

DESPATCH

EAST AFR. PROT.

No. 35055

C O

35055

Rec'd

Rec'd 3 OCT 07

(Subject)

John R. Barton. Wright

Paragonable Service

In his letter to him asking him to sign his name
 may count consider it was in favour of him
 asks if in other case he can be allowed a certain amount of fact that his
 contemporaries in his service have been allowed the freedom

In Hand

(Minutes)

Part 1 of the government accepted minutes
 of the report of the ^{last} ~~the~~ ~~same~~ day of
 the agreement that we pointed out
 that the ~~pledge~~ ^{to} to country ~~and~~
 to the service for pension only held if the
 told later permanent service was on the
 Rating.

Personally I think that our State
 must be taken on the ~~Rating~~ ^{and} ~~the~~ ~~service~~
~~for~~ ~~the~~ ~~service~~ ~~on~~ ~~the~~ ~~Rating~~ ~~as~~ ~~well~~ ~~as~~ ~~the~~
~~hold~~ ~~the~~ ~~the~~ ~~same~~ ~~footing~~ ~~as~~
~~the~~ ~~Rating~~ ~~service~~ ~~on~~ ~~the~~ ~~Rating~~.

Dept., i.e., quite about ~~from~~ ~~any~~
 agreement it should be put to ~~Rating~~,
 under the Act of 1887, being in case
 case distinction of temporary permanent
 service whether the temporary service
 shall count for either a pension.

There will be other cases, but this one

especially they since the Doggett
have accepted the lower salary as their
allowance is the belief that his present mind
would suffice them.

G.C.B.

3/10

The day on 3/10/1931/06 seems
to put the case ~~in~~ ^{out of} doubt

He is not absent from the post office for all
these times.

M.C.B. 3/10

H. R. Trotter

Resuming to the strict letter
of the law he has no claim, but I
therefore trust you will make
up your mind to take his present
post in a lower salary than he was
receiving in the Railway Dept. + in
viewing a moderate amount of back
service. However, I believe, a hearing
of this case is not likely to
result in a sound precedent. I should
therefore be disposed of referring to
the Dean - & the case of Mr.
Bottomley's minute.

H. J.R.

See I think best 12/10
we are justified in
doing so.

M.C.B. 3/10
at once

Government's Office.

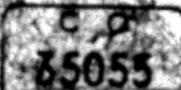
Nairobi,

September 2nd 1907.

EAST AFRICA PROTECTORATE.

No. 575

(Incl. 3)



My Lord,

RECEIVED OCT 07

With reference to Your Lordship's despatch

No. 423 of July 20th 1906, relating to Mr. R. Barlow

Wright's application that his Uganda Railway service

may be allowed to count towards pension, I have the

honour to submit a further letter from that Officer,

together with a memorandum by the Commissioner of

Lands and a copy of a clause of Mr. Wright's original

agreement with the Railway in which Your Lordship

will observe the statement that "his
[redacted]"

this agreement shall count towards pension, should

pension be granted." On this understanding Mr. Wright

accepted the permanent and pensionable post of Chief

Surveyor.

H.M. PRINCIPAL SECRETARY OF STATE

FOR THE COLONIES.

DOUGLAS DUNN

LONDON, S.W.

2. I would solicit a reference to the recommendation
of the Commissioner of Lands and would ask whether it
may not be possible to reconsider the decision on the
matter in view of the fact that Mr. Wright's contemporaries
in the Railway service have been allowed this privilege.
3. It is understood, of course, that a refund would
be made of any Railway Provident Fund allowance received
by Mr. Wright.

I have the honour to be,

With the highest respect,

My Lord,

Your Lordship's most obedient,

humble servant,

J. Taylor Parker

C O
35055

Recd 3 Oct 07

NAIROBI.

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10th. June, 1907.

SIR,

In putting before you the enclosed letter in reply to my request that my name be service on the Uganda Railway should cover the Pension, I would respectfully urge that I am of opinion that the facts have been misunderstood, and that my previous letter setting forth my case must have been lacking in clearness, and I would be very grateful if you would forward this letter with a covering letter through H.E. the Governor to the Secretary of State for the Colonies.

In the reply enclosed, see paragraph (3), it is stated that instead of remaining on the Railway with the prospect of eventually obtaining a permanent appointment in that Department, I elected [redacted] up an appointment under another Department. [redacted] request was made for pension on permanent, but which did not claim any dependent rights in respect of my railway service, and further that such rights would only be admitted in case of Officers who had been placed on fixed establishment of Railway.

I would here point out that my reason for seeking for a transfer from the Railway, on which I had received the definite assurance of a place on the permanent staff, was that I was given to understand

Col. Montgomery, J.S.I.,

Commissioner for Lands,

Nairobi.

