

made by the High Court appointing an arbitrator and not appealed from: an award was made against the Crown and the Crown's objections dismissed by the Supreme Court: the judgment against the appellants held that their broker rendered no assistance on the award and the attorney was not advised my firm that he will advise the Government not to grant the fee which is a necessary preliminary to the action.

In an action on the award if it could be filed in any of the cases that the Crown was unsuccessful in objection to award then it is ~~not~~ in dispute whatever.

I am with the utmost deliberation that the Government may purchase the amount awarded as indefensible. I am informed that the Government is not to be held responsible for the award. I am informed that the Government is not to be held responsible for the award.

A court which would be made in the State of Kenya and the Government should receive the full proceeds of the award. It is not a sovereign state like Britain and the Government of British possessions has been suffering the same to receive contributions to make it indispensable to have to set in the same way. The Government of British possessions has been suffering the same to receive contributions to make it indispensable to have to set in the same way.

It is not a sovereign state like Britain and the Government of British possessions has been suffering the same to receive contributions to make it indispensable to have to set in the same way. The Government of British possessions has been suffering the same to receive contributions to make it indispensable to have to set in the same way.

1925	KENYA	130 C.O. 19509 30 APR 25
M Morrison, Esq. #7	DATE 28th April 1925	
CIRCULATION --- Mr. Budge Mr. [unclear] Mr. [unclear] U.S. of S. Mr. [unclear] U.S. of S. U.S. of S. Secretary of State.	The English Trading and Navigation Co. Ltd. The Attorney Gen'l, Kenya.	This claim recognises that there is a certain sum for which, if paid forthwith in cash, it would be advantageous for them to settle. Any such proposal, however, should come from the Government.
Previous Paper O.A.C. 16058	MINUTES See News & 16058	50 for 80 good, but it is difficult to suggest a price which, if accepted, will not cause us self upward for giving so much and, if not accepted, will put us back in our trouble.
See for Cons. 28th July 1925 - 6 MAY 1926 - 23 JUN 1925 Copy comes to Burchell - 23 JUN 1925 90d 252487	The O.A.C. £1000 in 16058 seems to be private. Taking the original cost at £8500 & allowing @ 10% for depreciation over 12 years & @ 5% interest on the amount accumulated since 1918, we get $\frac{3500}{1.10^{12}} \times 100 = £1,570 \text{ approx.}$	It should be ample, but I
Subsequent Paper O.A.C. 23681		

Can not see if it will prove so

Send interim acct and telegraph
to the "Hq." - Dpts renewed

Clas
25-257

H/A

INCHBROOM,
Cornards Cross,
 Bucks.

88/4/1925.

C. O.

19509

30 APR 25

Sir,

The English Trading and Navigation Coy. Ltd.

The Attorney General of Kenya.

With reference to our interview the 12th inst. I beg to thank you for the opportunity of discussing the matter without prejudice and now await the decision of Mr. Secretary Amery. I have seen my clients and they seem to feel very strongly that they should not be asked to abate their legal claim against the Kenya Government - a claim which is outstanding for nearly seven years and which has involved them in considerable expense.

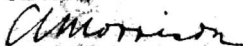
The value of a river steamer in August 1918 is admittedly very difficult to assess. Replacement at that date was impossible. There was no local market. Old steamers of general utility were fetching two to three times their original cost. No evidence was put in by the Crown and the question was left to the final decision of Mr Frudd as an expert not as an arbitrator. No court would, even if it could revise his decision because it is impossible to say that it is wrong. All that can be said is that it is a matter of much difficulty on which different experts might arrive at different results.

The use of the prerogative by the Kenya Government to evade legal claims against it will not increase its credit in the city of London and my clients trust that once more Mr Secretary Amery will save the Kenya Government in spite of itself.

At the same time my clients are neither sentimental nor vindictive and quite recognise that there is a certain sum for which, if paid forthwith in cash, it would be advantageous for them to settle. Any such proposal must, however, come from the Government, and if made will be considered solely from a business point of view.

I have the honour to be

Your obedient servant,



Major, The Hon. Ormsby-Gore M.P.
Under Secretary of State
For the Colonies

Wm. 4/5

19509 King

132

Wm. 4/5
hey. 4/5
Wickburgh.
10/11.

O. D.
R 5 MAY
D 6

Answer
25/2/68

[Handwritten scribbles and initials]

at end
5.5.25
26

Controlled by hand
3.4.5 P.M.
5/6/25
[Signature]

AFT. tab

28 JUN 1925
copy to Barendse

192

Confidential 5th May
~~Copy~~ (Circular) Your despatch of

14 March 326. Scrabli

As a result of discussion Morrison
states that clients willing to
compromise if satisfactory figure
can be agreed upon. £1
would be under 6000 £1000
but if you offer will endeavour to

7/5

amount matter for £2000

going to £2500 of necessary

Payment to be made at costs

this sum would represent costs

as well as damages

Strenuous has not led any way
injurious always can but while

Substantial Attorney General's

loyalty to the Government &

felt bound to say that failure

to enter protest of point award

in due time has put Government

unwisely in the wrong

1950/1/15 May

133

W. Bottomley 4/5/50
fms

Key.
Leekburgh.
Vis.
Indle.
Western Smith.
G. Gore.

copy to Birchalls - 23 JUN 1926 40/2524/725

fc
T.M.

RAFT.

6 May 1925

SIR,

I am re. to you the end of your
letter of the 28th of April on the subject
of the loss of the S.S. "Savahili," and
to inform you that a further letter
will be sent to you at an early date

Signed) W. C. BOTTOMLEY.