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1. Sir W. Morris Carter - 13/8/32.

Submits, for reasons stated, that his remuneration should be £5.5.0d. per diem in place of the figure £4.14.6d. stated in No.28 on 17312/31.

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In 1925, the remuneration of European officials in Kenya took the form of salary plus a local allowance of 20% of salary for the first £400, 10% on salaries between £400 and £600 and 5% on all amounts above £600.

1197/26  
4919/26

As from the 1st of January, 1926, salaries were revised on the basis of incorporating the local allowance in the salary previously drawn with convenient rounding off, subject to the rectification of anomalies and to giving special treatment to special posts where a strong case could be made out.

There was, therefore, in effect, no increase in remuneration, as the revision merely affected pensionable emoluments.

The case quoted in Sir W. Morris Carter's letter at 'A' is that of the Chief Justice, Kenya, who in 1925 drew £2,000, plus local allowance of £170. On revision his consolidated salary was first fixed at £2,200, with a personal allowance of £100 to Sir J. Barth in view of his length of service.

8380/26

The case was, however, put forward in the Governor's despatch of the 26th of November, 1926, among those in which further increase was justified to rectify anomalies, and it was proposed that a consolidated salary of £2,400 should be paid. In reply the S. of S. stated that, having regard to the salaries paid to Chief Justices in other Colonies, he saw no sufficient reason for increasing

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ditto

the substantive salary of this post, but was prepared to agree to the personal allowance granted to Sir J. Barth being raised to £200 a year.

Subsequently the Governor renewed his recommendation that the consolidated salary of the Chief Justice should be fixed at £2,400, with effect from the 1st of January, 1926.

The S. of S. replied that he still held the view that on the basis of comparison with the salaries of other officers in Kenya and elsewhere, the substantive salary of £2,200 should be sufficient for this post, but that if the Governor nevertheless adhered to the opinion that it should be fixed at £2,400 he was prepared to agree.

It seems, therefore, that the case quoted by Sir W.M. Carter is an exception to the general rule, and can therefore hardly be regarded as a precedent to follow.

The remuneration originally offered to Sir W. M. Carter was a fee of 100 guineas, plus subsistence allowance of £2.10s. per diem in East Africa. On his representations, however, an inclusive allowance of £4.14.6d. a day was approved for such period as he was absent from the U.K.. This was based on the remuneration of 5 guineas a day previously granted to him when he served as Chairman of the Southern Rhodesia Land Enquiry and the Uganda Cotton Enquiry, with a reduction of 10%.

This

17145/27

ditto

27/17312/31

28 ditto

vide minutes below 27

Mr Justice  
minutes of  
2/4/17312/31

This reduction was suggested, partly in view of the fall in the cost of living since 1925, partly because of the financial position of Kenya, and partly because both Lord Moyne and Mr. Gibb had accepted similar employment on very reasonable terms - the former receiving only subsistence allowance of £2.10/- a day in East Africa, and the latter the equivalent of his salary plus a similar allowance.

It may therefore be considered sufficient to inform Sir W. M. Carter that the case quoted does not represent the general position in Kenya, and that emoluments in general there are less than those drawn in 1925 by the amount of the levy on salaries; that the real analogy is with the remuneration of the other two Commissioners mentioned above, and that having regard to this and to the fall in the cost of living since he was last employed, it is not feasible to consider a further increase in his remuneration.

Otherwise it seems necessary to consult the Governor in the first instance in view of his recent representations regarding the cost to Kenya funds of these Commissions, and also regarding the omission to consult him on the terms of employment.

H.S. Pinnick  
15/9/22

Sir W. Carter, having been appointed by the S. of S. in no doubt in order in addressing the S. of S. direct?

But the Kenya Govt, which already seems

1 and  
Para 5 of 2  
in 2700/4

slightly aggrieved at not having been consulted  
over the terms of remuneration, would have  
real ground for complaint if this letter  
were drafted - of without reference to them.

Ask rect; say that S. P. is in  
consultation with the Gov. of Kenya in regard  
to the proposed increase in Sir D.C.'s  
remuneration, & promise for reply.

Copy conf. to Gov. in short  
dft. for train

J.R. Austin  
28/9

A  
Sir M. Carter's argument  
based upon the revision of salaries  
do not appear to be very  
relevant. The question is whether  
in existing conditions the proposed  
rate of 4½ gu. is reasonable.  
I should have thought that  
there could be little doubt of  
this.

