

1933.

Kenya.

No. 3134.

SUBJECT

C0533/435

Mr. Ali Khan. - Petition.

claim for compensation for failure of  
transport business.

Previous

Subsequent

38086/23/38.

1. Government of India 11 April 33  
Towards a petition from Mr. Ali Khan together with a  
copy of the Amnace in which he claims compensation for  
the demolition of his stables & failure of his business. Suggests  
Mr. Ali Khan's case is not one for compensation, but would be  
prepared to continue an allowance to save petitioner from  
absolute destitution.

This is a sad case but there  
seems no legal claim for compensation  
and the Govt - para 9 - is <sup>ready and</sup> prepared  
to make an ex gratia allow. to the  
petitioner.

? subject to any legal objections  
request the former to <sup>drop</sup> ~~be~~ the  
petitioner to be informed that the  
S.G.S. sees no reason to  
interfere.

H. P. P. S. M. A.  
13/4/33

R. P. S. M. A.  
17

Three steps taken by the authorities have  
led to, or at least accelerated Mr. Ali Khan's ruin:-  
(a) the nuisance notices; (b) the town planning  
scheme; and (c) the resolution that stabling for  
mules and oxen was prohibited in River Road.

As regards (a), I agree that there can be  
no right of compensation for the removal of buildings  
under statutory notices requiring their removal because  
they



they constitute nuisances.

As regards (b), the <sup>profession of the</sup> existence of ~~town planning authority~~ provisions in the scheme which would have taken or spoiled the amenities of his plot no doubt prevented his disposing of the land and made it apparently useless for him to resuscitate his business there; but, equitably or inequitably, it would seem that he was debarred from claiming compensation by the proviso to section 13(1) of chapter 85, which was the Town Planning Ordinance then in force. It appears that by reason of the town planning proposals a contract was admittedly made to exchange his plot for land elsewhere, but it is said that he refused three offers made to him and failed to propose any alternative. I do not know the precise terms of the contract, and it is not clear whether his conduct or the alteration of the scheme whereby his land was no longer required discharged the contract so that he would have no legal remedy. The former probably did so.

As regards (c), I do not quite understand the position. Presumably, had it not

been for the resolution, there was no reason why Mr. Ali Khan, even if forced <sup>to</sup> demolish his stables etc., should not have remained where he was and built others. In the first place, the question arises whether the resolution had or was given legal force. If not, it would be improper for it to be quoted to him as if it were binding upon him (see annexure 2 of the petition). In the second place, even if it was binding, it seems to me that either it should not have applied to existing stabling, at least where connected with the business,

or, if it did so apply, the law should have made provision for compensation in such cases. I wonder if the Library can throw any light on this question.

If any legal wrong was done to him, presumably he had his remedy, but in this very hard case I feel that we ought to call attention to any injustice which <sup>may not have</sup> been appreciated.

*J. O. Roberts*  
15.5.33.

Library

The question is whether:—

Under the old Town Planning Ordinance a resolution of the Municipal Council has the force of law. If so, is there any provision for compensation for disturbance etc.?

Can you help.

*J. O. Roberts*  
15.5.

I have examined the old Town Planning Ordinance and also the Municipal Corporations Ordinance of Kenya but under neither of these ordinances is it possible to settle satisfactorily the point at issue. The "General Powers" of Municipal Councils do not include the stabling of horses, etc; but the subjects on which Councils may make by-laws include -

Regulating stables, cattle sheds and the keeping of live-stock and poultry.

Regulating and licensing livery stables and any place where horses or other animals are kept for hire (vide sec. 48(27)(28) of Cap. 84 Revised Edition, 1926)

The Nairobi Municipal Council has <sup>in</sup> fact made by-laws on this subject; but these do not include powers to prohibit the use of particular areas

(leaving out) account the town planning scheme, under which, however, his rights would be properly protected)

they constitute nuisances.

As regards (b), the <sup>proposals of the</sup> ~~existence of~~ <sup>Town Planning Authority</sup> provisions in the scheme which would have taken or spoilt the amenities of his plot no doubt prevented his disposing of the land and made it apparently useless for him to resuscitate his business there; but, equitably or inequitably, it would seem that he was debarred from claiming compensation by the proviso to section 15(1) of chapter 85, which was the Town Planning Ordinance then in force. It appears that by reason of the town planning proposals a contract was admittedly made to exchange his plot for land elsewhere, but it is said that he refused three offers made to him and failed to propose any alternative. I do not know the precise terms of the contract, and it is not clear whether his conduct or the alteration of the scheme whereby his land was no longer required discharged the contract so that he would have no legal remedy. The former probably did so.

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3  
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areas of the municipality for stabling purposes.

Under section 40 of the Municipal Corporations Ordinance the public streets and squares are vested in the Council.

The fact that we do not receive either the Minutes of the Nairobi Council or the Standing Rules and Orders of the Council makes it more difficult to establish whether the Council was acting within its authority.

J.H. Purpoch  
19/5

Mr Roberts Gray

Please see above. It isn't very certain but I would also add that § 48 seems to give full power to make alter or revoke regulations "for any such things as are necessary or desirable for the maintenance of the health, safety & wellbeing of the townspeople: subsection 22 covers "prevention & abatement of nuisances", & also subsections 20 & 21 appear to have been involved.

A livery stable kept as this one was would I think be a nuisance anyhow & in view of the general powers of § 48 I don't think it could be argued that the Council was ultra vires. You don't usually pay compensation for ordering the abatement of a nuisance.

If you agree then we can only, I think, accept the Government's view & say the S. of B. hopes they will continue to pay the compassionate grant.

S.L.G. Hunt

22-5-33

Mr Flood

The difficulty I feel is that, for as we know, they did not make a bye-law but simply passed a resolution. You will see that SS. 49 & 50 lay down a procedure for making bye-laws which makes it impossible to argue that a mere resolution was equivalent to a bye-law.

I agree that compensation is never paid for an order requiring the abatement of a nuisance, but, normally, if you are ordered to pull down a building because it is a nuisance there is nothing to prevent your erecting another which is not a nuisance in the same place.

Mr Roberts Gray  
24.5.

Sir C. Bottomley

This makes it awkward. On the merits I have little doubt that

- a) Ali Khan's stable was a nuisance
- b) It was right to call on him to abate it, & demolish the buildings.

This action was taken under the Public Health Ordinance & its legality isn't open to doubt.

But what is open to doubt is whether the resolution of the Municipal Council in 1923 has the force of a by-law under the Municipal Corporations Ordinance. That resolution was to the effect that gates and open roads could only be kept in certain areas

and it was because of that resolution that Ali Khan had to shift his business. He was probably had to please (an elderly Indian with one eye on possible compensation would be very likely to be rather difficult).

The Council had power to run roads over his plot & were considering that point but finally gave up the idea, except for a piece of the plot, but by that time he was bankrupt.

I am not sure that he has any legal ground for his complaint but he may have.

So

? Act. rec. say the Sops. is glad to see that Govt. proposes to continue its charitable allowance but point out the difficulty as to the resolution writing generally as at (c) in Mr Roberts-Wray's minutes.

J. S. W. Flood  
28.5.

I hope that these Nairobi land cases, with which the functions of the Municipal and the Land Department are hopelessly mixed up, go more smoothly in the cases we do not hear about than in those we do.

Mr. Ali Khan was certain to be ruined anyhow. There is no use for mules and trek oxen in the Kenya of today. I do not see that he was damaged by the resolution. He took no action on it, and there is nothing to show that the Magistrate was influenced by it. By the time the stables were demolished the business was already wrecked.

I think that we may accept Mr. Mortimer's statement and sympathise with him in what must have been a troublesome negotiation over the attempted exchange. He is an experienced man.

? time passed by now. W.S.S.

[See also: Progress Report]

\* See No 2 in the file 4 annexes.

\* see no. 6. in 2 =

The change of the Town Planning Scheme, and the non-fulfilment of the promise given in accordance with its original form, was a disappointment to Mr. Ali Khan, but not a wrong requiring compensation. He lost nothing but hopes.

I agree with Mr. Flood's proposal for action, including Mr. Roberts-Wray's (c) although, as I have indicated, I do not think that anything substantial will come out of that point.

W.S.S. 29.5.33

I agree as proposed  
P. at end  
30.5.33.

2 To Gov 414 (1 unmod) 10 JUN 1933  
W.S.S.

3. A/Boana No 501 \_\_\_\_\_ 29 Aug 33  
States the position as regards control of the stabling of mules & trek oxen in Nairobi & also that Attorney General is of the opinion that no legal claim lies against the Govt. or the Municipal Council.

The Municipal Council's resolution of 1923 is apparently to be regarded as an administrative direction to the Town-Clerk & binding on him, & not on Mr. Khan. While we may now accept the view of the Kenya lawyers that Mr Khan has no strong claim in equity.

Subject to Mr Roberts-Wray's observations, I request that Mr Khan may be informed that the S/S sees no reason to insist in the matter raised in his letter. P.W.S.

W.S.S.

I agree that this sufficiently answers the point I raised. He went to Kenya in 1904 but was apparently not in Durin Post till 1907 so that the first Rule (which ~~was made~~ <sup>was made</sup> in 1904) was apparently infringed when he set up his business.

J. G. Bottomley  
22.9.

Sir C. Bottomley  
You may like to see the upshot of the case. It is fairly clear that there is no case in law equity or morality. He was not prosecuted for acting against the resolution but for having a nuisance. If the despatch had made it clear that the rule against mules etc. was an old one the point would not have arisen as it was it looked like a new rule in 1923.

? Reply as proposed  
J.G.B.  
22.9.

Yes - This need not go on again.  
W.C.S.  
22.9.33

H. To Kenya 753 (3 answered) 28 SEP 1933  
10/11

5. A Khan \_\_\_\_\_ 29<sup>th</sup> Sept 33  
Enquire whether petition has been forwarded & requests that it may be dealt with as expeditiously as possible. Enclose various documents regarding his business etc.

The voluminous enclosures consist of copies of correspondence with Govt. about his petition, records of his activities during the war etc.  
In view of No. 4. - ? put by

Return it all in orig. to O.A.C., asking that petition may be informed that S. G. has nothing to add to it.

J. G. Bottomley  
25/10.

Yes. This has crossed No. 4.  
J. G. Bottomley  
25  
above

(Keep a copy of the covering letter. The enclosures show that he was told on the 6<sup>th</sup> of June the 24<sup>th</sup> of June & the 1<sup>st</sup> of Sept. that his petition had been forwarded)

6 To Kenya 820 (w/s in orig) 28 OCT 1933  
M

7. Ali Khan \_\_\_\_\_ 29 Jan '34.  
Requests further consor. may be given to his  
petition & again state his case.

8 To Ali Khan \_\_\_\_\_ answered \_\_\_\_\_ 3<sup>rd</sup> Feb '34

(M)

9. Ali Khan \_\_\_\_\_ 24 April '34  
Requests that his case may be settled as early as  
possible.

Mr Ali Khan was informed by the  
Asst. Com. Secretary on 24/10/33 & by  
Sd. G. Tomkinson on the 3/1/34, that  
the Asst. Secy saw no reason to  
intervene with regard to the petitioner's  
Compensation claim.  
According to Mr Logan's letter of  
24/10/33, the Compensation Allowance  
of 25% a week from 1/6/33 would  
be paid until the end of March  
1934, when the situation would  
be reviewed. Apparently  
the payments continued during  
April.

Send the letter (in orig) to  
the Governor & ask that a  
suitable reply to be sent to the Ali  
Khan.

Ch. G. Tomkinson  
2/5/34

Ch. G. Tomkinson  
V/S

~~XXXXXXXXXX~~

I am disposed to put by, but

So proceed

3.1.34

To Kenya, 369 (w/y m one) 12 1934

Ali Khan \_\_\_\_\_ 21 June '34

DESTROYED UNDER STATUTE No 9

Mr Ali Khan's letter of 21/6/34  
was returned to the Governor  
in No 10, in original, and the  
Governor was asked to cause a  
suitable reply to be sent.

Ch. G. Tomkinson  
27/2/34

Ch. G. Tomkinson  
2/1/34

12. Ali Khan \_\_\_\_\_ 22<sup>nd</sup> Nov '34.

Submits a further petition & claim for compensation  
in respect of the demolition of his stables consequent failure  
of his business.

Mr Ali Khan has interpreted Sd. G. Tomkinson's  
letter of 3<sup>rd</sup> February 1934 as a request for  
material facts, & he now recapitulates  
his previous story. There is an  
admission however. Apparently in November  
1934, he endeavored to prove to the  
Sanitary authorities that mules were  
killed in a prohibited area in  
Nairobi, i.e. the area in which he  
formerly had stables. But the Sanitary  
authorities have done nothing about  
it. Put by Ch. G. Tomkinson  
27/1/34.

(See facts  
filed)

He wants £100,000!

He has sent an copy to the Governor so we may  
I think take no action on this.

Put by

J. G. Head

2-1-35

Yes - we are sure to hear from  
the Governor

W.C.S.

3-1-35

store

13

13. A/Governor Wade 155 \_\_\_\_\_ 23 Mar '35

Trans. further petition from Mr. Ali Khan, states  
no fresh grounds have been adduced to justify any alteration  
in previous decision & that petitioner now receives Shs 50/-  
per week from the Govt.

13. I have seen to be no new

facts in the petition and the

Govt of Kenya are now

going to ~~grant~~ ~~the~~ ~~petition~~

petitioner is receiving 50/-

a week

It is suggested that the

petition may be so referred

and the Government should

be asked to consider the

petition in the light of the

Ali Khan asks for a reply to No. 12, &  
which is not referred to in the covering  
dispatch, though a copy went to the  
Governor.

The reply should refer also to the  
petition of 22 Nov.

J. G. Head  
25/3

I have since had an opportunity of  
discussing this with Mr. Norton, the Kenya  
Lands Officer. He tells me that Ali Khan  
held his land in Nairobi on a sub-lease  
at a very high rental; the capital  
sum, therefore, which he could claim as  
compensation was very small, but it is  
difficult to make Ali Khan understand  
this.

(Mr. Norton also informed me that  
Ali Khan's youngest child is not yet  
a year old!)

J. G. Head  
25/3

Then reply as in No 4 (referring also to 12)

J. G. Head

25

above

14 To Kenya, 305 (13 April)

PM

30 APR 1935

9/14

G. O.

Mr. Nicholls. <sup>26</sup> 14

See (1) - 38086/23/37

30 April, 1935.

Mr. King  
Mr. ~~Rank~~ 29/4

Sir,

Mr. C. Parkinson. <sup>to.</sup>

I have etc. to ack. the

Sir G. Tomlinson.

(13)

receipt of your despatch No. 155 of

Sir C. Bottomley.

the 23rd of March, transmitting a

Sir J. Shuckburgh.

further petition by Mr. Ali Khan

Permt. U.S. of S.

in connection with his claim for

Parly. U.S. of S.

compensation.

Secretary of State.

29 APR  
D 30

**DRAFT.**

KENYA.

2. I have to request

No... 305

that Mr, Khan may be informed that I

O.A.G.

have considered the petition forwarded

in your despatch, and <sup>also</sup> ~~the~~ petition

(12)

dated the 22nd of November, 1934,

which he <sup>sent</sup> forwarded to me direct, but

that I see no reason to intervene in

the matter.

FURTHER ACTION.

I have etc.

(Sgd.) P. CUNLIFFE-LISTER.

10 13

KENYA.

No. 155



GOVERNMENT HOUSE  
NAIROBI,  
KENYA

RECEIVED  
23 APR 1935  
C. O. REGY

23<sup>4</sup> MARCH, 1935.

No 10

Unwired (14)

No 5

Sir,

With reference to your despatch No. 306 of the 12th May, 1934 and previous correspondence regarding Mr. Ali Khan's claim for compensation, I have the honour to transmit a further petition at his request.

2. There has been no alteration in the position described in Mr. Moore's despatch No. 501 of the 29th August, 1933 and I am of the opinion that no fresh grounds have been adduced in the present petition to justify any alteration in the decision then reached.

3. Since the termination of the ex gratia grant of Shs. 25/- per week from the Nairobi Municipal Council, Government has increased its contribution by a similar amount so that the petitioner now receives from Government the sum of Shs. 50/- per week.

I have the honour to be,

Sir,

Your most obedient, humble servant,

*W. G. ...*

ACTING GOVERNOR.

THE RIGHT HONOURABLE  
MAJOR SIR PHILIP CONLIFFE-LISTER, P.C., G.B.E., M.C., M.P.,  
SECRETARY OF STATE FOR THE COLONIES,  
DOWNING STREET,  
LONDON, S. W. I.

28th February, 1935.

15<sup>th</sup> March, 1935

The Right Honourable,  
Sir P. Cunliffe-Lister, M. P. etc.,  
The Secretary of State for the Colonies,  
Downing Street,  
L O N D O N. S. W. I.

Honoured Sir,

I have the honour to most humbly remind you of my communication dated the 2nd of November, 1934, to which I have had not the favour of your kind reply up to now, which I have been so anxiously awaiting to receive.

Now, in further support of my said communication, and the loyal work performed by me in the interests of the British Colonies, I beg to enclose herewith my further history dating as back as the year 1886, for your kind perusal, which I have no doubt will be found most interesting to your goodself, and from which it will be learned exactly what difficulties, expenses, and danger to personal life, I have had to undergo in those early pioneering days for the betterment and furtherance of His Majesty's colonial possessions.

I also enclose a list showing the names for whom I did the transport work including the British South Africa Co., together with a copy of contract entered into by me with Messrs. Maddon Cotton & Brett of Salisbury in the year 1903.

I am also attaching herewith a cutting from a recent publication regarding "Heavy roll or horse sickness" at Durban, at the same time attaching therewith the "Notarial Declaration" made by me before Mr. Spencer Minchin, the Notary Public, in respect of 99 Horses, which declaration will no doubt be found self explanatory, and will prove my ability to prevent horse sickness.

My statement of assets and liabilities as at the end of December, 1935, which is enclosed herewith, will suffice to convince that I was well worth over £12,000 in that year only. I wish to impress upon you, honoured Sir, that I did not come to

-2-

to this Colony as a pauper, but that I invested the whole of my well earned capital in the furtherance and facilitating the British Government's movements in those days of hardships. I can only emphasise the fact that it was only because of the British Government's officials that time, gave me assurance of every possible help to me, which prompted me to settle in this infant Colony of those days - but alas - notwithstanding these facts, I have been deprived of my rightful claim having been forced into bankruptcy by the same British Government's officials.

Last year, the Government held a show, and I beg to enclose herewith a copy of a letter that I addressed to Capt. Lister on the 10th of October, 1954, which will still go to prove what feelings I have in any kind of assistance that may be required of me for the development of the Colony - though being blind and left penniless today -

In the year 1904, when I came to this Colony, the strength of the Government existed only as per enclosed statement, from which it could be seen how many Governors and Officials have used my conveyances, and further, the attached extract from the E. A. "Standard" will convince you of the difficult journeys performed by me. In addition, I ran a bus service in those days as per time table attached hereto.

In spite of all these facts, simply for the sake of so called "rown planning", I have been dragged into an absolute ruination, forcing me into bankruptcy and starvation, depriving me of my rightful claim as was agreed to and promised by the officials. What a pity it is, that not the least attention or care has been shown to me in spite of my repeated requests for an early settlement - in one instance, I have knelt down with tears in my eyes begging for British Justice in which I hold so much faith - but no result came out. During my days of starvation, had the European public not come forward to my sympathy and their kind assistance by way of donations through the courtesy of the E. A. "Standard", God only knows what would have befallen me and my wife with young children. The enclosed extracts from

the standard will suffice to prove the correctness of my statements and I have every hope to receive your kind sympathy as well.

I would most humbly draw your kind attention to my humble petition to you dated the 22nd November last, page 1, last paragraph. In reference to this communication, I received a letter from the Sanitary Inspector dated the 30th November, 1934, a copy of which, I beg to attach herewith for your further information of what is going on even today and for which I have been made a victim for nothing leading me into ruination leaving me nothing of my own in this world at this age.

In those days of pioneering, I have done my very best in the starting of sports, Races, Concerts etc., in all these colonies, wherever I have been during my 30 years', and there has not been a single function either Government or private, in which I have not played a prominent part throughout my such career or contributed my share in same.

His Majesty's Silver Jubilee day on the 6th of May is fast approaching now, and it is my heart's desire that I must join in the rejoicings with my family and children in the best way that I could, but, alas, the present conditions would not permit me to fulfil my said desire, unless, honoured Sir, you very kindly bestow upon me the favour of an early settlement of my claim before the 6th of May, and do all the needful to expedite my settlement, for which act of kindness, myself, my wife and young children shall ever remain grateful and pray for your and His Majesty's long life.

I do not wish to take your most precious time on this matter and most humbly request you, honoured Sir, to expedite the settlement as requested before the Jubilee Day.

Trusting to be excused for all the trouble that I am compelled to give you .

I have the honour to be,  
Honoured Sir,  
Your most humble petitioner,

*A. Khan*  
Ali Khan

P. S. I am sending a copy of this communication, to His Excellency, the Governor, of Kenya, Sir Joseph Byrne, K.C.M.G. etc.,

I was at Kimberley in the year of 1886 when I made up my mind to go across the country and see it. So, I went from there on bullock wagon to Vinburg and on horseback to White Water rand and on my way arrived at Vinburg as aforesaid. I stopped here a while and then go ahead my journey I stopped a few days at Ferere camp, the White Waters Rand, There was a big gold rush at that time at Babertown, people rushing from all over country in passenger mule coaches of 16 mules each wagon and 16 passengers each coach. On the day that I arrived, 6 mule coaches arrived. There was no accommodation as to Hotels of any kind, but there was one boarding house with grass roof. People had to rush for their meals and many had to wait outside until one came out - such things happened until midnight. There was only one Grocery Stores erected in a tent - I stopped here a few days and then went to Pretoria. When I arrived at Pretoria, there were only two English merchants called Messrs. T.W. Buce and Cutchers Co., and Messrs. Coleman Co., a Jew and 4 Indian merchants. Messrs. Hayes Co., were the coaches runners and they were the only transport agents from Pretoria to Baberton. The price of maize was Shgs. 6/- per bag at Pretoria market and transporting £1 per bag from Pretoria to Baberton and Shgs. 5/- commission per bag and empty bag cost 1/- each. Price per bag of maize at Baberton was £3 which sometimes rose to £4 - a profit of nearly half the price - So, I started buying and selling maize and also trading in horses and mules. Mr. J. Papenfoes was the Market Master, of White Waters rand. Dr. Smith was the only Doctor at the start and one of his sons was a Dentist at Ferera camp now known as Johannesburg. The price for one cabbage was Shgs. 10/-. Then the Smithsdorp gold mine opened near Petersburg. Petersburg was a very small place those days. The top mountains opened gold mine named Hinnisburg, a small township, and another gold mine opened named Macheset rand, reef called Blue Jacket reef, and another reef opened named the Klein Lataba river named Birds day reef. I have been all round these mines and also to Majajie land. I have been trading all over the country in this way until the year 1893.

In January, 1893, when I was at Johannesburg, the Newspaper there advertised that the British Chartered Co., had a big demand for horses and mules as well as bullock wagon transport. Making up my mind to go and see the country, I bought two good salted horses, and started with my undertaking all alone. I kept one horse for my riding and the other one I loaded with my kit. I got a rifle and a revolver carrying a handful of ammunition for the way. From Johannesburg, I went to Pretoria and I crossed from there to Crocodile River across the Bechunaland British border taking Tuli Road where I arrived B.B. Police station called the Wegdraai, 40 miles from Crocodile River, at 5 p.m. I met two white police officers here and stayed there for the night. These Police officers treated me in a gentlemanly way providing me with good dinner and bed, also oat hay for my horses. They told me not to leave until I had my breakfast with them as my journey was very far and there was nothing obtainable on the way all along the 60 miles to reach Tuli. Next morning after breakfast I asked the officer for my bill, when he said "nothing for my accommodation", and he only charged me 1/- bob per bundle of oat hay which was the Government price, for which I thanked him and paid the amount. I went off from there through the wilderness on my way to Tuli, but on the journey about 54 miles I met a Dutchman with a waggon. I stayed there for the night. These people also treated me very nicely. The next morning after tea, I started my journey for the remaining 6 miles. I arrived at Fort at 9 a.m. at Mr. Gillis Wills Hotel and I met British Mashonaland Chartered Co.'s first fort people. They enquired of me where I was going. I replied to Fort Victoria, Mashonaland. They informed me that it was very dangerous to travel alone through this wilderness, in reply to which I said I am used to it. I began to travel myself alone for 4 days and 4 nights and I arrived at the second Fort named Fort Mathews where I halted for the night. I met 6 white Military Police here who enquired of me where I was going to. I replied I am going to Mashonaland, Fort Victoria. Although they told me that it was very dangerous to go all alone, I had made up my mind saying that I was used to it. They treated me nicely. They

did not charge me anything for my food but as before they only charged 1/- bob per bundle for the oat hay at Government cost for my horses. The officer informed me that about two days ago 12 waggons had passed there, which transport belonged to the Chartered Co. Mashonaland Govt. The officer advised me that it was very dangerous to travel alone and to catch the waggons en route. He asked me to breakfast with him which I had. After that I went off and I slept one night alone on the way. The second day I met the waggons in charge of Mr. Jan de Voi. He asked me about my destination and to accompany him. We passed two days journey and on the third day we met Messrs. Dalrymple & Co., Mail Contractors' Mail and Passenger Coach. The passengers on this coach were Lord Henry Pollard, his Secretary and Dr. Sow. Lord Henry Pollard asked me wher I was going. I replied to Fort Victoria and Fort Salisbury. He said they were also going there and asked about the condition of the road when we informed him that the road was very dangerous as the place was surrounded by Matibili Natives who were always waiting at the Landie River to loot anybody who past there especially transport. Lord Henry said to this remark that he was not going to be killed with his top boot by Matibili spears and that he would rather go back. He asked us what we were going to do. We said we are going ahead as we are going armed with 25 rifles and 5000 rounds of ammunition and that we were not afraid of those Matibilis and if we went short of ammunition, there was plenty of it on the transport waggon belonging to the Government. When we said this they took courage and said we must go ahead. We then proceeded and had to wait at the Outspan near the Landie River to cross it. This river was very broad and deep. The transport had to be transhipped to the other point by way of a steel rope mounted on two iron poles and all stuff shifted by baskets hanging strong enough to carry any load, and the waggons to swim through with rope. On the other side of the river a Government coach was waiting to take any mails or passengers. Here we had to wait for offloading and loading a solid week. Lord Henry Pollard and his company went along with the mail coach. We went as far as Tukwini River which took us 3 days to reach there. Here we arrived at Mr.

Mr. Duncan's Hotel, but to our horror we came to know from the Hotel keeper at Tukwi that nobody is allowed to pass as transport until such times as orders were received from Fort Victoria Government. We stopped the night at the hotel, and next morning I and my friend Mr. Samson made arrangements to go to Fort Victoria, a 30 miles journey from there. I lent Mr. Samson one horse and taking arms went off. We passed lot of gangs of those Matibilis both sides of the road trying to pounce upon us. We opened fire after fire and the horses galloping at full length we arrived at Fort Victoria at 5 p. m. Here we met Captain Linder drilling volunteers. We went to the hotel. There I met a friend of mine by name Mr. N. A. Swan who was Quartermaster Sergeant of Fort Victoria. Lord Henry Pollad sent Sergeant Major Campbell and commandeered my two horses with saddles and bridles complete before I had saddled off. He told me that Lord Henry Pollad had seen my horses on the road at the Landie River, and further told me that he wished me to see him the next day at the Fort at 9 a. m. I promised to see him accordingly. I stayed at the Michells Hotel for the night. The same evening at 6 p. m. Dr. Jameson arrived from Salisbury who had met lot of Matibilis en route 3 miles out of the town. Dr Jameson ordered at midday that every men, women and children must sleep at the Fort at 9 p. m. There were only 2 ladies and 2 children at the time, and everybody else went as ordered awaiting the Matibilis. No body slept that night. Dr. Jameson's Body Guard was Mr. H. T. Harrington. Lord Henry Pollad and his Secretary slept on the top in the long tent waggon and Dr. Jameson underneath the waggon on his stretcher and alongside on the ground near Dr. Jameson's stretcher were sleeping Mr. H. T. Harrington, N. A. Swan, Samson and myself with four guards for the waggon. We never slept that night awaiting the Matibilis. At 6 a.m. Dr. Jameson sent six men on horseback to call the Matibilis Chief at the Fort to see him at 8 a.m. Dr. Jameson was sitting on a chair and we were standing by his side 200 men. The Chief came with 100 Matibilis at 8 a.m. All the Matibilis sat down on the ground before Dr. Jameson. Dr Jameson whereupon asked the Chief why

Why did you cross my border without my permission and said that you people thus come and loot Masunus cattle and foodstuffs. There was no reply to this. Then Dr. Jameson once again put the same question, and again there was no reply. Then Dr. Jameson said that you take notice that you must clear away out of my border before 12 noon and shift their camp. If they failed to do this by 12 noon as ordered, Dr. Jameson said he would order his troops to fire upon them and drive them away from the border. To this threat also there was no reply from them, but they all jumped up, shouted and went off.

I called upon Lord Henry Bullad at 9 a.m. as promised. He informed me that it was he who had commandeered my two horses with saddles and bridles complete, and commandeered myself as a volunteer now. At 12 noon Dr. Jameson picked out 12 men out of 30 men. The Government had 10 horses and my two horses made a total of 12 horses, for these men. He sent Commanding Officer Capt. Sendie and Major Wilson in company of ten men on horseback who arrived at the Matibili camp and found all of them there. Commanding Officer Capt. Lendie & Major Wilson asked the Matibili Chief why he had not obeyed the Notice of the Governor to clear away in reply to which he said that he had not received such order from his King and unless it was an order from their King they would die there. Then Capt. Lendie and Major Wilson started to open fire and ordered that the Matibilis Chiefs who had feathers on their heads should be fired at first. The four big chiefs fell down. Matibilis were fighting for three hours. When darkness approached there were 32 Matibilis killed and casualties on our side. At the big bush we found a lot of Masunu cattle. We came back at the Fort next morning again we went to look for any Matibilis and did not see any. We saw a few cattle. We looked after the camp for a month. Then Dr. Jameson received a strong letter from the Matibili King, Low Binglow saying that we had killed a lot of his men for which he will take revenge upon us. The Government was calling for volunteers from all parts of the Colony. At the time the Government was short of horses. Dr. Jameson and Capt. Lendie sent me to bring horses down from Peterzburg. I went down on a bullock coach and bought 50 horses. On my way back with the horses, I met a lot of volunteers, and at Fort Tull, I met Mr. Cecil Rhodes. He asked me where I was going to. I said to Fort Victoria and made him acquainted of the fact that the Govt. was short of horses and I was sent to buy horses and bring them as soon as possible. When I told him that I had bought 50, Mr. Cecil Rhodes me that they required many more, and informed that many horses were coming with the volunteers and asked me to go ahead, as he was going to Maklootji camp road. I arrived with the horses at Fort Victoria and after me arrived the volunteers with lot of horses with them. Now the Government made ready to go to Matibili land and about 1000 volunteers crossed the border to Matibili land. The occupation was made on November 4th 1893. After that the volunteers came back to Fort Victoria where we had big sports and races. I had one horse (16 hand) and my horse won the race. My horses name was "Arab" and Jokey was a Mr. Rupin. I left Fort Victoria in January, 1894, with 4 horses and cart for Salisbury and stopped at Avenue Causway Hotel. I asked the proprietor Mr. Malcolm Grazer about the charges. He informed me that myself £30 a month and for feeding and stabling the 4 horses £30, in all £60 a month. There was nobody who had horses here. Only the Government had a few horses. The Auctioneer Mr. Charles Madduck had only one horse and Govt. Doctor, Mr. Stuart had one horse. A Mr. Hill had two donkeys and a cart with which he ran a passenger service from Coppie to Causway and charged 5/- per journey. The Government officials and the public here offered me 5/- per hour for the hire of my horses daily. At this time there was nothing but some small Government offices such as G. P. O. Salisbury Club, The Standard Bank and the Military camp at Causway. All business was on Coppie side and the public asked me to run a cape cart at the rate of 5/- a trip there and back. The Hotel proprietress Mrs. Sonnet Grasse and Michael on Coppie side asked me to go and stay at their hotel.

Hotel and told me that they would charge me for boarding £15 per month for myself and stabling my horses free of charge. So, I left the Avenue Causeway Hotel and went to stay there. I was hiring my horses for riding to Capt. Curt, other Government officials and the public, and as I saw that the business was going on well, I bought a plot and built a house and stables thereon. After this, I handed over my business to Capt. S. C. Fichat and went down south to Freeburg, British Bechuanaland. This journey I did on a bullock coach as horses were very scarce, and everybody was afraid of the journey due to horse sickness. I bought horses from Wearing Brothers, Mail Contractors from Freeburg to Mafikin to Bulawayo, and some other horses from farmers - 50 in all. I came back and arrived at Mr. Jan Menson's farm who asked me to stay with him for a few days, as he liked to come up with me to see the road. So, I did, and when we were ready to start our journey, he loaned his cart and 6 horses and accompanied me. We went due to Mafikin on to Comas lands through bushes as there were no roads and to swim across big rivers meeting plenty of wild animals etc., and thus arriving at Tate Concession passed on to Bulawayo after a month's journey from Freeburg. I left Mr. J. Menson at Bulawayo and went off with my horses to Gwollo, and thence to Fort Charter from whence to Salisbury - a journey of nearly 2,000 miles - All along from Freeburg I had to make a big Kraal, about 10 feet in height. Wherever we slept at night encountered with lions and wild animals of every sort. This journey gave me a tremendous trouble and expenses. I sold some of my horses. Mr. Cecil Rhodes and his Secretary Mr. Jack Greyman came at my stables and had a look at my horses. He picked out my own riding horse for himself. This animal was very strong and could carry a heavy weight. He ordered this horse to be saddled up - I rode first - and then Mr. Cecil Rhodes rode himself and found him to his satisfaction - he asked me about the price - I told him £75 to which he agreed and asked his Secretary to send a cheque at my office which I duly received. Both the Govt. and the public were satisfied and believed that I was able to bring horses from the south - the Government wanted horses very badly, so, they called me at the Government offices. When I went there, there were present Dr. Jameson, Col. Rose and Col. White. They informed me that they wanted 1,000 horses and asked me to bring them as soon as I could. I asked them on what conditions I had to bring these horses to which they replied "you bring on your own account and then the Government will buy from you at the rate of £60 per head. I said I should be given money to buy the animals beforehand to which they said that they had advanced a sum of £2,000 to a Mr. Malony, for this purpose and although three months have past, we have not heard anything from him. Mr. Malony was the Sanitary Inspector. We cannot wait any longer now for him to return as the horses are wanted at once. Under these circumstances we cannot advance any money to anybody now. I said I would think over tonight and let them know of my decision the following day. Next morning I went and made them aware of my offer that I had decided to sell them at the rate of £45 per head, provided I was advanced half the price of £22/10/- and the balance of £22/10/- could be paid to me on delivery of the horses. This suggestion of mine was very much appreciated by Col. Rose, Dr. Jameson and Col. White and were quite satisfied. They asked me to call the following day as they were going to wire at Cape Town at once. Next morning I called at the Government offices when Col. Rose, Dr. Jameson and Col. White told me that they accepted my offer. The second day we made an agreement and I told them I did not want the money at that time, but I will first go to Freeburg and from there I will send you a wire to send me the money through the Standard Bank of South Africa, Ltd., according to the terms of the said agreement I was to deliver the horses on 28/2/1895, so I at once without delay left Salisbury (1/12/94), as in default of my delivering the horses as agreed they would charge me £1 per day. I left by a mule passenger coach accompanied by my

my partner Mr. H. T. Harrington. We went to Natal road to Beira where I met Messrs. George Pauling & Co., of Beira, Contractors to the Mashonaland Railway with passengers numbering 16, who met Mr. George Pauling, Haran Pauling, and Dr. Pauling. General Manager was Mr. Welby. We took the train to Vantesvillia which was the rail end. From there we took a rowing boat to Ronwe River to Beira and from thence by big boat to Delagoa Bay from whence by rail to Pretoria and from there to Freeburg. Myself and my partner Mr. Harrington put up at Mr. McButt's Hotel. Here I wired to Salisbury Standard Bank to send me money by wire and in reply received a wire saying that I could receive money from the Cape Town Standard Bank of South Africa Ltd., and accordingly I received the money. I then started to buy horses at once. The train was only as far as Freeburg and not up to Mafikin. I bought the horses that I wanted. My partner got sick here so I had to leave him at Mr. McButt's Hotel, and I proceeded from Freeburg myself, as the horses were to be delivered on 28/2/95 according to the agreement with the Govt. I arrived at Mafikin where I branded all the horses "A. K." on the left hip and took a photo at the Market square which is situated in the middle of the small town of Mafikin. Many officials and non-officials came to see these horses and asked me where I was taking these horses to whom in reply I said to Fort Salisbury. Amongst the people present were Col. Railey Gray, Major Gaisling, the Veterinary Officer, Mr. Bridely the Hotelkeeper, Mr. Dickson Hotelkeeper, Mr. Issacs Hotelkeeper, Town Magistrate Mr. Boyce, and Mr. Minchan the Notary Public. They all laughed at me and said that I cannot deliver all the horses but perhaps 10 horses out of 100 as 90 would die on the way due to horse sickness. I said I could bring 90 horses out of 100 as I can guarantee horse sickness. Then the Chief Veterinary Officer said we said horses from Mafikin to Maklooitje camp and out of 100 horses we lost 60 horses and were only able to deliver 40 horses. Salisbury is 3 times further than Maklooitje and we are afraid you can't deliver 90. Col. Railey Gray the Veterinary Officer said they were losing 6000 a year. I said I can guarantee 90 out of 100 horses and made out a Guarantee paper through Mr. Minchan, the Notary Public, to that effect as shown in my ~~xxx~~ paper document duly sealed. Before I left Mafikin I sent through Mr. Minchan a photograph of my horses to Lord Alfred Milner at Cape Town and another photograph to Col. Rose and Dr. Jameson at Salisbury. Then I proceeded on my journey, and from every Police Station that I passed on my way I sent telegrams to Col. Rose advising him that I had arrived so far with so many horses with me. At last I arrived at Salisbury on the 28th of February, 1895, with a loss of only 4 horses out of 99 animals, 6 being mules - delivered 95. The Government was quite satisfied. Col. Rose asked me which was my riding horse. I picked out one who was 6 years old and salted for him to ride. The Chief Veterinary Officer Mr. Weggenell picked out of the same lot one horse who was fat and about 12 years old whereupon Col. Rose said let Mr. Khan choose as he has bought the horses he knows the best about them. I asked Col. Rose whether Mr. Malony had returned with horses. He said there were no news about him yet. I gave them a 12 months' guarantee against horse sickness. I remarked to Col. Rose that he cannot ride his horse after being fed, so he was afraid and gave the horse to Dr. Jameson. Dr. Jameson rode this horse through the Jameson rise. Then the Masuno rising came out. In one night only these people killed a Mr. Brusko, only 6 miles out of Salisbury town, also a Mr. Oldtin, with his wife and child and a white nurse, about 50 miles out of town at Njarni River also two partners named Mr. Graham and Mr. White. This rising was stopped by the Government a few days later, but Inspector Hapa and Sergt. Major Montgomery came to my stables and ordered me to bring all my horses and mules to the Government stables the next day at 9 a.m. and accordingly at 9 a.m. I took all my horses and mules to the Government stables where w spurs one of Ichi and the Chief Veterinary Officer and Sergt. Major Montgomery were waiting. The Veterinary Officer examined one by one each of the horses and mules and picked out the whole lot, making a fair value to my satisfaction. I had not one horse thus left at my stables for my own business, as the

the Government had commandeered all my horses complete with saddles & bridles, etc., both to the Government and my satisfaction. The Government captured a lot of Masanus and thus put a stop to the rising.

