL MINUTE NO. 359

Council advised:-

- (a) That Lt. Col. O.P. Watkins, C.B.E., D.S.O., should retire at the end of his present tour of 30 months, on the 26th April, 1932.
- (b) That Mr. E.B. Horne, C.B.E., should retire at the end of his forthcoming tour, i.e., approximately in May, 1934.
- (c) That Miss M.C. Wiley should retire at the end of her present tour of 30 months.
- (d) That Mr. C.W.G. Lane of the Customs Department should retire at the end of his present tour in January, 1932.
- (e) That Mr. R.R. Wake Bowell, D.S.O., should retire at the end of his next tour of 20 months.
- (f) That Miss L.V. Shelton should retire at the end of her present tour.
- (g) That Miss G. Flackitt should retire at the end of her present tour.
- (h) That Miss I. Wilson should retire at the end of her present tour of Service and that the Director of Medical and Sanitary Services should recommend whether and if so, how long, her present tour should be extended beyond February 1933.
- (i) That Captain J.F. Wolesley-Bourne, M.C., should retire at the end of his present tour, in August, 1932.
- (j) That Mr. E.D. Thomsen should retire at the end of his present tour of 20 months.
- (k) That Mr. E.L. Sikes should retire at the end of his present tour of service in April, 1933.