I think that in sending  
to Gov. we might stress as  
at A  
C.D. [unclear] 24.9.32

Exactly. If we had to fill the Chief Justice's  
of Kenya, we might have Britain at 4  
£2400 (and not only £1,100) because  
of the relation of the post office's Post  
of a balance, occurred in an odd  
& which had consideration had not  
apply, I sincerely hope that we should  
insist a reduction.

[We were last successful in  
giving him the 4½ guineas for  
the preliminary work in the  
country, and hope we shall  
succeed.]

Over

26.9.32

Sec of State.

I think you should see. I thought  
that we were treating Sir M. Carter  
very well in giving him 4½ guineas;  
and he was allowed to stay here  
an extra month on account of  
his wife's health, while being paid  
In writing to Government, I think we  
should resist the proposal &  
give the arguments referred to  
above.

J.R. [unclear]  
28.9.32  
Over

I did not think of  
replying to his proposal.  
I understood the terms of  
his remuneration were made  
clear to Sir J. Carter when  
he accepted the appointment &  
that he accepted those terms.  
It is just impossible to ask  
Kearse to increase the rate  
of pay

P. H.  
1/10/32

not taken  
for some  
months  
to 21/10/32

By the General 2 To Exr. Conf(2) (w/c) 11 Oct 1932  
11/10/32

11/10/32  
not taken  
for some  
months  
to 21/10/32  
14.0

I did not think of  
refusing to his proposal.  
I understood the terms of  
his remuneration \$2000 a month  
clear to Sir J. Carter when  
he accepted the appointment &  
that he accepted these terms.  
It is just impossible to ask  
Kearse to increase the rate  
of pay

P. C.  
11/10/32

but I am  
not sure  
of the  
amount  
of \$2000

By Sir Gerald  
11/10/32

2 To Sec. Compt (2) (W/ct) 11 Oct 1932

11/10/32  
W. C. C.  
11/10/32  
11/10/32

C. O.

Mr. Allen 10/10

Mr.

Mr.

Mr. Parkinson.

Mr. Tomkinson.

Sir C. Bottomley. ID. fo

Sir J. Shuckburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

18117/4/32 Kenya.

25  
2

|      |        |
|------|--------|
| C.D. |        |
| R    | 11 OCT |
| D    | 11     |

Actual

Downing Street.

// October, 1932.

Sir,

DRAFT. for conson.

I have the honour to transmit

KENYA.

CONFIDENTIAL. (2)

GOV. BYRNE.

to you a copy of a letter addressed to me by Sir W. Morris Carter regarding the rate of his remuneration while employed as Chairman of the Land Commission.

2. I have given careful consideration to Sir Morris Carter's representations from the point of view - which appears to me to be the only really relevant one - whether in existing circumstances this rate of remuneration, namely 4½ guineas a day, is reasonable. That rate was settled after discussion with Sir Morris Carter, who accepted it, and I agreed to it

13th August 1932  
(No. 1)

G. O.

Mr. Allen 10/10

Mr.

Mr.

Mr. Parkinson.

Mr. Tomlinson.

Sir C. Bottomley. 10. fo

Sir J. Shuckburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

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(No.1)

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as fair and proper in existing economic conditions which have materially changed since 1925, and also having regard to the financial position of the Colony which has necessitated a levy on the salaries of its officers, and other measures of economy affecting their emoluments.

3: I see no reason to vary that opinion, but as Sir Morris Carter refers to certain officers<sup>A</sup> in particular and to the effects of the general revision of salaries which took place in 1926 I may say that the cases of the Governor and the Chief Justice present<sup>2</sup> exceptional features which I need not discuss, and that the intention of the general revision in 1926 was merely to incorporate a temporary allowance in substantive salaries but without any general increase of emoluments, although opportunity was

taken

\* This para: might  
be omitted if it is  
thought undesirable  
to follow Sir M Carter  
in agreement JWD  
No further  
CSRS.  
10/10

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C.S.D.  
10/10

6  
taken to rectify anomalies<sup>a</sup> and  
deal with special cases. Also in  
considering the validity of  
arguments directed to the past, I  
cannot, as indeed I have already  
indicated, ignore the very  
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conditions obtaining at present.

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task which Sir Morris Carter is  
engaged and the public spirit  
in which he undertook it, I  
cannot convince myself that I  
should be justified in asking  
your Government to agree to an  
increase in his remuneration, and  
I should be glad if you would <sup>personally</sup> /  
communicate the substance of this  
despatch to him in reply to his  
letter.

I have, etc.

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I have, etc.

Mr. Brewster

Case ca discover with J. J. Mombasa and the full £5.5.0 day for Uganda + S Rhodesia for food & sea charges, if any.

