

EAST AFR. PROT.
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254

War

East African Estates Limited.

1919

11 June

Last previous Paper.

To. correspondence resp. claim in resp. of military occupation. Reports enquiries be made locally.

W. B. Burton

copy to Gov. S.A.P. for emergency report (what draft, as it is rather important for a [unclear] 23) 1 m/ W.O. what we have done

del
12/6/19

W.B. 12.6.19

copy with [unclear] for [unclear]

Next subsequent Paper.

Rec'd

Further communication on this
should be addressed to—
Secretary,
War Office,
Adastral House,
Victoria Embankment, E.C.4,
Following number quoted.

F/682 (F.3.)

War Office,

255

Adastral House,

Victoria Embankment,

E.C.4.

11 June, 1919.



Sir,

I am directed to forward the enclosed copies of
correspondence between the East African Estates Limited,
this Department, regarding a claim in respect of the
temporary occupation of certain of the above mentioned
Estates in British East Africa and say that
this Department would be glad if you could have
enquiries made locally regarding this case.

I am,
Sir,

Your Obedient Servant,

J. G. Ashley

for the Assistant Financial Secretary.

Secretary of State,
Colonial Office.

Albemarle Mansion, 256
1, Albemarle Street,
London W.1.
1st May 1919.

Copy of the
Office,
Mitchell.

Sir,

I am instructed by the General Manager, Sir Owen
Davis, to request a settlement of an agreed claim for
damage done during Military occupation on this Company's
estates in East Africa.

This claim has already been investigated and
assessed by a Commission of Representatives both of the
Military authorities and the Local Government.
Despite however of repeated application, by our East
African Representatives, since the conclusion of hostilities,
payment of the claim has not yet been received.

In order to give details of the claim and
relevant correspondence I enclose the following:-

1. Copy of letter dated June 26th from our East
African Agents to the Dupty Assistant &
Quartermaster General Dar Es Salaam, with
details of the award.
2. Letters from our East African Representatives
to us dated March 13th & 20th enclosing
copies of correspondence with the Chief Paymaster
of the B.A.F.

I have the honour to be, Sir,

Your obedient Servant,

(Sgd) A. J. Davis.

Secretary.

June 26th 1917.

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The Deputy Assistant Quartermaster General
 Mess. Malacca.

57½ Acres Coconut Palms destroyed
 by the Military in the Plantation of
 the Gazi (B.E.A.) Rubber and Fibre
 Estates Ltd: Gazi. Near Mombasa
 in October 1915.

I would beg to refer to the report of the
 Commission which sat at Gazi on the 11th April 1916 to
 settle the claim made in regard to the above.

The following compensation was awarded to the Company
 by the Commission:-

40 Acres destroyed	Rs. 24,108. 00.
17½ " " "	" 6,258. 00
	<hr/>
	Rs. 30,366. 00.

(Details attached)

In our last mail to hand our London Office write us
 for further advice as to the position and therefore
 kindly esteem information from you to enable us

to report if possible that this matter has
 been finally settled.

Thanking you in anticipation of your reply.

We remain, Sir,

Your obedient Servants,

(Sgd) OWEN GRANT BARGMAN & CO.

DETAILS OF COMPENSATION AWARDED.

70 trees to the acre - 2800 palms 2 1/2 years old	
Excavating, Lining and Planting @ 10/- per acre	400. 00.
100 Seed Nuts @ 80/- per acre	224. 00.
Feeding @ 18/- per year	1800. 00.
Monkey Guards @ 3/60 per acre per year	360. 00.
Beetle Collectors for 9 months at 90 cents per acre per month	324. 00.
Cost on 2800 palms @ 3/- per palm per year	21000. 00.
	<u>Rs. 24108.00.</u>

70 trees to the acre - 1225 palms 1 1/2 years old	
Excavating and Planting @ 10/- per acre	175. 00.
Seed @ 80/- per 1000	90. 00.
Feeding @ 18/- per acre per year	17. 00.
Monkey Guards @ 3/60 per acre per year	36. 00.
	<u>Rs. 218. 00.</u>

Grand Total Rs. 24326.00.

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OWEN GRANT BARGMAN & COMPANY,

P.O. Box 291

NAIROBI.

March 1919.

Secretary,
Kenyan Estates Ltd:

Gari (22) 10/10/18 P. 10/10/18 Ltd:
Chair 11/11/18. Property destroyed

[Faint, mostly illegible text, possibly a letter or report]

Yours faithfully,
Owen Grant Bargman

COPY.

260

Ref. No. S 106/636/19.

EAST AFRICA PAY CORPS.
P.O. Box 261

NAIROBI 4th February
1919.

From Chief Paymaster E.A. P.G.

To
Messrs Owen Grant Bargman & Co.
NAIROBI.

Dear Sirs,

Referring to your letter dated 14th January 1919, I have to inform you that I have forwarded your claim on behalf of the Gazi (BEA) Rubber and Fibre Estates Ltd in original to Lt. Col. A.E. Brown President, Claims Board Nairobi, for his necessary action.

Yours faithfully,

(Signed) J. Patterson.

Major.

NAIROBI.

10th February 1919.

Chief Commissioner
Colonial Land Office

THE EAST AFRICAN RUBBER & FIBRE PLANTERS LTD.

I have the honour to acknowledge receipt of your letter of the 4th inst. No. S 106/636/19 and shall be glad of an explanation as to why our claim on behalf of the above Company has again been forwarded to the President of the Claims Board. It will be remembered that I approached Colonel Brown in this matter last year as the claim had already been investigated and settled, stating that we now had only to apply to the Government for payment.

For the satisfaction of the London Office we should like to hear from you when payment may be expected.

