

DESTROYED UNDER STATUTE

Indicates present position regarding request to
DESTROYED UNDER STATUTE of India for information

30 1/5/33

Noted

H.S. Prasad

31/2/33

atm u

1. Indian Office

7/11/33

Enclosed a copy of a communication from Govt. of India giving details of practice followed by the Indian Rlys. in respect to giving information regarding freem cotton while in transit.

2. In view of this and of 11/11/32

it seems possible now to inform

Lloyd's with reference to 11/11/32

that after consultation with the H.C. and with the M.P. ^{and I.O.} as regards the practice

prevailing in Railway Administration in this country and in India the

is satisfied that the K-V goods transport administration is justified in refusing to in part, without an in demand, in form which might be withheld in proceedings against that Administration

and a copy ^{of the correspondence} should be sent to the H.C. with the suggestion contained

in Mr Roberts Lloyd's minute of 27/10/32 for the modification of the wording of the present standard form of demand

The present standard form of demand -
H.S. Prasad

Ackgs No. 2

DESTROYED UNDER STATUTE

India Office

28th March, 1933

Indicates present position regarding request to
DESTROYED UNDER STATUTE of India for information

Bv. 1/5/33

Noted

H. S. Prasad

31/3/33

atm u

India Office

11/3/33

Enc. a copy of a communication from Govt. of India giving details of practice followed by the Indian Elys. in respect to giving information regarding freemen cotton while in transit.

In view of this and of 11. 11. 18226/32 it seems possible now to inform Lloyd's with reference to 1. 18226/32 that after consultation with the ITC and with the M/T ^{ad. 10.} as regards the practice prevailing in Railway Administration in this country and in India

It is suggested that the K-V goods description administration is justified in refusing to in part, without an undertaking, in form etc. which might be withheld in proceedings against that Administration and a copy ^{of the correspondence} should be sent to the ITC with the suggestion contained

in the Roberts Lloyd's minute of 27/10/32 for the modification of the wording of the present standard form of the description

H. S. Prasad



TRANSPORT.

OFFICE OF THE SECRETARY OF STATE FOR TRANSPORT
GOVERNMENT HOUSE

KENYA-UGANDA.

PARIS.

NO. 74

KENYA

June, 1933.

Sir,

NCS

I have the pleasure to refer to your letter of the 28th May and to the Despatch No. 40 of the 28th May 1933, in respect of the difficulty now experienced by Underwriters in obtaining information regarding fires in cotton carried on this Administration, and to inform you that I am advised by the Legal Adviser of this Administration that while there may not be standard and uniform records of the form of indemnity in use in the various ports, the form as originally drafted and used by Messrs. Mackenzie & Co., Ltd. and a copy of which is in the possession of the Railway Company, and the Legal Adviser of this Administration knows of no variation in any other form of indemnity in use in connection with that Company.

2. There is no objection to your request to do so, but you must protect yourself so far as possible from what source a claim would in some instances be made, and it is doubtful if any good support the contention that the burden have this burden placed upon him.

3. With reference to paragraph 2 of your letter, I am, Sir,

THE RIGHT HONOURABLE
 MAJOR SIR PHILIP CUNLIFFE LISTER, G.C.B., G.C.M.G., G.C.S.I.,
 SECRETARY OF STATE FOR THE COLONIES,
 DOWNING STREET, S.W.1.

it is suggested that if the Committee of Lloyds raise further the question of the indemnity the second condition of the indemnity might be amended to read:

"that they will save and keep the High Commissioner for Transport harmless and indemnified from any claim made against him which is wholly or partly based upon any of the matters communicated to them by the High Commissioner for Transport."

I have the honour to be,

Sir,

Your most obedient, humble servant,

3. I am advised that the second condition contained in the present form of indemnity, a copy of which was enclosed with the letter from Lloyds of the 8th July, 1932, appears to be unnecessarily wide. It seems unreasonable to require an indemnity from any claim or loss in any way arising out of or in connection with the liability of the insured in respect of which no indemnity is required.

wide enough to cover a claim or loss in respect of which no indemnity is required, and with which the subject matter is not connected.

Taken in conjunction with the first condition it would seem to be sufficient to require an indemnity

against any liability ^{the claim in respect} of which is wholly or partly brought upon it or wholly or partly arising

C. O.

Mr

Mr

Mr

Mr Parkinson

Mr [unclear]

Sir [unclear]

Sir [unclear]

Perms U.S. of S

Parly U.S. of S

Secretary of State

any of the matters

of the matter of the

out of the information

It is suggested that

it is suggested that

now that this [unclear]

of work and [unclear]

communicated were

by any person

could not be passed on and used for the

purpose of supporting or maintaining

An indemnity
would apply

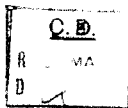
the High Commissioner, and that such
a safeguard is all that can reasonably be
required to [unclear]

4. I should be right to receive

DRAFT.

Indeed it is questionable
whether this [unclear]
for an indemnity in
respect of claims which are
not covered from the [unclear]
of the information, but it
would no doubt be
be difficult to [unclear]
the claimant [unclear]
the information [unclear]
or indirectly from
person to whom it
by the authorities
- Railway

C. O.



Mr. Priestman. /5

Mr. *J. Ross* /5

Mr.

Mr. Parkinson.