Then I went to Carlsburg in Kimberley District where I bought horses and returned. I started my business afresh and then came the Jameson Rise during which I supplied the Government with lot of horses.

I did a large business. All the mining contracts were in my hands. I made special waggons for the mining purposes which could carry 10 tons at a time. A team of 18 mules for level road and a team of 36 mules of 2 teams ~~xxxx~~ on top hills were being employed for transport by me and all sort of mining machinery etc., were being safely delivered by me. In addition to this I did mail and passenger service for the mines. All control of such service was in my hands for Hotels, Clubs etc., and during a period of 7 years I made £50,000/- But, unfortunately Mr. Cecil Rhodes died and with his death every body went down. All Mashonaland and Mitibilliland went down - business went slack and every body got hard up as there was no business - The big Limited Company was down - The whole of Rhodesia was also down for years or for a very long time - So the Government sent 12 delegates to England waiting there for 3 years. According to these times I was also losing about £150 to 200 monthly - I backed bills for business people and they could not meet their liabilities and the consequences of my backing was that I had to pay such bills I could not get my money back so I tried to sell some stock and gold mining shares of £1 value for which I could not realise even 5/- bob. So, I was compelled to hand over my affairs to my lawyer appointed trustee Mr. Edward Cockswell for whatever property I had with the exception of my late wife's jewellery and furniture, jewellery worth £500 and furniture £350. Furniture was insured for £500 as shown in my copies. The Government of Salisbury allowed me and my wife (no children) £30 per month. Thus I waited for six months when the business was in Trustee's hands. Also I handed over the case of Mr. Wimes to the trustee. Mr. Wimes' Bill was over £1600. This time I saw an advertisement of a big sale of horses and mules at Berbera, British Somaliland. So, I strated to go British Somaliland and enroute met the Officials and many private people at Mombasa. These officers and friends told me to return to British East Africa with the horses and mules purchased by me from Berbera and not to proceed to Rhodesia with the animals and that they would give me all sort of facility and help in this country in the building up of my trade and extend Government transport-facilities etc., which were most necessary those days. On these promises, and relying upon the assurance given to me, when I returned from Berbera with the horses and mules, I came to Mombasa and since then what has happened has been already detailed in my other history. This will be quite sufficient to show what sort of pioneering work I have done for the benefit of the British Empire's African Colonies even at my own cost and dangers to life and property.

British South African Company.

Mr. George Pollan, & Co. Contractor Beira Mashonaland Ely.  
Goldfield Mashonaland.

Mashonaland Consolidated Company,

United Rhodesia Company.

Lease Gwelo Mine Company.

Isba Mine.

Sheela Mine

Shona Mine

Frank Jansen Company

Alis Mh Mine

Jambo Mine

Whitely Mine

Salisbury Mine

Brittonia Mine

Irish Mine

Wilson Mine

Matabili Goldfield

Sir John Villybe. Syndicate

de Beer's Company

Dr. Ser Company

I need to do every kind of transport using 10 tons  
Belians or Machinery of one lump including mail coaches  
passenger's services of the mines, substances buses, etc.,  
for the above companies and from this it will be seen I was  
held as reliable person as regards my character and abilities.  
During this time I have had to build a wagon specially suitable  
for transportation Railway Station tenders, which cost me  
£ 100/- . Likewise I did similar work for loading  
Batais in South, for Clubs, Hotels, Banks, Merchant, etc., etc.,

Salisbury, 29th. January 1903.

Messrs. Haddon Cotton & Butt,  
Salisbury.

Dear Sirs,

I hereby agree to do all your Cartage Work from the  
SALISBURY RAILWAY STATION, on the following terms.

To Messrs. STEWART & LLOYD'S ( S.A. ) LTD @ 2/6 per ton,

EDWARD CHESTER & CO: LTD.	2/6	"	"
AYRSHIRE DEPOT	2/6	"	"
JOHNSON & FLETCHER	2/9	"	"
YOUR CAUSEWAY OFFICE	2/6	"	"
YOUR KOPJE OFFICE	4/-	"	"
FITT BROS & MCDONALD	4/-	"	"
ALL OTHER STORES ON KOPJE SIDE	4/-	"	"

This Contract to hold good for TWELVE MONTHS, dating from the  
First day of February 1903.

Sd. A. Khan.

Confirmed by us  
Cotton & Butt.  
Sd. A. W. Bertt  
29/1/03

AS WITNESSES,  
Sd. R. Robertson  
Sd. H. L. Mans.

(Standard Correspondent)

Durban August 7.

(By Air Mail).

The Official census of deaths during the recent horse sickness epidemic is given as 4,182, states the Newcastle Correspondent of the "Natal Witness". The figure included only the horses that actually died in the Newcastle district.

At present there remain 2,877 horses unsalted and 54 salted.

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J BE IT HEREBY MADE KNOWN THAT on this the 8th, day of January in the year of our Lord one thousand eight hundred and ninety five before me Spencer Minchin of Mafeking British Bechuanaland Notary Public by lawful authority duly admitted and sworn in the presence of the subscribed witnesses personally came and appeared Aly Khan of Fort Salisbury in the Territory of Mafeking who declared that he is about to proceed to Bulawayo and Fort Salisbury with certain 99 horses mules more particularly described in the schedule hereto annexed, 90% of which he stated he was able to guarantee against certain sickness known as Horse Sickness\* by means of certain medicine, the receipt for which he is sole proprietor, and that he was desirous that a notarial declaration should be made with respect to the number and colour of the said horses and mules in case of the same being required thereafter. NOW THEREFORE I the said Notary do hereby certify and attest that I did see the said horses and mules described in the schedule referred to, on this 8th day of January 1895, and that the same correspond with the particulars given in the schedule annexed in all respects being required I have granted these presents under my notarial form and seal to serve and avail as occasion shall or may require.

This done and passed at Mafeking aforesaid this 8th day of January in the year of our Lord One thousand eight hundred and ninety five,

AS WITNESSES

Sd. W.J. Mahony,  
Sd. Mehmet Carver

Sd. Spencer Minchin  
Notary Public

N.B. Please note that this is duplicate and the original is sealed and held by me in my possession.

Schedule annexed to Notarial Attestation by the Notary Spencer Minchin, on the 8th January, 1895, relative to 99 horses and mules the property of Aly Khan.

Description of horses and mules:

- |    |                |                 |
|----|----------------|-----------------|
| 1  | Green coloured |                 |
| 4  | Black "        |                 |
| 5  | Red Saffron "  |                 |
| 10 | Chagbant "     |                 |
| 18 | Grey "         |                 |
| 61 | Brown "        | (6 being mules) |

This done and passed at Mafeking on the 8th January, 1895

AS WITNESSES  
Sd. W.J. Mahony  
Sd. Mehmet Carver

Sd. Spencer Minchin

STATEMENT OF ASSETS AND LIABILITIES AS AT 31st. DECEMBER. 1903.

<u>Liabilities.</u>		<u>Assets.</u>	
Advances on Mortgage,	2,710:00:00	Live Stock - con sisting of 70 mules and 25 horses.	4,090:00:00
Bills Payable,	1,485:00:00	Vehicles	2,100:00:00
Sundry Debtors,	<u>622:12:01</u> 4,773:12:01.	Sundry Plant, Harness, etc.,	500:00:00
		Sundry Debtors,	
		25,405:00:00,	
		Valued at,	<u>1,250:00:00</u> 7,940
		Stands & Buildings.	
		Cause-way Stand & buildings.	1,750:00:00
Balance being Capital.	<u>7,226:00:11</u>	Kopje, do.,	2,000:00:00
		Kopje, do.,	<u>450:00:00</u> 4,200
	<u>£12,340:00:00.</u>		<u>£ 12,340</u>

I hereby certify that I have examined the above statement and that it is to the best of my knowledge and belief, true and correct.

Sd/- Ali Khan, Salisbury,  
19th. Jan'y, 1904.

Sd/- Glennie - Accountant.

Shares held by me:- £1/- each share.  
 975 Mashonaland Consolid.  
 600 Butterfly.  
 2 Building Societies. £100/- each.  
 200 Wiltshire G. Eg. Coy.

Eastleigh,  
P. O. Box No. 37, 27  
Nairobi,  
March, 1935.

Captain S. L. T. Lister,  
Municipal Offices,  
Nairobi.

Sir,

I wanted to write you earlier than this, but as you are aware I have got to depend on somebody else for my correspondence etc., myself being blind, and please pardon me for trespassing on your valuable time in the perusal of this letter. I wish to draw your attention to what seems to me to be a very common way to treat a very old pioneer, not only of this country but of South Africa also, and although I am nobody today, I was at one time a prominent citizen of the capital.

On the 27th July, 1934, two gentlemen who did not choose to give me their names, I believe one was a Railway official and the other an official from the C. I. Department called at my meagre house at the Eastleigh and made enquiries as to whether I could provide vehicles as Exhibits to exemplify the development of transport in this Colony, at the first pageant of East Africa, which was held in August.

I showed them then the debris of my once famous business. They chose two vehicles, the only two left which could be put into running order for the occasion, at so short a time and at the least expenses, the one being a landou which I had purchased from the late Sir McMillan and the other a bus, which was known as the "Norfolk Hotel Bus". The former was used for many famous weddings in the Colony and the latter for conveying white people to various hotels and clubs etc., in the early days. These two gentlemen promised to call again but did not do so. On the 1st of August in the afternoon I was called upon by Mr. Bennett with a message from you requesting to see the conveyances. On his departure he promised to send funds the following morning to put these in running order. He told me you

you wished me to have the carriages ready by 4 p. m. on the 2nd August positively and that the mules would be forthcoming and I together with one of my old native drivers were to accompany them to the Agriculture Show grounds near Kabete. I awaited the promised funds till 12 noon of the 2nd August. All these days I was on my tender hoofs and left all my other duties in the expectancy of some one turning up. On seeing that no funds turned up till 12 p.m. and I had not received any letter about this affair, I decided to come down to Nairobi and see you. I came to Nairobi on foot and interviewed you at your office at 1 p.m. You questioned me whether the vehicles were ready. I informed you of the circumstances at the time, and you urged me to get the vehicles ready by 4.30 p.m. without fail. I returned on foot arriving at my place at 2.30 p.m. together with the funds whom I engaged en route, which meant that I had done about 10 to 12 miles on foot during the hottest part of the day, which I must say was not too pleasant a task at my age of 78 years. However, I managed to arrange everything. The mules having been sent by you, I left for the show grounds at 5 p.m. arriving there at about 8 p.m. due to the inferiority of the mules and even there I had to wait for some time without even a glass of cold water - later a white man came to tell me he would bring the askaris to take the carriages to where they were required. After the trials etc., were done a Salvation Army Officer gave me a lift to my house in his car after mid-night - exhausted - remember Sir, I had been on the go since 12 noon to mid-night without any dinner or even a cup of tea or even a chair to sit on.

On the 3rd August, I had to foot it again to the S. A. Building, Ngara Road. I was conveyed to the show grounds. On my arrival there, I had great difficulties in fixing up the harness as the same was not proper, and again I had to stand all the time without any refreshments and returned in the S. A. Officer's car at 1 a.m. On the 4th August, I had to again proceed on foot to the S. A. Building, Ngara Road, and had the same experience as the previous night returning home at 1 p.m.

I wish to say that in the early days and until my business was destroyed I attended all shows, Sports, Races etc., without failing in one single instance and I was always treated in a most gentlemanly manner by all Government officials and settlers and during these last 9 years of my adversity, I have never ventured to be present at any function whatsoever.

Referring to the programme of the present I wish to add to the earlier developments of transport facilities of the Colony by showing one or two passengers of note, whom I had the pleasure of serving and who expressed their entire satisfaction of the way I carried their transport in those very difficult days, when there were no roads, or bridges and many malignant types of animal diseases to contend with.

In 1905 His Highness The Aga Khan visited this Colony. I still have the carriage that was used by him in Nairobi. It would have taken too long and too much expense to make it good to take it to the show, although I would have liked to have been able to do so. There were 15 saddle horses used for his safari. These horses were entrained from Nairobi to Naivasha and from there His Highness safaried to Kinangop through dense forests and bamboos and native tracks. One special feature I may recall to your mind was an accident to two riders whose horses fell in crossing over two planks which were used for crossing over a river. The Aga Khan suggested that I should shoot the animals as they would not survive. I said No, and left the horses with medicine and caretakers and carried on the journey returning to Nairobi via Nyeri, Fort Hall, Thika, etc., The two horses left were brought to Nairobi later in safety. One of these I afterwards sold to Mr. Alesop, Government Surveyor, for Rs. 500/-, and the other to Mr. W. Harvey, a Nairobi settler for Rs. 350/-

In November 1907, when the Home Government cabled the Director of Public Works Nairobi regarding transport arrangements for the then Secretary of State for Colonies - Mr. Winston Churchill - Mr. D. Wilson, Transport officer came to me saying that he was displeased to

to manage. I supplied the best of my transport, comprising of carriages, wagons, trollies and saddle horses and I accompanied the safari to wherever it was necessary. I executed the safari to the entire satisfaction of every one.

During 1914-19 I undertook and carried out all transport for the Military authorities in Nairobi and in the vicinities. During these years my business was under Military orders.

In conclusion I can truly say, that in my opinion, Kenya Colony is one of the Britain's best possessions in Africa and although we are passing through perilous times, if every one keeps his eyes open, work with strong heart and brain, hand in hand, the affairs of the Colony must come up.

I am enclosing two copies of notes from the Express Transport Co., and one copy of the tariff for my Bus service of the early days.

I remain,

Your obedient servant,

Ali Khan.



A. Khan.

Bus will leave Post Office at	7-45	a. m.
■ ■ ■ ■ ■ ■	8-15	"
■ ■ ■ ■ ■ ■	12-45	p. m.
■ ■ ■ ■ ■ ■	4-30	"
■ ■ ■ ■ ■ ■	4-15	

Late Bus Mackinnon's Corner	6-30	"
Bus " Parklands	8-15	a. m.
■ ■ ■ ■ ■ ■	8-45	"
■ ■ ■ ■ ■ ■	1-45	p. m.
■ ■ ■ ■ ■ ■	5-00	"
■ ■ ■ ■ ■ ■	5-45	"

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**F A R E S** 50 Cents. Book of 5 Tickets at Rs. 2/- CASH.

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The public are requested to destroy Rickets.

AFRICA BIONEER.

All Khan served in the Matabele War, the Mashonaland campaign and the Jameson raid and knew and corresponded with the late Sir Starr Jameson, better known as the famous Dr. Jameson. In this country and in the neighbouring territories, Mr. All Khan during the last 25 years has been a well known and very popular figure. He was one of the Pioneers of East Africa and has been instrumental in opening up many districts where he can transport from the nearest railway head out into the "blue". In 1881 he started a service of mule rickshas which travelled the 75 miles between Gilgin and Bamuruti in two days, having spare mules which were changed at numerous places en route. At that time the journey had never been accomplished by motor car. Over 25 years ago he drove the mule coach from Nairobi to Fort Hall - a perilous journey through little known country. In comparatively recent years his mule transport wagons have been frequently seen in the streets of Nairobi. All Khan himself has been noted for his generosity and hospitality, and many of the "old timers" in East Africa have been grateful for kindness at his hands. Today he is a frail old man, still dressed, as of old, in riding kit, and carrying the familiar hunting crop.

From E.A. Standard - Dated, Sat. March, 1906.

All Khan has just sent up country another fine batch of horses 15 in all, they are in good condition, and will be rapidly snapped up in the Highlands. If any one in East Africa knows a horse it is All Khan.

Telegrams 'MUNICIPALITY'  
Nairobi.

THE MUNICIPAL COUNCIL OF NAIROBI  
MUNICIPAL OFFICES,  
GOVERNMENT ROAD,  
N A I R O B I .  
Kenya Colony.

30th. November 1934.

34

Mr. Ali Khan,  
P.O. BOX. 37,  
NAIROBI.

In reply to your letters dated 21st. & 22nd. instant, I  
have to inform you that the stables I visited with you have been demo-  
lished in terms of a notice which was served on the owner.

(sd) Frank G. Ward.

SANITARY INSPECTOR.

RECEIVED  
14 DEC 1934  
C. O. REG

P. O. Box No. 37,  
Nairobi,  
(Kenya Colony),

12  
35

22nd November, 1934.

The Right Honourable,  
Sir Philip Cunliffe-Lister, M. P. etc.,  
His Majesty's Secretary of State for the Colonies,  
Downing Street,  
London. S. W. 1.

Honoured Sir,

In further reference to my previous petitions to you dated the 21st February, 1933, the 12th of September, 1933, and the 29th of January, 1934, and your kind communication to me from the Government House, Nairobi, dated the 3rd of February, 1934, as to material facts or information regarding your humble petitioner's claim, I now beg to enclose herewith a copy of the Notice No. 71 dated the 10th of March, 1926, served upon me by the Medical Officer of Health together with a copy of judgment given by the Resident Magistrate Mr. Gamble from which it will be clearly understood that there did exist a proposal of giving me a plot of land in exchange and there could be no doubt that after pointing out several plots then available for exchange, a plot near the station was being selected as to be given to me for substituted land as you will find in annexure No. 5 to my letter to you dated the 21st February, 1933.

As regards the Notice served on me as above stated, I beg to submit that the state and condition of the present Bazaar, and some other areas are far more in an insanitary state even today, and no notice is being taken of it by the authorities concerned, and in my humble opinion, it was absolutely unnecessary for those authorities to compel me to demolish my stables, stores and workshops etc., and I cannot do but frankly say that the authorities concerned have been unmercifully hard on me, an oldest pioneer, true and loyal to His Majesty's Britannic Government.

*E. C. No 1*  
*No 547*

*No 8*

*already received*

*Encl. to No 1*

As regards the stabling of mules etc., from which I was prohibited and thus ruined, I beg to submit that even after demolishing my stables etc., there have been instances in which mules have been stabled within the closest area to that demolished area of mine and in the year 1932 I reminded the authorities concerned in support of a letter of mine dated the 19th November, 1927 to them, that mules were being stabled between the hours of 7 p.m. and 5 a.m. in the closest vicinity of my demolished stables, to which, I very much regret to say no attention was paid by the authorities concerned and I was put to all these unnecessary losses and sufferings. Recently, on the 4th of October, 1934, I communicated with the Medical Officer of Health drawing his attention to this fact, a copy of this communication together with the Sanitary Inspector's (not the Medical Officer of Health's) reply is enclosed herewith for your kind perusal. According to the Sanitary Inspector's wish, I called at his offices wherefrom I took him to the place where these mules were being stabled even today at this date, and showed him the mules. The strangest thing is that these officers do not reply any such things in black and white, and in my case, I am afraid, I have been a victim of this policy, as had I got anything in writing at the time of demolishing my stables etc., there would have been no trouble in obtaining my compensation, but, being a frank, true, and loyal old man, I believed in the promises made to me which are not being kept now and I am being deprived of my rightful claim of compensation. For better information and guidance for you which could give you a clear and unmistakable idea as to the breach of promises made to me, I beg to enclose herewith a statement showing how I have been treated by Mr. Logan and other officials since 1926 to 1933 and how I was forced into bankruptcy (a man worth thousands of pounds just before the

the compulsory demolition of his stables etc.,) whilst others were being allowed even up today to have their mules stabled right close to the area of my demolished stables. When I think of this, it becomes unbearable and makes me mad in doing so, as it has ruined me and my business leaving me penniless having nothing of my own in this world.

As regards the negotiations for giving me substituted area Mr. Martin, the Land Commissioner, did make definite promises, and if it was not intended to give me the compensation, the question naturally arises as to why various plots of land were shown to me for my selection, out of all which, I had selected a plot near the station and to which the authorities had agreed. The correctness of this statement could be easily proved by Mt. Martin's letter to the Government dated the 23rd of December, 1934.

I have no doubt, you will readily realise, Honoured Sir, thus, by the so called Town Planning Schemes, an honourably living citizen's property has been so much affected that he has been driven to ruination and a state of destituteness at an old age when he could expect to live peacefully in the same loyalty to the British Empire as he has done for the past 58 years. I would refer you to Mr. Mortimer's letter enclosed to you with my letter dated the 21st February, 1933. What a pity it would be called that for the sake of Town Planning Schemes, one of the oldest pioneer helpers to the British Government in opening out the Colonies, should be made to suffer like this being deprived of his rightful compensation.

In further support of my statements and claim, I beg to enclose a copy of a letter dated the 27th September, 1932, addressed by Mr. Tannahill to His Excellency the Governor of Kenya to which no satisfactory reply has been received neither any settlement of my claim arrived at.

From this communication, honoured sir, you will no doubt observe that in other similar cases compensation by way of cash or grant of another piece of land has been given and particularly I would quote Mr. Tannahill's words reading "In other similar cases

"compensation by way of cash or by the grant of another piece of land has been arranged and it is, I believe, on record that endeavours were made in this case to arrange for a substituted area, but at that time no other suitable area could be found and nothing eventuated ——— the fact remains that through the operation of these two ordinances, a just citizen carrying on his business with acknowledged probity has been completely "ruined".

As you will undoubtedly notice from the above the others in similar cases have been compensated in cash payment, I fail to understand why I should be deprived of such cash compensation for my demolished and sterilised property which procedure is being adopted even today at this date, as very recently, the grant of a very valuable piece of land has been made to a party whose land was coming in the way of Town Planning Scheme. When I come to know of such partial decisions, my heart breaks at the treatment I am made to receive in the matter of my own compensation, who has always served loyally in the advancement of His Majesty's Colonies for the past 55 years even at a considerable expense and hardships in the early history of this country.

During the great war, the military commandeered all my livestock, in support of which, I enclose herewith copies of letters from the Chief Staff Officer, Lieut. Col. Ward and Capt. Sandbach, Commanding the East African Mounted Rifles. In spite of all this if my claim of compensation is being neglected, and Honoured Sir, you will just imagine how my feelings are being hurt when I think that I am at this age with blindness left penniless in this world.

For further support of my loyalty and assistance in the Colonies, I beg to attach herewith another copy of my life story (presuming the first may not have reached you), and beg especially to refer you to pages 7, 8, 9, 11, 15 & 16 which I trust will a

will no doubt convince you that in 1907, Mr. Winston Churchill's safari in this contry. You will also notice that during the great war, the Military departments of this country had commandeered all my livestock and transport according to the copies of letters enclosed from Lieut. Ward and Capt. Sandbach of the E. A. Mounted Rifles. You will also notice that from Military Records that during the Military sales held here, I bought various goods valueing to the sum of Shgs. approximately Pounds 5000/- sterling. On page 9 of my history enclosed herewith you will undoubtedly find what hardships and expenses I had to undergo in procuring the 100 horsees for the British Government and which took me 6 months to return to Nairobi, my home of comfort and happiness with my flourishing business always at the disposal at the British Empire. If you will very kindly refer to my South African Services in the old days, I have no doubt you will be assured of the best services rendered by me during the Matabele War, the Masionaland campaign, and the Jameson raid and knew the late Sir Starr Jameson known as Dr. Jameson. This report is already published by the East African Standard one of the pioneer papers of Nairobi in their issue dated 3rd March, 1906, which would very clearly give you the idea as the services rendered by me one of the oldest pioneers in opening out a country for the British Empire at a time when there existed no means of transport whatsoever, and I do not remember, there has been any occasion when myself has not assisted in conveying and transporting the worthiest of Kenya Governors, when there was no motor transport available.

What would you call it, sir, isn't it a pity, that after 58 years of Colonial service to the British Empire, thus opening out a way for them to establish a permanent regime, such treatment should be given to me by the officials by going back from their own word and decision, ofcourse, verbal, as I trusted in the British justice, as I have always believed in it? Don't you think, sir, a real deserving pioneer should be deprived of his

should be deprived of his property and a flourishing business which was commandeered by the Military Officers of British Empire when the Empire was in need of it, only for the sake of a Rown Planning Scheme, and the said two ordinances referred to in Mr. Tannahill's letter to His Excellency, when the same privileges are being enjoyed by others even today. I would, most, humbly, request you to enquire, sir, what is the sanitary condition of the present Indian Bazaar or the River Road? If you go very minutely into these questions, I feel confident, that an old man of my age has been made to ruin for nothing, and as I have already stated in the foregoing pages that people are even today being compensated in cash, why should I an oldest pioneer of the country, always at the services of the British Empire, and its Officers, taking even from a Governor to a minor official, not minding whether it was daytime or midnight, should be deprived of my rightful claim of compensation amounting to £100,000/- as previously submitted in my petitions.

No 8

I would remind you of your kind communication dated to me from the Government House on the 3rd of February, 1934, asking for material facts, and I have every hope that I have been able to furnish same to you in this petition, and in short, I must say that the officials have neglected my correspondence and have in my humble opinion neglected their pledges given to me. I have always believed in the British Impartial justice and I should not be deprived of same at this old age, having a wife and five young children to maintain and educate, especially at a time, when I should be living in a house of my own with my own business which has been ruined for nothing, or through no fault of my own. You would, naturally, think, sir, that when I think of this it makes my heart break, to the idea that is this the reward that I am being offered by His Majesty's Brittanic Government for the services rendered since the past 38 years in various ways. I would also

mention the fact that I am losing my eyesight with blindness, and am at present living in a house given as a shelter by one of my oldest friends, and especially I must thank most of my European friends who have sympathized with me in my sad days of misery, as you will no doubt from the extract I have enclosed herewith from the East African Standard.

My claim is a just claim and if it is paid off taking into consideration all these facts, I should never be under anybody's obligation with the exception of my King for whom I have spared no pains for the past 58 years even at my own life's risk, cost and troubles. I would especially direct your kind attention that even today at this date the mules are being kept for which my whole property was ordered to be demolished and thus put to starvation and ruin for nothing.

I, most humbly pray, you honoured sir, that this petition will receive your most careful consideration and an order for my compensation for the demolished stables, stores, workshops, and loss of business etc., amounting to £100000/- be granted to me as prayed in this petition as well as my previous petitions, to which all my European pioneers in this country and elsewhere in other colonies in the early days of Colonial History of the British Empire where we have striven to make a opening will undoubtedly support to my statements and in conclusion, I pray, God, may help me, and bless you for your favourable decision at an early date and let me have my deserving compensation as prayed.

In further support of the fact that mules are being stabled even at this date, I beg to enclose a copy of a letter addressed by me to the Sanitary Inspector dated the 21st November, 1934, which would, I have no doubt still further convince you, that an old pioneer like myself has been unnecessarily harmed and put to ruin by ordering demolition of his stables, workshops, stores, house etc.

together with his well established business which would have kept for his old age a happy home for his wife and 5 young children. It would be called sheer injustice if I made to suffer like this for no fault of mine but for a faulty order of the Medical Department of this Colony. I have had never such a treatment in His Majesty's other Colonies wherever I have been and assisted the Government to build up His Majesty's Colonies.

In further support of my statements I beg to enclose herewith a statement of my Rhodesian services to the British Government in the year as far back as 1897, and by perusing same, I have no doubt Honoured Sir, you will be convinced what risks and loss of property I have undergone together with hardships to myself, in the building up of British Colonies.

I also beg to enclose a statement of my Abyssinian Trip in the years of 1915-1916 which I hope would not only be interesting but would further support all my every statements made herein and you will see that at my own life's risks and expenses how I have made this trip for the betterment of the British colonies. I have every hope, Honoured Sir, that you will perfectly go through my Life Story attached hereto which is all interesting and informative as to the validity of my claims from the Government of Kenya, and much has been said about in the previous pages of this petition and the enclosures which I trust would be more than sufficient as material facts as desired by you in support of my humble petition. The most astonishing and worrying fact has been in my case that the Officials at this end have neglected my various communications to them as well as personal calls upon them for a period now extending over 8 years, and therefore I have been compelled to encroach upon your most valuable time with a view to obtain British Justice in which I have every belief and faith as I have had never before this occasion reason to complain in any other colony than Kenya, and Honoured Sir, you will easily imagine having spent my 58 years of

Government House,  
Nairobi.  
Kenya.

Dear Sir,

Sir Philip Cunliffe-Lister has asked me to acknowledge the receipt of your letter of the 29th. January with enclosures, and to say that he regrets that he can not find in them any material facts or information which were not before him when the petitions previously submitted by you were considered.

Yours Faithfully;

(Sd.) G.J.F. Tomilson.

Mr. ALI KHAN.  
c/o P.O.Box 37.  
Nairobi.

life in the welfare and betterment of the British Colonies, now at the age of 78 years, if my just claims be neglected, what would it be called on part of British justice which I have every right to receive.

As prayed by me on page 7 of this petition, I have every hope that my claim amounting to £100,000/- be granted to me which would enable me to build up my house, stores, workshops, and the ruined business once again and live me and my family in their own home of comfort as I used to live before the demolition of my property. For this act of kindness I shall ever pray for your long life and my whole family consisting of a wife and 5 young souls will forever remain grateful.

Though I am in a position to submit many more facts, I am afraid, of taking more of your most precious time, and am desirous concluding this petition trusting that an early favourable reply will be given to me giving me peace in this old age.

Trusting to be excused, Honoured Sir, for all this trouble that I am giving you, but I am compelled to do it to receive impartial British Justice at your benevolent hands.

I have the honour to be,

Honoured Sir,

Your most obedient & humble petitioner,

*A. Khan*

Ali Khan.

Copy to:-

His Excellency, The Governor of Kenya Colony,

Sir Joseph Byrn, K. C. M. G., K. B. E. C. B.

Government House,

Nairobi.

Colony and Protectorate of Kenya.

No. 71.

Health Office,

To Mr. Ali Khan,  
River Road, Nairobi.Nairobi,  
10th March, 1926.

TAKE NOTICE that under the provisions of the Public Health Ordinance, 1921, and Regulations made thereunder, the Medical Officer of Health being satisfied of the existence of a nuisance at:-

Premises owned by you on Plot Nos. 138/97 to 138/101, River Road, Nairobi.

**ARISING FROM:-**

1. Insanitary Stables.
2. Stores and workshope so constructed and in such a state as to be likely to harbour rats.
3. Two insanitary native latrines.
4. No provision for the disposal of drainage.

so as to be a nuisance, DOES HEREBY REQUIRE YOU WITHIN Hundred and Twenty (120) days from the date of service of this notice, to abate, and to prevent a recurrence of the said nuisance and for that purpose to:-

Demolish the buildings enumerated above, remove all materials and level off the sites.

**Note:-**

Stabling for mules and trek oxen is prohibited in the Township other than in the area set forth by the Nairobi Corporation by resolution passed February 27th, 1923. This area is outlined on a map and may be seen at this office.

and do all such other works as may be necessary to the satisfaction of the Medical Officer of Health.

Dated this 10th day of March, 1926.

Sd/- R. C. Mills.

Sanitary Inspector.

Sd/- F. G. C. Johnstone.

Medical Officer of Health.

Sanitary Inspector may be seen by appointment during office hours.

In the Resident Magistrate's Court at Nairobi.

Criminal Case No. 5211 of 1926.

Medical Officer of Health..... Prosecutor.

VERSUS

Alli Khan..... Accused.

Judgment.

I have inspected the premises and also the required alterations are urgently necessary. Still I understand that there is a proposal of his getting the necessary plot from the land office.

Notices to be complied with within 2 months from date.

10/12/26.

3d/- F. C. G. mble.

C o p y.

Nairobi,

P. O. Box No. 37, 47

4th October, 1934.

The Medical Officer of Health,  
Nairobi.

Sir,

I beg leave to draw your attention to the fact that Mules are at the present moment being stabled in Nairobi, Bazaar area in counteraction of the Nairobi Municipal Corporation resolution passed in February, 27th, 1923. Copy of the Notice served on me No. 71, Health Office, Nairobi D/ 10th March 1926, is attached for your perusal.

I further beg to state that Mules have been stabled in the Bazaar area before 1926, and are being stabled even today.

I shall be at your disposal to accompany you and point out them whenever convenient.

I beg to be,  
Sir,  
Your most obedient servant,  
Sd/- Ali Khan.

-----  
C o p y.

Mr. Ali Khan

Re. your letter of the 4th Oct., will you please call and see Mr. Foster, Office No. 20, Municipal Offices, to-morrow, at 9 a.m. if possible.

Sd/- F. G. Ward.  
Sanitary Inspector.

9/10/34.

42

I shew who Government has treated me from 1926 to 1929 many many premises, but nothing done. I am now ruin to death, therefore I made my mind to go and see our Local Commissioner for Government & Lands, Mr. Logan. I telephoned the Secretariat to make an appointment with Mr. Logan. I went to see Mr. Logan accompanied by Mr. Tannahill at the Secretariat in his office. Mr. Tannahill explained to Mr. Logan all about my damage and compensation I shewed him my bill of 16310/- correspondence, and Mr. Logan said your correspondence is all very good, but he said I can't do anything, then I told Mr. Logan saying my family starving no shoes no clothes then he said. I can't help you then Mr. Mortimer come in at Mr. Logan's office, and I said to Mr. Logan this Mortimer, he promised many promises from 1926 to 1929. and accompanied with Mr. Logan Mr. Tannahill I said to Mr. Mortimer you have promised me that Government take all my land with buildings according to plan and same land I agree will be given to me and that Government would build me same house as mine was also same as my stables was also blacksmith carpenters shop saddlery and harness makers shop and boys quarters and stores, anything difference in value would be paid to me in cash by Government, and ready built then I could move and Government would give me compensation that was your promises. Mr. Mortimer said yes it was promised he said the town Planning Committee don't want your land now then I asked again to Mr. Mortimer you did promise me or not then he said again yes it was promised. And he walked out of the office as shown in my statement then I asked Mr. Logan saying please you must help me now he said no I can help you, then I banded knees crying, saying please help me you my Governor, he said I can't do anything Mr. Logan asked me how much your house expenses, monthly, I said £.30/- per month. Mr. Logan asked me how many children you got. I said 3 children he asked me their ages. I said the elder one is 5 years old the biggest, of the 3 children then Mr. Logan said alright I give you a job in your line then I said to Mr. Logan, Thank you, I am too old now and I have never been working to any body yet. I said to Mr. Logan Please you can help me £ 5000/- first so that I can pay my debt, and I can hold my position, and made our living, so I am ruin from 1926. Then Mr. Logan said I can't help you and can do nothing, but he said I will go and see the Act. Governor Sir Jacob Barth to-morrow accompanied by Mr. Tannahill. The Commissioner for Local Government Lands and

Settlement, Act. Governor Sir Jacob Barth, and Mr. Tannahill decided that I must file my petition in Bankruptcy. I went to see Mr. Tannahill in his office the next day, he told me the result to file my petition as advised, he said " I have seen Dr. Keatings about you-r filing petition ." he told me to go and fix up the matter with Dr. Keating, the Public Trustee. So I did. Dr. Keating told me that it would cost me about Sgs. 180/- to file my statement of affairs in bankruptcy, then I said to Dr. Keating I got no food for my family today, then I showed him the letter which I sent on the 18th day of April 1929 to Sir Jacob Barth, the Acting Governor, through Mr. Tannahill. I said I am ruined from 1926, destroyed my whole stables and sinking down earth. I came as pioneer and worked hard in the wilds of Kenya. I am old now and nothing left with me and family to live on. The Government force me to Bankruptcy 1929 and left me starving with my family, and sold out on the 2nd August 1929, the day my one ~~was~~ eye was lost. Then I sold ~~my~~ some clothes to pay the charges for filing the petition of bankruptcy on the 22nd August 1929. I believe since then no body came to see me and my family and we been starving for five months. I been never walking in my life foot and since I have to walk in my old age. I also wrote him (Sir Jacob Barth the then Acting Governor) an application dated 18.4.1929 to which I never received a reply.

Then I made my mind to appeal to Sir Edward Grigg the Governor of Kenya Colony, and I wrote a letter to <sup>the</sup> Edward Grigg the Governor dated the 10th March 1930 and get a reply on the 11th March 1930, herewith copy. I wrote a second letter to Sir Edward Grigg dated the 30th June 1930 herewith copy, and get a reply dated 7th July 1930. Then I received a letter from the Secretariat dated the 20th August 1930 a copy thereof is also attached herewith, and 24th February 1932 letter sent by me through Mr. Tannahill reply from Secretariat dated 7th March 1932 herewith copy attached. From the E.A. Standard saying Mr. Ali Khan Special Compensionate Allowances the following recommendations by the Nairobi Municipal Finance Committee will be submitted to the Council at its meeting tomorrow. A letter was read from the Commissioner for Local Government Roads & Settlement stating that the fund raised and being administered by the E.A. Standard to relieve the destitution of Mr. Ali Khan would be exhausted by the end of May, that the Government is

making a Compassionate Allowance for a period of three months from the date of exhaustion of the fund and inquired if the Municipal Council would consider the question of granting assistance when it was decided that a sum of Shs.50/- per week be paid to Mr.Ali Khan for a period of three months commencing from the expiration of the period of Government's grant, such payment to be made through the Mayor's fund, and after this six months is finished, then the first week in December the Municipal Officer Mr.Juma only gave me Shs.25/- . He said they don't know who pay me Shs.25/- . He said go and try the Government Treasury for the remainder of Shs.25/- . I told him to give me a letter and I will go, which he refused. Then I came home. Next Saturday I again went to the Municipal Office and he gave me same as before i.e.Shs.25/-..He then telephoned to the Colonial Secretary, he then told some name of an officer in the treasury as they will pay me there, then I said no, give me a note, then the officer took me in his own car to the treasury. He talked with the Officer there and left me there and he came back. Then the Officer at the Treasury telephoned Mr.Mortimer, who was told that he was out at the moment. He talked to an other officer who said that they got no order to pay to Ali Khan. Then the treasury Officer again telephoned the Secretariat, I waited there for an hour. Then the Officer paid me Shs.25/- and from that time Municipal pay me Shs.25/- and the treasury pay me Shs.25/- upto now. The time when I and my family were starving for 5 months in 1929 when I been crying on my bended knees to Mr.Logan saying you my Govenor help me, that time he told me that he can't help me and can't do any thing, but my white friends picked me up out of starving, as they saw the advertisement in the E.A.Standard, therefore I and my family is made to life and not been death of starving and since 1929 November to May 1932 I lived through the help of my white friends.

*U. Khan*

Your Excellency,

Re: Mr. Ali Khan.

Secretarial Ref: P.H. 3/3/2/95.

I attach hereto a letter (marked A) dated 20th inst., from Mr. Ali Khan in which I am asked to bring before Your Excellency once again the extremely sad case of this old and nearly blind pioneer.

After I last wrote on the subject on the 24th February last (copy attached marked B) Your Excellency arranged for temporary financial assistance to be granted by the Treasury for three months during June, July and part of August and also arranged for a continuance of the Grant for a further three months by the Municipal Council of Nairobi which grant will expire in November leaving the poor man and his family absolutely destitute.

Mr. Ali Khan's good name has never been questioned; the response to the appeal issued by the East African Standard proved that the services he had rendered to the Government and the public at large were very fully recognised and appreciated.

Although his business of horse and mule transport was changing to motor transport I believe he could have adjusted his business to the change but for the fact that he became the unfortunate victim of two Ordinances which completely ruined him.