I have the honour to be,

Sir,

Your obedient servants,

(Signed) Owen Grant, Barrister & Co.

FY.

Ref. No. S 106/1159/19.

EAST AFRICA RAY CORPS.

P.O. Box 261

Nairobi. 4th March 1919.

Messrs. Owen Grant, Bergman & Co.
Nairobi House,
Nairobi.

Dear Sirs, I have pleasure in

advising you that the above mentioned
subject, has been referred to the
relevant authorities for their consideration
and will be dealt with as soon as possible.

Yours faithfully,

Signature

For the Director of the Department

Copy.

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NAIROBI

11th March 1919.

The Chief Paymaster,
East Africa Pay Corps,
Box 261
Nairobi.

Sir,

re. Claim. Gazi (BEA) Rubber & Fibre Estates Ltd.

We beg to acknowledge receipt of your letter of the 11th inst: and note that the claim has been filed pending instructions being received from the War Office. It would appear to us therefore that the most satisfactory procedure would be if the Company communicates with the War Office direct and the claim is settled in London.

If this is possible we would ask that the file be sent Home by you.

Yours faithfully,

(signed) DWIGHT H. APT HARGMAN & Co.

OWEN GRANT BARGMAN & COMPANY,

Nairobi.

20th March 1919.

The Secretary,
East African States Ltd:
London.

Dear Sir,

We beg to acknowledge receipt of your letter of the 27th January and confirm herewith our letters to you of the 13th & 14th, inst. as per enclosed confirmation.

Claim Gazi Co: In further reference to this matter the Chief Paymaster of the East Africa Pay Corps writes us as follows, in reply to our letter of 11th inst:

"I beg to inform you that it is understood a Claims Commissioner is being appointed by the War Office to go into Claims of this nature. When this Officer arrives in the country your claim will be laid before him".

We would submit to you that the only satisfactory way of concluding this matter expeditiously, will be for you yourselves to approach the War Office. Your claim has been recognised and is now only waiting payment.

Yours faithfully,

Is not this for you as a "Claims Commission case?"

It looks as if there has been an award but that

this has not been paid.

We do not trace having seen any pensions

correspondence on the subject.

(Sgd)

(F.3.)

21 May 1919.

With reference to your letter of 1st May, regarding claim in respect of the military occupation of certain ~~Company's~~ Estates in British East Africa, I am directed to inform you that details of this particular claim have not been received in this office from the military authorities in British East Africa. There has been no change during the time in the policy regarding the settlement of claims of this kind in British East Africa and no fresh instructions have been issued recently as to the admissibility of claims. In general, claims are payable in cases of property ~~lost~~ directly occupied by the military authorities except in cases where loss is due to damage caused by actual operations.

In order to give you a definite reply ^{it} will be necessary to refer your claim to British East Africa for full consideration. In the interim it may be possible to suggest a sum for the delay in payment if you can state the circumstances in which and the purpose for which the Estates were requisitioned, and state that they were actually occupied at the time of requisition.

I am,

Sir,

Your Obedient Servant,

(Sgd) J.G. Ashley.

for the Assistant Financial Secretary.

James Watson Ltd.,
 1, Cannon Street,
 London E.C.4.

EAST AFRICAN ESTATES LIMITED.

Albemarle Mansion,
1 Albemarle Street,
Piccadilly,
London W.

24th May 1919.

Secretary,
Company Office,
Castrol House,
Victoria Embankment, E.C.

Ref: 0165/682 (F.3.)

I am obliged for your letter of 21st inst: regarding the claim in respect of the Military Occupation of certain Companies in British East Africa:

The case is one of proved loss, directly due to occupation by the Military authorities and it is not a question of loss due to damage caused by actual operations of war. Further, as pointed out in my last letter, the claim has been admitted and the amount assessed, in accordance with the details I forwarded to you by a Special Commission sitting at Gazi B.P.A. on 11th 12th 1918 and for your information I enclose an extract from a Memorandum of an interview between the representative and the Claims Board, Nairobi, on the 21st May 1919, the authorities in East Africa being in possession of the original claim against the Commission.

There would seem, therefore, to be no reason for settlement of this claim, which has been admitted some time back as it should be so long delayed and I shall be glad if you will take the necessary steps to ensure that this delay is not further prolonged, and that the amount is paid forthwith into this Company's banking account with the National Bank of India, Bombay.

I am,
Your obedient Servant,

Secretary.

EXTRACT from MEMORANDUM of INTERVIEW WITH CLAIMS BOARD,

at the Offices of Post Commandant,
Nairobi,

on the 22nd. May 1918 at 2 p.m.

The Board consisted of: Colonel Brown (Chairman)

T.A. Wood.

H. Barth.

J.J. Toogood.

and an adjutant Military Officer.

GAZI COMPANY'S CLAIM for loss through cutting out of 500
ACRES of COCONUT PALMS

We explained the position, and the Board said that as the claim had been proved and allowed by the Special Commission which went into the claim at Gazi, the Company had now to apply to the Chief Payment Officer, Nairobi, for the amount viz. Rs. 30,366.00.

W.O. / 34947/19

SAP

15th June 1919

I am to act. the receipt
 of a letter no. 0165/682 (F.3)
 the 11th of June, and to request
 regarding ~~the~~ a claim made by
 East African Estates Ltd. in
 respect of the ~~undeveloped~~ occupation
 of their estate in the
 A.P., & to request you to
 inform the A.C. that a copy
 of the ~~conesha~~ enclosed ~~in your~~
 letter has been forwarded to
 the Gov. of the Prot., with a
 request that he will cause
 Enquiries to be made into the
 case & furnish Lord Palmer
 with a report thereon.

Dft.
The

W.O

15/6/19
High

Dft. over

I am
 Edward G. GRINDLE