

1923

KENYA

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46451

GOVERNMENT'S DEPUTY
ORTHOCOTE

1284

DATE

16TH AUGUST 1923

REC'D
20 SEP 23

CIRCULATION :-

Mr. *Jeffrey*
Mr. *Boothby*
Mr.

SUBJECT

RETIREMENT OF MR W.D'CRUZ

530

IIGRADE CLERK, AUDIT DEPT

U.S. of S.

Encloses pension papers and M.B.
Proceedings. Requests sanction to pension of
Shs2041/20 a year with effect from 11.6.23.

U.S. of S.

U.S. of S.

Secretary of State.

Previous Paper

MINUTES

Corrected
BY

Approved

16/24 9 23

(I suppose his conflicting statements
are to be ascribed to his mental
condition & not to deceitfulness
(He has a good character.)

J.J. 25-9-23.

G.S. 25-9-23

Corrected

Checked 14.10.23

Subsequent Paper

KENYA.

No. 1284.



GOVERNMENT HOUSE,
NAIROBI,
KENYA.

16th August, 1923.

46451

REC'D
RE. 20 SEP 23

531

My Lord Duke,

I have the honour to transmit herewith a Form of Particulars required for the computation of pension payable to Mr. W.D'Cruz, II Grade Clerk, Audit Department, who has been pronounced unfit for further service in this Colony by the Medical Boards held in Nairobi to report on the state of his health. Copies of the proceedings of these Boards are enclosed for Your Grace's information.

ensions Form.

edings dated
22-12-1-23 and
14-3-23.

2. Mr. D'Cruz's services date from the 1st February, 1905, and he is, therefore, eligible for a pension in respect of eighteen completed years. The pension is computed at Shs.2041/20 a year with effect from the 11th August, 1923 inclusive.

3. Pending the receipt of Your Grace's sanction to the pension recommended, I have authorized the payment to Mr. D'Cruz of an Alimentary Allowance at the rate of Shs.1632/- a year with effect from the date quoted.

I have the honour to be,
My Lord Duke,
Your Grace's most devoted
and most obedient servant,

ACTING GOVERNOR.

GRACE
DUKE OF DEVONSHIRE, K.G., P.C., G.C.M.G., G.C.V.O.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S.W.

COLONIAL PENSIONS, &c.

Kenya
Despatch No. 402.16.8. 1023

ARTICULARS required to be furnished in reference to persons recommended for Superannuation, Compensation or Compassionate Allowances, or Gratuities on retirement.

532

(In filling up this Paper refer to the Instructions on page 4.)

Name of Applicant **Wolfgang D'Crus**
 Office or Situation **2nd Grade Clerk, Audit Department,**
 Recommended for **a pension** of **Sh. 2041-20 a year**
 Age _____
 Service in Years and Months **18 years 6 months and 10 days**
 Salary or Wages (**actual**) **Sh. 6120.00**
 Emoluments **value of quarters 15% of Sh. 4560** **Sh. 684.00**
 Total amount of Salary or Wages and Emoluments on which Superannuation, &c., is claimed **Sh. 6804.00**
 Cause of retirement **Ill-health**

Dates of Commencement and Termination of the several Appointments held by Applicant and their Emoluments, distinguishing Salary from other allowances and specifying such Allowances.

Title of Appointment	Date of Commencement	Date of Termination	Salary per annum
Treasury	1-2-05	31-3-06	1630
	1-4-06	31-3-07	1900
	1-4-07	31-3-08	1970
	1-4-08	31-3-09	2160
	1-4-09	31-3-10	2400
	1-4-10	31-3-11	2520
Grade Clerk, Audit Department, Sh. 3000 by	1-4-11	31-3-12	3000
20 to Sh. 3720 a year	1-4-12	31-3-13	3120
	1-4-13	31-3-14	3240
	1-4-14	31-3-15	3360
	1-4-15	31-3-16	3480
altered to Sh. 3000 by	1-4-16	31-3-17	3460
20 to Sh. 3720 a year	1-4-17	31-3-20	3720
Grade Clerk, Sh. 4560 by	1-4-20	31-3-21	5280
20 to Sh. 6120 a year	1-4-21	31-3-22	5440
	1-4-22	31-3-23	6000
	1-4-23	10-3-23	6120

10. Whether each of the Appointments held by the Applicant has been on the Fixed Establishment of the Colony.

Yes

11. Whether the duties of the several offices or situations held since the Applicant entered the Civil Service have been such as to require that the holder should give his whole time to the public Service.