The Public Health Ordinance suddenly declared that the area within which he carried on his business for over 20 years should no longer be used for that business and his stables were demolished; on top of that, the Town Planning Ordinance, sterilised the valuable plot of land on which his stables had been, and he was prevented from realising his sole remaining asset with the result that he was forced into bankruptcy; the fact that afterwards the sterilisation was lifted added to the bitterness of the situation.

There is of course no shadow of a suggestion that the law was improperly administered but I believe every officer who had to administer these two ordinances and who came into personal touch with this particular case is unanimous in saying that it is an example of the cruelest hard luck.

In other similar cases, compensation by way of cash or by the grant of another piece of land has been arranged and it is, I believe, on record that endeavours were made in this case to arrange for a substituted area but at that time no other suitable area could be found and nothing eventuated.

Whether it is possible to reopen this question of compensation by way of the grant of another area, doubtless your Excellency will ascertain: the fact remains that through the operation of these two ordinances, a just citizen carrying on his business with acknowledged probity has been completely ruined. Mr. Ali Khan has asked me to enclose a copy of his original petition dated 19th November 1927, (marked C) and his story marked (D) also some photographs which I forward under separate cover. I hope and believe your Excellency will agree that this exceptional case warrants sympathetic treatment.

I have the honour to be etc.

Sd/- A. C. Tannahill.

His Excellency, Sir Joseph Byrne, K. C. M. G. K. B. E. C. B.  
Government House, Nairobi.

C o p y.

52

Voluntee Headquarters,

Nairobi,

5th August, 1914.

From the Chief Staff Officer,

To,

Mr. Ali Khan,

Nairobi.

Please take notice that you are required to furnish on demand by me, with one hour's notice, one sound mule, wagon, with eight serviceable mules, together with four spare mules.

These mules and cart are not to leave the vicinity of the town without my written order.

Sd/- Lieut. Col. L. R. S. Ward.

C. S. O.

Volunteer Head Quarters.

C o p y.

53.

From,

Officer Commanding,  
East African Mounted Rifles,

To,

Mr. Ali Khan,  
Nairobi.

You are hereby ordered to keep at the disposal of the East African Mounted Rifles all mules, ponies and wagons in your possession, also all harness and saddlery and not to dispose of any of these without my written authority.

Captain  
Commanding East African Mounted Rifles

Sd/- H. H. Sandbach. Capt.

For fifty five years I have been connected with horse dealing in South Africa, Rhodesia and East Africa, and of those 55 years, not less than 25 years have been spent in the Kenya Colony. It was in 1904 that I first arrived here. I left Rhodesia to proceed to Berbera, British Somaliland, for the advertised sale to buy Arab horses and mules; our boat touched at Mombasa where I met several friends whom I had known down South, both officials and settlers who advised me strongly to bring horses and mules to this Colony, instead of returning to Rhodesia and they promised me all the help that I might require and all the market that I could wish for, if I started the business straightaway on my return.

I went on my voyage to Aden, and thence to Berbera, where I bought horses and mules which I wanted from General Sween, the then Governor of British Somaliland, and returned to Aden where a cable was awaiting me at the Hotel de Europe from the proprietors of the Grand Hotel at Mombasa, urging me to book my animals to Mombasa, as there was a great demand for horses and mules in this country, and I accordingly I did so.

On landing at Kilindini port, His Excellency the Governor, Sir Donald Stuart was waiting at the pier to pick out a pair of Arab horses for himself and take them away with him to Nairobi. The Veterinary Officer (Mr. Brandt) came and told His Excellency that he cannot purchase and take them to Nairobi with him, as the horses and mules had to remain at Mombasa for 30 days quarantine, as the Veterinary Dept. had no Malintees (serum) for injecting the animals at the time.

Then the Veterinary officer took me to the Railway shed and told me to keep all the animals inside the shed and feed them with dry grass, and not to graze them outside because if they ate green grass they would die, as there are some germs in the green grass, and that he would come the next day at 9 a.m. and inspect the animals. I tried my utmost to get dry grass but I could not obtain it at any price. As promised the Veterinary Officer came next day at 9 a.m.

9 a.m. and after examining all the animals, he pointed out 2 horses and said that they are suffering from Glanders. I informed him, if he was quite sure of this, he could immediately shoot them, but afterwards, on examination he found that they were not suffering; as he thought, and I said that if they were actually suffering, I would suffer the loss; otherwise I will hold him responsible for their value. Then he told me that he was not the Chief Veterinary Officer but that he was upcountry at Naivasha. Further he said that he would call at 4 o'clock, when he would tell me all about the sickness, taking away blood slices with him. He accordingly came at 4 p.m. and after examining 2 horses, informed me that they were not suffering from glanders, but that he could not allow them to go upcountry before the serum malintees arrived from London via Bombay which would take over 30 days, and in the meantime, if any of the horses got sick, I had to go to him. I thanked him for all his assistance. On arrival of the serum, he would inject all the animals, and afterwards I could transport them to Nairobi. Then I told him that since I could not get dry grass, at Mombasa had to buy water, and that I had to stay at a hotel in Mombasa and come to Kilindini about three times a day to see about the food and watering of my animals. Owing to these difficulties and delays on every side, I told Mr. Brandt that I would proceed back to Beira Port and thence to Salisbury. Mr. Brandt told me to go and see the Chief of Customs, Mr. Marsden, I sold him at the Grand Hotel at 12 O'clock and told him about my intentions to return to South Africa, where I could reach within 12 days and thus save the heavy expenses that I was undergoing for feeding and watering the animals as well as my hotel expenses. Then at 4 p.m. Marsden told me that he did not like me to go away and he would not charge customs duty, and that I would not have to pay Railway freight to Nairobi, and that he would give me every possible assistance as I was the first horse dealer to import these animals in this country and the country needed these animals very badly. I relied upon his promises and remained here and became a pioneer horse dealer in this undeveloped colony of the British Empire.

During my stay at the coast all the horses and mules were grazing outside and after 15 days only one Arab horse got sick. I prepared the medicines and administered them according to the sickness as I had a lifetime experience of animal diseases. After 3 days the veterinary officer came to see the sick horse and examined the animal who was now alright. I showed him the bottle of medicine which he smelt and said it was very good and then he went away.

Mr. Marsden gave me a letter addressed to the General Manager, of the Uganda Railway, (Mr. Currie) and told me that he was going to write to His Excellency the Governor about Customs Duty etc., I forwarded the said letter to Mr. Currie giving him a list of the animals that I had, and I received his reply giving me quotations i. e. 6 horses and 3 mules for each truck, to be charged at 8 annas per mile per truck.

When the Malintees (serum) arrived, horses and mules were injected by the Veterinary Officer and told me that that I could go. Then I went and saw Mr. Marsden informing that I had a permit and I should be grateful if he would kindly arrange for a free Railway warrant and pass for myself and my livestock and free customs duty as promised. He advised me to pay these now at Mombasa and that when he came to Nairobi, the following week, he would see that I got the refunds for the amounts paid by me to the Government and the Railway, and relying on this promise I paid these amounts and came to Nairobi, with all my livestock.

On arrival at Nairobi, I stayed at the Stanley Hotel and asked the proprietor where I could accommodate my livestock. He told me that he had no place but that I could let them loose to graze on the felt for that night and the following day he would give me a boy to bring the animals near the hotel. Next morning, I went with the hotel boy, and found near the Court House, then an open plain, one of my horses very badly mauled by hyenas.

Mr. Johnson of Messrs. Johnson & Cameron (Auctioneers) who had travelled by the same boat, was also staying at the Stanley Hotel, saw the mauled condition of my horse, told me that he could allow me the use of their yard for a fortnight which offer I gladly accepted. But seeing that there was no proper accommodation for my livestock, I thought of selling off my whole lot of livestock and return to Rhodesia.

Within 2 or 3 weeks time, Mr. Marsden came to Nairobi and after interviewing His Excellency, the Governor, and the General Manager, of the Uganda Railway, came and informed that the Railway belonged to a Company and no refund could be made to me, as well as the customs duty paid by could not be refunded as previously promised by him. I told him that I had relied upon his promise as a Chief officer of the Customs and as a gentleman and it had cost me ~~HEAVY~~ £150/- a very heavy loss to start with.

Lord Delamere was the first person who offered to purchase the whole lot of my livestock, but the price offered by him was so very low that it would not cover all the expenses I had to pay in bringing these animals to Nairobi, and therefore I tried to sell them in small lots and disposed them off as under:-

1.	Mr. R. F. Mayer...	...	3 Mules.
2.	Messrs. H. Penton & Bunbury...	...	3 Mules.
3.	Mr. F. S. Clarke....	...	1 Arab racing mare, named "Miller" whose breed is still running in races.
4.	Mr. Goldfinch...	...	1 Horse.
5.	Lord Cadross...	...	1 Mare.
6.	Mr. Frank Watkins...	...	1 Mare.
7.	Mr. J. P. Luey...	...	1 Horse.
8.	Mr. Tom Deacon...	...	1 Mare.

Then the proprietors of the Norfolk Hotel (Major Ringer and his partner) and of the Stanley Hotel told me that there was plenty of transport work for the 3 Hotels, Government and Railway Departments including the K. A. R. settlers and other firms and private persons who required transport facilities to go to Kyambu, French Mission, Kikuyu, Limoru, and various other places to see farms etc., in this just opening new colony.

At this time Messrs. A. M. Jeevanji & Co., who had a grant of land from the Government for supplying transport etc., to Nairobi, and to other residents of the surrounding country had only one horse carriage and they could not manage the work of the public to Nairobi Hill, K. A. R. and surrounding places or farms etc., therefore they had failed in their undertakings by the loss of their business as they did not know how to manage transport work. As I had a very good experience in South Africa, Rhodesia etc., I had every chance to succeed in transport business in this new colony. Moreover I was well known to European and other communities. I hired Messrs. Intiazali's shed temporarily and used that for stables etc., and had to pay a rent of Rs. 150/- per month. In this way, when I started the business of a horse dealer, Livery and Bair Stables, in Nairobi, I found myself up against the difficulties for drivers, and axes etc., There was no one who understood the management of horses, and so it became necessary for me to personally teach every native to drive etc., who came to seek work. This I did with Indian and many other tribes.

I supplied riding horses to ladies, first Lord and Lady Delamere and many Gentlemen also I supplied carriages of 2, 4 or 6 horses or even more as required by various customers including mules and doing all sort of transport work helping the British Government in the opening of this new colony in every possible manner.

I then brought my white drivers from Rhodesia. I had arrangements for hire, daily, weekly and monthly, horses, mules, carriages and wagons to every part of this colony, whether there was a road or no road in those early days or no bridges as well. There was in such cases nothing but to swim across the rivers. It was my duty to oblige every person whether they were citizens, Government Officials or Military Officers coming to this Colony, and thus I was making my name and living slowly and steadily increasing my business.

I was a regular supplier to Sir Northrup McMillan and his parties. Transport and horse dealing was my life time business, and as my business was progressing with animal transport work, I thought of introducing Rickshaw service in Nairobi and other places. I bought Durban Rickshaws from Mr. J. R. Wood and also from Norfolk Stable from Capt. Lisbury and carried on my Rickshaw services for many years to the satisfaction of all my clients.

Thus, when my business was progressing, Messrs. A. M. Jeevanji & Co., again imported carriages and horses to compete with me, but during a short time, almost all of their horses died of sickness. Their Manager, Mr. Abdul Haseem asked me to buy their whole livery stables etc., for £3000/-. Thereupon, I inspected their livestock, carriages and all outfits and offered him £1000/- which he declined, and when he found that he could not compete with me in the business, he returned most of the carriages and horses to India.

I then made several applications for land to the Hon. Commissioner of Lands and Land Officer, but they refused to grant me any land. But the Commissioner of Lands through the Government gave a free grant of 5 acres of land to my competitors Messrs. A. M. Jeevanji & Co., in spite of the fact that I was working hard and being of great service both to the general public and the Government of this new opening colony. Under these circumstances, I was compelled to lease 6 plots on 99 years term from Major Grovan on the Market Road, now known as River Road, situated at the side of the swamp near the Nairobi River. I erected my dwelling house for my lifetime on the front plot near the road specially bringing plans from Sea-Point, Cape Town - This house, Boys' Quarters, Stables, Workshops, Carpentry and other buildings cost me over £2000/-.

In the beginning, I had to engage the services of an Askari as night watchman paying the Police Department Rs. 16/- per month as it was dangerous at night time to live on this Road (now known as River Road) owing to papyrus reeds, hyenas, and other wild animals. My house was the only house in existence on River Road at this time.

As there was no road, I was compelled to ask the Director of Public Works Department to make a road from my house to join the Government Road, but they did not do so at that time, and I had to spend £50 to make a road in order that my horses, carriages, mules, wagons etc., could pass to town and railway station etc.,

In 1907, November, when Mr. Winston Churchill cabled to the Commissioner, P. W. D. regarding his transport arrangements, neither Government nor any firm could undertake the safari, as Government had had no carriages, horses or mules but only oxen transport. Mr. D. Wilson, the Transport Officer, came to my office, and told me that he has received a cable from the Home Government regarding Mr. Winston Churchill's expected visit to the colony and he wanted me to help him in supplying the necessary transport of the best horses, carriages, saddle horses and mule wagon transport for Mr. Churchill's safari from Nairobi to Ruiru, Thika, Donyo Sabuk, Fort Hall, and other places.

places wherever Mr. Churchill desired to travel. I undertook to supply all that may be required for this safari. As you must be aware, honoured sir, in those early days, there were no proper roads or bridges etc., what hardships I should have undergone to make it as comfortable as possible, and I personally did conduct Mr. Churchill's safari with all sort risks and dangers of wild animals and sickness, as I did not deem it advisable to leave this mission in the hands of my staff and at the end of safari Mr. Winston Churchill was well pleased and quite satisfied as to the manner in which it was conducted.

Before the Great War of 1914, the Military here, the King's African Rifles were in great need of mules and at the time instead of buying these mules direct from me, as through my advertisements in the local papers, they must be aware that I was able to supply their requirements, the Veterinary Officer went to a private farmer and gave him the order for 20 Mules. This farmer had no mules for sale, and he came to me and bought them from me and afterwards sold them to the Military at a great profit. You will thus, see, sir, that my offers were being neglected even at a very low figure which could save the Government from making higher purchases. I do not understand for what reasons these offers were not being accepted.

When the Great War with Germany in the year 1914 was declared, on August the 5th, the Officer Commanding the East African Mounted Rifles wrote to me on the 5th, 6th & 7th August, commanding all my mules, horses, wagons, saddles and harness, halters, bridles etc., i. e. ordering me to leave my complete outfit at his command at any time for Government use and further that I was not to leave the vicinity of my stables and yard without his written order or authority. It is needless to state that I have always been loyal to the British Government and ready to give every assistance which I thought was my boundant duty. A similar order was also served upon me by the Chief Staff Officer, Lieut. Col. Ward. Copies of these Military Officers' Communications are already attached with my humble petition.

I might also mention that I offered my services to go and buy horses and mules for the Government, but this was refused and the officers concerned bought from other people in thousands paying these higher prices, whilst on the other hand they had commandeered all my livestock or whatever I had as foreaid, and according to the Veterinary Officer's own valuation, these were valued at nearly half the price, thus forcing me to close my business from the year 1914 to 1916 during which period I had nothing else to do, making me to suffer very heavy financial losses as well as loss of my well reputed and running business.

My conveyances were being used for all war prisoners day and night and I never received any payment during my absence in Abyssinia or even after my return from there, as I had gone to buy fresh stock from that country to keep running my established business, and by thus obtaining fresh stock, I was only able to keep my business running until the end of the war. I also bought livestock for my business from the Government Military Sales to the value of £5000/- which has been paid by me in cheques.

Previously I had been employed in Madebili war, Masional and Rise and Boer War, during which operations my livestock was commandeered, and the valuation was made by two experts and one Government Official. This valuation, I must unhesitatingly say that was very just and fair, whilst the treatment received by me in Nairobi in respect of valuation of my livestock etc., was unfair and unjust. In other countries the valuation of livestock is not left to the discretion of Veterinary officers as these officers are Doctors only to examine the animals and see to their health or fitness. These valuations are always done by Military officers in these other colonies which is proper.

Thus in the valuation, I have been made to suffer a loss of several thousand pounds sterling.

I applied for a passport to proceed to Abyssinia to procure 1000 horses and mules for the Government, and Sir Notherup McMillan agreed to advance me £15,000/- (Fifteen thousand pounds) and as he agreed to charge more than £3 per head commission as he wanted to help the Government.

In spite of Sir McMillan's influence and the promised advance of £15,000/- to me by him, the Government did nothing in the matter. Therefore, I decided to proceed on my own account and set out from Mombasa for Aden, and thence to Djibuti French Somaliland to Adis Ababa Abyssinia where I met Mr. Tassier, the Commissioner, and Mr. Campbell, the British Consul. I showed them my papers and they promised to help me to the best of their abilities and opportunities.

I also met King Jizasho a few times and he promised that he would let me have 3000 horses and mules in about 4 months' time. So, I returned to Nairobi via Aden, and then after 4 months again went to Ababa. On meeting King Jizasho he agreed to let me have 8000 horses and mules which I could take delivery of at once or between a period of period extending 3 to 6 years. I then made arrangements from French Somaliland for railing and feeding the horses, but in the end, King Jizasho influenced by the German Consul refused to let me have the horses and mules.

However, with great difficulties I succeeded in procuring 100 horses. In spite of repeated warnings I set out from Adis Ababa (British border) everyone told me that I would never reach Moyale but will be killed on my way by the Abyssinians. However, I had made up mind, whether I was killed or left alive, I must pass through the Abyssinian Territory Via British Border Moyale so as to enable me to help the British Government. Although I had a passport for seven horses, I had very great difficulty in passing through. I had to engage 15 Abyssinians, 15 Baranda Askaris armed with rifles and revolvers to fight my way through 200 miles where the 3 roads meet. On my way, I saw 9 men hanged on a big tree by thieves. Anyhow, with great anxieties, difficulties and toll on my way, I arrived at Moyale where I saw the District Commissioner, Mr. T. D. Butler who informed me that there was a rumour that I was killed. I had to pay customs duty on my safari kit including even forks and spoons etc., and on 3 rifles which were stolen at the British camp. It took me about 6 months to get back to Nairobi. I had to travel through desert land where encountered lions etc., The route was via Marsabit Archer's post, where I met Mr. H. T. Harrington, the District Commissioner. (This Mr. Harrington I had met in the Mettabali war and was a great friend of mine) I stayed there for a few days and then travelled to Nyeri, Rumuruti, Gilgil and Nakuru and journeyed by train to Nairobi. Owing to the instructions in force, I had to take this round about route.

On my arrival at Nairobi, I phoned the East African Standard advising that I had returned from my safari to commence my business again in reply to which I heard that Mr. Ali Khan was dead and he would not believe me and said he would call at my office the next morning. Accordingly he called at my office the next morning and took a report from me of the safari which he said he wished to publish in the paper, and thus I continued my business of transport work in Nairobi as usual.

Now, in March 1926 Dr. Johnson the Health Officer came to my premises in River Road and gave me notice to the effect that I must remove my livestock of horses, mules etc., out of Nairobi Township and referred me to a resolution passed by the Nairobi Corporation on the 27th February 1923. I told him that I knew nothing about the said resolution and that

that no previous notice had been received by me. At the same time he also asked me how long it would take to remove my livestock. I thereupon informed him that I could not say as I had a good deal of livestock etc., and stables to remove. He then gave me notice of 4 months in which to move. A few days after this interview, i.e. on the 10th March, 1926, I received a 120 days Notice to remove all my livestock etc., and to demolish my stables, stores, workshops, etc., which had cost me over £7000/-.

A few days after receiving the notice, I saw Dr. Johnson, on the subject, when he informed me that the notice regarding the stables, stores, workshops had been sent by mistake. He ascertained this after he had a look at the copies lying on his table. Then he asked me what year I came in the country. I replied in 1904 about 22 years ago which could be ascertained from the Customs as I had paid my customs duties etc., He then asked me to call and see Mr. Mortimer of the Land Office, and to inform him that Dr. Johnson had sent me to him about a suitable land to transfer my businesshouse, stables, stores, workshops, and when Mr. Mortimer had promised me suitable land, I was to call upon and see Dr. Johnson. Mr. Mortimer showed me a map and I informed him that a plot in Duke Street would be suitable for my business etc., thereupon he informed me that there was no land in Duke Street available and that there was Crown land on the other side of the Railway near the Public Works Department which I inspected and selected a suitable piece of land. He then informed me that the land in question had been taken up by the Uganda Railway and there was no land available there.

Mr. Mortimer then informed me that I could have land alongside the river at the Municipal landies. This land was not suitable for my business as it was all padie. I informed Dr. Johnson who said he would see the Land Officer himself. I called a few days later on Dr. Johnston, who told me to go and see Mr. Mortimer as he had made due arrangements for some land for me. Thereupon I saw Mr. Mortimer he told me to have a look at some Crown land near Kala Singh Mosque

61

mosque between Jackson and Whitehouse Toads alongside the 80 feet Road. This land was quite suitable for my purpose especially it being suitable because it was near the station. I saw Mr. Mortimer and informed him of this when he told me that he was very pleased to hear that this land was quite suitable for my business and that this matter was thus settled, and asked me to call upon him in a few days time. I then informed Dr. Johnson of this and he said he would help me in every way in this matter as well.

On the 26th April, Mr. Mortimer called at my office regarding the land I had selected near the station. He told me that the Government had decided to take over my land in River Road, stables, stores, workshops and house and in exchange for all these give me the land near the station which I had selected and build a house, stables, stores, and workshops identically the same as I had in River Road and any difference in value would be paid to me in cash including any loss that I may have to sustain as compensation. I told Mr. Mortimer that I was quite satisfied with these conditions and thanked him. I then called upon Dr. Johnson and informed him of these arrangements when he said he was very pleased to find that the matter was settled so satisfactorily, but at the same time reminded me that I should hurry up in moving as the time was getting short.

I saw Mr. Mortimer and informed him of this and the necessity of my moving as soon as possible. Mr. Mortimer then told me that I could not move until the return of Mr. Felling, the General Manager of the Uganda Railway, who was then on leave in England, as it was necessary for him to attend a meeting with Dr. Johnson, when the matter would be finally settled, and then they would advise me when to move. Thereupon I saw Dr. Johnson informing him of this when he also said that it was quite alright and I must remain at present in River Road.

According to the above conversations and arrangements, I had no alternative but to wait which I did for about a month after the expiry of the notice given to me, and having heard nothing from Mr. Mortimer, I called upon Dr. Johnston and asked what I had better do. Dr. Johnston replied there was nothing to worry about for me in this connection and that he was responsible and would look after my interests alright. He said I must remain where I was in River Road until such time as Mr. Mortimer gave me land to move to and must not worry in the least in the meantime. As he was thoroughly conversant with the whole business in this matter, no action would be taken in a Court of law, against me. Relying on the assurances and honour of Dr. Johnson I waited and waited patiently and received no word.

Some time after Dr. Johnson accompanied by Dr. Hunter came to my premises in River Road and inspected them thoroughly. Dr. Johnson on this occasion informed me that he was handing over to Dr. Hunter, and enquired of me whether I had heard anything from Mr. Mortimer anything. I informed him that I had no word from Mr. Mortimer when he said, I must wait in that case and that Dr. Hunter in his place would look after my interests alright.

In spite of all the above, seven months after the first notice served upon me, I received on the 18th October, 1926, I received a notice from Dr. Hunter giving me 14 days to comply with the Notice served upon me on the 10th March, 1926. I went to Mr. Mortimer and showed him this Notice, whereupon in his own car he took me to the Municipal Landies Road and showed me Crown land, which was nothing but swamp and absolutely unsuitable. He said the place would be quite alright as he would fill up the swamp with stones, which would have of course been very costly and at the same time very unhealthy. Whereupon he told me to call upon him in a few days time and when I called accordingly he showed me land next to slaughter house, which of course

ofcourse was absolutely useless to me. It was not done in the way I to be expected to live on this plot, and quite on the lines that I have lived all along.

Mr. Mortimer then told me that he could do no more for me and told me to fix matters myself. I called on Dr. Hunter and informed him of what Mr. Mortimer had said to me. He then said he would personally see Mr. Mortimer that afternoon and then phone me up the result. As I did not hear anything from him, after 3 days I again called on Dr. Hunter when he informed me that he had not been able to see Mr. Mortimer as he had been busy but he would definitely see him that very day and give me a ring on the telephone. I reminded him that time was passing and that it was no fault of mine that I should be dragged into Court for nothing. He told me not to worry on that subject. I did not hear from him on the telephone as promised.

One afternoon after a few days, Dr. Hunter, the Resident Magistrate and Mr. Mills the Sanitary Inspector called and inspected my premises, but said nothing to me. A few days later, I received a summons to appear in Court on 10th December, 1926. When I appeared in the Court, the Resident Magistrate, Mr. Milles, asked me why I did not comply with the Notice dated 10th March, 1926. I said I was not guilty of the offence, having acted on the instructions of both Dr. Johnson and Dr. Hunter and that the whole fault was with Mr. Mortimer, the Land Officer who had failed to give me suitable land up to that date. Dr. Hunter and Mr. Milles confirmed my statement in their evidence that land was definitely promised to me and that Mr. Mortimer had failed to give me land where I could move. However Magistrate ordered me to comply with the Notice giving me 2 months time from that date.

As it appeared quite impossible to get the promised land, I was afraid and did not know what to do as I was also afraid that I might be fined £5 a day if the Court Order was not complied with. So, I commenced to pull down the buildings. On 23rd December, 1926, Mr. H.T. Martin, the Land Commissioner, called at my premises in River Road and asked me why I was pulling down the buildings. I explained him the whole position and the Court Judgment, and enquired of him whether he could help me as the buildings had cost me a lot of money, and further it would ruin myself and my business. I mentioned at the time that when the buildings were pulled down I would send a statement to His Excellency the Governor.

Mr. Martin then got paper from me and wrote a letter to his assistant, Mr. Mortimer, and handed it to me asking me to deliver it personally to Mr. Mortimer. He stated that the contents of the letter were to the effect that the Land Officer, the Health Officer and myself were to have a meeting and have the matter decided. Next morning I took and delivered the said letter to Mr. Mortimer, but got no reply from him.

About one month later, I saw Mr. H. T. Martin at the Nairobi station when he was leaving for England on leave. Mr. Mortimer was also there on the platform. Neither of them said anything to me. Later on 29th March, I wrote a letter to Mr. Mortimer asking about Mr. Martin's letter which was delivered by me to him, and on the 6th April, 1927, I received word from Mr. Mortimer to the effect that The Town Planning Authority did not now propose to recommend the purchase of my flat in River Road. I wrote to the Colonial Secretary on the 19th November, 1927, and I received a reply on the 19th Jan. 1928. With reference to the letter dated January 15th 1929 from the Secretariat No. N.T.P.A/26, early in February, 1929, I telephoned to Mr. Mortimer asking if I could see him personally in connection with expenses and damages when he informed me to call the following day.

Accordingly I called upon him the following morning and explained the whole position to him and told him that I was absolutely down and starving and could not carry on any longer as I had no business of my own. I also told him that he knew very well himself that since 1926 my buildings were demolished on the definite promises that compensation and exchange of land and buildings and property in River Road would be given to me but nothing came out so far leaving me penniless. I also informed him that various creditors of mine were pressing me whom I was not in a position to pay as I had nothing left. I further stated at this interview that it was much better if the government in this miserable state of mine shot me or at least put my family and myself in a Home (similar to a Home for the Poor) or even sent me to prison as I had nothing to do, no home, no money etc., Mr. Mortimer then told me that I need not worry as he would settle my matter satisfactorily and that I should see him the following week.

The following week I phoned him when he called me at his office. At this interview he told me that he was unable to do anything for me. I repeated what I had said to him the previous week and he made several notes of what I said. Then he said there was a meeting going to be held on Friday and that he would put my case before the meeting and asked me to call next week when he would let me know the decision of the meeting. When I called the following week he informed me that some thing was partly done but the whole matter must go before the next meeting. The following week in reply to my telephonic enquiry he said still the matter was to go before another meeting and that it would be a further 2 weeks before anything definitely could be arranged. Later on I again telephoned him and he called me at his office. When I went there he informed me that everything was passed at the meeting held on Monday (March 1929).

At this interview he asked me whether I knew Mr. Tannahill in reply to which I said I knew Mr. Tannahill since he arrived in the country and further I knew everybody who had arrived in the country. He then asked me to go and see Mr. Tannahill taking my bill which was then amounting to £16,310/-. He further told me that Mr. Tannahill would verify the bill and then I should bring it back to him Mr. Mortimer. On my bring back the bill Mr. Mortimer would pay me the amount in cash I was very pleased at this reply and I could not do but say "Thank you very much". He told me that when I pay you the cash you may pay off your creditors and you can start a fresh business.

According to the above suggestions of Mr. Mortimer, I went to Mr. Tannahill and handed him my bill for verification. At this time he told me he knew nothing about the bill, but that he would make enquiries from Mr. Mortimer and other members of the meeting and then would let me know the result if I called in a few days later. I said it seemed rather strange that Mr. Tannahill did not know about my bill and I asked him whether he was aware of the correspondence that had passed between myself and the Secretariat. Here at this point Mr. Tannahill questioned me if I had copies of my correspondence to the Secretariat. I told him of course I had and he told me to bring them to him without any delay. I immediately went to my office and brought to him the copies of all correspondence relating to my claim. He went through them and told me that he would enquire at the Secretariat, and would let me know in a few days time.

I saw Mr. Tannahill a few days later when he informed me that he had got the information and would require to make further investigations in the matter. After a few meetings were held, I saw him again when he informed me that everything was fixed and that the matter was entirely in his hands. He told me that he would call at my place on Monday at 2 p.m. which he did and had a look over the place including the site of the demolished buildings and then took me in his car to Eastleigh wha

Eastleigh where he saw all the carriages, gharries, harness etc., which had been lying there since 1926 to 1929. He made a few notes and then returned to Nairobi. He left me with instructions to see him after a few days.

After a few days I saw him when he informed me that things were going ahead and to call after a week which I did, and when he showed me a letter from the Town Planning Committee (sub section) calling a meeting for Saturday at 10 a.m. I received no intimation of this meeting and did not attend same, but instructed Mr. Tannahill to act on my behalf. When I saw Mr. Tannahill the following week, he informed me that the meeting had decided not to take any further action on my behalf. At this time Mr. Tannahill informed me that he had written a letter to the Acting Governor and he gave me a copy of same. I have frequently seen Mr. Tannahill from 18th April, 1929, and onwards and have always asked him whether he has had any reply but he has always informed me that there has been no reply.

Early in June, Mr. Tannahill informed me to try and arrange to have an interview with His Excellency the Acting Governor (Sir Jacob Barth). On the 10th of June, 1929, I telephoned Government House and spoke to one of the staff and asked for Sir Jacob Barth, but was informed that he was not available at the moment, but was asked to give my name and telephone number and word would be sent to me. As I received no word, on the 12th of June I wrote a letter to His Excellency asking for a reply to my letter addressed to him on the 18th April, 1929, by Mr. Tannahill (wherein Mr. Tannahill had fully explained my circumstances). I received no reply to this ~~letter~~ I received a reply dated the 3rd July, 1929, informing that the Government could do nothing and that the whole case would be put before Mr. Logan on his return from Safari. On 15th July, 1929, I telephoned the Private Secretary regarding the said letter of the 3rd July, 1929. He informed me that he would see Mr. Logan and let me know the result.

On the 17th July, 1929, I wrote to the Private Secretary, confirming my conversation with him but to this letter I received no letter. A few days later, I interviewed Mr. Tannahill who asked me to telephone Mr. Logan to make an appointment to meet him personally. This I did and informed Mr. Logan who I was an what my business was. He asked me to call at 3 p.m. that afternoon with Mr. Tannahill and we called at his office accordingly. Mr. Tannahill showed him the letter dated the 18th April, 1929, sent to His Excellency by Mr. Tannahill. Mr. Logan then informed us that nothing could be done for me. At this stage Mr. Mortimer happened to come into the office and I asked him whether it was true and he admitted that in the beginning of 1926 I had interview with yourself, Dr. Johnson, and Dr. Hunter of the Health office during which you promised me that you would take my property including land, house, stables, workshops, stores, and all buildings on that land, and in exchange for these the Government would give me land near the station and build me a new house, stables etc., as were standing equivalent to those on my land in River Road. Mr. Mortimer replied in the presence of Mr. Tannahill, Mr. Logan and myself that "Yes, I did definitely promise this exchange" but since then the Town Planning Committee have decided not to take your land. I then put another question to him "Did you agree or did you not" to which he replied that "He did agree" and then immediately walked out from Mr. Logan's office. I then gave Mr. Logan all my correspondence etc., to which he replied that he knew all about that correspondence but he was very sorry he could do nothing in the matter for me, I then pointed out to Mr. Logan the fact that the Government had ruined me and my family who are starving and my eyesight has been nearly lost. I have no work or

or any other means to maintain and you must help me, as the Government have ruined me unfairly and they must rectify matters. Still Mr. Logan said he could do nothing in the matter of making good the loss made to me. I appealed to Mr. Logan on my bended knees and was crying in my despair. I told me that he was my Governor. I am a Britisher and have brought capital to this colony in the early days when the Colony needed advancement. I have worked hard and have never given any trouble to the authorities. I am 75 years of age (now 88) and it is through no fault of mine that I am compelled to such a destitute and ruined condition but it is entirely the Government's fault. All I want is fair play by the Government for whom I have ~~xxxxxx~~ years for the past 58 years undergone various difficulties, troubles, expenses etc., in opening out Colonies for them, and at this age I must have my chance to live comfortably.

Mr. Logan then asked me how I lived and what were my monthly expenses. I replied £30 per month. He asked me how much I owed to which I replied about £3,000/- and that various people owed me £3000/- Mr. Logan then said that he could possibly arrange a job for me in my own line. I said thank's, I am too old now and moreover have never in my life worked for anybody yet. I then said give me £5000/- so as to enable me to pay off my creditors and commence my business. Mr. Logan then said he could do nothing but that he would see the Acting Governor tomorrow and then let me know. However nothing was done but Mr. Logan saw the Acting Governor and on his return told me that I must file my petition in bankruptcy. As advised by him I had no alternative but to file my petition and on the 2nd August, 1929 all my goods were sold away by public auction. For five months I had no money, no food, and my wife with 3 children and myself were all starving. No one gave me any assistance although I was promised assistance by the Government at the time of advising me to file my petition in bankruptcy. I am sure if I was not thus forced into bankruptcy, I would have seen and consulted my lawyers and there would have been better results than the position into which I am forced down by the Government through their officials' false promises.

Transport and horse dealing was my whole life business but today the first time during the 58 years without a house or money. Thanks to the Government of Kenya for forcing me into a miserable wretchedness as I have been trodden down unfairly through underhand methods. The Government would not help me in any way in the way of my just claims whilst they on the other hand gave 5 acres of land to Messrs. A. M. Jivanjee & Co., who were not entitled to any such grant.

I am very well known and am very popular amongst the European ladies and gentlemen throughout the Colony who all now are sympathising with my adversity and poverty, and had it not been for their generosity and donations from them, my wife, children and myself would have died of starvation already by this time, which condition of mine is simply due to the Government's action in finishing the whole of my establishment by demolishing my stables etc., as already previously mentioned.

Promises after promises were being made continuously for all those years to pay me for the losses that I have had to suffer through no fault of mine and had I acted in the way that was obvious to me, I would have been quite alright today.

Now all I want is just consideration and proper compensation to which I am rightly entitled. There is a lot of Crown land available and near the station could have been quite suitable for my business. The Kenya Colony Government has given me a considerable amount of trouble which I never expected in my life raking into consideration my 58 years assistance to the British Empire

Mr. Sorabjee a friend of mine of the last 25 years came to my rescue and gave me his house and land adjoining to the house in Eastleigh when I showed him the notice. He had tenants at the time, but he gave them notice to vacate. I then demolished my buildings my buildings in order to obey Government orders for which I am today made homeless and penniless in this world. I had at that time horses and mules numbering 75 and 100 wagon carts and at Eastleigh there was no water for these animals to drink. I had an interview with the Municipal Engineer (Mr. Davidson) and he told me that he could not help me get water until about 6 months to come and that my livestock must drink Nairobi River water.

Mr. Sorabjee was leaving for England in May 1929 when I showed him the letter of Mr. Tannahill which was addressed to the Acting Governor (Sir Jacob Barth) and I arranged with him and bought this property from him at a value of £1,000/- and told him that when the Government settled my claim, I would pay him his £1,000/-. The Govt. have made no settlement of my claim upto now and therefore I have not been able to pay Mr. Sorabjee. Had it not been for the kind assistance of this old resident of the colony, where would I have gone to with my family and livestock etc.,

But supposing, Mr. Sorabjee does not get paid by me and if he drives away myself and my family, it is a very grave question for me where to go to. Or if he sues me for the money there remains nothing for me but to go to jail and undergo many more troubles at this age.

A. J. Khan

A KENYA PIONEER.

Ali Khan served in the Matabele War, the Mashonaland campaign and the Jameson raid and knew and corresponded with the late Sir Starr Jameson, better known as the famous Dr. Jameson. In this country and the neighbouring territories Mr. Ali Khan during the last 25 years has been a well known and very popular figure, He was one of the pioneers of East Africa and has been instrumental in opening up many districts where he ran transport from the nearest railway head out into the "Blue". In 192) he started a service of mule rickshas which travelled the 75 miles between Gilgil and Rumuruti in two days, having spare mules which were changed at numerous places en route. At that time the journey had never been accomplished by motor car. Over 25 years ago he drove the mule coach from Nairobi to Fort Hall - a perilous journey through little known country. In comparatively recent years his mule transport wagons have been frequently seen in the streets of Nairobi. Ali Khan himself has been noted for his generosity and hospitality, and many of the "old timers" in East Africa have been grateful for kindness at his hands. Today he is a frail old man, still dressed, as of old, in riding kit, and carrying the familiar hunting crop.

21st November, 1934.

Mr. F. G. Ward,  
Sanitary Inspector,  
Nairobi.

Dear Sir,

In reference to your personal call at my house in Eastleigh on the 9th of October, 1934, when you left a note for me to the effect that I had to call at Mr. Foster's office, No 20, Municipal offices, the following day at 10 a.m. You will no doubt remember that accordingly I called and I met you in your office. You asked me to tell you at what place the mules were being stabled. I told you to come with me so that I could show you the exact place. You said tell me the place and that you yourself will find out the place, when I told you that I will not tell you the place but for your assurance I myself would show you the place. Afterwards you accompanied me and my boy. We passed the River Road in direction where the mules were being stabled at Mr. Wilson and Intiaz Ali Estate, off Canal Road and Major Irons's swamp land (vegetable gardens), in the closest vicinity and in the same line you really would have supposed to be, there you said you knew the place. I told you "Come along and I will show you the stable inside". We went inside. The mules were out, but the boy in charge of the stable and the mule said that the mules slept there every second night and not nightly since past twenty years. There you said you knew these belonged to the Soda Water Factory man. I said yes, they belonged to Ganeshilal Lal Singh, Transport Agents of Nairobi.

Afterwards I told you to accompany me so that I could show you them grazing at the back of Mr. Abdul Wahid's premises (offices), near Bohra's mosque. There were 5 mules altogether, 1 white, 2 dark brown, 2 light brown, I also said to you that some mules are sick with bad disease, blood running from chest. Then you said you will tell the owner to shift from stable.

I have been in Nairobi since you have been in the colony and you said since 5 years. I told you that I have been in the country since past 30 years and I mentioned to you that 2 mules that these sick mules have been grazing in the town daily. This matter must be reported to the Veterinary Officer at once. You promised to do so and then to return to your office.

