

EAST AFR. PROT

26864

July 4.11.

1913

14th July

Last previous Paper.

COMPLAINT AGAINST MR AKERS

Sends copy of correspondence with Secretariat and complains of Mr Akers' action in making public his application. *for info*

Ind Road. Dr. J. Anderson

Mr. Ley. has already complained in the E.A.P. Gov^t and has been informed that the Chief Sec. is satisfied that Mr. Akers' conduct has been perfectly proper. (see last enclosure).

Mr. Ley's letter is vague and at times incoherent. He apparently has applied for a post as a Clerk in E.A.P. and to have been informed that there were no vacancies - subsequently he discovered that Mr. Akers, Office Supt in the Land Office had made enquiries with regard to his character of a certain lady at Bloemfontein - divulging the fact that Mr. Ley had applied for an E.A.P. clerkship.

This does not seem a very serious breach of breach of Official confidence - asks Chief Sec. E.A.P. remarks in the last enclosure to the letter of Mr. Ley had wished his application to have been kept secret, he should have said so. I don't think we need trouble the Gov^t to question the Chief Secretary's decision in the matter.

(68,131). W.S. 29 807-58
41,000. 11/12. A.&E.W.

Next subsequent Paper.

? act. rec'd and in form Mr. Lee that there
appears to be nothing in ~~his~~ ~~letter~~ his his tone
of the facts to justify (the Log's in
questioning the judgment of the Church
Secretary as to Mr. Lee's conduct in
the matter.

J. F. D. 5-8-13

H. J. R.

6/8/13

Abuel

6/8/13

P. O. BOX 217,

BLOEMFONTEIN, S. AFRICA.

14th JULY, 1913.

TO THE
SECRETARY OF STATE FOR
COLONIAL AFFAIRS,
DOWLING STREET, LONDON, ENGLAND.

Sir,

I have the honour herewith to draw your attention to what I consider a breach of faith committed on the part of His Excellency's secretary at Nairobi.

The facts of the case are as follows:

On the 17th March last I made an application for a post in the service of the Administration at Nairobi and after I was advised that there were no vacancies one of the under clerks there, a Mr. Akers considered it his duty to make enquiries ament myself through his brother here--who works in the same office as myself.

As this disclosure of official information might jeopardise my position and perhaps bring me into conflict with the head of the department and judging from the enclosed papers--which I attach for your perusal--which you will note I am taking very strong exception to the manner in which a private affair concerning myself was given publicity to by an official in the employ of the Administration at Nairobi it will be readily understood that I feel bitterly aggrieved owing to undue interference on the part of the official in question and that there is no other course open to me but to take such steps as will guard my personal interests.

THE SECRETARY OF STATE FOR
COLONIAL AFFAIRS.

After the receipt of the Secretary's letter of the 21st April last I considered the matter as closed and did not anticipate that an under clerk in the Administration's employ at Nairobi would have dared to make enquiries about me unless he was empowered to do so and as the matter is one of very grave concern I shall be glad if you will take the necessary action and advise me of the result.

The enclosure referred to in my letter of the 17th March last is my Press card i.e. "Reporter, late Transvaal Advertiser, Pretoria."

I have the honour to be,

Sir,

Your obedient servant,

Enclosures: 10

P. O. BOX 217,

BLOEMFONTEIN,

MARCH 17th, 1913.

THE HON. COLONIAL SECRETARY,
NAIROBI, (BRITISH EAST AFRICA).

SIR,

For some considerable time I have been casting about in my mind to arrive at a definite decision as to whether or not I should take up my residence at Nairobi, and I have now decided, definitely, to make my stay at the place quoted above; and as I desire to have this prospect of mine carried out your kind co-operation is solicited.

I am desirous of entering the Civil Service as a clerk, and shall be glad to hear if there are any vacancies in any of the various departments.

I was engaged as Ledger clerk in the Accounting Branch of the Bloemfontein Municipality, and, at present am employed as Shorthand-writer.