Yes

12. Whether holding any other Public Appointment, or receiving or claiming to receive Public Money by Compensation, Half-Pay or otherwise.

No

13. If any kind of Pension or other Allowance has been commuted under the Imperial Pension Computation Acts, 1869 and 1871, the annual amount of Pension or Allowance Committed and the date of Commutation should be inserted.

None

14. Absence, beyond ordinary Vacation leave, in each of the last 10 years:-

Year	Period of Absence		Number of Days	Cause of Absence
1908	From 5-2-08	To 16-8-08	41	Extension of leave on pay
1916	12-4-16	11-5-16	30	Extension of leave on pay
1916	12-5-16	23-5-16	12	Extension of leave with pay
1917				
1918				
1919				
1920				
1921				
1922				

15. Date of Cessation ... of Duty:- 25th April 1923
(granted leave, with pay, from 28-4-23 to 10-8-23)

16. Date of Cessation of Salary 10th August 1923

17. Date from which, inclusively, Pension will Commence. 11th August 1923

Statement, if the circumstances warrant it, that the Applicant "has discharged his duties with diligence and fidelity, to the satisfaction of the Head Officer or Officers of his Department," to be signed by any two of such Head Officers, if there shall be more than one, or by such Head Officer, if there shall be but one, together with "such a statement as will exhibit the merit, and value, and labour of the services of the Person recommended, embracing as long a period of his public service as can be authentically stated," and observations as to Special Services, Suspension, Reprimand, &c., with full particulars of any injuries received on duty, or other claims or matters for consideration.

Mr. W. D'Crux has performed his duties throughout the 12 years he has been in this Department, with fidelity and diligence and to the entire satisfaction of the Auditor and Officers of this Department.

It is to be regretted that the state of his health necessitated his retirement from the Government service, as it is a distinct loss to the personnel of this Department.

W. H. M.
ACTING AUDITOR.

15. I certify that the pension payable to the Applicant according to the Rules of the Government is Two thousand forty one shillings and twenty pence (Sh. 2041/20) a year.

and I base my Commutation on the following calculation:

	Years	Months	Days
Date of 1st Appointment	1st February 1905		
Date of Retirement	11th August 1923		
Actual service	18	6	10
Product period of leave, without pay	0	0	12
Total	18	6	22
Responsible service	18 years		
Actual salary & Emoluments	Sh. 6804/- a year		
whereof 18/60ths	Sh. 2041.20 a year		

TREASURER,

Nairobi, 20th July

1923.

Kinnaird
For Treasurer,

The Colony and Protectorate of Kenya.

Instructions.

INSTRUCTIONS REFERRED TO ON PAGE 1.

If this Paper of Particulars and the Certificates connected with it, be not sent in original, the copies must be duly attested.

HEAD 1.—In the case of an Officer serving on the West Coast of Africa, a statement is to be made as to whether he is a native of that Coast. (Colonial Regulations, § 430).

HEAD 2.—State the description of Allowance for which the Applicant is recommended, viz., Superannuation, Compensation, Compassionate Allowance, or Gratuity, and its amount. In the case of Pension, an addition to their Pensions in respect of Professional or other special qualifications should be stated, and a reference should be given to the authority under which the claim is made.

HEAD 3.—If the service has been interrupted by one or more breaks, the word "broken" should be placed before or after the number of years and months, and the causes, dates, and circumstances of break or breaks should be stated under heading 9.

HEAD 4.—If the Person retiring has been in receipt of the same Salary, or in the class from which he retires for the 36 months immediately before the date of his retirement, the actual annual rate of Salary or Wages at that date should be inserted, preceded by the word "actual." In other cases, the average annual amount of Salary or Wages for the 36 months next preceding the date of retirement should be inserted, preceded by the word "average," but if the whole period of service is less than three years, then the average for the whole period of service should be inserted.

