

EAST AFR PROT
GERMAN AFRICA
39096

REC.
REG. 17 AUG 16

Local Office
(Cont)
1916
K. R. G.
Last previous Paper
See for
3761 out

Enemy firms in liquidation
with branches in former E. Africa

Orders for items, tel. from Genl. Courts
recommending that branches be liquidated.

Dr. Friedla

2 letters

H. Taffersa.

also 30608
30620

been detached
to 2nd Lt
only but
to help them

"The group" can hardly bear "amount
compared with" but that seems to be
the meaning

I find that German firms in Tanganyika
have wound up (with property of course
not sold) and this seems to be the
reason why we should not do so
in German East Africa & Cameroon
The arrangements can be made for
the liquidation of the

If I am right in thinking that the
recent L.O. decision leaves us free
to include liquidation in the liquidation
we should specify them. If they
can't be included, we must say that they

To Bureau from the 25 Aug
And - copy about that to Aug 16
Copy let. to Genl. Courts
Tang.

Next subsequent Paper
40
41026

the fact - a lot of money &
from sufficient right to have the
the middle and from light
the fact, what was left with the
then they would have been and much

Oct. 1886

I think that the question
whether or not be liquidated
depends on whether or not
be interim deposit the former
I should be disposed to do
both & so inform her.

As to Lighter to be sent
a copy of the Circular of 31 by
Hort to them to sell any vessels
of the kind remaining unwork
in fact to commit proceeds to
the Prize Court

I expect they will want to see
all the Capt in each of the
harbours with in which case
they should be prize court
& requisitioned.

Perhaps he might
leave this subject for
the present
Oct 19. 86

the right to have the German firms liquidated
not on B.A. R.S. + in large number
of precedents (from all countries) to
guide us.

8/9/46

W. T. Thompson
W. G. Wells

I think it will suffice if we refer
to me 20 that we agree that the
branches should be liquidated. The
question of removing Germans from
the country is mixed up with the
question of terms of surrender (in
the papers referred to by Mr. Wright)
→ do not want to need it
to interfere with the liquidation
→ will do all we can to see
that

As to the grounds required
to justify liquidation of enemy
firms in occupied territory. Cf.
the case of Togoland - (1947)
& precedents at below.)

In that case we were to some
extent hampered by the problem

-ation which had been issued
by Major Proyant - the
Hoods minute on 5/2/46 &
we hope to avoid any such
a complication in G.S.A.
131

On the other hand we have
to bear in mind the last
para of 70's letter to the
French ambassador in
47550 which means that
we cannot liquidate
except on grounds of military
necessity.

In the case of Togoland the
Gov: asked for leave to
liquidate & depart on the
grounds (a) that he could
otherwise be sure
of shipping committee
to Germany via
neutral territory.

(A) Native Opinion

These two reasons were thought
to disclose sufficient military
necessity, but it is to be
observed that the proposal
involved deportation.

seems to me that if we
are to liquidate we must
also intern or deport
because C. This supports

our allegation of military
necessity

+ C. It seems to me
that it would be very bad
policy to leave the former
owners at large after we
had seized their businesses
which are their means
of livelihood.

By G. I mean that if we
left the former at large
it would make it difficult for
us to maintain that there was
an military necessity sufficiently
serious to justify the liquidation.

I think therefore that we
should deport (or intern) &
liquidate, but not do either
single, & perhaps we might
tell W.C. that we
consider this course
should be adopted
as soon as possible

The liquidation will I
think have to be partial
as in Togoland - see 85 -
special minutes on 5/22/35

And it will certainly be
desirable that all instru-
tion in regard to it
should be given from
here direct to the local
administration, as we
have now large experience
on the subject & we
presumably have not

As to the date on which
liquidation can be begun
I don't see how we can
begin till hostilities have
ceased & some kind of
civil govt is established
& I think we should
so inform W.C. I fear
we should have had
confusion of the military

were to begin liquidating
now

6. 22/10/16

Draft with
S. 245. 16
alt.

1. We have now run up to say that
they wish us to refer to General
Smith direct & that they do not
wish to come in to be made further
if it can be helped.