The same 5 mules I saw grazing in Eastleigh at 12 noon on the day the 17th October, one of which one dark mule was very lame and was being driven by 3 boys. I believe the mules are camped at Amir Khan's Shamba. I believe you must have reported this matter before they left Municipal area and I also believe the Veterinary Officer must have examined them and given the orders to the owner to move them from the Municipal area.

You will remember that in the year 1929 I gave the first notification and then again in the year 1932 and the third time in the year 1934, and I very much regret that all these three communications have not been replied to me. I would like to draw your attention that my very big establishment has to be moved away and demolished in 1926 whilst on the other hand others have been allowed to stable their livestock even at this date. What should it be called justice on the part of British officials though whose actions I have been ruined and my just claims are being neglected.

Yours faithfully,

*A. H. Khan*

In the year of 1897, I was advised by my friends that Government and the public of Rhodesia wanted plenty of Masoto horses, so I made up my mind to go 2,000 miles from Salisbury Rhodesia to Masutoland and I went and bought "picked up" 118 good horses and I came back to Orange Free State border to Ladybrown, there I branded all my horses A.K. on left hip and took a photograph. I left with my horses from Ladybrown to Winsburg, where I stopped for 3 days and I hired the Municipal padic camp for 3 days at the rate of 10/- per day. I engaged 3 white men and I had Masuto boy. When I was ready to start with my safari, I asked the Secretary ~~arrhinda~~ to let me have my horses, he gave me only 116 out of 118, 2 missing, and I told him that my all horses are branded A.K., and I must have my 2 horses missing by 4 p.m., on Saturday, when I am ready to start with my safari, and if not, I will give you trouble. He then on that day by 3 p.m., brought the 2 horses and told me that they were found 3 miles away the town. I provided with 1 cart of food-stuff to my 3 white men and the boy, plus £7/- cash to see them through on the way. I ordered them to go to Orange Free State Border up to Clerksdorf road to British Bichonaland border to Mafekin and wait there for me camping out, and help for necessary camping will be given by the Fote - keeper there; and I told them that I will start on Monday by rail, from Winsberg to Kimberly to Freeburg. <sup>Mafekin</sup> ~~On my~~ arrival there I met a Mr. Finnett, storekeeper who has a store 15 miles out of Winsberg, and this was on Sunday. <sup>Winsberg</sup> I asked him whether my lot of horse has passed your farm safe, he asked, are those your horses, so I said yes, and he told me that they wanted to sell these horses for me, and he said I don't want to buy any, and if they wanted some themselves, he could sell them for them. When they bought a bottle of whisky from him and went off. When I heard this I was shocked and changed my mind not to go by rail but to hire a cart with 4 horses. I could not get this until on

Wednesday morning and I had to wait. On Wednesday morning I got one cart and 4 horses and I proceeded from Winsberg to Finterberg 30 miles from Winsberg. When I arrived there I went in a Hotel of Mr. Hairman at about 6 p.m., and asked him whether my lot of horses had passed this side, he said are those your horses, and what is your name, I said my name is A.Khan, and those are my horses, he said yes, your horses passed to-day 12 noon. I asked him why? he said my men were drunk and convicted and had to pay a fine of £5/- and been to jail, and sold 6 horses to pay the fine, and the receipt was made out in the name of A.Khan. I was surprised and shocked. Mr. Hairman, the hotel proprietor told me that the 6 horses were bought by the Government officials. Thereupon I told Mr. Hairman to show me the house of the Magistrate, which he did, then Mr. Hairman told the Magistrate that this is the owner of the horses, Mr. A. Khan. Then I asked the Magistrate for a warrant of arrest on these 3 men; he said he could not issue now as it was night, and not supposed to work day and night. Then he asked for their names, when I gave them, he asked me, which Botha, I said, it is the same man whom you fined £5/- for being drunk. The Magistrate said I can't give you warrant now, but come to-morrow morning at 9 o'clock, I said no, and I must have just now, at this time he looked at his watch, when it was only 7/30 7 p.m., then he again said come to-morrow morning at 9 a.m., I told him I will make my own warrant and hand-cuff these men as these horses have cost me £3,000/-, and I go and catch these men on my own account and bring them to you and you must pay me what the trouble cost me, and I said it is your duty to give me a warrant by law, he said alright pay me extra and I give you warrant now, I said yes, thank you, I paid him \$hs.10/-, and then I asked him 2 European police, he said

they are all out now and he would give me one native police when I said all right thank you - but what could one native police could do in catching 3 white men. I asked the Magistrate to let me have 3 hand cuffs and he gave me and advised me not to touch Botha, because he is a very strong man and he will mess me, I said yes I know him, and I will handcuff him myself. Mr. Hairman, myself and the native police came back to the hotel, and I asked Mr Hairman to help me in giving 3 good men to go with me, and I will pay them £1/- each a day. He took me to the Billiard room, where I got 2 Shaw brothers and one Dutchman by name of Swartse, and I asked them whether they know by which road they went with my horses, and the people told me that they went by Sandicall road to Johannesburg. I gave orders for these men along with 2 Cape boys and to go with one cart and four horses and told them not to handcuff Botha but to put on the 2 men and count all my horses, they found 118 horses and six short, which were sold at Pintersberg, and I told Mr Shaw first stop and jump in their cart and get hold of all the ammunition and rifle which I gave ~~him~~ them together with my safari kit., when you can handcuff the 2 men, and then I send my men from there at 10 p.m., the same night and I told them to go soon, and I will come to-morrow on horseback and in the morning I wired to Police where the six roads cross, to stop all horses branded A.K. on left hump. Then I gave notice to the 3 men who bought my horses from my employees, to deliver immediately on receipt of this notice. I hired 2 horses and engaged one Dutchman to follow my big lot of horses and I take the horses spare at the Sancligal Road, and at 6 p.m., I caught them at a Dutchman's farm, Mr. Shaw brought these horses back from the road 90 miles to a farm and my horses were very thin and wisty, so I arrived at the Dutchman's house and I saw my horses at the Dutchman's picnic camp, where there was no grass, and I ordered 500 bundles of cut hay from the

Dutchman, and fed my horses. Then I called my employees who had sold my 6 horses, these two men were handcuffed, and after dinner, I told the Dutch farmer that I must handcuff Botha too, and he said that he is very strong standing 6 ft., 6 inches high, and even the Government know that he is strong man - I told him that these horses have cost me £3,000/- and all the 3 men are guilty for seeing my 6 horses. I said you 2 brothers and 2 sons stay here and send your wife and children to your brother house, which was very near, then the two brother and two sons, myself, Mr Shaw brothers and Mr. Swartz and another Van de Burg and my 2 Cape boys. I said you all wait on me, I will hand cuff him myself, and you only back me up - they all agreed. I then called Botha and asked him to sit down. Then I asked Botha whose horses are these, he said mine, and whose employee are you, he said I am your employee, I asked him how many horses I handed you, he said 118 - how many horses have you sold at Fintersberg, he said 6 horses, but not by me but by the two other men. As you know the horses belonged to me why did you not stop the men selling he said they are 2 and I am only one. I asked him why you did inform the Official who bought the horses that these were mine and not to buy - he never replied. I said, my instructions were to go to Klerksdorp Road to Crocodile River and then to British border, he said yes it is true, and then I asked him why he came this road, he kept quiet. I said to Botha that in the presence of all these people you are all 3 guilty, then he said nothing. I said you wanted to take these horses to Johannesburg in the market for sale and proceeds of which to be divided equally with 3 partners, and clearaway, together with selling all other outfit and safari kit, rifle, ammunition, etc., he kept quiet. I said I want to handcuff you all three and deliver to the Magistrate, he kept quiet. I then said Mr. Swartz take out the handcuffs from your pocket and put in to Botha's hands, he said if you put me handcuff I will kill you.

Swartie was afraid and I took the handcuffs in my hands. I asked Botha whether you have a murder case against you, he kept quiet and I told him that I must handcuff you and you cannot kill me. He offered me his hand and shook and then I put hand cuff in his hands. When all these 3 men were handcuffed I put them in a room and the native askari and 3 white men to watch the whole night. Next morning I counted all my horses and found 30 horses missing, I asked Botha where are the 30 horses, I told him that you have sold them and he said No, these were lost on the road, then we went with the prison and my horses following us, slowly. When we arrived at the Court I said good morning Mr. Deneel, here are three prisoners with hand cuffs and handed the prisoners to the Magistrate, Mr. Deneel at Pintersberg. The Police Inspector came to take away these prisoners to the jail. I then gave notice at Public Court Offices, notice saying, All horses branded mark A.K. on left hump must please return to Mr. Hairman's hotel and offered 5/- each horse, and then I went to the Crown Advocate who have bought 4 horses, and I asked him have you received my notice 3 days ago, and if it is so, why not send my horses to Mr. Hairman's hotel, he said yes, you pay me my money back what it cost me then I will deliver the 4 horses to Mr. Hairman's hotel, I said you ask me to pay the money by law or force, he said if you like to give my money back I will be glad and will be very kind of you, I said not kind, I want my horses back, as I did not sell them to you. I said you either deliver back my horses or I will give you trouble, he said Mr. Khan please give my half money back, I said I won't give you a penny, then the Crown Advocate Mr. Vande Londe said, Mr. Khan gave me that job, is no longer here, only myself, he said give me money of the horses back, and I can look after you case, I said no, it is Police case, and

74

boots me nothing, he said Mr. Khan I lost lot of money, I said it is not my fault, but I said all right I will give you £7/10 for high court, he agreed, and sent my horses back at once., then the Police send my 2 horses back at the same time and I had all my 6 horses. The third day was the theft case in the Magistrate's court. The magistrate asked th 3 men you guilty, they answered not a word, then the Magistrate ordered to high court at Blomfontein after 6 months. About 500 people were at the court to hear the case, and everybody who came to see me praised, saying you are very smart man, you caught them with ut the aid of police, and got your horses all back and y u were very lucky. All the court notices were seen by everybody and I got all my horses back within 7 days, all were de ivered for which I have had to pay 5/- per head. After 6 days the Magistrate early in the morning came to see in the Hotel where I was staying, and as I was sleeping in my room, he call me Mr. Khan, Mr. Khan, and I came out and saw him when he asked me the loan of my two horses saying the prisoners have borken the jail and run away. I said my horses are very tired having done a journey of about 2,000 miles, I said Mr. Dannel I am very sorr , I can't help you and I said I delivered the prisoners to you with all my troubles and expenses, and I said I got nothing to do farther and I can't help you. So I send my horses over border with Mr. Hairman's barman, named Van de Berg, and told him not go over Free State, because the Government right give you troubles and try to stop me, therefore I send him off with my horses and I told him when arrive at Mufikin, you must wire me saying "Khan horses arrived Mufikin, som at once to Mufikin, from Vande Berg". I went every day at the Magistrate's court to enquire about the prisoners, and the reply I got can't find the prisoners. I had to wait for 10 days. Then I told the Magistrate I cannot wait any longer and I must go, the Magistrate then told me to go and

see the Crown Advocate, Mr. Vande Lende, and asked him whether he found the prisoners yet, he said no, but will catch them, I said I can't wait more than a week and I must go, he said we try to find the prisoners and wait for 6 days, then I saw him again and asked him whether they were found, he said not found yet, then I said I can't wait any longer as my expenses are very heavy, and I have already lost £150/- and I told him I can wait another 3 days and no longer, he then asked me where my horses were, I said I send them on the very day the prisoners run away, he said your horses already gone all he was very wild and angry, then the Crown Advocate wire at once to the Chief Judge Mr. Dubbellis, at Blomfontein, and he reply, stop him, not to go away from Hotel, then the Crown Advocate said I must stop you according to the order of the Chief Judge, or otherwise give me security of £500/- and you can go, I said alright I will see you later - I want 8 days more than I get a wire from Mufukin as Khan come at once I have arrived alright with horses, so I go to see the Crown Advocate, Mr. Vande Lende, and showed him the wire, he was very wild and so angry - I asked him why you are angry, I said I can call my horses back from British border Mufukin if you like, he said I will stop you, if you don't give the security of £500/- and then you can go, then I ask him, Mr. Van de Lende you are the Crown Advocate of Orange Free State territory, you want to stop me by law or by force, then he said I stop you by the law, then I said I know the same law as you do, you must give me security first for £500/- that you will deliver the prisoners at High court at Blomfontein with the first train, then he wire the Chief Judge, and the second day I went by train, I went in his office and ask him why you stop me, see my horses photo, then he said, I stop you only for security, of £500/-, I asked Chief Judge, Mr. Dubbellis, you stop me by law or by force, he said by law, I said you can't stop me in no way, or you give me your security that you will deliver the prisoners at your high court, then I

I will give you my security, if not I want give you any security even for a penny - then he got very wild, I came off and told him you can't stop me, I came down stairs and went in Magistrate's office of Mr. Rajenfles, as I knew him in Salisbury and talked and explained to him all my affairs and then he said they can't stop you, Mr. Dubbellss sent his Secretary to call me from his office. I said your Magistrate Mr. Deneel gave me lots of troubles and charge me extra 1/- and I could not get the help of the Police and I paid my own men and hotel expenses which amounts to in all 150/- and I am on myself the ninth, it was difficult to handcuff both as every one was frightened, but I handcuffed both myself, he said you handcuffed both yourself, he said you are very smart man, we know both he is very strong and very bad indeed, then Mr. Dubbellss the Chief Judge said alright give me security of 100/-. I said no, I won't give you a penny, then he said I stop you, I said I am going to President Steyn myself. then he says who and what for you want go to see him, he said I am Chief Judge and Secretary give me 5/- security I said no, you give me yours first and then I will give you mine, at this time one Mr. Emsley came in the office of Chief Judge, and wished me good morning, and I explained him my matter, and the Judge asked him whether I knew Mr. Khan, he said yes, I know him from Natabili war, then I went give him security of 10/- then Mr. Emsley gave his security on my behalf to the Chief Judge. So I said to Mr. Dubbellss you are very lucky as you got security from Mr. Emsley on my behalf, and Mr. Emsley not give you security I won't give you security of a penny, and you told me that you would put in the jail, and if it happened like that, I would wire to Lord Elfrick and he would see me through. I tell you Mr. Dubbellss in the year 1894, I been buying horses for Mr. Chisell Rose, for Jamison rise for British Government at Alwall note, British Territory, and General De Toof stopped me buying horses from Dutch farmers and I can't get more than

get more than 12 horses and again he stopped all horses food-stuff and one market morning come for sale at market 50 bundles green barley at Public Auction and General De Tooi tried to stop me to buy, green barley through Market Master, so I said to the Market Master he can't stop me to buy the barley as this is British law here and not Orange Free State, Dutch law, highest bidder will take it and as the sale started I bid price was that time 3 pence per bundle, and I bid 6 pence and General de Tooi bid and bid up to £10/- per lot, so General De Tooi stopped and walked away and nobody bid more, the Market Master asked for my name and I said my name is Cash. I went to Butole and bought from an Auctioneer named Jan de Tooi 20 horses, so Mr. Dubellus said, yes, I know all about that, and Mr. Dubbulless said, it was arranged that 113 horses would be sold at Johannesburg market and you would not see a penny, but you are very smart and lucky as you got all your horses back. I shook hand with Mr. Emsley and Mr. Dubbulless and said good-bye and off I went to Lufukin, there I met my horses and go ahead to Salisbury. I have never heard since then anything of the prisoners case, since till the South African War started, I assure the Free State Government trying to get from me £600/- security or cash out of me and I could have not seen a penny out of it. I would have lost all this money and they would not have been able to catch the prisoners. That man Botha was a strong man more or less like Gribler, the Dutchman who shot his wife at Nakuru and was hanged at Nairobi. Many people was ~~handcuffed~~ afraid to handcuff Botha. In the year of 1893 I was buying horses for the British Government from Transvaal Territory and Orange Free State and I was stopped by these tricks to buy horses from Dutch farmers and sell to British, this was during Matabili war, Mashuna Champoo, and Janison rise, and Boer War. As explained before, had I not acted sensibly I would have lost all the £3,000/- I paid for

the 118 horses and I had to surmount all these troubles through my own pluck. As I was British subject and have always worked for British during all my life, always meeting and complying with all their requests for any wants in the line of my trade. In risking my life and property I used to penetrate to look and buy horses to the British Government, when I did not give them any trouble, but supplied and met with all their wants.

This information is given so that there may be all the facts ready in order to prove my case, as what sort of hardships I encountered in those old pioneering days.

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*W. H. Gray*

It was in the year of 1915 to 1916 as shown in my statement as regards my trip from Mombasa to Aden, Djibuti French Somaliland and Adis-Abeba to Abyssinia Territory, trying to buy horses and mules for British Government, and I see the British Consul, Mr. Tassarjer and Mr. L. Campbell, and told them that I have come to buy horses and mules for British Government, and Mr. Tassarjer said, we try our best to help you as we know you in Nairobi. They tried to help me and we try to see the King Lasaso but could not see him as he was driving with the German Consul on horse back daily. The British Consul could not see the King Lasaso at all, and I try to see him day by day and took me a week to see him; I met him in his house and had a talk with him for a long time - he promised me 1,000 horses and mules and as he charged £3/- duty per head, I agreed to buy 3,000 animals. He then said that I must wait for a week and then he will let me know - I waited for a week to see him and when I saw him again, he said, that I must come back after 4 months, within which time he could let me have 8,000 animals on same terms. I could either take this lot when bought in 3 years or 8 years time. I then again went back after 4 months, having spent this period at Adis-Abeba and Abyssinia. I saw him after 15 days on my arrival, as he was always with the German Consul and when I saw him, he told me, that he will fix up with his Secretary, Mr. Michall. I went to see him, who promised me to fix up and made a copy of our conditions. As it was a war period, everybody was busy, and I lost one month without transacting any business. One day by chance I met him and he told me that my agreement is ready and said that I must first see the King Lasaso. The next morning I went to see him in his office, but on that day he did not come on account of his illness. However, I saw him and he told me that I could not buy any animals and called me the next year. From there I came back and saw the British Consul, Mr. Campbell all about it and he advised me to go back to Nairobi; to this I told him that I have already spent 8 months here and cannot go back to Nairobi without any horses. I asked to try and arrange for a permit for 60 horses the least. He also advised me not to go overland, as the place was dangerous and I would be killed. I said whether dead or alive, I must go overland with horse for the British Government - King Lasaso would not give permit for more than 3 horses, this was 2 for riding and 1 for carrying my baggage.

I made up my mind to go overland with these horses, I bought my safari kit and engaged 15 Abyssinian askaris and 15 Bugandas. I had to change £1,000/- golden sovereigns into dollars and had to buy rifles, revolvers and ammunition and we started by foot. Everybody told me on the way that it was very dangerous to go on land as I would be killed by Abyssinian robbers. I said it is true and I know well. During my stay there I saw every night 5 to 10 Abyssinians being shot and one evening the Italian was being shot but the shot missed him through his window. He tried to catch the man but could not succeed. One night one Greek was shot in his house in the night, about 200 yards from the French Hotel, where I was staying. The man was caught and tried but as there were no eye-witnesses the man was let free. In those days foreigners were only few in that part of the country.

One afternoon I was at the Market Square and saw 7 thieves or murderers were being hanged at about 3 p.m., with a rope on a big tree, one after another.

At one time while I was there I happened to trespass a private land, and the regulation there being, is that no one is allowed to go by cross roads or paths - breach of this rule is a fine of one dollar and if you do not pay, the man is taken to the D.C.'s office and fined 10 dollars there. This is likewise applicable to the Crown Land.

I engaged a boy from Major Darling, who was then Commissioner, and this boy wanted to go back to Uganda, Major Darling having left the place. On my way I had to pass 7 customs with big trouble and I was buying more horses on the way. The country devoid of roads or bridges through river and waterless deserts, fighting every mile of the way entranching night after night, and where the three roads met I saw 9 men were hanged just before of my arriving at Sidamo district. These three roads were leading to:- Arusha, Kambatha and Sidamo. At Alata, the Customs house of Sidamo I saw the Greek store-keeper whom I had met at Adis-Abeba, and who had obtained a permit for 25 mules. Instead of 25 he had 75 mules, the Customs Officer caught him and put him in jail for one month and fined him for possessing without licence 5 rifles, 500 rounds of ammunition, and 50 mules were taken back from him. I passed my way from here to another customs point by Boran border to Crewe; when I arrived here one Abyssinia askari came and asked me for my permit, this I showed to him and he said this is only for 7 animals. When he started to urge with me, I gave him 2 dollars with which he went away. Ten minutes later another store-keeper came and asked me to show the permit saying he is an officer. I told him that I have just now shown same to one officer, when he said that he is not officer and only an askari, this arguments lasted for an hour, and during this time a proper chief officer came. I told him that I have a permit for only 7 horses, but the other ones I bought on my way down here. He asked of me a drink of Cognac, which I gave him and a full bottle. He then wanted 200 dollars to pass me from this point and should I not pay, he said that he will take me back to Firetari Waidi, his Chief, 15 miles back from the place I had journeyed, and being afraid of this I paid him 50 dollars and off he went and I proceeded with my safari, lasting 6 days to reach Moyale. On the way the Abyssinia askaris also whom I had engaged to work for me refused to do any further work and neglected to feed and water my horses. The Buganda boys did all this work. They wanted their pay at this point, and I told them that our contract was that you will be paid at Nairobi; having refused their request I told them you could go back to Abyssinia or proceed with the safari. They took me to the District Commissioner there and I having explained the contract terms, the D.C., would not allow me to pass to British border. I took one of my horse and went to see British Officer, Mr. T. D. Butler, when I saw him he said that my report was that you were dead long ago and killed by Abyssinian robbers. He told me to try an move at once as they might keep you there more than 2 weeks, which they always do, and asked him for a place as to where I could camp, this he did and sent his askaris to show me.

I then went back to Abyssina border and arrived there at 10 a.m., and trying to fix the matter with the Abyssinian Officer till 12 noon. He would not allow me to go and says that I must stay for 15 days there. I said I must go to British border and in which case he said you must pay me 500 dollars - I thought over the matter and as I had permit for only 7 horses, I offered him 200 dollars, which he accepted and let me go. I wanted permit for this to proceed and I sent my askaris for this, twice without avail - fourthly I went to his office and asked him for it, as the askaris at the gate would not allow me to pass. I further told him that I have 30 men and you have got only 12 askaris of yours I will open fire and get to the British border. It was now about 5-30 p.m., and he sent his assistant with me to the gate to pass me off, and I arrived at 6 p.m., to Mr. Butler's place and camped in the place where his askaris had shown me. The next morning after my breakfast I went to see Mr. Butler, and when he saw me, he

asked me, I come back? I said yes. Then he told me that you are a lucky man possessing strength to fight and face troubles. He further told me that not a single man has passed this place as you have done.

The next day at this camp the Abyssinian askaris demanded their wages again and reported to Mr. Butler. I explained my terms to him, that payment will be made at Nairobi and not here, with which he agreed and he explained them accordingly. Having now reached safe into the British land, he asked me to let him have 15 Abyssinian askaris to send to the K.M.R., I agreed and let him have them having paid their dues. The next morning these askaris were sent to Nairobi along with a Doctor who had come there on special duty. Here I met Capt. Wright of the Military Dept., I had to camp here for 2 solid months on account of there being no grass further ahead on my safari through want of rain. Here I lost 3 rifles through some robbers and I reported the loss to Mr. Butler but did not recover.

One morning while I was here (on Sunday) I was visited by Commissioner Guedo and when our conversation was finished, he invited me for lunch next day to his house - I told this to Mr. Butler about the appointment, who advised me not to go, saying if you go there you might not be allowed to come back again here, and I shall not be able to do anything for your release. I took his advice and did not go.

At Moyale, Mr. Butler, charged me for the whole safari kit and even fork and spoon did not escape his sight. The duty I paid for this amounted to Rs. 115-93. From here I had to arrive at Masakht, about 70 miles between both points, where one could see no water or grass and it was simply a barren land. To reach here I had to do my safari all the day and night long.

I was refused permission to proceed via Nyeri and therefore I had to go via Archer's Post - here I met my friend Mr. H. T. Harrington, whom I know during Matibill War, he was A.D.C., and Mr. Cutmaster was the D.C., Mr. Harrington wrote for instructions as to which way I should be allowed to proceed with my safari and after ten days he received a reply, allowing me to go via Buzurati, Gilgil and Nakuru. When I had orders I started with my safari with these routes and at last reached at Nakuru. Here, I met Dr. Edmondson, Veterinary Dept., and asked him as to why I was not allowed to proceed via Nyeri. He told that his instructions were to examine my horses here and then allow you to go to Nairobi. He bought some mules from me for Military purposes at the rate of Rs. 250/- each and payment for these I had at Nairobi. I booked for Nairobi the remaining lot of horses. I wired my Manager from Nakuru to meet me at the Nairobi station, where I arrived at 1. a.m., and saw my Manager. From the station I went home and the next morning at 8-30 a.m., I 'phoned the Editor of "E.A. Standard" and told him that I had arrived having brought with me lot of horses and mules. He would not believe and told me that I was dead long ago. Then I told him that Ali Khan is speaking and then he said that I better come and see you in your office. He came and saw me and I showed him the horses.

The next morning Mr. H. A. Hamilton visited me and said he was very glad to see me alive, as my news were death - and therefore he had wired my son to come here from South - My son came and went back before I arrived.

Se-cretariat also instituted enquiries about me but they could not find news of me. I wrote my son from Moyale, which letter reached him after a month - when he saw that I was coming he went back to South Africa to look after his business. He took Rs.1000/- from me through Mr. J. C. Emsbata who had my power of attorney to transact my business here. In similar manner Mr. D. J. Figgis was acting for me in legal matters.

To undertake this fearful safari I had to spend 1,600 dollars from Adis-ababa - plus Rs.30/- per month for each askari, rations on my account. The number of askaris was 30.

On my way from Oyale to Archer's post, one night I had to camp nearby a river on account of water, and during this stay at about 11 p.m., the place was visited for water by all sorts of wild animals, namely,

- Lions about 20.
- Tigers " 15.
- Rhinos " 10.
- Elephants 25.

and many others, such as, zebras, kongonis, etc.,

Here I stood without any fear and ordered my askaris to stand by and should there be any trouble to open fire.

One can readily judge with what sort of risks and fears I had to accomplish my undertaking of importing horses, and to do this I had a big heart. Further, on my way I had encountered waterless spots, nearly to die of thirst and hunger.

During my trip I can summarise different climates as:-

Jabuti, French Somaliland to Dardwar is very unhealthy place. This is populated by French, Arabs, Greeks and Abyssinians.

Hawash is next place similar to Voi here.

Momjo is like Machakos.

Akaki is like Ngong.

Harar (Kings' place) is like Nairobi.

Adis-ababa is like Kikuyu or Limuru.

Sisame district is like Uplands, Kijabe or Naivasha.

Citalo is like Nanyuki or Nyeri.

Kuku is like M'bagathi.

Ulu is like Lumbwa, Melé, Londiani.

Abyssinia terzi terity is very rich in minerals (all kinds) and the population consisted of about 10 millions when I visited that country.

While I was at Adis-ababa one big Bishop went on a picnic accompanied by about 30,000 followers - all on horse-backs. They went about 10 miles out in procession. The bishop and about half a dozen of his staff were carrying umbrellas side by side of him. I also went then and enjoyed much and saw their custom. They had taken with them plenty of food-stuff and rich drinks - called Taj and Tala - which is more or less comparable with Champagne.

All were galloping at full speed and it is their belief that should a man fall and die he goes to God - open fire in the air and during this should a man die they say, the man goes to heaven, who dies along with bishop.

After few days I met Sir Bechimg- Bouring on the railway platform, who wished me and said he was very glad to see me back - as there were no news of me Mr. Hamilton had brought your son by wire. Then he asked me about Abyssinia, as to how I liked the place. I told him that it was very rich country just like this, but plenty for minerals of every sorts. I said it was No.1 country and this was No.2. Then he said, not to call so, and to call this country No.1 and that No.2.

I have plenty more life history to give, but this is enough proof what I have done for British Government. I have met seen a single man throughout Kenya, Uganda, Zanzibar and Tanganyika, endeavouring to risk their life, as I have done.

The loss and ruin of my property is well over 60,000/- pounds starting with good will and for non-settlement of my claim I reckon now to be about £100,000/-

EAST AFRICA PROTECTORATE,

No.46856.

Moyale, -  
21st. August, 1936.

Received from Mr. Ali Khan the sum of Rupees one hundred and fifteen and cents ninety three only on account of Customs Import duty at 10% collected on the articles mentioned on the attached statement.

Rs.115-93.

Sd/- T. D. Butler.  
Atg: District Commissioner.

Customs Import Duty 10% collected from Mr. Ali Khan on the following articles.

Item.	Value	Duty.
6 Field Cross Rifles,	Rs.406-40	Rs.40-64
6 Bush knives,	25-00	2-50
6 Rifle straps,	12-00	1-00
1 Canvas Tent,	220-00	22-00
5 Madras tents,	72-00	7-20
1 Revolver,	56-00	5-60
220 Rounds F.C. Ammunition,	100-25	10-00
2 Saddle Carpets,	14-00	1-40
4 Folding lanterns,	12-00	1-20
15 Water bags,	24-00	2-40
1 Copper Jug,	4-00	--40
2 Cooking pots,	8-00	--00
1 Folding pan,	2-00	--00
1 Canvas chair,	2-00	--00
4 Iron dishes,	2-00	--00
1 Thermometer,	4-00	--00
3 complete bridles,	22-00	2-20
1 Spoon,	1-00	--10

Total Rs.115-93.

*W. H. H. H.*

84/8

3rd February, 1934.

Dear Sir,

Sir Philip Cunliffe-Lister has asked me to acknowledge the receipt of your letter of the 29th January, with enclosures, and to say that he regrets that he cannot find in them any material facts or information which were not before him when the petitions previously submitted by you were considered.

Yours faithfully,

(sd) G. J. F. TOTTLINSON.

MR. ALI KHAN,  
c/o P. O. BOX 37,  
N A I R O B I.

85 17

The Right Honourable,  
Sir Phillip Cunliffe-Lister, M.P.  
H.M.'s Secretary of State for Colonies.  
Government House,  
N A I R O B I.

Honoured Sir,

~~The~~ humble Petitioner prays that your honour will pardon him for again encroaching upon your valuable time, especially at such an important moment as your visit to the Colony, amidst other complicated, difficult and important matters and prays that Almighty God give your honour His wisdom ~~and a Speedy recovery.~~

The humble Petitioner begs to state that your honour has received his last letter dated 21st February 1933 with reference to his calamity.

*Encl. to No. 1*

The humble Petitioner begs to state that he started in South Africa (Cape Town) in the year 1881 as Transport Agent. In the year 1893 the humble Petitioner rendered all the assistance that was in his power, during the Matabelle War, Mashonaland Rebellion, Jameson's Raid and the Boer War.

After this he carried on a Transport and Horse dealer's business at Salisbury for twelve years and was the first man to open up the road from Friesburg to Salisbury ~~etc~~

The humble petitioner then being advised came to East Africa in 1904 and faced with insurmountable difficulties carried on a business of Transport and Livery stables at Mombasa, Nairobi, Gilgil and Kampala (Uganda) and thus rendered services in opening the Colony (Kenya). Subsequently setting up a considerable business at Nairobi as Livery and Bait Stables etc, and was thereby the first man to bring horses, mules, vehicles and Rickshaws inspite of ~~the~~ great risks to this Colony.

*Annex 8*

In 1914-1918 the humble petitioner's business was commandered by the military authorities at a considerable low figure. Seeing that his business was handicapped for want of animals ~~and~~ often he had approached the authorities the humble petitioner went to Abyssinia where he experienced untold hardships but managed to bring 100 horses and mules to Nairobi, returning overland.

During the years 1926-29, through various proposed alterations of the town, which were dubious, nor have these proposed changes yet been carried out, his properties naturally lost value in open market and by new laws being introduced by the municipality was compelled to demolish his stables for sterilizing purposes not withstanding that he had leased these properties on 99 years lease and had carried business over 20 years on those premises.

The humble petitioner was promised land in exchange for what land the authorities had sterilized. The authorities could not ~~exchange~~ exchange which was promised and finally abandoned it. So he was forced to get a place four miles out of town for his stables which were far from water for his animals and altogether dis-appropriate to making any headway in his business thus completely reducing him to an absolute pauper and finally into forced bankruptcy to which blindness added considerably. Fortunately for him his many benevolent European friends and supporters through the East African Standard saved him and his family from utter starvation.

It appears to his mind that the Government 86  
felt that there had been some miscarriage of fair play  
as Government has made compensation grants from time to  
time, though small, ~~and~~ managed to keep the wolf away from  
the door but was in all senses inadequate for all his and  
his family's natural wants such as wearing apparel etc.  
The last letter he has received from the Go-  
vernment it is stated that his case will be reviewed at  
the end of March 1934.

Illustrous and Honoured Sir- The humble pe-  
titioner pleads that your Honour should institute grac-  
ious enquiries and prays for a final settlement to this  
long standing case. The humble petitioner estimates his  
loss through no fault of his over approximately £100,000  
The humble petitioner although being by birth an Indian  
and whose Father who was in India and also held a ~~xxxxx~~-  
Government post in the capacity of Native Magistrate, spent  
his Life in Africa for the advancement of the British Empire  
and has lived on in hope for the past 30 long years of suff-  
ering, that British Pricipals and British Justice with doubt-  
lessly repay him for his and ~~his~~ his families ~~extenuated~~ ~~and~~  
hardships. The humble Petitioner again prays that Your Honour  
Honour will see that Justice is done.

The humble Petitioner;



sd Ali Khan

<sup>29<sup>th</sup></sup>  
Dated January. 1934.

Address

Ali Khan  
c/o P.O. Box 37,  
Nairobi.  
Kenya Colony.

29th Sept

33

GOD SAVE THE KING

The Right Hon Sir Philip Cunliffe Lister  
Secretary for the States for the Colonies  
Downing Street  
London, S.W.1.  
ENGLAND.

Honourable Sir,

I most humbly beg to submit my petition to you  
Sir, with the following enclosures,-

I beg to remain  
Sir  
Yours Most humble servant

- |    |   |    |       |
|----|---|----|-------|
| 1  | Salisbury Rhodesia  | 3  | pages |
| 2  | Arrival in Nairobi 1904                                       | 3  | "     |
| 3  | A copy Kenya Pioneer  | 1  | "     |
| 4  | War copies 1914 to 1916                                       | 25 | "     |
| 5  | Copy regarding Mr Mortimer                                    | 2  | "     |
| 6  | Copy letters Mr H. J. Martin<br>& Mr Mortimer                 | 5  | "     |
| 7  | Copies H.L. Sir Jacob Barth                                   | 5  | "     |
| 8  | Copies Private Secretary &<br>Mr Mortimer                     | 4  | "     |
| 9  | Copy re-Salvation Army Officer                                | 4  | pages |
| 10 | Copy to the Town Clerk  | 6  | "     |
| 11 | " of letters from Mr A.C. Tammahill                           | 4  | pages |
| 12 | " of list dated 14th Feb 1933                                 | 1  | "     |
| 13 | " the letter 21st April 1933                                  | 2  | "     |
| 14 | " " " Private Secretary 11th May 1933                         | 2  | Pages |
| 15 | " re- Photographs   | 3  | pages |
| 16 | " letters of AG Com for L.S.L.S and to the AG Com for U.C.L.S | 8  | pages |

*These items submitted  
have received  
to the Hon. Sec  
of the Colonies  
with Secretary's  
reference*

- 17 A Map Card of the New Stanley Hotel.
- 18. Papers referring to Hadwin's Purchase 1. page.
- 19. To the papers, Local Land & Allotment. 3. pages.

*Enclosure  
of 29.9.34*  
A. Copy of my last letter to the Rt. Hon. The Secy of State for  
the Colonies of reference to release of land.  
DE Referring to - Purchase to - Review Case Sent March 1934  
f. Referring to - Development & Friends Assistance

*copy of my letter  
to him*

P. O. Box, 37,  
NAIROBI,  
KENYA COLONY,

18th. September, 1933.

THE HON: SECRETARY OF STATES FOR THE COLONIES,  
DOWNING STREET, LONDON - S.W.1.

Respected Sir,

You will pardon me asking you, whether the Government of Kenya, has forwarded to your nobleship, my petition dated 21st. February, 1933, regarding the loss I sustained in demolishing my premises (standing thereon:- stables, dwelling house, saddlery stores, smithy, etc., etc). I was advised by the Atg: Commissioner for Local Government, Lands & Settlement, that the same was despatched to you on the 14th. March, 1933, and on recent enquiry of mine, I have now been informed by him that you have asked for some more information regarding my case.

2. My original claim, in the year of 1929, was half price, viz:- £16,310/-, and delay of so many years, I now reckon that I should be entitled double of the amount I claimed then, for, had I this money paid to me then, I would have utilised it in building up another business and profits accruing therewith would have been my earning double or treble.

3. I am in a pitiful state, undescribable, and trust Sir, that you will very kindly expedite with this matter in pronouncing your liberal judgement over my case, for which act of kindness I shall ever remain in your indebtedness.

4. I am enclosing herein, a copy of a communication I have addressed on the same date as I am addressing to you, to the Hon: Atg: Commissioner for Local Government, Lands and Settlement, Secretariat, Nairobi, for your information.

5. I am again to beg you Sir, and pray with the Almighty God in which prayer my family also joins with me, that you deal with my case as expeditiously as you can, for which act of kindness, may God give you long life and prosperity.

Again thanking you.

I am, Sir,

Your most obedient servant,

Address:- Ali Khan,  
P.O.Box, 37,  
Nairobi.  
KENYA COLONY.

P.S. As I am doubtful whether a statement of mine has reached you, containing in all 20 pages, I am sending herewith a copy of same.

P. O. Box No.621.

The Secretariat,  
Nairobi, Kenya.

89

No.S. NTPA.9/8/7

30th. May, 1929.

NAIROBI AREA TOWN PLANNING AUTHORITY.

Sir,

re. Plots Nos.96-101, Cross Estate, Nairobi.

With reference to previous correspondence herein, I have to inform you that the Town Planning Authority has recently revised the Town Planning Scheme in respect of the River Road area, in such a way as to release the front portion of your plot from interference.

2. It is now proposed to make provision for a road across the middle of your plot where no building demolition will be necessary. It is suggested that the acquisition of this portion of your plot be effected by an exchange of land on a value for value basis. If you will visit the office of the Municipal Engineer you will be able to see the plan and submit your proposals for exchange with a view to consideration by the Authority at an early date.

I have the honor to be,

Sir,

Your obedient servant,

Sd. C. G. Mortimer.

for Chairman.

Mr. Ali Khan,  
Nairobi.

CEM/DB.

COLONY AND PROTECTORATE OF KENYA.

THE TOWN PLANNING ORDINANCE.  
(Chapter 85 of the revised Edition of the Laws of Kenya).

NAIROBI AREA TOWN PLANNING SCHEME.

REGULATIONS, 1928.

(Government Notice No. 342 of 1928).

NOTICE.

PURSUANT to the provisions of Regulation No. 5 of the Town Planning (Procedure) Regulations, 1928, and to Government Notice No. 474 of 7th. Sept., 1928, the Nairobi Area Town Planning Authority, has prepared a Town Planning Scheme in respect of a part of the area (described in the Schedule hereto) for which the Authority was authorised to prepare a scheme under Government Notice No. 89 of the 2nd. day of March, 1926.