If substance all new accounts to £2.0.0 a day, he is receiving that to the vessels water & the fuel of. This represents the 10% a day for sea water & he is not likely to be a P.A. to land that that.

20000 + 36000  
36000 @ 1/27-2/09  
+ 298 miles  
40000 70% = 28000  
+ 186 1/2%  
21000

10/11/32

19/9/32

It appears from 1 in 20345/29 Uganda page 2 that Sir M. Carter did not receive 5 guineas a day for the homeward voyage. He was employed in Uganda.

From 48523/24 S. Rhodesia it appears that he was to receive the full £5.5.0 a day during the voyage.

J. S. P. Mitchell  
22/9/32

The Land Commission  
Public Works Department  
Nairobi Kenya  
~~NATIONAL BANK OF INDIA LTD~~  
~~NAIROBI~~  
~~KENYA COLONY~~

13<sup>th</sup> August 1932

No 28  
17/12/31

Sir

I have the honour to refer to your letter  
17312/31 of the 9<sup>th</sup> April 1932 with reference to my  
remuneration as Chairman of the Kenya Land Commission.  
As will be seen from that letter it was intended that  
that remuneration should be determined on a basis analogous  
to that which was agreed upon when I acted as Chairman  
of the Southern Rhodesian Lands Commission in 1925 and  
of the Uganda Cattle Commission in 1929.

In Southern Rhodesia the remuneration suggested  
by the Secretary of State and agreed to by the Government of  
Southern Rhodesia was five guineas per diem during my  
absence from the United Kingdom, a return passage and  
internal transport was also provided.

In Uganda in 1929 where I was engaged locally,  
as I was there at the time of my appointment for private  
reasons, I received five guineas per diem, internal transport,

copy of Gov. Conf. 11 OCT 1932

The Land Commission 1.  
Public Works Department  
Nairobi Kenya

NATIONAL BANK OF INDIA LTD.

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8

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11 OCT 1932

Copy to Mr. C. G. 1932

a passage to England for my wife and myself and a furnished house (including plate, linen, glass and cooking).

When the present appointment was offered to me, I had, I think not unnaturally, hoped that my remuneration would have been on a somewhat more generous scale than on the previous occasions owing to the fact that when I went to S. Rhodesia I had had no previous experience (apart from local appointments in Uganda) of such work, whereas now I have had considerably more experience.

It was however represented to me that the position of the finances of Kenya precluded any such hope, I therefore, as I had heard that the Governor of Kenya had agreed to a 10% cut in his salary and that other officials were also subject to a levy, suggested a similar reduction in my remuneration as compared with that paid me in Southern Rhodesia.

9  
END

I now find that I was under a misapprehension as to the position in Kenya, the facts being that in 1926 the Governor's salary was largely increased and the salaries of other officials were generally increased by 20%, and that after allowing for the consolidation in their pay of allowances previously paid, they are even after the recent (second) increased levy on salaries in a somewhat better position as regards pay than they were in 1925.

For example an official drawing in 1925 £2000 + £170 allowance, now draws £2400, less 6% on the first £1000 and 10% on anything above that sum, namely £2200 now as compared with £2170 in 1925. (Chief Justice)

I would therefore request that these facts be taken into consideration and that in place of £4,000 per annum, my remuneration be at least the five figures which I drew at the Secretary of State's suggestion in S. Rhodesia in 1925.

a passage to England for my wife and myself and a furnished house (including plate, linen, glass and cooking).

When the present appointment was offered to me, I had, I think not unreasonably, hoped that my remuneration would have been on a somewhat more generous scale than on the previous occasions owing to the fact that when I went to S. Rhodesia I had had no previous experience (in fact from local appointments in Uganda) of such work, whereas now I have had considerably more experience.

It was however represented to me that the position of the post of Kenya precluded any such hope, I therefore, as I had heard that the Governor of Kenya had agreed to a 10% cut in his salary and that other officials were also subject to a levy, suggested a similar reduction in my remuneration as compared with that paid me in Southern Rhodesia.

9  
CWD

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(Civil Justice)

I would therefore request that these facts be taken into consideration and that in place of £4000 per annum, my remuneration be at least the five figures which I drew at the Secretary of State's suggestion in S. Rhodesia in 1925.

Before writing this letter I have verified the facts as to relative salaries in Kenya in 1925 and at the present moment by reference to the senior officials in the Kenya Treasury.

I have the honor to be, Sir,  
Your humble, obedient servant  
W. H. Thompson

Before writing this letter I have verified the facts as to relative salaries in Kenya in 1925 and at the present moment by reference to the senior officials in the Kenya Treasury.

I have the honor to be, Sir,

Your humble, obedient servant

W. Mansfield