I accordingly submit it to
General Smith for review after
speaking with Mr Ferguson & Mr
Porter. The draft puts the
points fully and as regards
the last paragraph, I understand
that Mr Ferguson considers it
preferable to wait until we
have a provisional civil administration
unless there are good reasons
to the contrary.

Esq 23/10/16

here to begin liquidating
now

6.22.1946

Draft comm
B. 2. 1946

Mr. J. have had many meetings up to say that
they wish us to reply to General
Smith direct & that they do not
wish to come in to be made further
if it can be helped.

I accordingly submit it to
General Smith for consideration after
speaking with Mr. Ferguson & Mr.
Boulton. The draft puts the
points fully and as regards
the last paragraph I understand
that Mr. Ferguson considers it
preferable to wait until we
have a provisional civil administration
unless there are good reasons
to the contrary.

29/23/46

War Office

Whitehall

M.F.I. 5533

16th August 1916

39096

REC^dREC^d 17 AUG 16

The Director of Military Intelligence presents his compliments to the Under Secretary of State for the Colonies, and begs to forward for his information the enclosed telegram from General Smuts, dated 15th of August 1916, with reference to firms under liquidation in British East Africa.

137

5573

SECRET.

NOT PRINTED.

39096

REC'D
REC'D 17 AUG 16

From General Smuts to the War Office.

15th August 1916.

9.30 p.m.

P. 2614.

It is stated in report of liquidator of enemy firms appointed by Colonial Office that firms under liquidation in B.E.A. have branches in G.E.A. both in the areas occupied by my forces and the Belgians. It is stated that these branches are financed from B.E.A. with capital committed by British firms. It is recommended that these branches be liquidated for the benefit of creditors the assets in British territory are of little (one group) liabilities to British firms.

Does this meet with your approval?

SECRET.

NOT PRINTED.

137

5523

39096

REC'D

REC'D

17 APR 1916

From General Smuts to the War Office.

13th August 1916.

9.30 p.m.

L. 2614.

It is stated in report of liquidator of enemy firms appointed by Colonial Office that firms under liquidation in B.E.A. have branches in S.E.A. both in the areas occupied by my forces and the Belgians. It is stated that these branches are financed from B.E.A. with capital omitted by British firms. It is recommended that these branches be liquidated for the benefit of creditors as the assets in British territory are of little (one group) liabilities to British firms.

Does this meet with your approval?

Any communication on this subject should be addressed to—

The Secretary,
War Office,
London, S.W.

WAR OFFICE

LONDON, S.W.

138

16th August

1916

M.I.C.B.

C E
39096
REC.
REC. 17 AUG 16

Sir,

I am commanded by the Army Council to transmit
the accompanying communication from

General Smuts

120

and to request that you will ~~acknowledge it as soon as possible,~~
~~with~~ any observations that you have to make thereon.

I am,

Sir,

Your obedient Servant,

R. B. White

The Under Secretary of State,

SECRET

COPY28
39096REC-
RES-17 AUG 16

From General. Staff

To: War Office. 15. 8. 16. 9.30 p.m.

P.5516.

It is stated in report of liquidator of enemy firms appointed by Colonial Office that firms under liquidation in B.E.A. have branches in B.E.A. both in the areas occupied by my force and the Belgians. It is stated that these branches are financed from B.E.A. with capital (omitted) by British firms. It is recommended that these branches be liquidated for the benefit of creditors as the assets in British territory are of little (I group) liabilities to British firms. Does this meet with your approval?

CONFIDENTIAL

Form No. 1

Any further communication on this subject should be addressed to—

WAR OFFICE.

140

The Secretary,
War Office,
London, S.W.

LONDON, S.W.

25th

25th August

and the following number quoted.

0185/7461.(M.O.E.S.).

The Secretary of the War Office presents his compliments to the Under Secretary of State, The Colonial Office, and is requested to the Army Council to transmit for the information of the Secretary of State for the Colonies, a copy of the report on the subject of the liquidation of enemy farms in British and German East Africa.

The Council will be glad to know what reply should be made to the telegram in question.

7.11
Date

15th August 16 Lt-Gen. Smuts. Copy of Tel. No. P. 2516.

TELEGRAM.

141

From - General Santa to War Office.

15th August 1916.

