

3A

EAST AFR. PROT
58453

C.O.
58453
REC
13 OCT 12

Brooke,
Col. Hastings

1919
10th Oct.

ESTATE OF CAPT BRIAN BROOKE.

Requeste interview.

previous Paper.
54145

Mr. Pinsky

Will you see Col. Hastings Monday?
Will you suggest day & hour?
W. B. B. 14/10/19

Mr. Battersby

Would see him either on Thursday
or Friday at 3.30

So as of leave
W. B. B. 14/10/19

Mr. Battersby
See above

I said Col Hastings' Brooke father &
explained to him the difficulties arising
out of probate having been taken out
both in S.A.P. and in the U.K. (instead
of the S.A.P. probate being retained in
the U.K.) and out of the terms of

subsequent Paper.

1523

of the House of Attorneys

He told me that Major Lawrence is
believed to be at Halifax as I A P
and as the other exors. Sheen & Macneil
are presumably still here also, I
think that payment of the £1000
should be dealt with direct
between the Court of S & P and
the exors. as the C.A.
occasionally proposed in their
letter of 27 July 1799,

we should explain the difficulties to
the Court as in my minute of
5/11/45, and say that as the money
is situated in one central vessel to
three countries, and as all the
exors. ^{are} there, payment should
be dealt with direct or (as above)
the exors. taking such steps as
they may be advised in order
to enable them to be done.

[Under the S & P private papers
was received for Major Lawrence
to come in and if this course
was adopted payment should
be made to him. Sheen
& Macneil - I much
think this out, but it is not put
it into the despatch as we do
not want to appear to
be giving the exors.
legal advice.]

and proposed the Colonel that we would
let Capt. Hume, a cooper (the father of
the hero) what was being done,
and in order to raise his mind

x He is in
state of health

and we shall therefore wish to have 237

copies, less the cost of one copy.

And inform C.A., observing that for
the reason ^{shown in the book} it
is not considered that ^{small copy} can be
properly made to Capt. Hain, Brook
the holder of the paper, and the
course recommended in para 3 of
their letter of 17 July has
accordingly been followed

Ross

W.G.H. J.H.
16.10.19 16/10/19

at once

H.J.H.

16/10/19

23, RUTLAND COURT,
RUTLAND GARDENS, S.W.

Oct 10

C O
58455

Dear Sir
With reference to Letter
15 OCT 1919

Ref 54145/1919 of Sept 29. 238

Captain Harry Brindle relative

the sum of 71000 due to the estate

of his son Captain Brindle

I am so much obliged if

you could give me

information on receipt of my

Cousin - Captain Samy B...
who is too ill at present & cannot
attend in London, & has
asked me to act for him

Very truly yours

Hastings B...
Edwards

From Colonel Hastings B...

B. 55/19 head

15

DRAFT.

Mr Hastings Brooke

15th October 1919

Sir,

MINUTE.

- Mr. Brewster
- Mr. Calder
- Mr.
- Mr. Grindle
- Sir H. Lambert
- Sir H. Reid
- Sir G. Piddock
- Col. Amery
- Lord Milner

I am in receipt of the letter of the 10th Oct
 regarding the fact that Mr J. S.
 Bates will be prepared to
 meet me at 3.30 pm on
~~the~~ the 16th or 17th Oct.
 I will call at his
 office on either of these days

(Signed) H. HEAD.

When papers
 at me to
 not history when
 with me I will

CO. 133
 240
 RECORD OFFICE
 THE NATIONAL ARCHIVES

B. 5527 55/19 head

15

DRAFT.

Hal Hastings Brooke

15th October 1919

Sir

MINUTE.

- Mr. P. Buckley
- Mr. Calder
- Mr.
- Mr. Grindle
- Sir H. Lambert
- Sir H. Reid
- Sir G. Fiddes
- Col. Amory
- Land Mines

I have read the letter of the 10th Fleet
 and am sorry to hear that the J.S.
 Rules will be prepared by
 me on at 3.30 pm on
 the 16th or 17th Fleet
 They will call at his
 office on the 17th

When the papers
 are met to
 put his log when
 with the same

(Signed) H. HEAD.

18/5 1915/19

L
L

DRAFT.

Crown Agents

11th October 1919

Dear Sir,

MINUTE.