HEAD 5.—A special statement should be inserted of the average Annual Value, for the 36 months immediately preceding retirement, of each Emolument, exclusive of salary or wages, which is claimed, and of the amount of the Pension or Gratuity.

When the value of a House or House Allowance, as ascertained, exceeds one-seventh of the value of the emoluments which count for Pension purposes, it is to be reduced to that amount, so that it shall not exceed one-seventh of the whole.

Fees which an officer is allowed to retain for his own use will be taken into account for Pension purposes, with regular salary, at the annual average of the net receipts of the 36 months immediately preceding the Officer's retirement. These net receipts are to be ascertained by deducting from the gross amount of Fees such Office Expenses, &c., as an officer may have had to incur from his own resources, in performing the services for which he was remunerated by Fees. Deduction, however, from the Fees should be made in respect of Office Expenses provided for in the Public Funds for the discharge of those duties to which a Fixed Salary is annexed. Particulars of the amount received by them for fees, and of the amount defrayed as above for Office Expenses, &c., in each of the three years immediately preceding the retirement. It will be the duty of the Colonial Government concerned to see to the accuracy of such statements before forwarding them to the Colonial Office. In the case of Officers receiving Fixed Salaries and Fees, the Fees will not in any circumstances be allowed to count for Pension purposes to the extent of more than one quarter of the Salaries, and Fees will not in any case be allowed to count for Pension purposes during the period in which the whole time of the Officer receiving them was not given to the Public Service.

HEAD 6.—In cases of infirmity, if the applicant is below the ordinary age for retirement, a Medical Certificate is to be furnished showing that he is disqualified by infirmity of mind or body for discharging the duties of his situation, and that such infirmity is likely to be permanent.

In case of ten years' service or more, this certificate should be signed by two Officers, whom at least one should, if possible, be a Salaried Officer of the Government.

HEAD 7.—As to "broken" service see HEAD 5.

If the applicant has had any "acting" service, the details must be fully given, with a statement whether or not, during the "acting" service, he was connected with the Public Civil Service of the Colony.

HEAD 8.—If, in special circumstances, a professional Civil Officer has been allowed to have "private practice" without forfeiting his claim to Pension, the facts are to be fully stated.

HEAD 9.—If the Applicant is liable to any deduction from his service under Clause 102 of the Colonial Regulations, the facts should be fully stated.

HEAD 10.—The length of service and other particulars of the computation are to be given. When an addition to Salary, &c., is taken, the mode of calculating it (whether by months, &c.) is to be explained.

COLONIAL PENSIONS, &c.

ARTICULARS required to be furnished in reference to persons recommended for Superannuation, Compensation or Compassionate Allowances, or Gratuities on retirement.

534

(In filling up this Paper refer to the Instructions in page 4.)

Name of Applicant **Seifunge D'Crax**
 Office or Situation **2nd Grade Clerk, Audit Department,**
 Recommended for **a pension** of **Sh. 8041-80 a year**
 Service in Years and Months **18 years 6 months and 10 days**
 Salary or Wages (**actual**) **Sh. 6120.00**
 Emoluments **value of quarters 12% of Sh. 4580** **Sh. 684.00**
 Total amount of Salary or Wages and Emoluments on which Superannuation &c. is claimed **Sh. 6804.00**
 Cause of retirement **Ill-health**

Details of Commencement and Termination of the several Appointments held by Applicant, with their Emoluments, distinguishing salary from other allowances, and specifying such Allowances.