Notice is hereby given that the authority proposes to submit the Scheme together with any modifications which may be found desirable, to His Excellency the Governor in Council for approval. The draft scheme, and the relative maps, plans, and drawings have been deposited at the Municipal Offices, Nairobi, where they will be open for inspection by persons interested or affected without payment of any fee, during the period from November 5th, 1928, to January, 5th, 1929. At any time during this period, when the office is open, provision will be made for affording to any person inspecting the draft Scheme any necessary explanation or information in regard thereto.

2. The authority will be prepared to consider any objections or representations which may be made to them in writing during the said period by any persons affected, including any persons representing Architectural or Archeological Societies or otherwise interested in the amenity of the proposed Scheme. Such objections or representations should be addressed to the Chairman of the Nairobi Area Town Planning Authority, at the Secretariat, Nairobi.

Nairobi,

This 27th. day of October, 1928.

W. M. Logan,  
CHAIRMAN.

NAIROBI AREA TOWN PLANNING AUTHORITY.

2.

SCHEDULE II.

Commencing at the junction of Crooked Lane and Ainsworth Hill, thence bounded by the latter road and Limoru Road north-easterly to a point 500 feet north of the northern boundary of Ngara Road thence easterly by a line parallel to the northern boundary of Ngara Road to its intersection with Racecourse Road, thence by Quarry Road to Nairobi River thence by the Nairobi River up-stream to the eastern corner of Plot 225, thence by the proposed road reserve forming the southern boundaries of Plots Nos. 225, 157, 227, 234 and the eastern boundaries of Plots Nos. 1390 and 1389 and the southerly boundary of the latter to Whitehouse Road, thence by Whitehouse Road to the western boundary of the 200 feet zone of the Uganda Railway, thence in a north westerly direction by that boundary to Ainsworth Bridge, thence by Ainsworth Hill in a north-easterly direction to the point of commencement.

P.O.Box No. 621

THE SECRETARIAT  
NAIROBI KENYA

24th. October, 1933.

sir,

RE: CLAIM FOR COMPENSATION.

I have the honour to inform you that the secretary of state has considered your petition of the 21st february, 1933, but sees no reason to intervene in the matter.

2. Government proposes to continue the weekly allowance of Shs. 25/- until the end of March next, when the situation will be reviewed.

I am, sir,

Your obedient servant,

(sd) W.M. LOGAN

ACTING COLONIAL SECRETARY.

Mr. Ali Khan,  
P.O.Box 37,  
Nairobi.

copy to A.C. Tannahill Esq.,  
Nairobi.

E/-

92

P.O.Box No. 621

THE SECRETARIAL

NAIROBI, KENYA

5th. October, 1933.

Sir,

with reference to your letter of the 18th. September, 1933, I have the honour to inform you that your previous letter was dated the 22nd. August, although it was not received in this office until the 29th. August.

2. The additional information required by the secretary of state was forwarded to him some time ago, and a reply is now awaited.

3. Representations have been made to the Municipal Council who have decided to resume the weekly grant to you for a period of six months from the 1st. October.

I have the honour to be,

Sir,

Your obedient servant,

*sd. C.E. Mortimer.*

AG: COMMISSIONER FOR LOCAL GOVERNMENT,  
LANDS AND SETTLEMENT.

Mr. Ali Khan,  
P. O. Box 37,  
Nairobi.

ALI KHAN.

SYMPATHY AROUSED BY MISFORTUNE.

The pathetic story of the misfortune of Mr. Ali Khan, who had a more respected place in the minds of the earlier pioneers of Kenya has aroused a practical sympathy among his friends. The report in the Standard on Saturday occasioned many queries regarding the possibility of helping the old man in his distress and the Standard has undertaken to pass on to a suitable quarter any assistance which the memory of past friendship prompts.

The following letters were received on Saturday and are published as typical of the kindly sentiments expressed verbally by other enquirers.

To, The Editor, E. A. Standard.,

Sir,

Regarding your report of the affairs of Ali Khan, which strongly appeals to me, knowing the man as a very useful and worthy pioneer of this Colony now fallen upon evil days in his old age, I am sure I am merely making a gesture for other to follow in enclosing my cheque for Shs.100/- towards a modest fund for his and his family's relief.

He has been almost a landmark in Nairobi in his modest and useful sphere, known to and popular with most old hands, which, added to his long pioneering career in Rhodesia should earn him relief in his trouble.

Yours, etc.,

Sd/- A. Davis.

Sir,

I was very grieved when perusing your "Daily" of to-day's date to read of the misfortune that has befallen poor old Ali Khan.

Ali Khan is one of the "Corner Stones" of Nairobi and has friends from the highest to the lowest throughout the East African Colonies, who I feel sure, if aware of his present position, to the effect that he is without means, nearly blind, with a wife and four children to support, would be only too pleased to give something to help his good old man through his present troubles.

I enclose an amount of Shs.50/- and shall be grateful if you would accept it on behalf of this old friend of many.

Thanking you.

Yours faithfully,  
"ANONYMOUS".

MORE FRIENDS COME TO HIS AID.

Further additions were made yesterday to the donations given by the friends of Ali Khan (whose misfortunes were related last week in the Standard's report of his bankruptcy), to assist him and his wife and family in their distress.

A well known Nairobi business man, who proposes to make an anonymous gift of £5/- remembers Ali Khan in his old Rhodesian days and adds that many of the earlier residents of Rhodesia, he feels sure, would help generously if they were aware of the old man's plight.

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120/- was subscribed yesterday, the following are extracts from letters received by the Editor of the Standard. 94

Mr. W. Bickson, sending Shs.100/- writes:-

"A new comer to Kenya could not fail to be impressed by the imposing and picturesque figure of Ali Khan on his white horse in the otherwise drab prospect of Nairobi streets. My dealings with him were quite small but I always found him courteous and obliging. I enclose a cheque for Shs.100/- to help tide over his immediate troubles, but something more permanent is necessary. Would it not be possible for the Jockey Club to make a job for him? He was always an enthusiastic supporter of their meetings".

Major Walter Kirton, enclosing a cheque for Shs.100/- remarks:

I've just read your report of poor old Ali Khan's misfortune and hunger. Can you get the amount herewith to his hand mara moja, as from one old Pioneer and Raider to another.

"Two Sympathisers" says:

"We would like to suggest a fund devoted to the purpose of sending him back to Cape Town where he was born some 75 years ago, and where he can spend the remainder of his days among his friends and relatives. We would further suggest that collecting boxes be placed in a prominent position in the bars of the leading hotels as we feel sure that a good many odd shillings would accrue in this way, which might otherwise not be sent to the fund. We enclose Shs.20/- being our small contribution towards the good purpose".

F.D.T. writes:- "As one who has known Ali Khan for over 20 years, I am very sorry indeed to hear of his reduced circumstances. I hope it may be possible to save his eyesight. I enclose my cheque for Shs.50/-"

A cheque for Shs.30/- has also been received from Mr. A.Pabich.

An old friend, a well-known up-country settler sought Ali Khan out at his house on Saturday and left practical evidence of his sympathy.

#### TRIBUTES TO HIS PIONEER WORK.

A number of new donations were made yesterday to the relief of the distresses of Ali Khan and his family and are acknowledged below.

Mr. R. F. Meyer has personally taken charge of the sums donated during the last few days and has arranged that every Saturday Ali Khan will receive a payment of Shs.50/- while the sum in hand lasts.

Donations received yesterday were:-

A friend, Shs.20/-  
G. B. Tison, Shs.20/-  
A. S. S., Shs.50/-

J. J. Farber, enclosing a cheque for Shs.50/- adds: "to help my old friend Ali Khan in his time of trouble, and to say how sorry I am for him. He was the first man I spoke to on my arrival in Nairobi seventeen and a half year ago. I do trust he will have better luck in the near future".

12  
95

"One Old Pioneer to Another", donated Shs.50/-  
S. D. sent Shs.20/-  
M. H. S. Montagu, Shs.40/-,  
J.J. T. accompanies a cheque for Shs.200/- by a letter in which he says:- "It is sad news to those who knew him in the old days to learn of the trouble that has fallen on poor old Ali Khan.

He was in Rhodesia at the beginning of things there and in those rough and ready pioneering days Ali Khan was a well known figure. It was worth something to see him arrive in Salisbury at the head of a long string of horses he had brought up some 1,500 miles from the South over the country which had not hing more to guide one than a few odd wheel tracks and carried no higher associations than those of savages and wild animals.

It was in Sept., or thereabouts in 1904 that Ali Khan made his first adventure into this country with a mob of horses he had picked up somewhere along the Benadir Coast.

Ali Khan was a great horse trader in his time and must have passed thousands of them through his hands. He made money now and again, but he was not really built on the lines of those who can do both, namely, make it and keep it.

To those who knew him well he was man out of the common and it speaks much to say that in Rhodesia in those early days when the line was pretty strictly drawn against those of a shade other than our own that it made no difference in the case of Ali Khan".

Mrs. Downes donated Shs.10/-.

#### MORE HELP IN HIS DIFFICULTY.

Substantial donations were made yesterday to the fund which friends of Ali Khan are providing for him in his old age to help him over the difficulties still facing him. The fund, as already explained, is being made available to him, at the rate of Shs.50/- per week while it lasts. Every donation has been accompanied by an expression of sympathy for one whose name and figure were amongst the most familiar things in East Africa from Rhodesia to Uganda.

Yesterday's donations were:-

Mr. Fred Tate, New Stanley Hotel, Shs.500/-  
Mr. & Mrs. Waterman, Shs. 100/-  
"F.R." Shs.20/-  
"G.B.M." Shs.50/- He writes: "I was very sorry to see the old man had fallen on bad times. It is a good many years now since I first met him and I have always liked him. Let us hope his affairs take a turn for the better. If you will just pass on the Shs.50/- and let the old man know I haven't forgotten him, I will be grateful".

#### MORE PRACTICAL HELP.

Several donations were received yesterday from friends of Ali Khan who are anxious that his immediate distress should be relieved as far as possible.

The contributions, all accompanied by expressions of sympathy, amount to:-

9 15

Mr. Arthur A. White who sent Shs.20/- and wrote: "Am very sorry to hear of the need of our old friend Ali Khan and now enclose a small contribution to the fund you have so generously opened in your column. I sincerely trust his declining years will be freed of pain and distress for he has been a friend to many in the early days".

96

Mr. G. Wilmot, enclosing cheque for Shs.50/- regrets to hear of the distress.

Messrs. Safariland Ltd., forward three donations: (The Hon. Conway Harvey, Shs.20/- Anon Shs.20/- and Anon Shs.100/-) as a contribution to Ali Khan and his family.

W. McL. W. sending Shs.30/- says he would like Ali to know he has not forgotten him.

"I" sends Shs.50/- "to this most deserving fund to a well-known and highly respected acquaintance of about a quarter of a century".

A.M.G. encloses Shs.20/- as from a "well-wisher".

#### YESTERDAY'S DONATIONS.

Additional donations received yesterday to the Ali Khan Fund were:

J. D. Naivasha Shs.20/-

R. O. Preston, Jnr., Shs.50/- He adds. "It grieves a pioneer to learn of the fate of 'one of the best'" and he sends his donation to "swell one of the most deserving causes".

Messrs. J. D. Leonard and W. Tyson also sent a cheque for Sh.100/- by a note saying: "I am indeed sorry to hear he has fallen on evil days. I have known him for close on twenty five years, and during the whole time have always found him ready to assist one arriving and leaving Nairobi. He is universally respected."

An anonymous contribution of Shs.20/- has also been received with no indication of its source.

#### FURTHER LIST OF DONATIONS.

Contributions to the assistance of Ali Khan continue to be received. The story of his approaching blindness and the starvation facing his wife and children has touched many friends who knew him in early days and were aware of his kindly generosity.

A Nairobi citizen and his wife, who desire to remain anonymous yesterday sent a cheque for Shs.500/-

Mr. F. H. Clarke contributed Shs.50/-

Mr. E. K. Binks, sends Shs.20/- to "help tide the old man over what one can only hope will be merely a temporary embarrassment".

Mr. Anthony Fenwick contributes a cheque for Shs.50/-.

"J.G.D" donated Shs.20/-

The Express Transport sent a cheque for Shs.120/- "being a contribution towards a very deserving case".

YESTERDAY'S DONATIONS. 97

The following further donations on behalf of Ali Khan were made to the Standard yesterday.

Mr. H.L. Sargent, Shs.20/-  
"B.S.A.P." Rhodesia, Shs.100/- He adds, "I am sure all old Rhodesians would be pleased to help old man if an appeal was made to them".

Col. Geoffrey Phillips, Shs.50/-, E. P. R. Maitland, Shs.20/-, K. R. Maitland, Shs.20/-, and R. R. Maitland, Shs.10/4 with a note: "From us who remember him and his help and straight-forward dealings in the years past in Kenya. With our sympathies for present difficulties".

"C.E.M." who sends Shs.40/- writes:- "He has helped many others in time of trouble. Now I hope many will come along to help him. Here is my bit".

YESTERDAY'S ADDITIONS TO THE FUND.

Additional donations to the fund which friends of Ali Khan are contributing to help him in his present distress, were received yesterday. The fund is welcome indication of the charitable spirit of the East African public and of the regard in which this old pioneer (now 75 years of age and threatened with poverty) is held by a wide circle of friends.

Mr. J. C. Shaw, contributing Shs.100/- says "The old pioneer deserves a kinder fate in his old age".

Mr. Eille C. L. Jardine donated Shs.100/-

Mr. C. C. Monkton sending Shs.20/- says of Ali Khan, "He is quite a landmark in the Colony and I am sure there are many like myself who are sorry to hear of his distress".

Messrs. Gill & Johnson sent a cheque for Shs.100/-.  
Dr. & Mrs. Sprabjee also donated Shs.100/-.

YESTERDAY'S FRIENDS.

The remarkable recognition of the friendship established by Ali Khan during his long association with Kenya was again evidenced yesterday by further contributions to the fund being raised by donations to help him through his distress in his declining years.

Contributions received yesterday were:-

Messrs. J. C. Coverdale & Partners, Shs.100/- "as a small appreciation for transport work he has done in the past for this firm".

J.H. Shs.20/-

G.C. Oakes, Shs.25/- He comments "I am very glad to see you have been successful in your fund."

J. K. Creighton, Shs.100/-

A. B. Lupton, Shs.20/-

A donation of Shs.20/- has been received for the Ali Khan Fund from Kuala Lumpur, Federal of Malay States, from Dr. C. J. Wilson, Lt. Asst. Director of Medical Services of Kenya. A week or two ago a donation was received from Australia and now one has been received from

The Hon. E. Powys Cobb, Shs.100/- Kegio Est & e, Thika, Shs.30/-

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A. D. Loper, Shs.20/-

A donation of Shs.20/- has been received for the Ali Khan Fund, from Kuala Lumpur, Federated Malay States, from Dr. C. J. Wilson, late Asst. Director of Medical Services of Kenya. A week or two ago a donation was received from Australia and now one has been received from

from the Malay States. This is indicative of the circulation of the East African Standard.

98  
YESTERDAY'S HELP.

Further donations received yesterday for the fund begun by old friends of Ali Khan to help him through his present distress were:-

Mrs. Judd, 68s.50/-

A Well-wisher, Shs.20/-, Capt. H. E. Schwartz and Mr. Theo. Blunt, out of their Theatrical Reserve Fund, Shs.50/-.

WEEK-END DONATIONS.

Further donations to the fund being raised by the friends of Ali Khan for the relief of his distress were received over the week-end. The story of his misfortune is reaching a wider circle each day. The donations were:-

F. J. Shs. 20/-

Anon. Shs. 20/-

J. C. D. Hope, 88s. 20/-

W. A. Conduit, Shs. 50/-

The Standard acknowledges "from a friend" the sum of Shs. 20/- as an addition to the fund which was recently opened for Mr. A. Khan.

A donation was received yesterday to the Ali Khan fund from Mr. H. B. Emley, amounting to Shs. 20/-.

The S. A. Standard has received from Messrs. Hamilton, Harrison and Matthews, solicitors, the sum of Shs. 50/- received by them from a client with the request that it should be used as a donation to the Ali Khan Fund.

The East African Standard acknowledges the sum of Shs. 20/- towards the Ali Khan Fund from Mr. Clift.

The story of the misfortunes of Ali Khan, the old "landmark" of the early days of Rhodesia and Kenya has spread far afield. The Standard acknowledges the sum of Shs. 20/- from E. Grieve, Adelaide, Australia. The Standard, too, gets around the globe.

Further contributions to the Ali Khan Fund continue to be received from his old friends. Mr. H. Grahame Bell sends Shs. 50/-. A settler turning over papers the other day found an old account due to Ali, sent a cheque in payment and added Shs. 10/- for the fund.

Further donations received in my house from Sympathisers.

One day on Saturday, the 16th. Nov., 1929, Messrs. Evans Bros. from Nakuru had come to Nairobi on a business trip, and when they read my sad case reported in the local daily of the Standard, they came right away to my house on a very wet day, and they said they were very sorry about the state of my sad affairs and they offered us Shs. 100/- and promised us that they will look for us again.

Messrs. Safariland, Ltd., sent Shs. 100/- with their clerk, Mr. Coelho, to my house with a true and well worded letter of sympathy.

Capt. H. H. Clifton, handed to me Shs. 20/-

Mr. Arthur Thompson, " " " " 10/-

Mrs. Bessler, " " " " 10/-

Majors Dawson, " " " " 25/-

The following donations were received by me from the Indian friends, namely:-

99

- |                  |            |
|------------------|------------|
| Mr. Isman Lakub, | Rs. 52 -   |
| " Mohamed Allum, | " 50/-     |
| " Hakim,         | " 10/-     |
| " Abdul Wahid,   | 2/- on the |

27th. of August, 1932. This was the day he came to see me in my house, after 3 years or so. He invited us to his house for tea and I refused saying, I got nothing in the world and feel shame to show my face to the people. Then he said I know Government treated you very bad.

INDIAN COMMUNITY.

5/16

The following donations were received by me from the  
Indian friends, namely:-

99

Mr. Osman Yakub,	Rs. 52/-
" Mohamed Allum,	" 50/-
" Hakin,	" 1/-
" Abdul Wahid,	" 2/- on the

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3104/33 Kenya.

PC  
726 100

C. O.

Mr. Hishallo <sup>24/10</sup>  
Mr. Venning <sup>20/10/33</sup>

Mr.  
Mr. Parkinson.  
Mr. Tomlinson.  
Sir C. Bottomley.  
Sir J. Shuckburgh.  
Perms. U.S. of S.  
Parly. U.S. of S.  
Secretary of State.

10  
P 26 OCT  
D 24 L

28 October, 1933

DRAFT.

Kenya.

No. 820

C.O.S.

~~State~~

(4)

Dear Sir,  
With reference to my despatch No. 453 of the 28th of September, I have etc. to transmit to you a further petition, with enclosures, addressed to me by Mr. Ali Khan, and to request that the petitioner may be informed that I have nothing to add to my decision in his case.

I have etc.

(Sgd.) P OUNLIFFE-LISTER.

Mr. Ali Khan 29.9.33 (5)  
(with enclosures)  
ALL IN ORIGINAL  
KEEPING COPY OF  
COVERING LETTER (5)

FURTHER ACTION.

COPY.

P.O. Box 37,  
Nairobi,

Kenya Colony.

29th September, 1933.

The Hon. Secretary of State  
for the Colonies,  
Downing Street,  
London, S.W.1.

Respected Sir,

You will pardon me asking you whether the Government of Kenya has forwarded to your nobleship my petition dated 21st February, 1933, regarding the loss I sustained in demolishing my premises (standing thereon: - stables, dwelling house, saddlery stores, smithy, etc., etc). I was advised by the Acting Commissioner for Local Government, Lands and Settlement, that the same was despatched to you on the 14th March, 1933, and on recent enquiry of mine, I have now been informed by him that you have asked for some more information regarding my case.

2. My original claim, in the year of 1929, was half price, viz:- £16,310/-, and delay of so many years, I now reckon that I should be entitled double of the amount I claimed then, for, had I this money paid to me then, I would have utilised it in building up another business and profits accruing therewith would have been my earning double or treble.

3. I am in a pitiful state, undescrivable, and trust, Sir, that you will very kindly expedite with this matter in pronouncing your liberal judgment over my case, for which act of kindness I shall ever remain in your indebtedness.

4. I am enclosing herein, a copy of a communication I have addressed on the same date as I am addressing to you, to the Hon. Acting Commissioner for Local Government, Lands and Settlement, Secretariat, Nairobi, for your information.

5. I am again to beg you, Sir, and pray with the Almighty God in which prayer my family also joins with me, that you deal with my case as expeditiously as you can, for which act of kindness, may God give you long life and prosperity.

Again thanking you.

I am, etc.

(Sgd.) A. KHAN.

Address:- Ali Khan,  
P.O. Box. 37,  
Nairobi,  
Kenya Colony.

C. O.

Mr. Davies. 25/9

Mr. Freeman 25/9

Mr.

Mr. Parkinson.

Mr. Tomlinson.

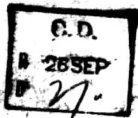
Sir C. Bottomley.

Sir J. Shuckburgh.

Perm. U.S. of S.

Parly. U.S. of S.

Secretary of State.



Downing Street,

28 September, 1933.

Sir,

I have etc. to acknowledge the receipt of your despatch No.501 of the 29th August, on the subject of Mr. Ali Khan's claim for compensation, and to thank you for <sup>your</sup> the explanation of the points upon which I was in doubt.

I have now to request that Mr. Khan may be informed that I have considered the petition which was forwarded under cover of Sir Joseph Byrnes (1) despatch No.166 of the 14th March, and that I see no reason to intervene in the matter.

I have, etc.

(Sgd.) P. CUNLIFFE-LISTER.

**DRAFT.**

KENYA.

NO. 753

O.A.G.

**FURTHER ACTION.**

3104



KENYA.

No. 501.

GOVERNMENT HOUSE,  
NAIROBI,  
KENYA.

RECEIVED  
18 29 1933

29<sup>th</sup> August, 1933.

Sir,

I have the honour to refer to your Despatch No.414 of the 10th June last on the subject of Mr.Ali Khan's claim for compensation.

No 2

Unrecorded (4)

2. The position as regards the control of the stabling of mules and trek oxen in Nairobi is as follows:-

(1) Rule No.75 of the Rules under the East Africa Townships Ordinance,1903 dated the 19th May, 1904, (page 178,Official Gazette,1904) provided "no person shall use any place within the township as a stable for horses or ponies kept for hire or as a cattle shed except with a permit from the Collector"(subsequently amended to 'Town Clerk'),"who may grant or withhold the same at his discretion, and such permit shall state the number of horses or cattle that may be kept and the situation of such place".

(2) Rule 75 was revoked in 1914 and the following substituted (page 753,Official Gazette,1914) "no person shall use any building or place within the township as a stable for horses, ponies, mules or donkeys kept for hire or as a cattle shed or as a camel shed except with a permit from the Town Clerk".

(3) Rule 342 of the Nairobi Township Rules,1917 (page 879,Official Gazette,1917) which replaced all previous...

THE RIGHT HONOURABLE,  
MAJOR SIR PHILIP CUNLIFFE-LISTER, P.C., G.B.E., M.C., M.P.,  
SECRETARY OF STATE FOR THE COLONIES,  
DOWNING STREET,  
LONDON, S.W.1.

previous rules provided "no person shall, except under licence from the Town Clerk, use any place within the commercial area as a stable for horses, mules or donkeys or any place within the township as a stable for horses, mules or donkeys kept for hire or as a cattle shed or pigsty. The Town Clerk may grant a licence on such terms as he shall think fit or may withhold a licence or cancel any licence."

'The commercial area' was defined in the Rules and included the premises in River Road occupied by Mr. Ali Khan.

(4) The 1917 Rule was perpetuated in By-law No. 351 of the Nairobi Township By-laws, 1926 and is still in force.

3. A permit for stabling in the township had thus been a statutory requirement since 1904 but in 1917. the necessity for a permit was limited to the commercial area within which Mr. Ali Khan's plot was situated. There is no record of the issue of any such permit to Mr. Ali Khan or indeed to anyone else and it may, therefore, be assumed that up to 1923 the provision was a dead letter. In 1923 the Municipal resolution was recorded. This in itself has no statutory or legal force, but as an instruction to him as its servant, the Town Clerk would administratively be obliged to act upon it in the exercise of the discretion granted to him under the Rules. I am advised that there is little doubt but that it was quoted to Mr. Ali Khan as binding upon the Town Clerk.

No action was, however, taken under the Rules against Mr. Ali Khan and it was not until 1926 that he was prosecuted under the provisions of Sections 118 and 119 of the Public Health Ordinance (Cap. 124). It is, however, correct to assume that, had he thereafter applied ...

applied for a permit under the Rules to re-erect stabling on this plot, he would have been refused permission. This would not, however, have constituted grounds for compensation in equity as the land remained his and as the livery stable business was at that time dead.

4. The Attorney General has considered the point raised in your despatch, but agrees with the advice given by his predecessor that no legal claim lies against the Government or the Municipal Council. In his opinion, in view of all the circumstances, no strong claim in equity exists.

I have the honour to be,

Sir,

Your most obedient, humble  
servant,



ACTING GOVERNOR.

C. O.

3134/33 Kenya.

2  
107

Mr. *Isaac 4/11*  
Mr. *Kenning 7/1933*  
Mr. *Kellabu S.P.*  
Mr. *Roberts-Wright 76*

Mr. Tomlinson.  
Mr. C. Bottomley.  
Sir J. Shuckburgh.  
Permt. U.S. of S.  
Parly. U.S. of S.  
Secretary of State.

C.O.  
R 8-JUN  
D 01  
10

June, 1933.

Sir,

DRAFT.

(No.1)

Kenya.

No. 414

Gov.

I have etc. to acknowledge the receipt of your despatch No.166 of the 14th of March, forwarding a petition from Mr. Ali Khan regarding his claim for compensation in ~~con-~~  
*consequence*  
~~sideration~~ of the demolition of his stables, stores and workshop in River Road, Nairobi.

2. The position as regards the resolution passed by the Nairobi Municipal Council in 1923 prohibiting the stabling of mules and trek oxen in certain areas including River Road, is not quite clear, so-

It would appear that, but for this resolution, there was no reason-

leaving out of account the *proposals of the* town *authority* planning *under which*

Khan's rights would, in any case, be properly protected, why, if he were

*Ali Khan*

forced to demolish his stables etc. on the ground that they constituted a nuisance,

he could not have remained on <sup>the same</sup> ~~that~~

site and erected other buildings. *If any injury had been suffered by Ali Khan by reason of the measures taken under the Town & Planning Ordinance, his*

*The question arises whether the rights would appear to have been adequately protected.*

resolution had, or was given, legal

force. If not, then it would be

improper for it to be quoted against <sup>to</sup>

Ali Khan as if it were binding upon him.

*on the other hand,*

if the resolution was legally binding,

it would seem that <sup>in equity</sup> either it should

not have applied to existing stabling,

at least where connected with a

business, or, if it did so apply, that

the law should have made provision for

the payment of compensation in such cases.

I shall be glad if you will give this

point your further consideration.

<sup>am glad to see</sup>  
3. I ~~trust~~ that you have author-

ised the continuance to Ali Khan of an

ex-gratia payment of Shs. 25/- a week

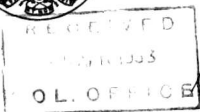
up to the 30th of June, and I trust

that you will see your way to con-

KENYA.  
No. 166.



108  
GOVERNMENT HOUSE,  
NAIROBI,  
KENYA.



7. March, 1933.

Sir,

I have the honour to forward a petition from Mr. Ali Khan, an old resident of Nairobi, together with a copy of the Annexure.

2. Mr. Ali Khan was, as he states in his petition, the pioneer of horse, mule and vehicular transport in East Africa, and at one time owned a flourishing business.

From 1907 until 1927 he occupied certain plots in River Road, Nairobi, on which his house, stables and office were situate. These plots were held on sublease from the Crown lessee at a rental of Shs. 190/- a month.

3. In 1923 the Nairobi Municipal Council resolved that mules and trek oxen were to be kept in certain areas only, which did not include River Road. Up to 1926 no action had been taken by Mr. Ali Khan to remove his business and in March of that year, in consequence of the insanitary condition of the stables, stores and workshop, notices in accordance with the Public Health Ordinance were served on him by the Medical Officer of Health requiring the demolition of the premises as it was considered that demolition was the only way by which the nuisance could be abated. These notices were not complied with, and in order that Mr. Ali Khan should not be harshly dealt ...

*Amended (2)*

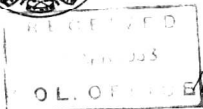
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SECRETARY OF STATE FOR THE COLONIES,  
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KENYA.

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*Amended (2)*

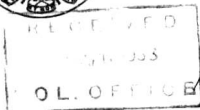
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KENYA.

No. 166.



108  
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NAIROBI,  
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KENYA.

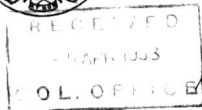
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108  
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*Annexure (2)*

THE RIGHT HONOURABLE,  
MAJOR SIR PHILIP CUNLIFFE-LISTER, P.C., G.B.E., M.C., M.P.,  
SECRETARY OF STATE FOR THE COLONIES,  
DOWNING STREET,  
LONDON, S.W.1.

death with, the assistance of the Court was not invoked until October 1926. By March 1927 the notices had been complied with and the offending buildings demolished.

4. In the meantime the Nairobi Area Town Planning Authority had under consideration a scheme for the widening of River Road and other roads in the vicinity which would so seriously have affected the land held by Ali Khan that in the opinion of the Authority complete acquisition of the plot was necessary. This fact, together with the action which the Medical Officer of Health had felt compelled to take, influenced the Land Department in attempting to find a suitable alternative site to which Mr. Ali Khan could transfer his business. Somewhat protracted negotiations took place and three definite sites were suggested to the petitioner to none of which he would agree, although in the opinion of the Land Department and the Health Office any one of the three would have been suitable. As Mr. Ali Khan expressed himself as unwilling to accept any of the sites proposed, he was asked to submit his own proposals. This he failed to do. The statement on this point made in the Annexure cannot be accepted as correct. It should be observed that negotiations with Mr. Ali Khan were always difficult on account of his illiteracy.

5. By April, 1927, the Town Planning Authority had made a definite change in its proposals which no longer necessitated the acquisition of Mr. Khan's plot, with the exception of a 15 foot strip from the eastern side. The taking of this strip would certainly have interfered with the property, and the existence of the proposal probably prevented either the selling or the letting of the wood and iron house erected on a portion...

portion of the plot. In order to alleviate this hardship the Town Planning Authority altered its scheme leaving the front of the plot untouched and taking the road through an undeveloped back portion. This change was, however, too late to save Mr. Ali Khan's financial position, and he became involved in bankruptcy proceedings with the subsequent sale of his property by order of the Court.

6. From November, 1927, Mr. Ali Khan has persistently pressed a claim for damages to a total amount of well over £20,000 in consideration of the demolition of buildings, depreciation of stock and machinery, loss of rent and consequential loss of his business connection.

The advice of the Attorney General is that as the demolition of the buildings was ordered by a competent Court, no legal claim for compensation exists. No claim can, of course, be substantiated in respect of the Town Planning Authority's exchange proposal which was subsequently abandoned.

7. It is very doubtful whether, in any event, an exchange of plots would have saved the petitioner from the bankruptcy which was slowly but surely coming upon him as a result of his inability to adapt his business to the changing methods of transport. Release from the ground rent on the plot would have cost him nearly £2000 in cash. He was already in debt to the extent of about £3000. The valuation placed by him on his buildings and plant is absurdly high.

Apart from the house the buildings were so dilapidated as to be not worth renovating, and his plant and equipment were so obsolete as to be almost valueless. These facts it is difficult for an illiterate old man to realise.

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8. To relieve Mr. Ali Khan from destitution the "East African Standard" raised a fund by public subscription. When this fund was exhausted at the end of May 1952, I authorised, on the recommendation of Executive Council, a payment from public funds of Shs. 50/- a week for three months. This payment was continued by the Nairobi Municipal Council for a further period of three months; and for an additional period of three months by a joint contribution of Shs. 25/- each from Government and Municipal funds. This arrangement came to an end at the end of February. The Municipal Council is not at present prepared to make any further payments but the continuance of an ex-gratia payment from Government funds at the rate of Shs. 25/- per week up to June 30th has been authorised.

9. Mr. Ali Khan's case is pathetic but is not, in my view, one for compensation. The utmost that can be done for him from public funds is to make ex-gratia payments of a subsistence allowance to save the petitioner and his family from absolute destitution. Government has always considered this case sympathetically and will be prepared to continue payments on the present basis or on an increased one if the allowance now made proves to be insufficient.

10. As some of the statements in the Annexure to the petition appear to reflect adversely on Mr. Mortimer, Lands Secretary, I attach a copy of notes made by him. I am satisfied that throughout this matter Mr. Mortimer did all that he could on Mr. Khan's behalf.

I have the honour to be,  
Sir,  
Your most obedient humble servant,

  
BRIGADIER-GENERAL.  
GOVERNOR.

112

MEMORANDUM.

COMMENTS ON THE ANNEXURE TO MR. ALI KHAN'S  
PETITION TO THE SECRETARY OF STATE.

Item 5.  
Page 1.

Dr. Hunter and Dr. Johnstone will both, I am sure, bear me out when I say that after the decision of the Town Planning Authority that Ali Khan's property be acquired, I took a great deal of trouble in trying to find a suitable and acceptable plot. The old man was, however, very difficult to deal with. It was useless to propose a plot which would again have been condemned by the Medical Authorities as unsuitable for stables. This shut out the greater part of the commercial area. He had very exaggerated ideas of the value of his property and considered that he should be given a large plot in an area very near to the centre of the town. The most suitable plot shown to him was the one on Lhandies Road. Quite 75% of this plot was dry and, in my opinion, entirely suitable. Ali's statement that the plot was swampy is untrue.

Another plot near the Slaughterhouse was not quite so suitable but would have served. Asiatic Civil Servants have been living within a few yards of the plot for the past three years.

When Ali definitely declined to accept any proposal that I was able to make to him, I finally told him that I could suggest nothing else and that if he had any alternative proposal to submit, he must do so. He makes no mention of this in his historical statement, but affirms that the fault of any delay lay with me.

The fact is that Ali thought that by delay he would strengthen his position and be able to dictate his own terms.

Dr. Hunter and Dr. Johnstone were both sympathetic to the old man and, knowing that exchange proposals were under consideration, did not press unduly for

compliance . . .

compliance with their orders nor the infliction of heavy fines.

2. The reason for the proposal by the Town Planning Authority to acquire Ali's plot was that during that period a scheme for removing the railway line as it runs through the town from its present alignment to an alignment up the so-called swamp was then strongly favoured by the Authority with the support of General Rhodes (Acting General Manager). The general idea was to establish a Railway Station somewhere near Ali Khan's plot and to re-acquire land in the vicinity for approach roads etc. Apart from this scheme there was nothing to justify the acquisition of this plot. On Sir Christian Felling's return from leave, the scheme was definitely vetoed. About two months before this Mr. Martin wrote, either on the Railway Station platform or somewhere in town, at Ali Khan's request, a pencilled note to me instructing me to proceed with exchange arrangements. Shortly after my receipt of this note the Town Planning Authority completely changed its proposals and the plot was left untouched. This intimation was given to Ali Khan in Item 9. During the period before this change I had been endeavouring to induce Ali to say what he did want. Mr. Tannahill confirms, in para 2 of Item 14 that I made every effort to settle the matter satisfactorily during the time it was open for settlement.

Item 21C,  
Page 15.

The statement that I promised to pay in cash to Ali a sum of £16,510 subject to Mr. Tannahill certifying the bill as correct is too ridiculous to require refutation.

Item 21C,  
Page 17.

It cannot be denied that an exchange of land was at one period definitely promised to Ali Khan. The reason for dropping the proposal has been stated above.

(Signed) C.E. Mortimer.  
Lands Secretary.  
7.3.55.

21st February 1933

To:-  
The Right Honourable  
The Secretary of State for the Colonies,  
through His Excellency the Governor,  
of Kenya Colony.

Sir,

I beg to request that special consideration may be given to my case which is as follows:-

1. I came to the East African Protectorate in 1904 with Horses and Mules and I believe the Government here will support my contention that I was the Pioneer of the Transport System in this part of the world and was instrumental in opening up communications into Districts which previously had been considered unapproachable except by foot.
  2. I acquired a Property in River Road, Nairobi, and built up a very big business.
  3. Quite suddenly the Government<sup>ordered</sup> that Horses and Mules should no longer be kept in River Road and on the 10th March 1926 I received notices to demolish my stables. (See Attachments numbered 1 to 4).
  4. On receipt of the Notices I at once went to the Land Office and saw Mr Mortimer because it is not right that a man's business should suddenly be destroyed because it is desired to bring in new regulations. I had been carrying on this business for 20 years. Mr Mortimer endeavoured to arrange that I should be given land in exchange but nothing came of it. (See Attachment No. 5E).
  5. While I was endeavouring to arrange for an exchange of land judgement was given and it should be noted that the Magistrate Mr Gamble refers to the negotiations for an exchange of land. (See Attachment No. 6).
  6. While the negotiations were continuing, my stables were demolished under the judgement and my live-stock carriages and equipment had all to be taken to the only plot I could obtain, 4 miles out of the Town, my business was ruined and I was forced into Bank-
- The Bankruptcy was published in the paper and attracted

-2-

- a lot of notice from my old Customers and a Subscription List was formed. (See Attachment No. 7).
7. Mr Martin, the Commissioner for Lands, said he would arrange to get me an exchange but I have nothing in writing except my letter of 29th March 1927 (Attachment No. 8) but the Government should have his letter dated 23rd December 1926 which will support my statement.
  8. In addition to the fact that my buildings were demolished, the Government introduced a Town Planning Scheme under which my land was sterilised making it practically unsaleable. The first scheme was abandoned in 1927 (See Attachment No. 9) but another scheme again sterilised my plot at the end of 1928. (See Attachment No. 10 including letter from Mr Mortimer dated 30th May 1929).
  9. Not being able to get the compensation or exchange from the late Mr. Martin or Mr Mortimer I wrote to the Colonial Secretary on the 19th November 1927 enclosing also the story of my life (See Attachment No. 11). I received a reply dated 19th January 1928 (See Attachment No. 12) which gave me no satisfaction and wrote again to Mr Martin on March 2nd and May 10th 1928, (See Attachment No. 13) but without result.
  10. One day at an interview with Mr Mortimer, he advised me to see Mr Tannahill, who I have known since 1908, and get him to take up my case. I did this and Mr Tannahill wrote to His Excellency the Governor on the 18th April 1929 (See Attachment No. 14). It took a very long time to get any sort of reply. I enclose copies of this correspondence dated from 12th June 1929 and closing with Mr Mortimer's letter of 20th August 1932 (10 letters in all see Attachment 15)
  11. It seemed to me from the correspondence that the Government had completely overlooked the fact that at one time it considered my case merited direct compensation and accordingly I asked Mr. Tannahill to write again and attach copy of his letter of 24th

116

To the Rt. Hon. The Secretary for State  
for the Colonies,  
Through His Excellency The Governor of Kenya Colony.