- Mr. Pearce 17 Oct
- Mr. Rusley 15/10/19
- Mr. Parkes 18/10
- Mr. Arnold
- Sir H. Lambert
- Sir H. Reid
- Sir G. Fisher
- Col. Arbery
- Lord Milner

(2/10/19)

Cap 11 Oct
(can 11)

I am in London this week
 I have written P states 1387/19
 to the Dept. with regard to the
 sum of £200 due by the Govt of
 the East to the estate of the
 late Capt. & Brian Brooke
 I am sorry to say that an^d copy
 of the report on the subject which
 has been sent to the Govt of
 the East & to which you refer
 for the reasons stated in the
 third fourth & fifth pages
 is considered doubtful
 collection payment can

possibly be made to give H.V.
 Proctor under the English field
 by him - it has never been
 deemed advisable to refer the
 matter on to the Prot. Prot.
 for settlement locally as
 suggested in the last part of
 your letter P. States 1387, of
 the 1st of July last.

(40064)

(Signed) H. J. READ

5/25/1919

Aard
 5023

DRAFT.

Geo. No. 1111
 E. P.
 no. 1087

18th October 1919

MINUTE.

- Mr. Proctor 17 Oct
- Mr. Proctor 18/10/19 (11/78)
- Mr. Proctor 18/10/19
- Mr. Proctor 18/10/19
- Mr. Proctor 18/10/19
- Mr. Proctor 18/10/19
- Mr. Proctor 18/10/19
- Mr. Proctor 18/10/19

I have the honour to acknowledge
 the receipt of your letter of the 17th
 inst. regarding the sum of
 £1000 due to you by the estate
 of the late Captain H. Proctor.
 It is to be regretted that
 there is considerable difficulty
 in determining to whom payment
 can legally be made.
 In addition to the probate
 taken out in the last will,
 appears here probate was
 granted in this country on the
 2nd of Jan 1919 to Major R. F.
 Campbell, with power to
 other executors.

The last Probate 2 Jan 1919

30/10

1919

CO. 1111

The gross value of the estate was £4000. The net value of the estate was £2000. The net value of the estate was £2000.

The Power Attorney held by Captain H.W. Brooke gives him no power to deal with the £2000 as executor but merely to receive payment. This receipt for the same is also not to empower him to let the Prot. Proclate revealed in England or Holland with a view to his being constituted Administrator or Executor of the late H.B. Brooke's immovable & movable property in those countries & for this purpose ~~the words~~ the words ~~of the said~~ of the said ~~Prot. Proclate~~ Prot. Proclate ~~in~~ in ~~England or Holland~~ England or Holland to receive debts & personal estate movable & immovable property which now or at any time hereafter are to be found part of the estate of the said H.B. Brooke.

It would appear that I am advised that the words for this purpose in the above Power Attorney

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situate in England or Scotland
settlement therefore appear that
while under the first clause of
the P. & A. payment of the £2000
could be made to Capt Brooke
Senior, & a receipt taken from
him, he could only administer
the money as Executor,

DRAFT.

MINUTE.

- Mr.
- Mr.
- Mr.
- Mr. Grindle.
- Sir H. Lambert.
- Sir H. Bond.
- Sir G. Pultney.
- Col. A. Mervin.
- Col. Mervin.

- (1) if the Prot Proclate has been revealed here (which appears not to have been done)
- (2) if it can be held that the money is situate in England or Scotland

5. It follows that if the money is held to be situate in the East, which would seem to be the case, the execution of the Prot. Proclate here, if done, would not be valid under the terms of the P. & A.

C.O. 533

in question would ~~not~~ appear to empower
 me to deal ^{act} as an executor only
 with respect to the estate in Ireland or
 Scotland. It is ~~not~~ ^{not} ~~probable~~
 that this could be held to cover
 the money due from the Prot. font,
 which then just a little more would be required,
 It would therefore have been necessary
 for me in receiving the money to
 transmit it - to the executors in the
 East under the ^{Prot. font} Probate, or
 to Major Carnegie under the letter
 English Probate as per ~~letter~~
 have been advised.

4. As however, it is understood that
 Major Carnegie is now again in the
 it is considered more convenient than
 payment should be advanced locally
 between the Prot. font & the executors
 under both Probates who would
 thus appear to be all in the Prot.

5. The matter has accordingly been
 referred up to the Governor for
 settlement - in the way, the executors
 taking such action to enable it to be
 done as they may be advised in the usual manner.

If the estate
 should be
 in the V.K.
 left here some
 then only to

19 The Power of attorney & Probate are returned herewith