Regarding my character I can furnish you with Commendation letters from several important personages residing in the Union, i.e. The Hon. Administrators of the Orange Free State and also of the Transvaal; the President of the Transvaal Supreme Court (The Hon. J. De Villiers; the present Mayor of Pretoria (Mr. Andrew Johnson) and Members of Parliament and others.

I may say that I am single and my health is excellent. Regarding the latter I am pleased to state that I have never been in hospital and for which I am thankful.

I shall feel much obliged if my application could be favourably considered.

Anticipating the favour of your reply.

I have the honour to be,
Sir,
Your obedient Servant,

(Signed) H. H. Ley.

The ellipsus and error appearing on the attached
are as they appear in the original letter of the Secretary's
(Nairobi) letter.

~~1/2/4/1?~~

C. C. P. Y.THE SECRETARIAT,
NAIROBI,Ref:
No. S 5468

APRIL 21st, 1913

Sir,

I have the ^{hon}hewith acknowledge the receipt
of your letter of the 17th ultimo, applying for employment,
and in reply to state it is regretted that there is no
suitable appointment that could be offered you.

I have the honour to be,
Sir,

Your most obedient servant,

(Signed) For Chief Secretary

H. H. Ley, Esq.,
P.O. Box 217,
BLOEMFONTEIN

T.S. Thomson.

P. O. BOX 217,

BLANKENBOUTIN,

MAY 19th, 1918.

TO THE CHIEF SECRETARY;
THE SECRETARIAT,
NAIROBI, Br. E. Africa.

Sir,

I beg to acknowledge receipt of your letter 35468 of the 21st ultimo with thanks, and note there are no vacancies.

I regret to bring the following to your notice: A certain Mr. Akers (formerly resident here) of your department has divulged official information which has a direct bearing on my application that was made to you in March last, and beg to report his conduct as unseemly, disgraceful and injudicious and desire that you treat the offender with the utmost severity that the law allows you in relation to disclosing of Government business to the outside public.

The following are the facts: Mr. Akers addressed a letter to a certain lady of this town; she having received it last week and this lady is the sister of my informant. In that letter he asked her to make certain investigations regarding my personality etc. and my surprise can better be imagined than described when my informant approached me this morning and asked if I was the person who had applied for a situation at Nairobi. I replied in the affirmative, and during the course of the altercation I told him that I was shocked at having discovered a Government official disclosing official matters in such a brazen-faced manner and that it must be evident to everyone that after you had notified me of the non-existence of vacancies he (Mr. Akers) must have had access directly or

indirectly to the case pertaining to my application after that date i.e. 21st ultimo. To this I received, rather negative reply which was to the effect that your Mr. Akers holds a very important position on the staff and, in fact, almost equal to that of the Joint Secy. (---?) and is at liberty to disclose correspondence of this nature to the outside world—a more assiduous construction placed on matters that take place between the public and the Government which are regarded as strictly confidential. I have never heard of.

I was also informed through my informant that you contemplated engaging six more clerks shortly, but I will not dwell on the merits or demerits of this aspect of the matter here but confine myself to what I consider a grievous and indefensible action committed on the part of the official in question in having so broadcast, as it were, what my intentions in the future were, and the gravamen of the charge becomes more and more acute on closer inspection, especially when I have to consider the fact that after I received your letter, previously stated, I assumed, as any man possessing an ordinary amount of intelligence would, that the matter was allowed to drop. But you were evidently imbued with a keen sense of impostuosity desired to take up "dead carcasses" and in this he has found his mistake as I have taken a certain course and shall not rest until the proper disciplinary punishment is meted out to him for having committed a distinct breach of confidence.

Who is Mr. Akers that he should requisition the services of a woman to find out about my qualifications etc.? Are not the commendations letters which I referred to in my letter of March sufficient to warrant my integrity as one who has a name at stake, and which I promised you I could procure on the basis of representation? Your Mr. Akers has absolutely no right to take such a step and moreover he only has himself to blame for, metaphorically speaking, kicked against "sleeping dogs". I referred previously to where he said you

contemplating engaging more clerks and intimated to the effect that I would not commit myself in dealing with this aspect of the case, but it is of paramount importance to bring to your notice the fact that a considerable amount of diversity of opinion must exist in your department when an official (I presume Mr. Akers holds a position of some description) tells the outside public that you are in need of clerks, whilst, on the other hand I was officially advised that there were no vacancies, and the deductions that can be made from opinions diametrically opposed to each other I leave to you.