Title of Appointment	Date of Commencement	Date of Termination	Salary	Allowances	Nature of Allowances, &c.
					per annum
Treasury	1-3-05	31-3-06	1680		Sh.
	1-4-06	31-3-07	1800		
	1-4-07	31-3-08	1920		
	1-4-08	31-3-09	2100		
	1-4-09	31-3-10	2400		
	1-4-10	31-3-11	2580		
Grade Clerk, Audit Department, Sh. 3000 by	1-4-11	31-3-12	3000		
to Sh. 3720 a year	1-4-12	31-3-13	3120		
	1-4-13	31-3-14	3240		
	1-4-14	31-3-15	3360		
	1-4-15	31-3-16	3480		
altered to Sh. 3000 by	1-4-16	31-3-17	3600		
to Sh. 3720 a year	1-4-17	31-3-18	3720		
Grade Clerk, Sh. 4580 by	1-4-20	31-3-21	5220		
to Sh. 6120 a year	1-4-21	31-3-22	5640		
	1-4-22	31-3-23	6000		
	1-4-23	10-3-23	6120		

Statement, if the circumstances warrant it, that the Applicant "has discharged his duties with diligence and fidelity, to the satisfaction of the Head Officer or Officers of his "Department," to be signed by any two of such Head Officers, if there shall be more than one, or by such Head Officer, if there shall be but one, together with "such a statement as will exhibit the merit, and value, and labour of the services of the Person recommended, embracing as long a period of his public service as can be authentically stated," and observations as to Special Services, Suspension, Reprimand, &c., with full particulars of any injuries received on duty, or other claims or matters for consideration.

535

Mr. W. D' Cruz has performed his duties throughout the 12 years he has been in this Department, with fidelity and diligence and to the entire satisfaction of the Auditor and Officers of this Department.

It is to be regretted that the state of his health necessitated his retirement from the Government service, as it is a distinct loss to the personnel of this Department.

R. H. M.
ACTING AUDITOR.

provided

Two thousand forty one

shillings and twenty cents (Sh. 2041/20) a year.

Date of 1st Appointment - 1st February 1904
Date of Retirement - 11th August 1923

	Years	Months	Days
Actual service	18	6	10
Period of leave, without pay	0	0	12
Total	18	6	28

Continuous service = 18 years

Actual salary & emoluments = Sh. 8804/- a year

whereof 18/20ths = Sh. 2041.20 a year

R. H. M.

For Treasurer,

Treasurer,

20th July

1923

The Colony and Protectorate of Kenya.

Instructions.

EAST AFRICA PROTECTORATE.

535

Proceedings of Medical Board.

A Medical Board composed as under, assembled at Native Civil Dispensary, Nairobi, on the 6th of December, 1922, for the purpose of reporting on Mr. W. De Cruz, Clerk, Audit Department.

President. Dr. J. H. Thomson, M. O.
Members. } Dr. J. A. Ross, M. O.
 } Asst. Surgeon W. N. Sargent.

The Board having assembled proceed to read the history of and to examine Mr. W. De Cruz. It is of opinion that he is unfit for further service in the East Africa Protectorate.

President. Sd/- James H. Thomson.
Members. } Sd/- J. A. Ross.
 } Sd/- W. N. Sargent.

Remarks by P. M. O. --

I Concur.

SD/- C. L. Chevallier,
For Principal Medical Officer.

Nairobi, 6. 12. 1922.

Medical History of MR. W. D'CRUZ.

He has been in this country 25 years. Seventeen years in Government Service. He has been 2½ years this tour. For the last three months he has been suffering from Neurasthenia. He could not concentrate on work, was sleepless and had a continual binding pain on the top of his head. His eyes burned. He is at present somewhat better.

SD/- JAMES H. THOMSON.

Medical History of Mr. W. D'CRUZ.

He has been in this country 25 years. Seventeen years in Government Service. He has been $2\frac{1}{2}$ years this tour. For the last three months he has been suffering from Neurasthenia. He could not concentrate on work, was sleepless and had a continual binding pain on the top of his head. His eyes burned. He is at present somewhat better.

SD/. JAMES H. THOMSON.

EAST AFRICA PROTECTORATE.

Proceedings of Medical Board.

538

A Medical Board composed as under, assembled at Nairobi Civil Dispensary Nairobi
 on the 16th of January 1923, for the purpose of reporting on
medical condition of Mr. De Cruz of Audit Department.

- President Mr. J. H. Thompson, M.O. N.C. Dispensary,
Mr. J. A. Ross, M.O. N.C. Hospital.
 Members { Asst. Surgeon, V.R. Surgeon, N.C. Dispensary.