F. 5616.

It is stated in report of liquidator of enemy firms appointed by Colonial Office that firms under liquidation in B.E.A. have branches in G.E.A. both in the areas occupied by my force and the Belgians. It is stated that these branches are financed from B.E.A. with capital (group omitted + supplied) by British firms. It is recommended that these branches be liquidated for the benefit of creditors as the assets in British territory are of little (the group omitted) liabilities to British firms. Does this meet with your approval.?

WFO 89096 2nd 92a

Sept 1942

Interoffice Draft was
submitted to me
by [unclear] 5/2/42
SSO 2/4/42

DRAFT Telegram copies

General [unclear]

23/8/42

in Telegram 23 8
in Bureau 2
in [unclear] 6/4
at [unclear] 19/8/42
at [unclear] 19/8/42

for [unclear]

Copies to be [unclear]

August
in office [unclear] reply to
your telegram 15 August

F 5516. ~~To [unclear] Office~~

I get the last liquidation
of enemy firms in
Romania part after its
considered desirable in
view of military
necessity and in view
of action taken with
regard to branches of
firms in British
Possessions. I assume
also that Romanians
dispossessed by liquidation
of firms would, on
military grounds, be
dealt with by means

Report to him as
 to the amount of the
 to be paid if substantially
 experienced liquidator
 available, I am prepared
 to approve proposed liquidation
 being commenced as the
 general lines adopted in
 the SAP and Janjiban,
 and in consultation with
 the Gov. of the SAP as
 to the various steps
 to be taken. The points
 in question are in
 occupied territory liquidation
 should having regard to
 of laws & customs
 of law on land
 to be appointed the stock
 of goods would be sold realized
 due to the economy

drafts & then
 permanent
 added - ~~and~~
 such a thing
 (rule)

This is
 the
 only

creditors paid as far
 as possible and the
 balance if any held
 until the conclusion
 of hostilities to be
 realized. Trade
 not to doact with
 at the same time
 in view of complicated
 nature of the transactions
 involved and difficulties
 to which precipitate
 action may give rise
 I would suggest for
 you could that proposed
 liquidation might perhaps
 wait until German
 Protectorate is completely
 occupied and a
 temporary civil administration
 set up. It would be

be possible for matters
to be reviewed as a
whole and to be done
comprehensively with
few or no differences
part of the material

It will be necessary
of the communication
to bring in the question
are addressed to Capital
the

measurable economic
steps should be
taken to preserve
assets & realize
perishable stocks

Banker

39096/1916

22

PARAPHRASE

TELEGRAM The Secretary of State for the Colonies
to General Smuts, Nairobi.

(Sent 1.10 p.m., 25th August, 1916)

111

August 25th,

P. 5516

War Office wish me to reply to your telegram
15th August relating to proposed liquidation of
enemy firms in German East Africa.

Your proposal is I gather made not so much
for military reasons as with the view of preserving
assets for British firms in British East Africa. In
view of legal and other difficulties to which premature
action may give rise and the complicated nature
of transactions involved I would suggest for your
consideration that the proposed liquidation might
perhaps wait until German Protectorate is completely
occupied and a temporary civil administration,
which I am inclined to think ought to be set up
promptly, has been established. Necessary steps should
in the meanwhile be taken to realise perishable
stocks and to preserve assets.

Would be glad if your communications on
this subject could be sent to me direct.

BONAR LAW.

*To
Coby To 9/20/16. 44036*

No. 39096 EAD

C.D.
R. 25 AUG
D. 9

16 Aug. 1916
145

Re:

I am etc to act.

rel. of your letter to M.T. 1

5532 of August 16th

No 10609 M.T. 6 B of

August 16th as stated

0165/748 17028 of

August 23rd each

transmitting a copy

of a telegram from

St. Paul since dated

August 15th as to the

proposed legislation of

enactment in

General Post Office, and

to transmit to you

to be laid before the

A.C. copies of a telegram

sent to General Post Office

RAFT.

The Secretary
General Office

MINUTE.

890 25/8/16

Butler 25/8/16

Read.

H. Just

G. Fiddes

St. Paul

Bonar Law

re Liberator Dept

100 have returned

telegram to us

Area Liberator

(over)

For info. Tel. 25 Aug. 1916
(2 copies returned)