I have carefully weighed the proe and cons of this case--an extremely nauseating one-- and can come to no other conclusion than that your Mr. Akers has meddled with an affair that certainly does not redound to his credit and might yet bring the whole department into disrepute. Even if he had spoken privately to me on the subject I would simply have sent him about his business accompanied by a strong warning. This subject since its inception was taken up officially and so far it has been treated in that spirit. It is absolutely impossible for Mr. Akers to plead any excuse in mitigation of the gross breach of confidence committed by him and you will readily understand I have my honour as a professional at stake and at all costs it shall be defended and so remain unsullied.

I take the initial step of addressing you first, as by mutual and friendly understanding much can be done in the way of avoiding any unpleasantness and so save the department ^{from} being brought into ridicule and contempt, because of the foolish action of a subordinate, and I trust that you will deal with the matter in the way that the outside public expects you to treat with one who has in so blatant a fashion dealt with a subject with which he had no concern.

I would further like to point out that in

(4)

the absence of a reply (which I expect to have from you by return of first post) I shall have no other alternative but to take the strongest and most repressive measures, and concurrently to summon the aid of the higher authorities here and that of elsewhere--which I trust will not be found necessary.

I write strongly because I feel strongly and furthermore it is with a view to have the wrong ~~xxxxx~~ righted that this letter is being written.

It is quite possible that this severity of officialdom has been withheld from you, or in other words you are unaware of what took place.

I am addressing this letter "Confidential" in fear it might be fated if it came into the hands of one who might like to treat its contents publicly.

Awaiting the favour of your reply.

I have the honour to be,

Sir,

Your Obedient Servant,



C O P Y

Reference: S5468

CONFIDENTIAL.

THE SECRETARIAT,

NAIROBI,

EAST AFRICA PROTECTORATE.

11th June, 1913.

Sir,

I have the honour to acknowledge the receipt of your letter of the 19th May on the subject of your complaint against Mr. Akers, and to inform you in reply that the matter is being enquired into and that a further communication will be sent you in due course.

I have the honour to be,

Sir,

Your most obedient servant,

H. H. Ley, Esqre.,

P.O. Box 217,

Bloemfontein

(Signed) W. J. Mensch,
For Chief Secretary

Reference 55468.

CONFIDENTIAL.

THE SECRETARIAT,

NAIROBI,

EAST AFRICA PROTECTORATE.

13th June, 1913.

Sir,

In continuation of my letter of the 11th instant I

have the honour to inform that I have made enquiries into the allegations which you have made against Mr. Akers, Office Superintendent in the Land Office, and am satisfied that his conduct has been perfectly proper throughout.

2. If you wished the fact that you had applied for an appointment here to be looked upon as confidential you should have said so. Otherwise it would naturally not be so regarded.

I have the honour to be,

Sir,

Your most obedient servant,

(Signed) W. J. Monson,

For Chief Secretary.

H. H. Ley, Esqre.,

P. O. Box 217,

Bloemfontein -

11

August 29/13

Sir,

I am etc to acknowledge the receipt of your letter of the 14th of July forwarding copies of copies with the Secretariat of the P.A.P. respecting your complaint against ^{the} conduct of Mr. W. S. Alker, Officer Supt. in the Land Office.

I in reply I am to inform you that on careful consideration of your letter ^{on 24} it is unable to see any justification in your account of the facts for questioning the decision ^{of the} of the Chief Secretary of the P.A.P. with regard to ~~the~~ ~~conduct~~ of Mr. Alker's action.



(Signed) H. J. READ.

for the Under Secretary of State

DRAFT.

H. H. Ley Esq

MINUTE.

Mr. Downie 78-13

Mr. Read 7

Sir G. Fiddes,

Sir H. Just.

Sir J. Anderson.

Lord Emmott.

Mr. Harcourt.