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-3-

- February 1932 (Attachment No. 16) which I ask should be carefully considered. All that transpired from this appeal is contained in the letter of 7th March and 3rd May 1932. (Attachment No. 17)
12. I again wrote to Mr Tannahill on 20th September 1932 (Attachment No. 18) and I wrote to the Town Clerk on 24th September, 1932 (Attachment No. 19) and Mr Tannahill again wrote to His Excellency the Governor on 27th September 1932 (Attachment No. 20).
13. I have compiled a story of my life (20pages) (Attachment No. 21)
14. I have submitted my case to the Government of Kenya, who can vouch for nearly all the facts herein referred to and who have given me sympathetic consideration but I am told that everything was done according to the law of the land and I am entitled to no compensation.
15. The fact remains that owing to the regulations of the Public health Ordinance and the workings of the Town Planning Ordinance I have been absolutely ruined (At the very least my business stock and premises were worth £ 16000 to £ 20000), the worry has affected my health so that I am nearly blind and to-day I, my wife and four children are subsisting on charity.
16. If it has to be admitted I have no legal claim I am sure the British Government never intended that one man should be ruined for the benefit of the Community and I ask that the Home Government shall authorise the Kenya Government to award me the compensation to which morally, if not legally, I am entitled.
- A reply care of Mr A. C. Tannahill will always reach me.

I have the Honour to be,  
Sir,

Your respectful and obedient Servant,

P.P. ALI KHAN

Signed at the Khan's  
request.

*Arthur C. Tannahill*

COLONY AND PROTECTORATE OF KENYA,

HEALTH OFFICE,

NAIROBI, 10th. March, 1926.

No. 70.

To, Mr. Ali Khan,

River Road - Nairobi.

TAKE NOTICE that under the provisions of the Public Health Ordinance 1921, and Regulations made thereunder, the Medical Officer of Health being satisfied of the existence of a nuisance at:-

Premises owned by you on Plot 138/97 to 138/101, River Road, Nairobi.

ARISING FROM:-

1. An accumulation of manure which is affording facilities for the breeding of flies.

2. Native staff sleeping in stables.

So as to be a nuisance, DOES HEREBY REQUIRE YOU WITHIN 7 (Seven) days from the date of service of this notice, to abate, and to prevent a recurrence of the said nuisance and for that purpose to:-

1. Cease the accumulation of manure to be removed and disposed of so that no nuisance is created.

Cease from allowing manure to accumulate for a longer period than 24 hours.

2. Cease from allowing natives to sleep in the loft over stables, stables must not be used at any time for the housing of natives.

AND do all such other works as may be necessary to the satisfaction of the Medical Officer of Health.

Dated, this 10th. day of March, 1926.

Sd/- F.G.C. Johnstone,

MEDICAL OFFICER OF HEALTH.

Sd/- R. C. Mills,

SANITARY INSPECTOR.

SANITARY INSPECTOR may be seen by appointment during office hours.

2119

COLONY AND PROTECTORATE OF KENYA,  
HEALTH OFFICE,

NAIROBI, 10th. March, 1926.

No. 71.

To, Mr. Ali Khan,

River Road - Nairobi.

TAKE NOTICE that under the provisions of the Public Health Ordinance, 1921, and Regulations made thereunder, the Medical Officer of Health being satisfied of the existence of a nuisance at:-

Premises owned by you on Plot No. s138/97 to 138/101, River Road, Nairobi.

ARISING FROM:-

1. Insanitary stables.
2. Stores and workshops so constructed and in such a state as to be likely to harbour rats.
3. Two insanitary native latrines.
4. No provision for the disposal of drainage.,

so as to be a nuisance, DOES HEREBY REQUIRE YOU WITHIN Hundred and Twenty (120) days from the date of service of this notice, to abate, and to prevent a recurrence of the said nuisance and for that purpose to:-

Demolish the buildings enumerated above, remove all materials and level off the sites.

NOTE:-

Stabling for mules and trek oxen is prohibited in the Township other than in the area set forth by the Nairobi Corporation by resolution passed February, 27th. 1923. This area is outlined on a map and may be seen at this office.

And do all such other works as may be necessary to the satisfaction of the Medical Officer of Health.

Dated this, 10th. March, 1926.

Sd/- R.C.Mille,

SANITARY INSPECTOR.

Sd/-F.G.C. Johnstone,  
MEDICAL OFFICER OF HEALTH.

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SANITARY INSPECTOR may be seen by appointment during office hours.

COLONY AND PROTECTORATE OF KENYA.

HEALTH OFFICE,

P.O. Box, 205,

No. 72.

NAIROBI, 10th. March, 1926.

To:-

Mr. Ali Khan,  
River Road,  
Nairobi.

Take notice that under the provisions of the Public Health Ordinance, 1921, and Regulations made thereunder, the Medical Officer of Health being satisfied of the existence of a nuisance at:-

Premises owned and occupied by you on Plot No. 138/96, River Road.

Arising From:-

1. Absence of suitable refuse bin.
2. Broken and defective downpipes and gutters.
3. Insanitary European latrine.
4. Absence of Native Latrine accommodation.
5. Premises so constructed and in such a state as to be likely to harbour rats.
6. Inadequate provision for the disposal of drainage,

so as to be a nuisance, DOES HEREBY REQUIRE YOU WITHIN 30 (Thirty) days from the date of the service of this Notice, to abate, and to prevent a recurrence of the said nuisance and for that purpose to:-

1. Provide a suitable receptacle for the refuse of a capacity not exceeding six cubic feet. Such receptacle to be made of an impervious material and fitted with a good and efficient lid.
2. Repair, renew, refill and re-align to proper falls as may be necessary, the defective eaves gutters such gutters to be securely fixed to the fascia board or foot of rafters.

Repair, renew and fix in a proper manner defective down pipes from roof of Bungalow. The bottom of such down pipe to be furnished with a shoe or bend in order to convey the rain water away from the building and into a drain provided for the purpose.

3. Entirely demolish the existing insanitary latrine, remove the materials from the site and provide European latrine accommodation of approved type and so situated as to meet with the approval of the Medical Officer of Health.
4. Provide Native latrine accommodation of the approved type and so situated as to meet with the approval of the Medical Officer of Health.

3  
12

5. Demolish the existing insanitary Native Quarters, remove materials and level off the site or as an alternative, execute the following improvements:-

- (a) Raise the existing native quarters on to a plinth constructed either of cement concrete or dressed masonry bedded and pointed with cement mortar. The height of the plinth to be not less than twelve inches above the mean level of the surrounding ground.
- (b) Provide an impervious floor to Native quarters, such floor to be constructed either of cement concrete at least four inches in thickness or dressed masonry bonded in and well grouted with cement mortar.
- (c) Construct beneath the wooden sill and framing of such building a cement sill three inches in height so as to elevate all bottom timbers at least three inches above the floor level.

(See attached sketch).

- (d) Remove all perished and defective woodwork and replace with sound material.
- (e) Provide the adequate light to Native quarters by means of glazed windows made to open directly into the external air and equal in extent to at least one tenth of the floor area. Lighting to boys quarters can best be arranged by means of long narrow glazed windows say 5'-0" x 1'-0" placed horizontally at least 6'-0" above the floor level. Windows placed in this position have a reasonable chance of functioning for the purpose for which they are intended at the glass would be less liable to damage.
- (f) Raise the roof of native quarters so that a mean height of ten feet is maintained above the floor level.

- 6. Construct adequate and efficient four inch drains of cement concrete from downpipes and tap head so as to collect and carry away the waste water to a point where the same can be dealt with without creating a nuisance.

And do all such other works as may be necessary to the satisfaction of the Medical Officer of Health.

DATED THIS 10th. Day of March, 1926.

Sd/- R.C.Mills,  
SANITARY INSPECTOR.

Sd/- F.G.C. Johnstone,  
SANITATION OFFICER.  
M.O.H., NAIROBI.

4  
122

No. 2982.

Medical Form LXXIII.  
Health Office.  
Nairobi.  
18th October 1926.

EAST AFRICA PROTECTORATE.

East Africa Township Ordinance 1903 and Rules issued thereunder  
applicable to the Township of Nairobi.

To Mr. Ali Khan.

River Road, Nairobi.

I have to call your special attention to the fact that you have been guilty of an offence in that you have failed to carry out the provision of a Notice Nos. 71 and 72 served upon you on the 10th March 1926 calling upon you to carry out certain works at your premises at Plot 138/97 to 138/101 River Road, Nairobi.

Take Notice that if all the necessary works are not completed within 14 days from the date of this letter legal proceedings will be instituted against you.

Dated this 18th day of October 1926.

sd/- R.. Hunter.  
Medical Officer of Health.

I went to Mr, Mortimer and showed him the notice. He took me in his own car to the Municipal Landies Road and showed me Crown Land, which was swamp and quite unsuitable. He said that the place was quite alright and that he would fill the swamp in, with stones, this of-course would have been costly and very unhealthy. He told me to give him a call. When I called at him, he showed me Land at the back of the slaughter House at Race Course, which of-course was absolutely useless to me. It was unfit to expect me to live on that place as it was badly smelling and still stinking with all the blood of the slaughtered animals. Mr, Mortimer then told me that he could do no more and told me to fix matters myself. I called on Dr, Hunter and told him that what Mr, Mortimer had said. He then mentioned that he would see Mr, Mortimer himself that afternoon. He said he would phone me. Getting no word after 3 days I again called on Dr, Hunter. He again told me he had not seen Mr, Mortimer as he was very busy owing to the sudden outbreak of Plauge <sup>near</sup> in my house where one Indian had died, but would see him that day and give me a ring on the phone. I told him this is passing, and as it was not my fault of delay he must not bring me into Court but he told me not to worry. I did not hear anything as promised. One afternoon Dr, Hunter, the Resident Magistrate Mr, Gamble and the sanitary Inspector called and inspected the premises but said nothing to me and the magistrate had seen himself that I had my private Commodes like European and therefore there was no necessity for another Latterines.

A few days later I received a summons to appear in Court on the 10th December 1926. When I appeared in the Court the Magistrate Mr, Gamble asked me why I had not complied with the notice I received from the Health Officer dated 10th March 1926. I said I was not guilty having acted on the instructions of the Medical Officers- Dr, Hunter and Dr, Johnson and that the fault lay with the Land Officer Mr, Mortimer. Dr, Hunter and Mr, Mills the sanitary Inspector both confirmed my statement in their evidence.

5  
129

in the fact that Land had been definitely promised by Mr, Mortimer but that he had failed in his duty. The Magistrate ordered me to comply with the notice of 10th March 1926 and gave me two months from date to carry out the said order. Dr, Hunter stated in his notice of 18th October 1926 that I was <sup>not</sup> guilty and in court before the Magistrate he himself confirmed my statement that I was not guilty but the fault lay with the Land Officer Mr, Mortimer who defaulted in his duty.

British Law is only one Law throughout the Empire. If I had been guilty then my building notice expired on 10th July 1926, then by British Law on the day of the Expiry of the notice i.e. 10th July 1926 the life-stock had to go to the Government pond and the owner had to pay the pond fee and take away his life-stock, and on the same day i.e. 10th July 1926 owner would be served with a summons to appear into the Court, then I would have been at that time fined, and no delay by Law till December 10th 1926 and the Magistrate gave me two months from date and I had no fine ~~if I was guilty~~.

IN THE RESIDENT MAGISTRATE'S COURT AT NAIROBI.

CRIMINAL CASE No.5211 of 1926.

Medical Officer of Health .....Prosecutor,

Vs:

Ali Khan..... Accused.

JUDGEMENT.

I have inspected the premises and also the required alterations are urgently necessary. Still I understand that there is a proposal of his getting the necessary plot from the Land Office.

Notices to be complied with within 2 months from date.

10/12/26.

Sd/- F. C. Gamble.

WITHOUT FOOD AND ALMOST BLIND.

PATHETIC VICTIM OF THE MOTOR AGE.

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What is described as one of the most pathetic cases ever before the Kenya Bankruptcy Court was heard in Nairobi on Friday, the Debtor being Mr. Ali Khan.

In addressing His Honour, Mr. Justice Thomas at the commencement of the Public Examination, Dr. Keatinge, the Official Receiver, said it was a very sad case. Mr. Ali Khan had been in Kenya for 25 years and was one of the best known figures in the Colony in the early days. He had started business as the owner of a livery stable and had made good and prospered. His business had been principally broken up by the advent of motor transport. There were only four creditors who had proved their debts and these were for comparatively small amounts. There were a large number of unsecured creditors. He had practically no assets and many that were mentioned were debts which were now statute barred. It would appear that the debtor had never sent out his accounts properly. He had doubtful debts to the extent of £2,965/- Of the assets estimated to produce about £800/- it was doubtful whether more than about £100/- would be recovered. The liabilities were £1,198/-. The bankruptcy appeared to be almost entirely due to the transition from mule transport to motor transport.

## A MOMBASA LOSS.

Called to the witness box, Mr. Ali Khan, who is now a white haired old man, was a pathetic figure. In reply to the Official Receiver he said that he originally owned a large Transport Agency in Rhodesia. Before he left there he was insolvent. He left Rhodesia twenty five years ago, in August, 1904, and went to British Somaliland where he bought a lot of mules and horses. He intended returning to Rhodesia, but on the way he landed at Mombasa and brought all his horses and mules to Nairobi where he started business. He had a small amount of capital that belonged to his wife when he arrived at Kenya. Since that time, 25 years ago, he had carried on business in Nairobi until the prehope, that some of his former friends, or people who had done business with him in the early days, and some of his country men, would be able to do something for him now in his old age. He sincerely trusted that something might come of his suggestion. That was the most he could do.

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1  
127

ALI KHAN.

SYMPATHY AROUSED BY MISFORTUNE.

The pathetic story of the misfortune of Mr. Ali Khan, than whom few had a more respected place in the minds of the earlier pioneers of Kenya has aroused a practical sympathy among his friends. The report in the Standard on Saturday occasioned many queries regarding the possibility of helping the old man in his distress and the Standard has undertaken to pass on to a suitable quarter any assistance which the memory of past friendship prompts.

The following letters were received on Saturday and are published as typical of the kindly sentiments expressed verbally by other enquirers.

To, The Editor,  
"E. A. Standard",

Sir,

Regarding your report of the affairs of Ali Khan, which strongly appeals to me, knowing the man as a very useful and worthy pioneer of this Colony now fallen upon evil days in his old age, I am sure I am merely making a gesture for other to follow in enclosing my cheque for Shs.100/- towards a modest fund for him and his family's relief.

He has been almost a landmark in Nairobi in his modest and useful sphere, known to and popular with most old hands, which, added to his long pioneering career in Rhodesia should earn him relief in his trouble.

Yours , etc. ,  
Sd/- A. Davis.

Sir,

I was very grieved when perusing your "Daily" of to-day's date to read of the misfortune that has befallen poor old Ali Khan.

Ali Khan is one of the "Corner Stones" of Nairobi and has friends from the highest to the lowest throughout the East African Colonies, who I feel sure, if aware of his present position, to the effect that he is without means, nearly blind, with a wife and four children to support, would be only too pleased to give something to help this good old man through his present troubles.

I enclose an amount of Shs.50/- and shall be grateful if you would accept it on behalf of this old friend of many.

Thanking you.

Yours faithfully,

"ANONYMOUS".

MORE FRIENDS COME TO HIS AID.

Further additions were made yesterday to the donations given by the friends of Ali Khan (whose misfortunes were related last week in the Standard's report of his bankruptcy), to assist him and his wife and family in their distress.

A well known Nairobi business man, who proposes to make an anonymous gift of £5/- remembers Ali Khan in his old Rhodesian

days and adds that many of the earlier residents of Rhodesia, he feels sure, would help generously if they were aware of the old man's plight. 128

£20/- was subscribed yesterday, the following are extracts from letters received by the Editor of the Standard.

Mr. W. Dickson, sending Shs.100/- writes:-

A new comer to Kenya could not fail to be impressed by the imposing and picturesque figure of Ali Khan on his white horse in the otherwise drab prospect of Nairobi streets. My dealings with him were quite small but I always found him courteous and obliging. I enclose a cheque for Shs.100/- to help tide over his immediate troubles, but something more permanent is necessary. Would it not be possible for the Jockey Club to make a job for him? He was always an enthusiastic supporter of their meetings".

Major Walter Kirton, enclosing a cheque for Shs.100/- remarks :-

I've just read your report of poor old Ali Khan's misfortune and hunger. Can you get the amount herewith to his hand mara moja, as from one old Pioneer and Raider to another.

"Two Sympathisers" says:-

"We would like to suggest a fund devoted to the purpose of sending him back to Cape Town where he was born some 75 years ago, and where he can spend the remainder of his days among his friends and relatives. We would further suggest that collecting boxes be placed in a prominent position in the bars of the leading hotels as we feel sure that a good many odd shillings would accrue in this way, which might otherwise not be sent to the fund. We enclose Shs.20/- being our small contribution towards the good purpose".

F.D.T. writes:- "As one who has known Ali Khan for over 20 years, I am very sorry indeed to hear of his reduced circumstances. I hope it may be possible to save his eyesight. I enclose my cheque for Shs.50/-".

A cheque for Shs.30/- has also been received from Mr. A. Fabich.

An old friend, a well-known up-country settler sought Ali Khan out at his house on Saturday and left practical evidence of his sympathy.

#### TRIBUTES TO HIS PIONEER WORK.

A number of new donations were made yesterday to the relief of the distress of Ali Khan and his family and are acknowledged below.

Mr. R. F. Meyer has personally taken charge of the sums donated during the last few days and has arranged that every Saturday Ali Khan will receive a payment of Shs.50/- while the sum in hand lasts.

Donations received yesterday were :-

A friend Shs.20/-  
G.E.Tuson, " 20/-  
H.L.G. " 30/-

J.K.Forbes, enclosing a cheque for Shs.50/- adds:- "to

help my old friend Ali Khan in his time of trouble, and to say how sorry I am for him. He was the first man I spoke to on my arrival in Nairobi, seventeen and a half year ago. I do trust he will have better luck in the near future".

"One Old Pioneer to Another", donated Shs.50/-

S. Dent. Shs.20/-

M.H.S.Montagu, Shs.40/-,

J.J.T. accompanies a cheque for Shs.200/- by a letter in which he says:- "It is sad news to those who knew him in the old days to learn of the trouble that has fallen on poor old A.Khan.

He was in Rhodesia at the beginning of things there and in those rough and ready pioneering days Ali Khan was a well known figure. It was worth something to see him arrive in Salisbury at the head of a long string of horses he had brought up some 1,500 miles from the South over the country which had nothing more to guide one than a few old wheel tracks and carried no higher associations than those of savages and wild animals.

It was in September or thereabouts in 1904 that Ali Khan made his first adventure into this country with a mob of horses he had picked up somewhere along the Beadir coast.

Ali Khan was a great horse trader in his time and must have passed thousands of them through his hands. He made money now and again, but he was not really built on the lines of those who can do both, namely, make it and keep it.

To those who knew him well he was man out of the common and it speaks much to say that in Rhodesia in those early days when the line was pretty strictly drawn against those of a shade other than our own that it made no difference in the case of Ali Khan".

Miss. Downes donated Shs.10/-.

MORE HELP IN HIS DIFFICULTY.

Substantial donations were made yesterday to the fund which friends of Ali Khan are providing for him in his old age to help him over the difficulties still facing him. The fund, as already explained, is being made available to him, at the rate of Shs.50/- per week while it lasts. Every donation has been accompanied by an expression of sympathy for one whose name and figure were amongst the most familiar things in East Africa from Rhodesia to Uganda.

Yesterday's donations were:-

Mr. Fred. Tate, New Stanley Hotel, Shs.500/-

Mr. & Mrs. Waterman, Shs.100/-

"F.M." Shs.20/-

"G.D.M." Shs.50/- He writes:- "I was very sorry to see the old man had fallen on bad times. It is a good many years now since I first met him and I have always liked him. Let us hope his affairs take a turn for the better. If you will just pass on the Shs.50/- and let the old man know I haven't forgotten him, I will be grateful".

MORE PRACTICAL HELP.

Several donations were received yesterday from friends of Ali Khan who are anxious that his immediate distress should

be relieved as far as possible.

The contributions, all accompanied by expressions of sympathy included:-

Mr. Arthur A. White, who sent Shs.20/- and wrote:- "Am very sorry to hear of the need of our old friend Ali Khan and now enclose a small contribution to the fund you have so generously opened in your columns. I sincerely trust his declining years will be freed of pain and distress for he has been a friend to many in the early days".

Mr. G. Wilmot, enclosing cheque for Shs.50/- regrets to hear of the distress.

Messrs. Safariland, Ltd., forward three donations:(The Hon: Conway Harvey, Shs.30/- Anon Shs.20/- and Anon Shs.100/-) as a contribution to Ali Khan and his family.

W. McL.W. sending Shs.30/- says he would like Ali to know he has not forgotten him.

"X" sends Shs.50/- "to this most deserving fund to a well known and highly respected acquaintance of about a quarter of a century."

A.M.G., encloses Shs.20/- as from a "well-wisher".

YESTERDAY'S DONATIONS.

Additional donations received yesterday to the Ali Khan Fund were:-

J.D. Naivasha - Shs.20/-

R.O. Preston, Jnr., Shs.50/- He adds:- "It grieves a pioneer to learn of the fate of 'one of the best'" and he sends his donation to swell one of the most deserving causes."

Messrs. J. D. Leonard and W. Tyson also sent a cheque for Shs.100/- by a note saying: "I am indeed sorry to hear he has fallen on evil days. I have known him for close on twenty five years, and during the whole time have always found him ready to assist one arriving and leaving Nairobi. He is universally respected."

An anonymous contribution of Shs.20/- has also been received with no indication of its source.

FURTHER LIST OF DONATIONS.

Contribution to the assistance of Ali Khan continue to be received. The story of his approaching blindness and the starvation facing his wife and children has touched many friends who knew him in early days and were aware of his kindly generosity.

A Nairobi citizen and his wife, who desire to remain anonymous, yesterday sent a cheque for Shs.500/-.

Mr. F. H. Clarke contributed Shs.50/-.

Mr. H. K. Binks, sends Shs.20/- to "help tide the old man over what one can ~~only~~ only hope will be merely a temporary embarrassment."

7  
131

Mr. Anthony Fenwick contributes a cheque for Shs.50/-

"J.G.D", donated Shs.20/-

The Express Transport sent a cheque for Shs.120/- being a contribution towards a very deserving case."

The Hon. E. Powys Cobb, Shs,100/- Kegio Estate, Thika, Sh.20/-.

YESTERDAY'S DONATIONS.

The following further donations on behalf of Ali Khan were made the Standard yesterday.

Mr. H.L. Sargent, Shs.20/-

"B.S.A.P." Rhodesia, Shs.100/- He adds:- "I am sure all old Rhodesians would be pleased to help old man if an appeal was made to them".

Col. Geoffrey Phillips, Shs.50/-, E.L.P.Maitland, Shs.20/3  
K.R.Maitland, Shs.20/- and R.R.Maitland, Shs.10/- with a note:-  
"From us who remember him and his help and straight forward dealings in the years past in Kenya. With our sympathies for present difficulties".

"C.E.M" who sends Shs.40/- writes:- "He has helped many others in time of trouble. Now I hope many will come along to help him. Here is my bit".

YESTERDAY'S ADDITIONS TO THE FUND.

Additional donations to the fund which friends of Ali Khan are contributing to help him in his present distress, were received yesterday. The fund is welcome indication of the charitable spirit of the East African public and of the regard in which this old pioneer (now 75 years of age and threatened with poverty) is held by a wide circle of friends.

Mr. J. C. Shaw, contributing Shs.100/- says "The old pioneer deserves a kinder fate in his old age".

Mr. Emile C.L.Jardine donated Shs.100/-.

Mr. C.C.Monkton sending Shs.20/- says of Ali Khan, "He is quite a landmark in the Colony and I am sure there are many like myself who are sorry to hear of his distress".

Messrs. Gill & Johnson sent a cheque for Shs.100/-.  
Dr. & Mrs. Sorabjee also donated Shs.100/-.

YESTERDAY'S FRIENDS.

The remarkable recognition of the friendship established by Ali Khan during his long association with Kenya was again evidenced yesterday by further contributions to the fund being raised by donations to help him through his distress in his declining years.

Contributions received yesterday were:

Messrs. J.C.Coverdale & Partners, Shs.100/- "as a small appreciation for transport work he has done in the past for this firm".

J.H. Shs.20/-.

G.C.Oakes, Shs.25/- He comments "I am very glad to see you have been successful in your fund".

J.K.Creighton - Shs.100/-

A.D. Impey, Shs.20/-

A donation of Shs.20/- has been received for the Ali Khan Fund, from Kuala Rumpur, Federated Malay States, from Dr. C.J.Wilson, late Asst. Director of Medical Services of Kenya. A week or two ago a donation was received from Australia and now one has been received from the Malay States. This is indicative of the circulation of the East African Standard.

YESTERDAY'S HELP.

Further donations received yesterday for the fund begun by old friends of Ali Khan to help him through his present distress were:-

Mrs. Judd, Shs.50/-  
A Well-wisher, Shs.20/- Capt. H.E.Schwartz and Mr. Theo. Blunt, out of their Theatrical Reserve Fund, Shs.50/-

WEEK - END DONATIONS.

Further donations to the fund being raised by the friends of Ali Khan for the relief of his distress were received over the week-end. The story of his misfortune is reaching a wider circle each day. The donations were:-

P.J. Shs.20/-  
Anon. Shs.20/-  
J.C.D.Hope, Shs.20/-  
W.A.Conduit, Shs.50/-

The Standard acknowledges "from a friend" the sum of Shs.20/- as an addition to the fund which was recently opened for Mr. A.Khan.

A donation was received yesterday to the Ali Khan fund from Mr. H.B. Emley, amounting to Shs.20/-.

The E.A. Standard has received from Messrs. Hamilton, Harrison and Mathews, Solicitors, the sum of Shs.50/- received by them from a client with the request that it should be used as a donation to the Ali Khan fund.

The E. A. Standard acknowledges the sum of Shs.20/- towards the Ali Khan Fund from Mr. Clift.

The story of the misfortunes of Ali Khan, the old "landmark" of the early days of Rhodesia and Kenya has spread far afield. The Standard acknowledges the sum of Shs.20/- from E. Grieve, Adelaide, Australia. The Standard, too, gets around the globe.

Further contributions to the Ali Khan Fund continue to be received from his old friends. Mr. H. Grahame Bell sends Shs.50/-. A settler turning over papers the other day found an old account due to Ali, sent a cheque in payment and added Shs.10/- for the Fund.

Further Donations Received in my house from Sympathisers.

One day on Saturday, the 16th. Nov., 1929, Messrs. Evan, Bros., from Nakuru had come to Nairobi on a business trip, and when they read my sad case reported in the local daily of the Standard, they came right away to my my house on a very wet day, and they said they were very sorry about the state of my sad affairs and they offered us Shs.100/- and promised us that they will look for us again.

Messrs. Safariland, Ltd., sent Shs.100/- with their clerk, Mr. Coelho, in my house with a letter of sympathy.

Vapt. H. H. Clifton,	handed to me	Shs.20/-
Mr. Arthur Thompson,	do.,	" 10/-
Mrs. Bessler,	do.,	" 10/-
Major Dawson,	do.,	" 25/-
O. B. Daly, Esq.,	do.,	" 50/-,

and similarly many more others whose names, I do not recollect.

From the foregoing it is clearly evident that in those old-pioneer ing days, I was really a asset to the Colony in the way of helping officials, unofficials and general public, and had I not rendered faithful services that connected with my business, I would not have had the pleasure to - day to get financial help for keeping me living. I was well known all over the African Colonies for the last 57 years, including, Cape Town, Natal Colony, Transval Colony, Orange Free State, British Bichuanaland, and all places in South Africa, and eventually I sought for fresh field, which was Kenya, and I got here settled.

In spite of Mr. Tannahill trying his utmost best for the settlement of my case, a combination pact set by the powers who were holding the offices of Acting Governor, Chief Justice, Local Govt. of Lands & Settlement, Municipality, Land Dept., and Public Health Office - and all sympathies expressed by these officials, who have had to deal with my case, has not lifted me up from starvation and misery. The downfall and ruin has been through the Government actions and for this cause I cannot be blamed. The unwanton interference with my business affairs has been the chief whip of my sorrows and on the top of it I am left blind without a penny in my hands.

During the late Great War 1914-1918, I was Court martialled through carelessness on the part of my nativeservant, I was let free by the trying Magistrate, as there was no proof that I had acted in contravention of the rules and regulations of the Military Authorities. This was further upheld and proved to the Magistrate that I was not to be blamed by Col: Motley, who then was, Commissioner of Police. The outcome of this action was on account of maliciously reporting me to the Officer concerned by one Corporal, Mr. Malony, in August, 1914. The facts of the case were that I had comman - deered some stock of my horses to the Military and one horse out of that lot was taken away by my native employee for transport work without my knowledge - Mr. Malony came for a horse, and when he wanted this precise one, when this horse was not about the place, enquiries instituted proved to be out on a gharry work. I offered to pick up any other horse he chose including my own riding horse, which he had, and after a few days, I was issued with a summons.

An allowance of 50/- shillings I draw every week is barely sufficient for the needs of the house, remaining no balance whatsoever for buying clothes, etc., when I was drawing a like amount from "E.A. Standard" it was the privilege of Mr. R. F. Mayer, to pay out upon the production of Invoices of clothing at any week-end.

On the face of all this have I not been treated mercilessly and very unfair - is it not a reflection on the British Administrators.

I have an extract that appeared in the Standard recently, read out to me, in which I learn through the sermon that was preached by the Rev: Orr, that every right and true justice should be given with loyalty from the hands of the Administrators or responsible officials. Whereas such case was not with me; underhand dealings and despoise was my luck.

But my evening prayers are:-

GOD MAY HELP AND BLESS US ALL. AND GOD SAVE THE KING.

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Donations received from the Indian Community.

Mr. Osman Yakub,	Shs. 52/-
" Mohamed Allum,	" 50/-
" Hakim,	" 10/-
" Mauladad,	" 50/-
" Abdul Wahid,	" 2/- on the 27th.

August, 1932. This was the day he came to see us in our house, after 3 years or so. He invited us to his house for tea and I refused saying, I got nothing in the world and I feel shame to show my face to the people. Then, he said, I know, the Government treated you very bad.

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8  
135

P. O. Box, 37,  
NAIROBI,  
29th. March, 1927.

Mr. Mortimer,  
The Land Officer,  
Nairobi.

Dear Sir,

Mr. Martin, the Commissioner of Lands, gave me a letter a few months ago, dated 23rd. December last, to hand it over to you and that you will fix the matter, but since yet I have never heard anything from you up to date.

Kindly let me know, as I am still waiting for the reply.

Thanking you in anticipation.

Yours faithfully,

Sd/- A.Khan.

COPY.

136 9

KENYA.

Land & Survey No.250  
Registrars. No. 84.

Department of Lands  
P.O. Box No. 339,  
Nairobi

6th. April, 1927.  
U/17993 B"

Sir,

TOWN PLANNING AUTHORITY.

With reference to your letter of the 29th. ultimo,  
I have to inform you that the Town Planning uthority does not  
now propose to recommend the acquisition of your River Road plot.  
It is not intended, therefore, to take any action in the matter  
of exchange.

I am, Sir,

Your obedient servant,

Sd. C.E. Martimber Mortimer.  
for Chairman .

Mr. . Kham ,  
P.O. cx 37,  
Nairobi.

U/RM.

137/10

NAIROBI,

7th. January, 1929.

The Chairman,

Nairobi Area Townplanning Authority,

The Secretariat,

Nairobi.

Sir,

I have the honour to lodge objections to the road passing middle to my house on plot No.96 to 101, Grogan Estate, on the following grounds.

That the proposed road if constructed will demolish my house and decrease the value of my plot.

I have the honour to be,

Sir,

Your most obedient servant,

Sd/- A. Khan.

10  
138  
THE SECRETARIAT,

NAIROBI, KENYA,

No.S.NTPA.9/8/7.

30th. May, 1929

Mr. Ali Khan,  
Nairobi.

Sir,

NAIROBI AREA TOWNPLANNING AUTHORITY.

RE: PLOT NOS.96 - 101 - GROSS ESTATE, NAIROBI.

With reference to previous correspondence herein, I have to inform you that the Town Planning Authority has recently revised the Town Planning Scheme in respect of the River Road Area, in such a way as to release the front portion of your plot from interference.

2. It is now proposed to make provision for a road across the middle of your plot where no building demolition will be necessary. It is suggested that the acquisition of this portion of your plot be affected by an exchange of land on a value for value basis. If you will visit the office of the Municipal Engineer you will be able to see the plan and submit your proposals for exchange with a view to consideration by the Authority at an early date.

I have the honour to be,

Sir,

Your obedient servant,

Sd/- C.E.Mortimer.

for CHAIRMAN.

19th. November, 1927.

B11

139

The Hon: The Colonial Secretary,  
NAIROBI.

Sir,

I have the honour to submit this my application for compensation on the grounds that my business and prospects have been ruined as the result of the drastic action taken by the authorities of the Medical Offices of Health, and other officials.

I trust that this application together with my Life Storey attached, will be submitted to the proper quarters without undue delay.

My plea is as under:-

I am now over seventy three years of age and in spite of all my efforts to build up a substantial reserve to provide for my old age I am at the present time faced with utter ruin through absolutely no fault of mine in the following manner:-

After having settled down in Nairobi and whilst struggling hard at my life's trade in competition with the Motor business my premises were visited by certain officials of the Health Office and I duly received three notices from this Dept., (Ref: Nos. 70, 71, & 72) all dated the 10th. March, 1926.

In these notices I was called upon to make every conceivable alteration to my premises some of which were quite absurd and impossible to carry out, but the most cruel of all was the demand to entirely demolish my buildings comprising stables, Harness room, Workshops and Blacksmiths shop as it was stated that these were likely to harbour rats. In this connection I submit that every building in River Road and the Indian Bazaar is likely to harbour rats so why my particular premises were singled out for demolition, I am completely at a loss to understand especially as they were particularly free from vermin of all kinds. The approximate dimensions of these buildings were 160' x 60' x 40' and were erected by me at a cost of £7,000/- and their demolition meant not only the loss of my capital outlay but the entire loss of my business and trade which after twenty two years was considerable.

To continue, I was unable to immediately comply with the Health authorities Notices for the reason that I had no other premises to which I could move however, I lost no time in explaining my difficulties to Dr. Johnstone who promised to interview the Department of Lands with a view to finding a suitable plot. About this time I was informed that the Town planning authorities wished to take over all my plots in exchange for which I was promised a suitable site near town on which all my buildings would be re-erected by the Government at their own expense and in addition, certain cash compensation paid to me for loss of business, etc., but no actual figure was mentioned.

After considerable delay, I was offered several plots in different parts of the town which all proved, upon inspection, to be totally unsuited for my business. In the meanwhile, short of pulling down my buildings, I did everything possible to satisfy the demands of the M.O.H., by building concrete drains and cleaning up the place generally. Time passed and although I had repeated interviews with Dr. Hunter, the M.O.H., and Land Office over a period of nine months, nothing whatsoever was done to assist me and eventually I received a summons to appear at Court to answer charges for failure to fulfil the instructions issued

11/13/40

issued by the M.O.H., and judgement was not against me on the 10th. Dec., 1926, and I was given two months in which to comply with the M.O.H., notices. Knowing that this spelt ruined me, I at once approached the Department of Lands to do something for me but received no reply whatsoever to my petition which was a surprise to me specially as the Magistrate had made reference in his judgement that there was a proposal to obtain the necessary plot from the Land Office.

It then became necessary for me to pull down my buildings to comply with the law, and having less than two months to do so, these were pulled down rapidly at great expense to myself as there was no time for any particular care to be exercised as the Magistrate informed me that I should be fined for each day over the two months, with the result that owing to damage, reconstruction of the same series of buildings became impossible without involving me in further heavy expenses and it was then that with the assistance of a friend I leased a property three and a half miles out of town in a bad locality, and every scrap of the demolished buildings, materials, etc., had to be carted out there over bad roads with inadequate shelter for my animals and no shelter whatsoever for my large stock of Harness, carriages, carts, wagons, spares and tools of all kinds with the result that at the present time everything I possess has so far deteriorated as to be of practically no value, and although I have several natives on the premises large quantities of valuable equipment are continually being stolen. Imagine but one or two of my difficulties in dealing with my business in its present inaccessible situation, viz:- Clients of old standing require horses for riding to be at their premises in any part of Nairobi, mostly on the Hill, at 6-30 a.m., which means that my animals must leave their stables at Eastleigh at about 4 a.m., and in most cases do not return until after dark at night after which they have to be sent 3½ miles out before being fed and rested; the same remarks apply to my carriages, mules and other stock and the result is that sooner or later they will all die from disease and neglect. Seven of these have already died.

Had I been a new comer to the country there might have been some excuse for the Authorities to deliberately smash up my business but it is past understanding that an old Pioneer such as myself who built a home and business when Nairobi was nothing but a swamp and has sunk all his money in improving that business during twenty two years residence should be turned out and ruined on the flimsy excuse that his premises are likely to harbour rats!!! As a further excuse to move me I was informed that a law had been passed to prohibit the stabling of mules, horses or oxen within the municipal area. To this I would point out that at the present time oxen are being stabled in the premises adjoining my old stables, and some thirty mules further down River Road are being stabled, while in Duke Street there must be over two hundred head of stock continually stabled. I am sure that none of these people have a record to compare with mine and yet they are not interfered with in any way shape or form, while I, a man of over seventy five years of age whose business worries should be over, am literally hounded out of my business and fortune to comply with a law presumably made to apply to one and not to others.

I am now in a position to prove that as a direct result of the action taken by Government I have lost well over £20,000/- (Twenty thousand pounds) being,

1. Cost of the buildings which I was forced to demolish comprising Stables, workshop, blacksmiths shop, carpenters shop, saddlery store and other store rooms used for the accommodation of goods held by me in trust for sundry clients, and sundry Native Boys' Quarters.

141

2. Stock, machinery, etc., comprising chiefly wagons, carriages, landaus, rickshas, saddlery, harness, and tools and implements of every description.
3. Loss of rent and consequential loss of my business connection. The cost of reconstruction of the demolished buildings must also be taken into consideration.

There is little more I wish to add at this stage except to say that what remains of one of the most progressive business in the country can now be seen on Plots Nos.9 & 10, Eastleigh Township, the value of which has been rendered null through, as I have already said, absolutely no fault of my own and I earnestly trust that you will give this matter your very serious consideration and favour me with your reply at an early date.

I have the honour to be,

Sir,

Your obedient servant,

Sd/- A. KHAN

19th. Nov., 1927.

B 11  
142

COPY.

ALI KHAN'S STORY.

For fifty five years I have been connected with horse dealing in South Africa, Rhodesia and East Africa and of that 55 years no less than twenty five have been spent in this Colony. It was in 1904 that I first arrived here. I had left Rhodesia to proceed to Berbera (B.S. Land) to procure Arab and Somali horses when on the way up we touched at Mombasa where I met several friends whom I had known down South, both officials and ~~many~~ unofficials who advised me strongly to bring horses and ~~here~~ instead of returning to Rhodesia, and who promised me all the help that I might need and all the market that I could wish for if I started in business straight away on my return.

I went on my journey to Berbera secured horses and mules that I wanted from General Sween, the Governor of British Somaliland, and returned at Aden where I received a cable from Mr. R. F. Mayer, the Proprietor of the Grand Hotel at Mombasa, urging me to book my animals to Mombasa as there was a big demand for them in this country, and this I did. But what did I find? That there were difficulties and delays on every side. Quarantine at Mombasa, no permit to proceed up country without inoculation first; no serum with which to inoculate; heavy customs duty, no fodder for them while they waited for leave to move, no accommodation, heavy railway freight, in short all the difficulties which can confront the Pioneer.

When at last after a delay of months during which several animals got sick, and I was called on to pay the Railway freight to Nairobi of nearly £150/-. I arrived here and found matters no easier for there was little but the open veldt in the way of shelter and even by the Court House one poor horse was badly mauled by a hyena.