Mr. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

DOWNING STREET

5-4-5

5 May

Sir,

(4) letter of the 27th of March and previous correspondence on the

subject of the difficulty which Lloyds' agents at Uganda experience in the behalf of Underwriters regarding fires in cotton stores on the Kenya-Uganda Railway.

in consultation with the High Commission for Transport and with the Ministry of Transport and the India Office, as regards the practice prevailing on Railway Administrations in this country and in India, the Secretary of State for the Colonies is satisfied that the Kenya-Uganda Transport Administration is justified in refusing to impart, without an

DRAFT

THE SECRETARY OF STATE FOR THE COLONIES

2 drafts

SECRET

indemnity, information which might be
utilised in proceedings against
that Administration.

I am, etc.,

(Signed) J. E. W. FLOOD

Any further communication on this subject should be addressed to—

The Under Secretary of State for India

Financial Department,
India Office,
London, S.W. 1

and the following reference codes—

F. 2153/33.

Telephone
Whitehall 3140 Ext. 2
Telegrams
Ratanindia London



INDIA OFFICE

1368

106

WHITEHALL

LONDON, S.W. 1.

7² April, 1933.

Sir,

With reference to your letter No. 3119/33 of the 25th ultimo on the subject of the practice followed on Indian Railways in respect of giving information regarding fares in letter which in transit, I am directed to forward, for the information of Sir Philip Cunliffe-Lister, a copy of a communication (with enclosure) which has now been received from the Government of India on the matter.

I am, Sir,

Your obedient servant,

Robert Rowlandson

For Financial Secretary.

The Under Secretary of State,
Colonial Office,
S.W.1.

RISK NOTE FORM B

Approved by the Governor-General in Council under Section 10 of the Indian Railways Act, IX of 1885.

To be used when the sender elects to dispatch at a special rate, or to insure, or to accept risk, articles or animals for which special rates, or ordinary rates, or risk acceptance rates are quoted in the Tariff.



STATION

19

WHEREAS the consignment of ... as per Forwarding Order No. ... of the Railway Administration ...

station, under Railway Receipt No. ... of ... date, is charged at a special reduced rate instead of at the ordinary tariff rate chargeable for such consignment ...

and undertake to hold the said Railway Administration harmless and free from all responsibility for any loss, destruction or deterioration of ... of the said consignment, from any cause whatsoever, including ...

The undersigned, do, in consideration of such lower charge, agree ...

...

...

...

...

...

...

...

...

...

...

...

DUPLICATE

GOVERNMENT OF INDIA
RAILWAY DEPARTMENT
(Railway Board)

12
2153
1933

No. 4493-T.

Dated, New Delhi, the 14th March 1933

(Spare copy)

To

The Under Secretary of State for India,
Financial Department,
India Office,
London, S.W.I.

Sir,

I am directed to refer to the letter of the 14th March 1933 from the Under Secretary of State for India, Financial Department, London, S.W.I., regarding the information to be furnished by the Indian Railways in connection with the proposed loan for the construction of the Kenya and Uganda Railway.

It is noted that in an inquiry of this nature it would be unwise to disclose information which could be used to prejudice the railway in undertaking and arranging very much on the lines of the indemnity in use on the Kenya and Uganda Railways would be desirable before any disclosures were made.

2. I am to add that cotton is usually carried at a reduced owner's-risk rate and the extent to which Railways are required to furnish information

to consignors in the case of the destruction
of such consignments is shown in Risk Note
form B, a copy of which is herewith forwarded

I have the honor to be

Sir,

Your most obedient Servant,

Sd/-L.H.Kirkness,

Secretary, Railway Board.

D.A.1.

Risk Note Form B.

(Not forwarded)

NY.

14

C. O.

Mr. Priestman. 22/3

Mr. Dawson 22/3

Mr.

Mr. Parkinson.

Mr. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Permi. U.S. of S.

Parly. U.S. of S.

Secretary of State.

Answered by No 3

DOWNING - PRESS.

24 March 1933

1.7.33

Sir,

I am, etc., to refer to your

DRAFT

THE UNDER SEC. OF STATE

(13
in 18226/33)

letter No.F420/33 of the 19th of January

intimating that it had been found

views on the subject

(signed) I. G. FRICK



E 22

LLOYD'S

Telephone No. 7

Please quote reference

AD/C/C.

21st March 1903

Handwritten notes:
Lloyd's Agents
Kombasa

Handwritten: P.C.

Sir,

I am directed to refer to previous correspondence upon the subject of the difficulty which Lloyd's Agents at Kombasa experience in obtaining on behalf of Underwriters information regarding fires in Cotton carried on the Kenya and Uganda Railways.

In your communication of the 5th inst. you indicated that a reply regarding this matter had been received from the Kenya Commissioner for Railways. It is stated in the communication that the Commissioner would be glad to supply the information which he was in a position to supply. I have been in communication with the Kenya Commissioner for Railways and have been advised that the Kenya Commissioner would be glad to supply the information which he was in a position to supply. I have been in communication with the Kenya Commissioner for Railways and have been advised that the Kenya Commissioner would be glad to supply the information which he was in a position to supply. I have been in communication with the Kenya Commissioner for Railways and have been advised that the Kenya Commissioner would be glad to supply the information which he was in a position to supply.

I am,

Sir,

Your obedient Servant,

Handwritten signature: W. N. Welford

Clerk to the Committee.

The Under-Secretary of State
for the Colonies,
COLONIAL OFFICE,
Downing Street,
S.W.1.

PUBLIC RECORD OFFICE

END

TOTAL EXPOSURES →

PUBLIC RECORD OFFICE

C0533/435

ORDER NO. ⇨ FN/E474
CAMERA NO. ⇨ 19
OPERATOR. MT
REDUCTION. 12
EMULSION NO. 321061
DATE. 31-3-72

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