The Board having assembled proceed to examine Mr. De Cruz and having
considered his present statements which are at complete
variance with the history he previously gave, do not consider
that his present condition warrants any change in the decision
as it is too early to say if he will not relapse, but
that the previous decision might be suspended for two months
from this date and that he then appear before another board
for final decision.

President. }
 Members. } J. A. Ross M.D.
J. H. Thompson

Remarks by P. M. O.—

None

Nairobi 16.1.23 1923

[Signature]
 Principal Medical Officer.

EAST AFRICA PROTECTORATE.

Proceedings of Medical Board.

538

A Medical Board composed as under, assembled at Nairobi Civil Dispensary Nairobi
 on the 16th of January, 1923, for the purpose of reporting on
medical condition of Mr. De Cruz of Audit Department.

- President Dr. J. H. Thompson, M.O., N.G. Dispensary,
 Members { Dr. J. A. Ross, M.O., N.G. Hospital,
Asst. Surgeon, N.G. Dispensary, N.G. Dispensary.

The Board having assembled proceed to examine Mr. De Cruz and having
considered his present statements which are at complete
variance with the history he previously gave, do not consider
that his present condition warrants any change in the decision
as it is too early to say if he will not relapse, but considers
that the previous decision might be suspended for two months
from this date and that he then appear before another board
for final decision.

President: {
 Members: { J. A. Ross M.O.
J. H. Thompson

Remarks by P. M. O.—

None

Nairobi 16.1.23 1923

[Signature]
 Principal Medical Officer.

Native Civil Dispensary, 533

Nairobi.

12. 1. 23.

P. M. O.

With reference to Mr. W. D'Crux, Clerk Audit,

I have assembled another board composed of the same Members, and I send herewith the finding of the board. It was with great difficulty that the Board could depart in any way from its previous finding especially in point of view of the fact that Mr. D'Crux gave a different version of the cause of his illness. Then he stated that he always got neurasthenic after twelve months in Nairobi, now he states that it was caused 1st by the head clerk being away, and family worries. Both causes are now removed. In cases such as his we can only go upon the patient's own statements as regards his symptoms etc, and one cannot help thinking that Mr. D'Crux made the most of his trouble at the last board, and now for some reason minimises it probably because he thought that he would get leave, and not be invalided. The Auditor, however, says that he is now working very well.

Sd/- James H. Thomson,

M. O.

EAST AFRICA PROTECTORATE.

Proceedings of Medical Board.

Medical Board composed as under, assembled at Active Civil Dispensary, Nairobi.
on 14th of March 1923, for the purpose of reporting on 540
Mr. W. D'Arcy, 2nd, Grade Clerk, Audit Office.

President

Dr. J. A. Neill, M. D.

Members

Asst. Surgeon, J. M. Sargent.

The Board have perused the report and the history and examined the application, taking into consideration the previous statements and medically ascertained that the report is not correct and that the first decision should be made. It is the opinion of the Board that the report should be referred back to the applicant and that the first decision should be made. It is the opinion of the Board that the report should be referred back to the applicant and that the first decision should be made.

President,

Member,

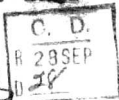
Remarks by P. M. O.

Concur

Principal Medical Officer.

20 3 1923

Inv. 46451/923
 Kenya



29-9-23 1923.

DRAFT.

Sir,

I have the honour to

acknowledge the receipt of your

dispatch No. 1284 of the

16th of August, and

to inform you that I approve the

award of a pension at the rate

of Shs: 20⁴¹/₂₀ a year, with

effect from the 11th of Aug. 1923,

to Mr W D' Cruz, 2nd grade

Clerk, Audit. Dept.

Yours

(Signed) DEVONSHIRE

No. 14¹⁰⁰

Comynston

MINUTE.

Mr. Bress Sept 27

Mr. J. J. Jones 28/9

Mr. Davis

Mr. G. Grindle

Mr. H. Head

Mr. J. Masterion Smith

Mr. Ormsby-Gore

Mr. of Devonshire