My object in writing this is to show that I came here as a pioneer, being the first man to bring by sea horses and mules; that I met all the hardships, losses and disappointments of the pioneer, that I came on the representations and invitations of officials and settlers and that at their request I stayed on here instead of returning to Rhodesia; and that throughout the twenty five years that I have been here I have helped in many ways, providing transport where there were no roads and no bridges; my horses and mules at the disposal of Government or settler day or night, before ever there was a motor in the country; that during that time I have undertaken several safaris, not without a large amount of personal risk, in order to bring fresh supplies of horses and mules into the country and that during this term of twenty five years I have paid my rates and taxes so contributing my full to the Government of the country.

Further, when I started my business in Nairobi, I found myself up against the difficulty of no drivers and no one who understood in the least the management of horses so that it became necessary for me personally to teach every Kikuyu driver who came to me for work. This too I did with many Indian and Native Syces.

Applications for land to the Land Office having proved useless I took on a 99 years lease, from Major Grogan the plot of land on which I am still settled. When I took it there was scarcely another house in the place, no road had been made up, no remembrance of drains existed. This I had to do and having built my house, my stable, store, workshop, etc., and having put in such drains as I could, I looked to see the end of my Capital outlay and the beginning of an income on the capital laid out and all my own hard work. I had by now spent about £9,000/- .

During the time this was going on I had personally conducted several safaris amongst others, one for Mr. Winston Churchill, The Agha Khan and Mr. Church, besides running Government Transport, Medical and Military Transport, etc.

When in business in Rhodesia over a period of twelve years I had the honour of supplying over ten thousand horses and mules to the Chartered Company on agreements whereby half the purchase price was paid to me in cash to procure the animals and the balance upon delivery. This meant from time to time I handled many thousands of pounds on the Company's money without any security whatsoever which goes to show that my reputation for fair dealing was beyond reproach; also after delivery of horses, 12 months guarantee for horse sickness.

It was also my privilege during this period to supply animals for use by Government in the Mashunaland War, Watabele War, Jameson Raid and the Boer War.

In this country during the late War, I repeatedly offered to supply horses and mules to the Government for Military purposes but for some unknown reason all my offers were "turned down", although in one instance when remounts were required a large number were purchased from me by a private individual and resold to the Government at a profit of over £300/- to the individual concerned. Both transactions took place the same day and it seems strange that I was not given the opportunity to quote direct seeing that I am the only horse dealer in the country with an established business.

In 1911, seven years after my arrival in this country, I went up to Ugnada intending to start business there. A full train load of horses, mules, carts and gear was booked to Kisumu thence by land through country where there were no roads or bridges, making our way via Mumias and Ganga to Kampala only to find that there was no land available there. After three months trying, assisted by Mr. Jackson, the Governor, I was forced at a loss of nearly £750/- to bring all my stuff back to Nairobi.

During the late war, my entire stock was commandeered and the valuation made not by a Board but by one man whose valuation cost me a heavy loss. Practically all my stock having been taken and my business in consequence for the time being having been ruined, I applied for leave to go to Abyssinia to procure horses and mules for the Government but in spite of Sir Northrup MacMillan's influence, nothing could be done there. I therefore determined to make the attempt on my own account and set out from Mombasa to Aden thence to Jibuli and so through Somaliland to Adisababa. Delay followed delay, promises were given me which were not kept and thanks to the representatives of the German Consul, who knew that any horses I got would help the British Government, the authorities continued to obstruct me in buying until I feared that I should have to return with only my money in my possession, and no live stock.

However, as this would have involved a very heavy loss, I determined to get some cattle if possible and eventually succeeded in procuring between sixty and seventy horses subsequently increased to 100. With these I set out from Adisababa in spite of repeated warnings that I should certainly lose my life and property if I attempted to pass that way. Accordingly I secured the services of fifteen Abyssinian skaris and fifteen Baganda whom I armed with rifles and revolvers and with these I started on my long trek across the country devoid of roads or bridges, through rivers, over waterless deserts, fighting every mile of the way, entrenching night after night until worn out with anxiety and toil I arrived at Moyale. There the report first met me though subsequently confirmed many times, that I

had been killed. But dead or alive the Authorities meant to get all they could out of me and so I was charged Customs duty on my entire safari, even my tent, foodstuff, spoons and forks were assessed and nothing escaped. Being refused permission to proceed via Nyeri I went round by Archer's post, Rumuruti and Gilgil and so after 17 1/2 months from the 15th. June, 1915, to the 30th. November, 1915, back with my stuff to Nairobi where the rumour was strong that I had been killed.

During my absence my business had suffered badly, showing on my return a loss of nearly £3,000/-. At the close of the war, finding myself with more stock on hand than I could use in Nairobi, for the coming of the motor had cut into my transport work badly, I determined to seek fresh fields for my energies and so went to Mombasa with a large quantity of stock only to find that the difficulty of grazing land, water and stabling was so great that I must perforce after striving for fifteen months bring them all back to Nairobi at a loss of £3,000/-.

At Gilgil where I made a fresh attempt with £3,000/- I was again unsuccessful so much so that when I visited my partner there I found that my carts, waggons and harness looked only fit for the scrap heap. Out of this wreckage I contrived to save a bare £500/- worth.

And now after fifty years of unremitting work done in and day out, after having shown the enterprise to be the first to introduce horses and riskshaws to the country, the first to start a livery business, the first to teach boys to drive and handle horses, after having crossed mountains, rivers and deserts to bring horses to the country, after facing death at the hands of robbers, from wild beasts and from hunger and thirst, after proving again and again that I am wanting in neither pluck nor enterprise I am faced with ruin through the motoros that have crowded me out. In all that time I have had the confidence, never abused of prominent men amongst whom I can name Mr. Cecil Rhodes, Mr. Jamegon, Lord Alfred Milner, Mr. Willoughby, Lord Henry Politt, Sir Donald Sturzet, General Sween and the Agha Khan and a host of others, not one of whom would say that I had in any way failed them. There have been not a few "down and outers" who if they told the truth would have to confess that when the League of Mercy has failed them and the Salvation Army could do no more, Ali Khan has kept them for weeks.

A knowledge of horseflesh which is almost unique in this country, a record which can be surpassed by few; enterprise beyond question; courage which has faced rebuff; not one or two but persistent and crushing and still is prepared to fight on, given half a chance, and a heart which prompts the hand to go out to anyone down on his luck to help him to his feet again, all this seems to count for nothing. To have paid my own way, to say nothing of the debts others have saddled me with, is not reckoned to me. That for over twenty five years I have paid my rates and taxes to the municipality, apparently entitled me to no consideration as it would appear that the Government of Kenya has at this stage gone out of its way to deliberately ruin me and my business, the details of which are explained in my letter to the Hon: The Colonial Secretary, under date, 19th. November, 1927.

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THE SECRETARIAT,

NAIROBI, KENYA,

No.S.C.SAN.2/20/3/1/13.

19th. January, 1928.

Sir,

With reference to your application for compensation submitted on the 19th. November last, I have the honour to inform you that a full enquiry has been made into the circumstances under which you were called upon to vacate and demolish your premises in River Road, Nairobi.

It appears that the fullest consideration was given to your case by the Municipal, Medical and Land Authorities and I am to say that Government regrets that it is unable to take any action in the matter.

I have the honour to be,

Sir,

Your most obedient servant,

Sd/- W. M. Logan.

for COMMISSIONER FOR LOCAL GOVERNMENT.

Mr. Ali Khan,  
P. O. Box, 37,  
Nairobi.

NAIROBI,

March, 2nd. 1928.

To:-

The Hon: H. T. Martin,  
Commissioner of Lands,  
Nairobi.

Sir,

It will probably be fresh in your memory that, when I saw you in connection with the cruel losses which I had sustained through the action of the Municipality in compelling me to shift my stables, you gave me a letter to Mr. Mortimer in which you suggested that he and the Health Officer should call me to the Land Office there to discuss the question fully and to decide what the Government could do for me.

As however nothing was done I laid my case before His Excellency who gave me the same advice.

I therefore again request your kind interest in my behalf to bring about a settlement of this dispute of long standing.

Thanking you in anticipation.

I am, Sir,

Your obedient servant,

Sd/- A. Khan.

NAIROBI,

10th. May, 1928.

H. T. Martin, Esq.,  
Commissioner of Lands,  
Nairobi.

Sir,

I shall be grateful for an answer to my letter of  
the 2nd. March, 1928, at your earliest convenience.

Your obedient servant,

Sd/- A. Khan.

148  
14  
18th. April, 1929.

His Excellency,  
Sir Jacob Barth,  
Government House.

Your Excellency,

I venture to ask if Government can do anything to help the really most distressing case of Mr. Ali Khan.

The facts are very shortly as follows:-

1. On the 10th. March, 1926, he was served with a notice to demolish the whole of his stables and farriers' shop in River Road as, under Municipal Regulations, live stock were not to be allowed in the area he had lived on for about 20 years.
2. I understand from Ali Khan that Government promised to find him a plot elsewhere and to erect fresh stables for him as compensation and I know Mr. Mortimer took an immense amount of trouble to find a suitable plot without success.
3. Eventually, I think early in 1927, the buildings were demolished very hurriedly and he carted his belongings and some of the corrugated iron to Eastleigh, 3 1/2 miles out of Nairobi. He states the buildings cost him 27,000/- to erect and, from what I have seen of the scrap material saved, I doubt if it is worth 220/-; having no place to store his carts and buggies they have been left in the open veldt and are now of very little, if any, value. He tells me his stocks of materials cost him at least 23,000/-.
4. His business has absolutely ceased and the poor man literally has not the money to pay for the childrens' boots.
5. On the top of the calamity caused by the demolition of his stables, the Town Planning Authority decided it would require 15' taken off his plot in River Road reducing the depth of the plot to only 35', a perfectly impossible proposition. Of course compensation would be payable for this some time but in the meantime nobody could buy the plot and nobody would rent the well built wood and iron bungalow because they could get no security of tenure.
6. In short, because of Government action, perfectly legal action, I understand, Ali Khan has been reduced from being a man with considerable assets to an absolute pauper with, I am afraid, several debt actions against him in the Courts.
7. From what I have seen of his correspondence, I gather that every Government official who has been placed in the unfortunate position of having to execute the Government decrees has recognised it is a case of exceptional hardship and, as mentioned in para 2, I believe, at one time, Government considered the case justified some form of compensation.
8. Even making every allowance for the fact that Motor Transport was costing animal transport there is no doubt he has lost several thousand pounds and I venture to ask your Excellency if the matter can be enquired into with a view to arranging some amelioration of the really terrible position into which the unfortunate man has been forced through no fault of his own.

He is, I believe, practically penniless.

I am,  
Your Excellency's most obedient servant,

Sd/- A. C. Tannahill.

NAIROBI,

12th. June, 1929.

His Excellency,

Sir Jacob Barth,  
Government House,  
Nairobi.

Sir,

I telephoned to your Secretary on the 10th. June, and was asked for my telephone number but up to present I have had no reply.

18th. April, from Mr. Tannahill, I have now been waiting a long time, now a matter of three years for this business to be settled, I am now in a very bad way and I have to struggle very hard to provide subsistence for my wife and family, and shall be unable to carry on much longer.

I shall therefore deem it a great favour if your Excellency could see your way clear to make an appointment for me to have interview with you at an early date.

Your obedient servant,

Sd/- A. Khan.

NAIROBI,

2nd. July, 1929.

The Chief Secretary,  
To His Excellency,  
Government House,  
Nairobi.

Sir,

Reference telephone conversation on the 26th. June, 1929, relative to my case of compensation, it is now seven days and I have had no reply.

I am at the moment in extremely poor circumstances, and am unable to carry on any longer.

I would be very grateful if this matter can be expedited either with a reply or an arrangement for an interview with His Excellency.

This matter is of a very urgent nature.

Yours obedient servant,

Sd/- A. Khan.

157 15

GOVERNMENT HOUSE,

NAIROBI,

KENYA,

3rd. July, 1929.

Mr. Ali Khan,

P. O. Box, 37,

Nairobi.

Sir,

With reference to your letter of the 2nd. inst., I have spoken to the officer of the Department concerned from whom I gather that it is unlikely that anything further can be done to assist you. I will, however, refer the matter to Mr. Logan on his return from safari, and will then write you again as to whether it will be possible for His Excellency the Acting Governor to give you the interview for which you have asked.

I have the honour to be,

Sir,

Your obedient servant,

Sd/- .....

PRIVATE SECRETARY.

NAIROBI,

17th. July, 1929.

The Chief Secretary,  
To His Excellency,  
Government House,  
Nairobi.

Dear Sir,

Reference letter dated 3rd July, 1929, relative to the matter of my compensation in which you say the matter would be referred to Mr. Logan on his return from safari.

I telephoned to you on the 15th. July, and you informed that you would see Mr. Logan yourself and afterwards let me know the result.

This matter is of a very urgent nature, as I have no food for my wife and family, and also last Thursday I had a warrant served on me for my arrest and an attachment on the 13th. instant.

I should deem it a great favour if I could have a reply and if at all possible an arrangement made for an interview with His Excellency, the Acting Governor in company with Mr. Tannahill.

I beg to remain,

Sir,

Your obedient servant,

Sd/- A. Khan.

153  
15

GOVERNMENT HOUSE,  
NAIROBI, KENYA.  
11th. March, 1930.

Mr. Ali Khan,  
P. O. Box, 37,  
Nairobi.

Sir,

I am directed by His Excellency the Governor to acknowledge the receipt of your letter of the 10th. March on the subject of the demolition of your stables in River Road, Nairobi.

His Excellency instructs me to say that he is looking into the matter.

I have the honour to be, etc.,

Sd/- E.A.T. Dutton,

Major.

PRIVATE SECRETARY.

154  
15

NAIROBI,

30th. June, 1930.

His Excellency,

Your Excellency,

I am grateful for your letter of 11th. inst., may I respectfully point out that during the last four years this question has been discussed and investigated by the Land Officer, Nairobi Corporation, Health Officer, Secretariat and Acting Governor, while I in this period have been revised and but for the kindness of many friends, left with my family to starve.

I would therefore ask that Your Excellency will do everything in your power to help me in obtaining a favourable settlement of my case.

I am, Your Excellency's obedient servant,

Sd/- A. Khan.

15  
GOVERNMENT HOUSE,

NAIROBI, KENYA,

7th. July, 1930.

Mr. Ali Khan,  
P. O. Box, 37,  
Nairobi.

Sir,

I have the honour to acknowledge the receipt of  
your letter of the 30th. June.

I have passed your letter to the Secretariat,  
Nairobi, and you will receive a reply from that Dept., in  
due course.

I have the honour to be, etc.,

Sd/- E. A. T. Dutton,

Major.

PRIVATE SECRETARY.

15  
THE SECRETARIAT,

NAIROBI, KENYA,

No.S.P.H.3/3/2/2/71.

20th. August, 1930.

Mr. Ali Khan,  
P. O. Box, 37,  
Nairobi.

Sir,

RE: APPLICATION FOR COMPENSATION.

With reference to your letter of 30th. June, addressed to the Private Secretary to His Excellency the Governor, I am to inform you that His Excellency in Council has given full and sympathetic consideration to your case, and is unable to agree that any compensation is due to you as a matter of right.

From information at present available it appears that adequate provision is made for your immediate needs. His Excellency will keep himself informed of any change in your circumstances, and if need arises, will consider the provision of assistance from public funds.

I have the honour to be,

Sir,

Your most obedient servant,

Sd/- C. E. Mortimer.

for COMMISSIONER FOR LOCAL GOVT: LANDS & SETTLEMENT.

Sir,

Your Ref: P.H.3/3/2/2/71 of 20th Aug: '30 - Re: Ali Khan.

I have been requested once again to appeal to His Excellency for reconsideration of the sad case of Mr. Ali Khan and I beg speedily to refer to the second paragraph of the letter under the above reference which paragraph reads:-

"From information at present available it appears that adequate provision is made for your immediate needs. His Excellency will keep himself informed of any change in your circumstances and if need arises, will consider the provision of assistance from public".

The "adequate provision" referred to arose from an Appeal made in the East African Standard in November, 1929, for the support of this well known and now absolutely impoverished Pioneer and there was a spontaneous response from all over the Colony. Attached hereto are copies of some of the replies to the Appeal (Marked A.) Out of the funds obtained the E.A. Standard has been paying Shs. 50/- a week to Ali Khan on which he has to live, himself, his wife and 4 children, the eldest a boy of 7 and the youngest a boy of 7 months old: if it was not for the fact that Mr. Soranjee has allowed him to continue in occupation of a house at Eastleigh which Mr. Ali Khan had agreed to but out of the compensation he anticipated receiving from the Government, the poor man would have nowhere to live; it cannot be anticipated Mr. Soranjee can continue this charity indefinitely.

The funds in the hands of the East African Standard are now practically exhausted.

Mr. Ali Khan was a notable pioneer in South Africa and was known personally to Col. Rhodes, Sir John Willoughby, Dr. Jameson and a host of other celebrities.

He arrived in East Africa in 1904 and has dictated his history since his arrival in 20 pages attached hereto (marked B).

I beg specially to refer you to pages 10<sup>th</sup> et seq. of this history which sets out step by step how Mr. Ali Khan came to be deprived of his land and his stables and how his business was completely ruined. I have in my possession copies of all the documents referred to in Mr. Khan's Memoir which can be produced if necessary but I do not think any of the facts are in dispute.

I came into the matter in March 1929 when Mr. Ali Khan was already practically a ruined man. I was given a statement (marked C) by Mr. Mortimer showing Mr. Ali Khan's claim for £16,310/- and asked if I could help. It was quite impossible for Mr. Ali Khan to dispose of what remained of his buildings and land because the area was sterilised under the Town Planning Ordinance and there was a scheme to take 15' width from the plot (including portion of the house) in order to widen the side lane.

I think no one will dispute that Mr. Ali Khan had been promised land in exchange and that these promises never materialised. Eventually Mr. Ali Khan was forced into bankruptcy, all the Assets he possessed were taken and, having had no place in which to store his carts and rickshaws after his buildings had been pulled down, these Assets had become absolutely worthless. As an example, 50 Rickshaws which had originally cost £25 each only realised a total of £50.

I also attach a document compiled by Mr. Ali Khan (marked D) which summarises the history in reference to para 41 thereof he has handed to me for forwarding to His Excellency, the Union Jack and the long scroll of "God Save The King" with which he used to decorate his house in River Road on appropriate occasions: he tells me he has now nowhere in which he can exhibit these emblems and he desires to give them to His Excellency the Governor. I will forward them under separate cover.

- 2 -

The Private Secretary,  
To His Excellency the Governor,  
Government House,  
NAIROBI.

In conclusion I do not think it can be disputed that Mr. Ali Khan established a business in the early days of Nairobi which was of immense value to the Town and the surrounding country and this business was definitely destroyed by the action of the Government without one penny of compensation having been given although compensation has been promised time and again.

Very genuine sympathy has been expressed by every official who has come in contact with Mr. Ali Khan's sad case and, on behalf of the unfortunate man, I venture to ask, quite apart from the fact that the provision for his livelihood is practically exhausted, that his case should be reconsidered with a view to his obtaining the compensation which I firmly believe is warranted.

Yours faithfully,

Sd/- A. C. Tannahill.

A. C. TANNAHILL & CO.,

No.5/99.

NAIROBI.

7th. March, 1932.

Mr. Ali Khan,  
Nairobi.

Dear Mr. Ali Khan,

Mr. Mortimer has phoned me regarding the letter to H. E., the Governor two or three times since Friday last.

He tells me he is preparing a case urging that Government should give a pension.

To-day he tells me that he has seen Dr. Keatinge regarding your bankruptcy and Dr. Keatinge is of opinion that no one will object to your getting your discharge from bankruptcy if you apply. This is important because if you do get a pension, your creditors will not be able to call upon it to help pay your debts.

Dr. Keatinge tells me he will do what he can to assist and I have also spoken to Mr. Underwood, the Deputy Registrar who will do all that is necessary provided we go over to the Court and see him.

Yours faithfully,

Sd/- A.C. Tannahill.

160

THE SECRETARIAT,

NAIROBI, KENYA,

No.S/P.H.3/3/2/2/97.

3rd. May, 1932.

A. C. Tannahill, Esq.,  
P. O. Box, 268,  
Nairobi.

Sir,

RE: COMPASSIONATE GRANT TO MR. ALI KHAN.

With further referencē to your letter No.5/96 of the 10th. May, I have the honour to inform you that the Municipal Council has undertaken to make an allowance to Mr. Ali Khan at the rate of Shs.50/- per month week for a period of three months, commencing from the expiration of the period of Government's grant.

I have the honour to be,

Sir,

Your most obedient servant,

Sd/- - Annells.

for ATG: COMMISSIONER FOR LOCAL GOVT. LANDS & SETTLEMENT.

20th. Sept., 1932.

A. C. Tannahill, Esq.,  
NAIROBI.

Sir,

As you are well versed with my case of poverty at the present moment I am faced with, I take the liberty once again to approach to you with all hopes, that you will very kindly and sympathetically view my case, and bring it up again with the present Governor, sitting out all my case fully in detail, when I may have hopes of getting some compensation, times gone by promised by the Government, at whose fault, I am out and down, and living at the mercy of European old friends, and this kindness, I am boldly to express, cannot be continued for a long time to come. As you are aware, I have a large family to support, with bare hands, and all I had on earth, being forcibly taken away, and for which I had no return in cash of any kind. Since I started my life trade and sunk all the capital I had in the property then demolished, through no fault of mine.

A summary memorandum I sent to His Excellency through you, containing in all 20 pages, fully describing therein, the situation as to how it sprang and ended. The promises gave or made by the responsible Government officials, having not kept nor a bean paid to me, for my own well earned property. On the contrary I ought to have been given a preferential treatment, considering the facts and services I have rendered at all times to the British Government, ever since I have been in the Colony, and especially during the last War, and all in return, I get or had, I am led to believe, a harsh treatment, unbearable, even by a man of any race, caste or creed, he may be. This unfair treatment meted out to me, at a time when I would have been to have a quiet rest.

The present allowance I am drawing of Shs.200/- is hardly sufficient to maintain a family of 6 members, and in support of my inability, I append herewith, a detailed list of expenditure, leaving practically no amount or sum to buy rations, during the month.

Monthly outlays:-

Firewood and charcoal.....	Shs.30/-
Household medicines.....	" 40/-
Water (sometimes more).....	" 5/-
Soap and blue for washing.....	" 15/-
Lights, matches, candles, etc.....	" 20/-
Sanitary work (E.C.).....	" 5/-
House boy.....	" 20/-
Personal boy.....	" 20/-
	<u>" 155/-</u>

Thus, leaving a balance of Shs.45/- to buy rations for the whole household, members of which comprise as mentioned above, and there is absolutely nothing or no provision for clothing and other life necessities of whatever nature. There is also no house rent item, etc.

As I cannot admit the present state of my family lot having fallen owing to my inability to carry on the business, but on the contrary I was hampered by the Municipal and Town Planning Authorities, depriving me of all facilities I had for the last so many years, and to have such, I had laboured or worked hard in those old pioneering days, and as the matter has been outstanding long for over

over a period of 7 years or more, to settle my case duly in the way of compensation for the loss I have suffered by the demolition of a range of my stables, etc., Had the Government not interfered with me, I would have been perhaps to-day worth some thousands of pounds and would have had not to live on the mercy or donations of many my white friends. My state is a painful and the sufferings are real, and much more to see the four kiddies bare and naked, and no clothes to wear on.

Nevertheless a time period has lapsed to over 7 years or less, the memory in the official circles should be afresh in the way of presenting my case in detail to His Excellency, Sir Joseph Byrne, and although you may think, that it is a lapsed case, I am by all means, bound to receive my right dues I am entitled, and all the time hidden, by these officials in a pigeon hole.

At this juncture, I would only cite one case of acquisition, and that is of Mr. Abdul Wahid, who was paid £8,000, for his 15 plots, and there are several similar to this, who have been paid cash compensation, or in lieu, exchange of land, and my case had no effect in either way. I have been a prey in the hands of officials, whoever those powers may be, after taking away or depriving me, from the mouth of my family, bread and butter, I had to make in giving my prime life, in the olden days.

I have been a peaceful citizen, causing no troubles to nobody, and a man after sacrificing all his life in the hope of getting some rest at an old age, I am given restless days and thoughts to think over, by harsh acts on the part of the Government.

A similar effective case as mine, had it been to anybody else, I am sure, a settlement would have been done a long time, instead of lingering as mine; and, as all the people now know that Ali Khan has no means to fight it out, hence, delay.

A letter No.U/17993 "B" of 6th. April, 1927, from Mr. Mortimer intimating me, that my land was now not required, for Town planning purposes, when I had to abide with all notices, court summonses, etc., to meet the Government, and promises given to me from time to time, that my compensation request will be accorded to, has been of no value to me or to the Government. On the contrary, I have been left, to write and write and worry you, for my case. In whatever way the settlement might have been, even small or great, I would have ceased writing correspondence after correspondence, ending with no aim or benefit to me.

Brief summary of the whole case is as under:- Viz:-

In March, 1926, Dr. Johnson through one of his Sanitary Inspector served me with a notice for demolition of all stables, workshops, stores, etc., connected with my business; when I went and saw him, he told me that this notice was served upon me by a mistake, since then Town planning came in, and matters have been in desparate full stop. At the beginning when this matter was in its infancy or arriving at a settlement through the Government, I was sent by them to you, with a view to arriving at a settlement. I do not know, so far, where I stand and how the matter will be settled, but, I have every sanguine hope, that you will try all your efforts to get my case settled within the next few days, for which act of your kindness, I shall ever pray for you, and so will my family, bestowing upon me all the last craving I have sought herein above.

Should you require to have a perusha at the Memorandum mentioned above, I will gladly bring it along and place at your disposal until you have done with it.

Trespassing upon your valuable time has been a draw-back to me and I ask your pardon, and as I have no other means, than to write in length, it is my excuse.

I have to thank you in anticipation for the valuable help you have rendered me in the past at a moment's notice, and I hope you will lastly expedite this time and definitely inform me of my present situation or any other course you advise me to take with regard to my claim.

Once again, thanking you.

I am, Sir,

Your obedient servant,

Sd/- Ali Khan.

24th. Sept., 1932.

THE TOWN CLERK,

NAIROBI.

Sir,

On the 24th. of October, 1931, I was walking from Eastleigh to Nairobi on a very wet day, and on my way I met 2 Municipal Officers in the car, who stopped and asked me as to where I was going, when I said I was going in Nairobi, and they asked me to take a lift for which I was thankful. When we started they asked me whether I was doing anything for my living, and in reply I told them "nothing" as I am blind, and all the capital I had is taken away by the powers and I have nothing left, and it is now 2 years I am living on white friends donations, otherwise my wife and children along with self was on the death of starvation. This day I was going to Nairobi to collect my donation from E.A. Standard,

and when I did this, on my way back I bought some food-stuff worth about 20/- and whilst walking back I met with heavy rain and I walked as far as River Road, when a rickshaw boy came and asked me to take his rickshaw so that my stuff would not get spoiled - I asked him his fare and he told me Shs. 3/-, to which I did not agree, and afterwards he agreed for 1-50, and they took me as far as Pangani Rickshaws stand, where they had were useless, and rickshaw boys for aprons as the ones they had were useless, and on my way from River Road to this place, I got wet all through and so my foodstuff; the other boys also had no aprons nor rain capes, so we had to continue our journey in that way, by the time I reached home I was drenched to the skin and foodstuff was spoiled. I asked the rickshaw boys as to whom the rickshaw belonged, they told me that it belonged to one Kala Singh, and I told them that I shall not pay them as your rickshaw has spoiled my food-stuff and got me wet right through. They said they want their fare and I told them to go and bring their master, they said we hire the rickshaw from him at Shs. 2/- per day, then I asked them why does he not provide you with good aprons and rain capes, they said if we ask him, gets angry and tells us to leave rickshaws. They said we had no food and we are also wet and we must go, when I told them to go and send your master, they said no, the fare money belongs to us, then I asked them for their Kipandis, they said we have got them at home. I sent a note with them for their master to come to see my stuff spoiled but he never came. Through this I had had cold with which I was down for two weeks. I took the registered rickshaw No. 329 and sent them off.

The Government have provided to the Rickshaw owners with stands all over the roads, but instead of this, the rickshaws being there, one can see they road up and down the streets plying for hire or to induce people "take my rickshaw" and thus it is a perfect nuisance to the public. There is a law to prevent such things, but who cares. Taking a rickshaw owner having 50 rickshaws, by hiring out at the rate of 2/- per day, he can get £5/- per day, or £150 per month, or £2,000/- per year or thereabouts. Whereas my running of rickshaws was by engaging the boys on monthly system and pay them a wage. I founded this class of business in the early pioneering days on systematic grounds and till the year 1926, I was ruined by demolishing my buildings by Health Dept., and when I had 50 rickshaws and no place to store them, these were sold by ~~some~~ private treaty and I was able to get only £1/- each, when they originally cost me £25/- each.

From 1904 to 1926, there came so many Town Clerks and Medical Officers, who did not give me any trouble at all, and the late trouble I had was on account of saying mosquitos breeding and harbourage of plague rats. I say no. The plague was not near my premises but existed in Bazaar and River Road. The powers had no other excuse to give but that of plague. I wrote to the Town Clerk on the 17th. June, 1925, giving many points but I had no reply. The original rickshaw proprietors were:- Ali Khan, Capt. Lessberrys, Capt. Luly, Intiazali & Co., and Singapore & Co., and all these owners engaged boys on wages. Besides this rickshaw service I was running omnibuses, coaches, and pony tips, and for which I regularly paid all the licences to all Government departments and the Municipal - I provided my boys with all other kit for protection of rain, etc. I gave every satisfaction in the running of this trade to every one and had a ready communication to me available by telephone, whole day and night, and each rickshaw was manned with 3 boys to run especially up hills, such as K.A.R., Nairobi Hills, Ngong Road, Secretariat, Kilimani, Govt. House, European Hospital, Protectorate Road, Chiromo, Caledonian Road, Parklands, French Mission, Kabetter Grogan Villa, Mithaiga rounds, Clairmonth House, Mr. Grahame Bell's farm, etc., and these rickshaws were used by officials and non-officials. These rickshaws were used by Lord and Lady Delamere, Lord & Lady Cramworth, Maj: E.S.Grogan and Mrs. Grogan, Sir C.C. and Lady Bowring, Col. Ainsworth, Mr. Gosling, P.M.C., Maj: El-kington, Maj: Randell, Mr. W.C.Hunter, Capt. & Mrs. Sanderson, the then Town Clerk, Dr. Millen, P.M.O., Mr. W.J.Moson, The Chief Secretary, Maj: H.F.Ward, Maj: Gailey and many other persons of high rank.

All the capital I had sunk in my life, all went in a minute leaving me in a pauper state through the Government acts, and further leaving me destitute and blind, and taken away all I had. Mere funds who came here given best preference to run rickshaws as shown above, and a pioneer made down and sunk. I am appending herewith a Bus Service list for your perusal at a very cheap rates and convenient to all public bodies. Although, I struggled hard with this business and worked hard for it, was with a hope to be worth something at the end and for my old age, but on the contrary I am trodden down by the powers that may be, leaving me at the mercy of a beggar. I feel absolutely nothing on earth, thinking of these actions, as I did not harm to any one, and why such unwarranted action should be taken towards me. All the same I have not said a word to any one, but have borne in a humane manner.

Another point which I have to make clear is that I live in Eastleigh from the year of 1929 and up to date, and since I am here I have seen not more or less of 600 to 700 animals of different class, such as, mules, donkeys, oxen, horses, calves, etc., leaving to stink around my premises in the open veldt, which is, from a sanitary point of view unhealthy. I presume it is the duty of Municipal Corporation, Sanitary Dept., to clear or remove these dead corpses and collect any fees due from the different owners responsible for this payment. Regarding a letter of 19th. November, 1927, I am perfectly right and can substantiate that up to the present moment, there are mules being stables in the vicinity of my old premises, which is being done at 7 p.m., to 5 a.m., and in the next morning they are taken out very early for working purposes, like this nobody can see in which place they are being stables. Had I not been blind and aged this time, I could show to any Municipal Officer, that such stabling takes place or being done almost by everyone who have animal transport business. Whereas I was removed from my place in the early part of the year in 1926, on the flimsy grounds of insanitary conditions, when I was a Pioneer to start such business, and at the time I had complied with all regulations concerning the erection

of such premises, in the way of submitting proper plans, etc., and these were passed and approved of by the Municipal Engineering dept., I was on purpose served with a notice to quit from the place on insanitary grounds, but to my knowledge and perfect understanding, this was done for the purpose of acquiring my land for town planning purposes. Thus, leaving me out of my living. A similar case was that with Mr. Abdul Wahid's land and he was compensated in cash to the value of about 25,000 (mere vegetable land) and I was promised all sorts of compensations, etc., (vide correspondence during this time, which was with M.O.H., L.O., Secretariat, etc.,) and up to now my matter has not been settled, having now lapsed 7 years time.

Now the last promising reply I have is that I will be given a pension by the Government, when my real property has been destroyed by the Government acts, for which I had no penny in return, although keeping me back on promises. As I have now been aged, decayed, and have no any sort of family provisions made for my wife, 4 children, and although a pension might be granted for me, as I do not know to what amount it will be, and as I am old now and not bound to live for many years, and if I die to-morrow or so what will be the fate of my children and wife? When my business ceased to function, I had poverty days to pass, and am still putting up with it, since the year of 1926, striving hard to give my children little food, and had it not been to the good will of my white European sympathisers, to-day, we all my family would have gone in the grave of starvation. Mr. Tannahill was a member of the Town Planning Board then, and as the buildings were destroyed by Government, I was sent to him by the Secretariat to effect a compensation settlement, which has up to now never been, in spite of Mr. Tannahill having addressed a bunch of petitions on my behalf; although a series of sympathies being expressed by the Government officials, for my lost pioneering business, and even to-day stands with no settlement effected. I did not go to Mr. Tannahill for settlement of my lost property, but the Government sent me to him. At this juncture I was penniless and court actions began for debts, and I was with my family starving, having lost eye-sight, and Government advised me to go bankrupt, which I did, and to-day I am living on the mercy of donations, when I was myself worth with my own goods and chattels equivalent to 250,000 and I could get good will alone of 10,000 for my long standing business. One occasion I cried on my bended knees in the office of the Secretariat for the loss I sustained through false actions on the part of government officials, and was told that my matter would be settled to the satisfaction of all concerned. This interview was with Mr. Mortimer, and Mr. Logan, who told me that I should go to Mr. Tannahill. At this stage Mr. Tannahill addressed a letter to His Excellency, the Acting Governor Sir Jacob Barth, fully explaining my case. Had no reply. All this was a pact combination to deprive me of my right dues and at the same time informing through Mr. Tannahill that I could get my discharge at any moment, on account of there being any pension granted, the same may not be attached by the creditors. As no kind of settlement appears to be made in the near future, leaving me day by day with hopes, and the matter being hanging on so long, leaving me in anxieties. I am a true British subject having lived all my life under the flag of British Empire, been a peaceful citizen, abiding by all laws and regulations, having paid all the taxes regularly to the Government Treasury and that of the Municipality, they later I have failed only for 1928 and 1929 on account of having no money to take out licences.

I may say that I have not been treated justly as a British  
rule ought to give me; on the contrary I am bluffed knowingly that  
I am absolutely penniless and cannot do anything in this world for  
any living, and if I had the value of old hard worked treasure,  
that would be sufficient for me and my family another plenty years  
to come would have lived happily. To-day they live miserable life,  
improperly clothed, half starved and not enjoying the privileges  
of a human being. This harsh acts by Government actions have  
ruined me and my family and I do not know for what reason I have  
been done down like this. Such reason is not known to me. Can  
any man tolerate on the surface of this earth such unfair treatment,  
and more especially from the British Empire? I believe, all  
these officials before joining their duties are sworn to work  
conscientiously without causing any harm to the subjects of the  
Rule they belong; but in my case a cruel act and bad treatment  
was accomplished.

In whatever way my case has been handled, remain unargued,  
leaving a memorial impression in the living life of my family,  
which is very bitterly shared to by us at home.

Your Excellency,

Re: Mr. Ali Khan.  
Secretarial Ref: P.H.3/3/2/95.

I attach hereto a letter (marked A) dated 20th. inst., from Mr. Ali Khan in which I am asked to bring before your Excellency once again the extremely sad case of this old and nearly blind Pioneer.

After I last wrote on the subject on the 24th. February last (copy attached marked B) your Excellency arranged for temporary financial assistance to be granted by the Treasury for three months during June, July and part of August and also arranged for a continuance of the grant for a further three months by the Municipal Council of Nairobi which grant will expire in November leaving the poor man and his family absolutely destitute.

Mr. Ali Khan's good name has never been questioned; the response to the appeal issued by the East African Standard proved that the services he had rendered to the Government and the Public at large were very fully recognised and appreciated.

Although his business of horse and mule transport was changing to motor transport I believe he could have adjusted his business to the change but for the fact that he became the unfortunate victim of two Ordinances which completely ruined him.

The Public Health Ordinance suddenly declared that the area within which he carried on his business for over 20 years should no longer be used for that business and his stables were demolished: on top of that, the Town Planning Ordinance, sterilised the valuable plot of land on which his stables had been and he was prevented from realising his sole remaining asset with the result that he was forced into bankruptcy: the fact that afterwards the sterilisation was lifted added to the bitterness of the situation.

There is of course no shadow of a suggestion that the law was improperly administered but I believe every Officer who had to administer these two Ordinances and who came into personal touch with this particular case is unanimous in saying that it is an example of the bluest hard luck.

In other similar cases, compensation by way of cash or by the grant of another piece of land has been arranged and it is, I believe, on record that endeavours were made in this case to arrange for a substituted area but at that time no other suitable area could be found and nothing eventuated.

Whether it is possible to reopen this question of compensation by way of the grant of another area, doubtless your Excellency will ascertain; the fact remains that through the operation of these two Ordinances, a just citizen carrying on his business with acknowledged probity has been completely ruined.

Mr. Ali Khan has asked me to enclose a copy of his original petition dated 19th. November, 1927, (marked C) and his Story (Marked D); also some photographs which I forward under separate cover.

I hope and believe your Excellency will agree that this exceptional case warrants sympathetic treatment.

I have the honour to be,  
Your Excellency's most obedient servant,  
Sd/- A. C. Tannahill.

His Excellency,  
Sir Joseph Byrne, K.C.M.G., K.B.E., C.B.,  
Government House - N AIROBI.

For fifty five years I have been connected with horse dealing in South Africa, Rhodesia and East Africa, and of those fifty-five years not less than twenty five years have been spent in this Colony. It was in 1904 that I first arrived here. I had left Rhodesia to proceed to Berbera, British Somaliland, for the advertised sale to buy Arab horses and mules; our boat touched at Mombasa where I met several friends whom I had known down South, both officials and settlers who advised me strongly to bring horses and mules to this Colony, instead of returning to Rhodesia, they promised me all the help that I might require and all the market that I could wish for, if I started the business straight away on my return.

I went on my voyage to Aden thence to Berbera where I bought horses and mules from General Sween, the then Governor of British Somaliland, and returned to Aden where a cable was waiting for me at the Hotel de Europa from the Proprietors of the Grand Hotel, Mombasa, urging me to book my animals to Mombasa, as there was a great demand for horses and mules in this country, and this I did.