2.

understand by Mr. Charles Elliot that the post I applied for was permanent and pensionable, it being then considered likely that a provident fund would take the place of pension in the case of Railway officers. It was this consideration which induced me to apply for a post carrying a salary of £100 per annum less than that carried by the Railway appointment, and it was not till my place on the Railway had been filled by Sir G. Whitehouse, he having been informed that my transfer had been sanctioned, that I received the news that I was appointed on a three years agreement. This agreement I refused to sign. I was also to the bad, and the writ which had been held out was withdrawn. Sir Charles Elliot, however, persuaded me to remain saying that he felt sure that the [redacted] would be arranged satisfactorily. On my arrival at the office and those of Sir George Whitehouse the agreement for three years was signed, so my [redacted] appointment, but I was informed that all my past service in the employ of the railway was to be ignored. I looked upon this transfer as from our Government Department to another, and as no Railway agreement states I am entitled to count all past service for pension, I was much surprised at the decision arrived at. As, however, the following

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below. Railway officials were given only leaving provident fund in lieu of pension, I accepted the post. When, however, I learned that it had been intended to give them their pension and that service, I felt in equity that in my case this would not be withheld, on these grounds I respectfully request, therefore, that my case be reconsidered.

Should any doubt exist as to the accuracy of my statement regarding my selection for the permanent staff of the Uganda Railway, I would ask that reference be made to Sir George Whitehouse, but no doubt the facts are equally known to Sir Francis O'Callaghan who might more readily be referred to.

I have the honour to be,

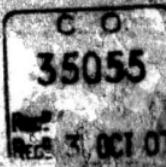
Sir,

Yours most obedient

Henry Abbott.

H. Abbott

In Dispatch No. 375 of Sept. 3-5 1907



www.english-test.net

I beg to forward herewith my petition for favourable confirmation. A copy is attached of that clause of the agreement which will be first entered Railway Service.

The facts appear to be that men so
employed in the Union Army were not
paid personally, but it was stated that his
vice would come to him, provided he
allowed his pay to be given to him.

After a time he was offered and accepted
all the rest of these positions, which combined with it
a lower salary than that which he received in the
new Department. At that time the railway compa-
nies were not pensionable, but they recommended
some so, and all the officers were pensioned by their
their past services being considered.

... his pension rights, and over the date of his appointment as a member.

I think he has a good case to argue that he should be allowed to write his history as fully as possible. He has served his country well without a break from the time he entered the law service up to the present day. I think he deserves his right to write his history.

Page.2.

Sawyer

date he became Chief Engineer.

I give below the appointments he has held in
East Africa:-

Date of Commission or Post.	Salary.
December, 1897.	Jr. Assistant Engineer £1000.
April 1st. 1900.	As. £1000.
• 1901.	£1000.
• 1902.	£1075.
• 1903. Chief Engineer	£1100. Salary up Railway would have been becoming Pro- vident Fund allow- ances had he al- lowed his services to remain in E.A. service from April 1st. 1903.
MAY, 1905.	

- 1905 Additional Pay.
Land Officer or £100
making salary upto £1000.
- Appointment of Land Officer
as permanent on consolidated
salary or £1000 a year confirmed.
Relinquished duties of Chief Engineer
on arrival of Major Smith R.E.

Shetromery

~~SECRET~~ - 1

In Despatch No. 3754 ext 35 1907

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COPY.



On the expiration of this engagement
hereinafter provided, the Secretary of State shall
have the option of extending the appointment for
such further period as may be agreed upon, or, if
mutually desired, the engagement of the person
may be made a permanent one on the completion of
the work for which he is now engaged, by placing him
on the fixed establishment of the Railway, with
the regulation privileges as regards leave of
absence and retiring allowance on his quitting the
public service. [REDACTED] His service under
this agreement shall count towards pension, should
pension be allowed in the rules put in force.

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Inay 22 October 1907

DRAFT.

The meeting to the
Treasury

MINUTE

22 October 1910
Mr. Read

Mr. Ind.

Mr. Astorius.

Mr. Cox.

Mr. Lucas.

Sir F. Hopwood.

Mr. Churchill.

The Earl of Rose

I am directed by the
Secretary of State to transmit
to you the account and copy
of correspondence on
the subject of the position
of W. R. Barton Wright,
Land Officer in the S.A.C.
His Lordship will observe
that Mr. Wright was originally
engaged for temporary
service on the Uganda River
under an agreement which
provided that in the event
of his being placed on
the fixed establishment of
the railway his name
should be given the agreement should
be void for payment.
It is understood he was
transferred

No. 235 9 May 1910

(19217)

No. 423 20/3

(-)

No. 378 5/6/10

(35055)

should stand on the
same footing as temporary

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service in the ordinary
functions & departments of
the Protectorate Govt., that
is to say, it should be
for their Lordships to
determine in each case,
under the Superannuation
Act of 1887, whether the
temporary service shall
entitle for pension.

4. If their Lordships are
able to accept this view,
and if in trust that
they will forwardly the
case of H. Wright,
that, in his long
service, there are many
reasons for allowing the
temporary service to be
counted, secondly that in
view of the large amount
of service which he would
otherwise lose, of the
reduction of salary which
he incurs on his transfer
from