On landing at Kilindini port, His Excellency the Governor, Sir Donald Stuart was waiting at the Pier to pick out a pair of Arab horses for himself and take them away with him to Nairobi. The Veterinary Officer (Mr. Brandt) came and told His Excellency that he cannot purchase the horses and take them with him to Nairobi, as the horses and mules had to remain at Mombasa for 30 days quarantine, as the Veterinary Dept., had no Malintees (Serum) for injecting the animals at the time.

Then the Veterinary Officer took me to the Railway Shed at Kilindini and told me to keep all the animals inside the shed and feed them with dry grass, and, not to graze them outside, because if they eat green grass they would die, as there is some germs in the green grass and that he would come the next day at 9 a.m., and inspect the animals. I tried my utmost to get dry grass but I could not obtain it at any price.

As promised, the Veterinary Officer came next day at 9 a.m., and after examining all the animals, he pointed out 2 horses and said that they are suffering from glanders. In reply I told him, if he was quite sure that they are suffering from glanders, he could immediately

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shoot them, if afterwards, by examining them and found that they were not suffering from glanders, I would hold him responsible for their value, if proved they were suffering from glanders I would suffer the loss. Then the Veterinary Officer (Mr. Brandt) said that he was not the Chief Veterinary Officer but that he was up-country (Naivasha). Further, he said that he would again call at 4 o'clock, when he would tell me all about the sickness, taking away blood slides with him. He came at 4 p.m., and after examining two horses, told me that they are not suffering from glanders, but that he could <sup>not</sup> allow them to go up-country before the serum malintees arrived from London via Bombay which would take over 30 days, meantime if any horses got sick I was to come to him. I thanked him for his assistance. On arrival of the serum he would inject all the animals, and afterwards I could transport them to Nairobi. Then I told him that since I could not get dry grass at Mombasa, had to buy water and that I had to stay at a Hotel in Mombasa and come to Kilindini about three times aday to see about the food and watering of my animals; owing to these difficulties and delays on every side, I told Mr. Brandt that I would proceed back to Beira port, thence to Salisbury. Mr. Brandt told me to go and see the Chief of Customs (Mr. Marsden) and tell him that I wish to go back to South Africa. I went to see Mr. Marsden at the Grand Hotel at 12 o'clock. I told that Officer about my intentions of returning to South Africa - Mr. Marsden said if I went back I would spoil the country, and that he would tell me everything at 4 p.m., I pointed out to him that to keep the animals at Kilindini for 30 days it would be very expensive as I have to come <sup>times a</sup> 3/days from Mombasa to see the animals, buy grass, water, etc., and with my hotel expenses which will amount to a large sum, considering all these difficulties, if I went back to Beira Port then to Salisbury, I would reach there within 12 days and save all the heavy expenses that I would incur by remaining in Mombasa for 30 days and I may also loose all my animals, and suffer further loss.

Then at 4 p.m., Mr. Marsden told me that he did not like me to go away and would not charge customs duty, and that I would not have to pay the Railway freight to Nairobi, that he will help me in every

210/172

I relied on his words and promises, so I paid the customs duty and railway freight to the authorities concerned at Mombasa and expected to get the refunds of the same at Nairobi.

When I arrived at Nairobi with my livestock, I stayed at the New Stanley Hotel. The proprietor told me that he could give me accommodation for myself but no place for my horses and mules.

As no one had yet brought horses or mules in great numbers to Nairobi you are the first man - then I asked him, what was I to do with them? He told me that for the night to let them loose to graze on the veldt and the next day he would give me a boy to bring the animals near the hotel, when I went next morning with the hotel boy, I found near the Court house then an open plain, one of my horses was badly mauled by hyenas.

Mr. Johnson of Messrs. Johnson & Cameron (auctineers) who had travelled by the same boat, was also staying at the Stanley Hotel, and when he saw one of my horses was mauled by hyenas, he told me that he could allow me their yard for a fortnight, which I gladly accepted. Not being able to get proper accommodation for my livestock I thought to sell the whole lot and go back to Rhodesia. Within 2 or 3 weeks time Mr. Marsden came to Nairobi and after interviewing His Excellency the Governor and the General Manager, Uganda Railway, a few days later came and saw me at my office, and told me that he had seen the authorities and tried his best to get the refund for me, of the amounts paid on account of customs duty and railway freight, but, he regrets that, that the General Manager says that the Railway belongs to a Company and as such he has no power to refund the Railway freight and that His Excellency cannot refund the customs duty. Then I told Mr. Marsden that I had relied on his gentlemanly word and as he held a high and responsible position as Chief of Customs, and that I had suffered a very heavy loss of £150/- at the least. Lord Delamere was the first person who offered to purchase the whole lot of my livestock but his price was not enough to cover all the expenses I had paid and then I tried to sell them in small lots and sold as under:-

21 c  
173

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|----|---------------------------|---|
| 1. | Mr. R. F. Mayer,          | 3 mules,  |
| 2. | Messrs. Penton & Bunbury, | 3 mules,  |
| 3. | Mr. F. S. Clarke,         | 1 Arab racing mare, named "Miller" whose breed is still running in the races, |
| 4. | Mr. Goldfinch,            | 1 horse,  |
| 5. | Lord Cadross,             | 1 mare,   |
| 6. | Mr. Frank Watkins,        | 1 "   |
| 7. | Mr. J. P. Lucy,           | 1 horse,  |
| 8. | Mr. Tom Deacon,           | 1 mare.   |

Then the proprietors of the Norfolk Hotel (Major Raine and his partner) and of the Stanley Hotel told me that there was plenty of transport work for the 3 Hotels, Government and Railway Depts., including the K. A. R., Settlers and other firms and private persons who required transport facilities to go to Kyambu, French Mission, Kikuyu, Limoru and other places to see farms, etc., - Messrs. A. M. Jeevanjee & Co., who had a grant of land from Government for supplying transport, etc., to Nairobi and to other residents of the surrounding country had only one horse carriage and they could not manage the work of the public to Nairobi Hill, K.A.R., and surrounding places or farms, etc., therefore, they had failed in their undertakings by the loss of their business as they did not know how to manage their transport work; and that I had a very good chance of succeeding well in the transport business, as I had great experience in South Africa, Rhodesia and other places, also that I was well known to Europeans and other communities.

I then hired Messrs. Imtiazali & Sons' shed temporarily and used that for stables etc., paying a rent of Rs.150/- per mensem.

When I started my business as horse dealer, Livery & Bait Stable in Nairobi, I found myself up against the difficulties for drivers, syces, etc. There was no one who understood the management of horses so that it became necessary for me personally to teach every native to drive who came to seek work. This I did with many Indian and other tribes.

I supplied riding horses to ladies, first, Lady Delamere, and gentlemen, also carriages of 2, 4, or 6 horses or more as required by customers, also mules for carriages and transport of all nature. I then brought my white drivers from Rhodesia. I had arrangements for hire daily, weekly and monthly horses, mules, carriages and wagons to every part of the Colony, where there was road or no road, no bridges

21 C  
174

but only to swim across the rivers, it was my duty to oblige every person to increase my business for the making of my name and living; at the same time giving my share in building the Colony.

I was a regular supplier to Sir Northrup MacMillan and his parties. Transport and horse dealing was my life time business, and as my business was progressing with animal transport work I thought of introducing the Rickshaw Service in Nairobi and other places when required. I bought Durban Rickshaws from Mr. J. R. Wood and also from Norfolk Stables from Capt. Lisbury and carried on my rickshaw transport for many years to the satisfaction of all my clients. So it will be observed that I was the first man to introduce double rickshaw traffic.

When my business was going on nicely, Messrs. A. M. Jeevanjee & Co., again imported carriages and horses to compete with me, and after a short time almost all their horses died of sickness. Their Manager, Mr. Abdul Hussein sent for me and asked me to buy their whole livery stables, etc., for £3,000/-. I went and inspected their livestock, carriages and all outfit and offered him £1,000/- which he declined. And when he found he could not compete with me he returned most of the horses and carriages back to India.

I then made several applications for land to the Hon: Commissioner of Lands and Land Officer but they refused to grant me any land. But the Commissioner of Lands through the Government gave a free grant of 5 acres of land to my competitors, Messrs. A. M. Jeevanjee & Co., in spite of the fact that I was working hard and being of great service to the general public, who could not depend on getting satisfaction from Messrs. A. M. Jeevanjee & Co., I was compelled to lease 6 plots on 99 years lease from Major Grogan on the Market Road, now known as River Road, which was situated alongside the swamp near the Nairobi River, and I erected my dwelling house for my lifetime on the front plot near the road specially bringing plans from Sea-point, Cape Town: House, boys' quarters, stables, workshops, carpentry and other buildings at a cost of over £9,000/-.

And at the beginning I had to engage an Askari as night watch-man, paying the Police Dept., Rs.16/- per mensem, as it was very dangerous at night time to live at the Market Road (now River Road) owing to

219/75

papyrus reeds, also the place was infested with hyenas and wild animals and my house was the only one in existence on River Road at that time.

As there was no road, I was compelled to ask the Hon: Director of Public Works Dept., to make a road from my house to join Government Road, but they did not do so at the time, so I had to spend £50/- to make a road in order that my carriages, horses, wagons, etc., could pass to town and Railway Station, etc.

In November, 1907, when Mr. Winston Churchill cabled to the Commissioner, P.W.D., regarding his transport arrangements, neither Government nor any firm could undertake the Safari, as Government had no carriages, horses or mules but only oxen transport. Mr. D. Wilson, the then Transport Officer came to my office and told me that he has received a cable from the Home Government regarding Mr. Winston Churchill's expected visit to the Colony and he wanted me to help him in supplying the necessary transport of the best horses, carriages, saddle horses and mule wagon transport for Mr. Churchill's safari from Nairobi to Ruiru, Thika, Donyo Sabuk, Fort Hall and other places, wherever Mr. Churchill desired to travel. I undertook to supply all that may be required for the safari. There were no roads, bridges, etc., at that time. I had to conduct the safaris personally with all risks and dangers of wild animals and sickness. I could not entrust the work in the hands of my staff and at the end of this safari Mr. Winston Churchill was quite pleased and satisfied.

Before the War of 1914, Military (K.A.R.) were in great need of mules in large numbers and at the time instead of buying direct from me as I always advertised in the papers mules and horses for sale. The then Veterinary Officer went to a private farmer and gave him the order for 20 mules, who had no mules at all. The same farmer came to me and bought the mules and sold them to the Military, at a great profit; whereas I offered my horses and mules for sale but my offers were always turned down for unknown reasons.

But when the Great German War was declared on August 5th. 1914, the Officer Commanding, East African Mounted Rifles, wrote to me on the 5th. 6th. & 7th., of that month commandeering all my horses, mules, wagons, saddles harness, halters, bridles, etc., i.e., com-

21c  
176

plate outfit to be at his command at any time for Government use and that I was not to leave the vicinity of my stables and yard without written order.

I was always ready to give every assistance to the Military which was my duty to obey Government orders.

I hold correspondence from the Military Officers and the Secretariat that I offered my services during the war to go and bring for the use of Government, horses and mules, but this was refused and they bought from other people in thousands, whereas they commandeered all my livestock, etc., and valued them at nearly half price as per valuation of the then Veterinary Officer, and closed <sup>all</sup> my business from 1914 to 1916 during which period I had nothing to do. I therefore suffered heavy financial loss.

All war prisoners used my conveyances day and night and I never received any payment during my absence, and since I came back from Abyssinia, from where I brought fresh stock and carried on my business till the end of the war.

I bought livestock from the Government sale for £5,000/- and these I paid by cheques.

Previously I had been employed in Madebili War, Mashonaland Rise and Boer War, my livestock, etc., was commandeered - the valuation was made by two experts and one official, it was very fair and just valuation, and not like the one made in Nairobi - In other countries valuations are always made by Military Officers and not by Veterinary Officer alone, as his duty was only to examine the animals whether healthy and sound or otherwise - therefore, I lost several thousand pounds sterling.

The Government wrote to me to assist them in procuring horses and mules for them and this correspondence I hold. If required, I can furnish copies.

I applied for a passport and leave to go to Abyssinia to procure one thousand horses and mules for the Government. Sir Northrup Mac-Millan agreed to advance me £15,000/- and asked me not to charge more than 25/- per head commission as he wanted to help the Government.

In spite of Sir MacMillan's influence and advance of £15,000/- nothing was done by the Government. Therefore, I determined to make

21C 177

the attempt on my own account and set out for Mombasa to Aden thence to Jibuti, French Somaliland to Adis Ababa Abyssinia, where I met Mr. Tassiger, the District Commissioner and Mr. Campbell, the British Consul. I showed them my papers and they promised to help me to the best of their abilities and opportunities.

I met King Lizasho a few times and he promised that he would let me have 3,000 horses and mules in about 4 months' time. I returned to Nairobi via Aden, and then went back to Adis Ababa after the 4 months were up. On meeting King Lizasho he agreed to let me have 8,000 horses and mules which I could take delivery of at once or take delivery of them over 3 to 6 years. I then made arrangements from Somaliland for railng the horses and feeding, but in the end the King Lizasho influenced by the German Consul refused to let me have the horses and mules.

With great difficulty I succeeded in procuring one hundred horses. In spite of repeated warnings I set out from Adis Ababa (British border) everyone told me that I would never reach Moyale but will be killed on the way by the Abyssinians. I made up my mind if I live or die to pass the Abyssinian territory through the British border Moyale so as to help the British Government, I had great difficulty to pass through, though I had a passport for 7 horses, I had to engage 15 Abyssinians, 15 Baganda Askaris armed with rifles and revolvers to fight my way through for 200 miles where the 3 roads meet. On my journey I saw 9 men were hanged to a big tree by thieves - with great anxieties, difficulties and toil I arrived at Moyale where I met the District Commissioner (Mr. T. D. Butler) who informed me that there was a rumour that they had killed me. I had to pay customs duty on my entire safari kit including spoons, forks, &c., and even on 3 rifles which were stolen at the British Camp.

It took me about 6 months to get back to Nairobi. I had to travel through desert land and encountered lions, etc., The route being via Marsabit Archer's Post, where I met Mr. H. T. Harrington, the District Commissioner. (This Mr. Harrington I met in the Mettabili War and he was a great friend of mine). I stayed there for a few days and then travelled to Nyeri, Rumuruti, Gilgil and Nakuru and then journeyed by train to Nairobi, owing to the instructions then in force I had to take this round about route. On arrival at Nairobi I 'phoned the East African Standard

21c  
178

to advise them I returned to Nairobi to commence my business again and the reply I received was that Mr. Ali Khan was dead. However, I told him I was still alive and he would not believe me and said he would call at my office in the morning which he did and took a report from me which he said he would publish in the Standard.

I continued to carry on my business of transport work in Nairobi.

In March, 1926, Dr. Johnson, the then Health Officer came to my premises in River Road and gave me notice that I should remove my livestock (horses and mules, etc.,) out of Nairobi Township; he referred me to a resolution passed by the Nairobi Corporation on the 27th. February 1923. In informed him I knew nothing about the said resolution and that no previous notice had been received by me, he also asked me how long it would take me to move the livestock, I informed him that I could not say as I had a lot of stables, etc., to remove, he then gave me notice of 4 months in which to move, a few days after I received a notice on the 10th. March, 1926, giving me 120 days notice in which to remove all my livestock, etc., and to demolish my stables, stores and workshops, which had cost me over £7,000/-.

A few days after receiving the notice I called on Dr. Johnson informing him that I had received a notice of 120 days to remove my livestock, etc., and that he had also given me another notice of 120 days to demolish my stables, stores, workshops, etc., I informed him that in his first notice he did not mention the stables, stores, and workshops, he looked at the copy of the notices lying on his table and said that the notice regarding the stables, stores and workshops had been sent by mistake. He then asked me how long I had been in Nairobi informing me that he came in the year of 1917, I informed him that I came in 1904 which was 22 years ago at which he was surprised and he did not believe me and that if he enquired at the Customs Office he would have ample proof because I paid all my customs duty on arrival at Mombasa. He then asked me to call and see Mr. Mortimer of the Land Office and to inform him that I Dr. Johnson had sent me to see him about suitable land to transfer my business, house, stables, stores, and workshops and when Mr. Mortimer had given me suitable land I was called back and report to Dr. Johnson. Mr. Mortimer showed me a map

21c 179

and I informed him that a piece of land in Duke Street would be suitable for my business, etc., and he informed me there was no land available in Duke Street and that there was Crown Land on the other side of the Railway near the Public Works Dept., which I inspected and selected a suitable piece for my business, he then informed me that the land was taken up by the Uganda Railway and there was no land available there.

Mr. Mortimer then informed me that I could have land alongside the river at the Municipal Landhies, this was not suitable for my business as it was all paddy. I informed Dr. Johnson who said he would see the Land Officer himself. I called a few days later on Dr. Johnson, who told me to go and see Mr. Mortimer as he had made arrangements for some land for me. When I saw Mr. Mortimer he told me to have a look at some crown land near Kala Singhs Mosque between Jackson and Whitehouse Roads alongside the 80 feet road.

This land was quite suitable and near the station for my business. I saw Mr. Mortimer and told him the place was suitable for me and that I was quite satisfied, he then informed me, he was pleased that the matter was now settled and asked me to call and see him again in a few days. I then informed Dr. Johnson of the above and he informed me to see him and that he would help me in every way possible.

On the 26th. April, Mr. Mortimer called at my office regarding the piece of land I had selected near the station he also informed me that the Government would take over my land in River Road, the stables, stores, workshops and house and in exchange for that give me the land near the station and build a house, stables, stores and workshops indentically the same I had in River Road and any difference in value would be paid in cash including any loss as compensation; I told Mr. Mortimer I was quite satisfied with these conditions and thanked him for helping me. I then called and informed Dr. Johnson about these arrangements, he said he was very pleased that the matter had been settled so satisfactorily, but reminded him that I must hurry and get moved as the time was getting short and must move as early as possible. I saw Mr. Mortimer and told him that I wanted to move as soon as possible, but he said I could not move until Mr. Felling, the General Manager of the Uganda Railway, returned from leave from England, as it was necessary for him to attend a meeting with Dr. Johnson, when the matter

21C 180

would be definitely settled, and then they would advise me when I could have permission to move, I informed Dr. Johnson of this and he said that was quite alright but I reminded him of the notice, and that I must hurry. Dr. Johnson said that was quite alright, and that I must remain in River Road, I waited until about a month from the date of expiry of the notice and having heard nothing from Mr. Mortimer I called and saw Mr. Johnston and asked him what I had better do. He replied there was nothing to worry about. He was responsible and would look after me. When the notice expired I went again to Dr. Johnson and asked what was the position, as I had heard nothing from Mr. Mortimer. Dr. Johnson said I must remain where I was until Mr. Mortimer gave me land to move to, and must not worry in the meantime. As he thoroughly understood the position and would not let the matter go to Court. Relying on the honour of Dr. Johnson I waited and waited but received no word. Some time after Dr. Johnson accompanied by Dr. Hunter came to the premises in River Road and inspected them thoroughly. Dr. Johnson then informed me that he was handing over to Dr. Hunter and asked me if I had heard from Mr. Mortimer, I told him that I had no word, he replied that I must just wait and that as Dr. Hunter was now in charge he would look after me.

Seven months after the first notice, I received on 18th. October, 1926, a notice from Dr. Hunter giving me 14 days to comply with the notice served on 10th. March, 1926. I went to Mr. Mortimer and showed him the notice, he took me in his own car to the Municipal Landhies road and showed me Crown land, which was all swamp and quite unsuitable, he said the place was quite alright and that I could fill the swamp in with stones, this of course would have been costly and very unhealthy. He told me to call and see him in a few days when I called he showed me land next to the slaughter house, which of course was absolutely useless to me. It was unfit to expect me to live on this plot and quite on the lines that I have been treated all along.

Mr. Mortimer then told me that he could do no more and told me to fix matters myself. I called on Dr. Hunter and told him what Mr. Mortimer said. He then mentioned he would see Mr. Mortimer himself that afternoon, he said he would 'phone me, getting no word after 3 days I again called on Dr. Hunter, he told me he had not seen Mr.

21C 181

Mortimer as he had been too busy but would see him that day and give me a ring on the telephone. I told him time was passing, and as it was not my fault he must not bring me into Court, and he told me not to worry.

I did not hear from him as promised, one afternoon Dr. Hunter, the Resident Magistrate and the Sanitary Inspector called and inspected the premises, but said nothing to me. A few days later I received a summons to appear in Court on 10th. December, 1926. When I appeared in Court the Magistrate (Mr. Gamble) asked me why I had not complied with notice from Health Officer, dated 10th. March, 1926. I said I was not guilty, having acted on instructions from the Medical Officers Dr. Johnson and Dr. Hunter and that the fault lay with the Land Officer Mr. Mortimer. Dr. Hunter and Mr. Mills, the Sanitary Inspector, both confirmed my statement in their evidence, in the fact that land had been definitely promised me by Mr. Mortimer but that he had failed in his duty. The Magistrate ordered me to comply with the notice of 10th. March, 1926, and gave me 2 months from date to carry out the said order.

As it seemed quite impossible to get the promised ground I was afraid and did not know what to do and being afraid that I might be fined 25/- a day if the Court judgement was not complied with I commenced to pull down the buildings. On 23rd. December, 1926, Mr. H. T. Martin, the Land Commissioner, called at my premises in River Road. He asked me why I was pulling down the buildings and I told him I was forced to according to Court Judgement in a case brought against me by the Health and Land Office, then I told him the whole story of the premises I had received from Dr. Johnson and Dr. Hunter and Mr. Mortimer of the Land Office and asked him if he could help me as the buildings had cost me a lot of money and it would mean a ruin to the business and myself, but said that when the buildings were pulled down I would send a statement to His Excellency the Governor. He then asked me for paper and wrote a letter to his Assistant Mr. Mortimer and gave it to me with the request to deliver it personally to Mr. Mortimer, and stated to me that the contents of the letter were that the Land Officer and myself were to have a meeting and get the matter

21C 182

decided; next morning I handed the letter to Mr. Mortimer but got no reply from him. About one month later I saw Mr. H. T. Martin at the Station he was leaving for England on leave, Mr. Mortimer was also on the platform, but either of them said anything about the matter, later on the 29th. March, I wrote a letter to Mr. Mortimer, asking about the letter of Mr. Martin's, and on the 6th. April, I received word from Mr. Mortimer, that the Town Planning Authority did not now propose to recommend the purchase of my flat in River Road.

With reference to letter dated January 15th. 1929 from the Secretariat No.H.T.P.A./26. Early in February 1929, I telephoned to Mr. Mortimer to ask if I could see him personally regards expenses and damages and he informed me to call the following morning, this I did, and explained everything to him and told him that I was absolutely down and starving and could not carry on any longer as I have no business now and said you know very well that from the year 1926 before and since 1926 my buildings were demolished, though definite promises were made to me that I would receive compensation in exchange for land and buildings for my property in River Road and now various people were pressing me for payment of my accounts which I could not pay having no money. He informed me that I could sell my ground and house and pay these accounts, this of course was impossible as no one would buy nor hire the property for me; he then informed me that I could go and he would see what he could do but I repeated to him that I was absolutely down and that he must help me otherwise it was impossible for me to carry on and it would be better if the Government shot me, or at least put my family and self in a Home (similar to a Home for the Poor) or even send me to prison as I had nothing to do, no home, no money, etc. Mr. Mortimer then informed me that I need not worry as he would get the matter properly settled for me and that I was to see him the following week. I telephoned to him a week later and he asked me to call at his office and informed me that he was not in a position to do anything for me, I again informed him what I said the previous week about the Government doing nothing for me after promising to do something, he made a note of everything I said and then informed me that a meeting was to be held on Friday and that he would put my case before the meeting and that if I called next week he would let me know the decision of the

21 e  
183

meeting, I saw him the following week he said that something had been partly arranged but it would require to go before another meeting. The following week I telephoned Mr. Mortimer who said that the matter was going before another meeting and that it would be 2 weeks before anything would be arranged definitely. Later I telephoned Mr. Mortimer who asked me to call at his office which I did and he informed me that everything was passed at the meeting held last Monday (March 1929). I was asked if I knew Mr. Tannahill, to this I replied yes, since he arrived in the country and that I knew every one who arrived in the country. He then informed me to see Mr. Tannahill and take my bill to him amounting to £16,210/- and that Mr. Tannahill would see if correct and that I should bring it back to him (Mr. Mortimer) and that he would pay me in cash I replied "thank you very much" then he said when I give you the cash you can pay your accounts and creditors and you will have sufficient to start a new business. I went to Mr. Tannahill and said Mr. Mortimer had sent me to get you to see this bill if it is correct and in order. When I handed Mr. Tannahill the bill he said he knew nothing about it, but anyhow he would make enquiries from Mr. Mortimer and other members of the meeting and would let me know the result and asked me to call in a few days later. Mr. Tannahill said he could not find out anything about the bill, I replied that it seemed strange and asked him if you are not aware about my letter and replies from the Secretariat on this matter then Mr. Tannahill asked if I had copies of my letters to the Secretariat and I informed him that I had and he informed me to bring them to him without delay. I went straight to my office and took the letters to Mr. Tannahill. When he read them he informed me he would enquire at the Secretariat regarding same and would let me know in a few days. When I saw Mr. Tannahill a few days later he informed me that he got the information and would require to make further investigation. After a few meetings had been held I saw Mr. Tannahill who informed that everything was fixed and that the matter was entirely in his hands. He informed me that he would call at my house on Monday at 2 p.m., which he did, and looked over the place including the site of the demolished buildings and then took me in his car to Eastleigh where

21 C 184

he saw all the carriages, gharries, harness, etc., which had been lying there since 1926 to 1929. He made a few notes and then returned to Nairobi, he left me saying to see him in a few days. When I saw Mr. Tannahill he informed me that things were going ahead and to call after a week, this I did, he then showed me a letter from the Town Planning Committee (Sub-Section) calling a meeting for Saturday at 10 a.m., I received no intimation of this meeting and did not attend same and requested Mr. Tannahill to act on my behalf. I called the following week on Mr. Tannahill and he informed me that the meeting had decided not to take any further action on my behalf. Mr. Tannahill informed me that he had written a letter to the Acting Governor and gave me a copy of the same. I frequently saw Mr. Tannahill from 18th. April, 1929, onwards always asked him if he had any reply and he informed no reply.

Early in June Mr. Tannahill advised me to try and arrange to have an interview with His Excellency the Atg: Governor (Sir Jacob Barth). On the 10th. of June, 1929, I telephoned Government House and spoke to one of the staff and asked for Sir Jacob Barth but was informed that he was not available at the moment but was asked to give my name and telephone No. and word would be sent to me; not receiving any word up to 12th. June, I wrote a letter on that date to His Excellency asking for a reply to my letter addressed to him on the 18th. April, 1929 by Mr. Tannahill (wherein Mr. Tannahill had explained my circumstances) I received no reply to this, so on the 26th. June, I telephoned to the Private Secretary at Government House, asking for a reply to my letter but up to the 26th. June, I got no answer, I wrote again on the 2nd. July, to the Private Secretary, confirming my telephone conversation of the 26th. June and asked for a reply. I received a reply dated 3rd. July, 1929, informing me that the Government could do nothing and that the whole case would be put before Mr. Logan on his return from safari. On 15th. July, 1929, I telephoned the Private Secretary, regarding the letter addressed to me on the 3rd. July, he informed me that he would see Mr. Logan and let me know the result.

On the 17th. July, 1929, I wrote to the Private Secretary, confirming my conversation with him, but to this letter I received no

210 185

reply. A few days later I interviewed Mr. Tannahill, who asked me to telephone Mr. Logan to make an appointment to meet him personally, this I did, and informed Mr. Logan who I was and my business. He asked me to call at 3 p.m., that afternoon and Mr. Tannahill and I called at his office at 3 p.m., Mr. Tannahill and I spoke to him and showed him the letter dated 18th. April, 1929, sent to His Excellency by Mr. Tannahill. Mr. Logan then informed us that nothing could be done for me, at this period Mr. Mortimer came into the office Mr. Logan again repeated that he could do nothing, I then said to Mr. Mortimer you admit that in the beginning of 1926 I had interview with yourself, Dr. Johnson and Dr. Hunter of the Health Office in which you promised me that you would take my property including ground, house, stables, workshops, stores and all buildings on the ground and that in exchange for these Government would give me land near the Station and build a new house stables, etc., as were standing equivalent on my land in River Road, he replied in the presence of Mr. Logan, Mr. Tannahill and myself - "Yes I did definitely promise this exchange" but since then the Town Planning Committee have decided not to take your land. I then asked him "Did you agree or did you not agree" he replied, that he did agree and then walked out from Mr. Logan's office. I then gave Mr. Logan all my correspondence etc., Mr. Logan then replied that he knew about the correspondence which was quite good and in order but said he was sorry he could do nothing. I then informed Mr. Logan that the Government has ruined me and my family who are starving and my sight has gone bad, and I have no work and said you must help me, the Government have ruined me unfairly and they must rectify matters, but Mr. Logan still said he could do nothing. I still appealed to Mr. Logan on my bended knees, and crying in my despair. I said you are my Governor, I am a Britisher, I brought Capital to this Colony and worked hard and gave no trouble to the authorities. I am 75 years of age, and it is through no fault of mine that I am in this position to-day, but it is entirely the Government's fault. All I want is fair play and a chance to live at least comfortably. Mr. Logan then asked me how I lived and how much were my expenses monthly. I said £30/- per month. He then

21c 185

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21C 186

asked me how much I owed, I said about £3,000/- and that various people owed me about £3,000/-, Mr. Logan then said he could possibly arrange a job for me in my own line, I then said give me £5,000/-, which would enable me to pay my creditors and leave sufficient to carry on my own business. Mr. Logan said he could do nothing but would see the Acting Governor to-morrow and let me know. However, nothing was done but Mr. Logan saw the Atg: Governor and on his return he said I must file my petition in Bankruptcy. I therefore filed my petition as advised and all my goods were sold on the 2nd. August, 1929, by public auction from the date of filing my petition. For five months I had no money, no food, and my wife, 3 children and self were starving and no one gave me any assistance. Although when I was advised to file my petition I was told that the Government would help me.

Transport and horse dealing was my whole life business, but to-day the first time in 55 years I am without house or money; thanks to the Government of Kenya, but still though trodden down unfairly through underhand methods, no doubt if I had given "Backhanders" I would have been well off to-day.

The Government would not help me though they were entitled to, but on the other hand they gave me 5 acres of land free to Messrs. A. M. Jeevanjee & Co., who were not even entitled to any grant.

I am well known to all European ladies and gentlemen in the Colony who are now sympathising with my adversity and poverty and if it were not for the generosity and donations, my wife, children and myself by this time would have died of starvation.

The Government having finished my whole establishment by demolishing my stables, workshops, etc.

Promises after promises have been made for these past four years to pay me for the loss I suffered through no fault of mine, of course if I had acted in the way that was obvious to me I would have been quite all right to-day.

Now all I want is just consideration and proper compensation to which I am rightly entitled.

There is a lot of Crown land in Nairobi which is suitable for my business and out of all these only one was shown to me and that was near the Station which has been now refused to me.

Government gave me lot of trouble from 1926 to 1929. The Health Office's notice of 4 months in which to demolish my buildings was a mistake and promises made to me to give me land in lieu and to build buildings for me and kept me waiting for 9 months and then I received summons to appear in Court and the Magistrate gave me 2 months notice from the date of expiry of the Health Office's notice and said if my buildings were not demolished by the end of the month he would fine me for every day the buildings were not demolished which he did not do. The Government never gave me land as promised so I personally tried my best to get a piece of land for my livestock and buildings, but failed.

Mr. Sorabjee a friend of mine for the last 25 years came to my rescue and gave me his house and adjoining land in Eastleigh. When I showed him the notice he had tenants at the time and gave them a month's notice. I then demolished my buildings though it was the fault of Government I had at the time horses and mules to the number of 75 and 100 waggons and at Eastleigh there was no water, I then interviewed the Municipal Engineer (Mr. Davidson) re: the water and he informed me that he could not help me till about 6 months later and that my livestock must drink the Nairobi River water. After 5 years I received water when I lost my livestock.

Mr. Sorabjee was leaving for England in May 1929, I showed him the letter of Mr. Tannahil which he addressed to the then Acting Governor (Sir Jacob Barth) and he informed me that to expect settlement and I informed him that when Government settle up with me I would pay his rent whatever was due but the Government had not settled my claim up to now therefore, I am unable to pay Mr. Sorabjee.

I then 'phoned Government House on the 10th. June, 1929, requesting to know if there was any reply to the letter dated 18th. 1929, to the then Acting Governor by Mr. Tannahill I was asked to give my 'phone No. and that I would be informed later on of the result.

21 188  
CFM

On 2nd. July, 1929, I addressed His Excellency and received a reply on 3rd. July, 1929, informing me that the matter will be referred to Mr. Logan and on his return from Safari. On 15th. July, 1929, I telephoned again and received a reply that he will see Mr. Logan and let me know the result, in the meantime I had a warrant served for my arrest and also an attachment and on 2nd. August, 1929, my property was auctioned. I had been in Mr. Sorabjee's house at Eastleigh for over 4 years and I cannot expect him to help me forever. He had many offers from people to buy his house but he refused saying he would not turn out Mr. Ali Khan and family and that as long as they were in trouble they could live in my house.

Now through all this trouble I cannot go near the Banks or even face people who are my friends. I am 75 years of age and lost my eyesight and therefore cannot work, I and my family are starving. I maintain myself and family by the donations my good and kind friends have subscribed.

-----+++++-----

2  
State has authorized the handing over of the  
Eldon Water Supply to the Municipal Board & seeks  
approval of a loan of £31,871 to the Board & proposed  
accounting arrangements in connection therewith.

The estimates for 1932 anticipated  
Revenue from the Eldon Water Supply

£ 4,400 against expenditure of  
£ 1,647 including reversals fund provision

Balance 2,753

on this basis the municipality should  
have no difficulty in meeting the proposed  
annual charge of £3,055 for interest and  
amortisation.

Having regard to the National provisions  
in 1921 & 1930 the only questions to consider  
are whether (1) the redemption proposals and  
(2) the accounting proposals are sound.

Other than the conditions laid down in para  
2 of 1915 & 1930 appear to be met.

as regards (1) the money was raised by  
the £3,400,000 loan at 4½% repayable 1961-71.

? Is J. Campbell's view may be relied on this.

as regards (2) the money has been repaid  
so account is impossible. ? D.C.A. may  
be asked to say if the proposed method  
of accounting is suitable.

? It seems unnecessary ~~to~~  
to come with drawings and subject to any  
drawings on the other points appear  
11/3/33

I think we can approve the transaction  
(i.e. paras 1-4). On the accounting  
question raised in para. 7-10 we should  
be glad if D.C.A.'s advise.

*R. A. Austin*

17.4.

D.C.A.

any claims please? (They seem to me to be making  
very heavy weather out of it)

*J. S. W. Flood*

18/4/33

No. 3575/9.

Mr. Flood,

As matters stand I agree with the accounting  
procedure described in paragraphs 9 and 10 of No.  
1, though I consider that the balance of £1219  
referred to in paragraph 9 should not be credited  
to ~~REVENUE~~ <sup>REVENUE</sup> until it has been received from the  
Eldoret Municipal Board.

The simplest way to avoid these somewhat  
complicated accounting entries would appear to be  
to authorise the virement of £30652 (the actual  
cost of the Water Supply) from I(b) to I(c) of  
the Schedule to Ordinance 43/1930. I doubt if  
this can be done under Section 3 of the Ordinance,  
but you might consider whether it would not be  
advisable to effect the virement by a short  
validating Ordinance: if this was done the pro-  
cedure adopted in the case of the Makuru Water  
Supply (paragraphs 7 and 8 of No. 1) could presu-  
mably be followed.

*J. S. W. Flood*

Deputy Director of Colonial Affairs.

9 MAY 1933

The reason why virement from 1(b) to 1(c) isn't possible  
is that the money has been spent & § 3 of the Ordinance only  
allows virement where the money has not been spent.

Things being as they are I don't fancy the idea of a Linking  
Ordinance, so I think we should

Approve the proposals in para's 1-5, say that the  
S. of S. is advised that the Treasurer's view in para's 9-10 is  
correct & that the £1219 must be paid before it is credited  
to revenue.

*J. S. W. Flood*

4533

above

2  
To Gov 311. (1 Answer)

9 MAY 1933

C. O.

Mr. Priestman. *SP*Mr. *Drake* *SP*

Mr. Parkinson.

Mr. Tomlinson.

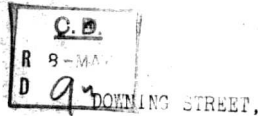
Sir C. Bottomley.

Sir J. Shuckburgh.

Perms. U.S. of S.

Parly. U.S. of S.

Secretary of State.

28  
29*549* May, 1933.

Sir,

(1) I have, etc., to acknowledge the receipt of your despatch No. 171 of the 16th of March on the subject of the acquisition from the Government of Kenya by the Eldoret Municipal Board of the Eldoret water supply.

2. I approve the action taken as set out in paragraph 4 of your despatch under acknowledgment and also the terms of transfer and of the loan to the Municipality described in para. 5.

3. As regards the accounting arrangements I am advised that the Treasurer's view in paragraphs 9-10 of your despatch is correct and that the balance of 1,219 must be paid to the Treasury before it is credited to revenue.

I have, etc.,

(Sgd.) P. CUNLIFFE-LISTER.

DRAFT.

KENYA

NO. 311

Gov.

KENYA.

No. 171.



GOVERNMENT HOUSE  
NAIROBI.  
KENYA.

RECEIVED  
- 5 APR 1933  
COL. OFFICE

16<sup>th</sup> March, 1933.

Sir,

I have the honour to inform you that the Eldoret Municipal Board has applied for a Loan of £31,071 under Section 88(1) of the Local Government (Municipalities) Ordinance, 1928 for the purpose of acquiring from the Government the Eldoret Water Supply.

*Unaud (2) 155-2/4*

2. The Eldoret Water Supply was constructed by Government out of Loan Funds at a cost of £30,652, to which must be added certain expenditure totalling approximately £850 from Revenue and the sum of £1,848 in respect of interest during the period of construction or approximately £33,350 in all. A Renewals Fund, to which Government contributed £450 per annum as from the beginning of 1929, had accumulated to £1,807 by the end of November, 1932.

3. In arriving at a valuation for the purpose of handing over the Water Supply to the Municipality, it was agreed to take the actual outlay at a figure of ... .. £33,300 to deduct depreciation over a three-year period based upon what the contributions would have been to a full Renewals Fund calculated on a life of twenty-five years .. £ 2,497

£30,803

THE RIGHT HONOURABLE  
MAJOR SIR PHILIP CUNLIFFE-LISTER, P.C., G.B.E., M.C., M.P.,  
SECRETARY OF STATE FOR THE COLONIES,  
DOWNING STREET,  
LONDON, S.W.1.

£30,803

and to add the trading loss which would have been incurred for the years 1928 - 1931 on that basis of contribution towards renewals ... .. £ 1,068  
 giving a total of ... .. £31,871

The figure so obtained relates to the depreciated value of the Water Works and its adoption for the purpose of sale to the Municipality therefore presupposes that the existing Renewals Fund will become an asset of the Colony.

4. On the advice of my Executive Council, and with the agreement of the Municipal Board, I have authorised the handing over of the Eldoret Water Supply to the Municipal Board at a purchase price of £31,871, and I trust that you will approve my action in this matter.

5. I have also, subject to your covering sanction approved of the Eldoret Municipal Board becoming indebted to the Colony for a sum of £31,871 on the following terms:-

- (i) That the Loan be repayable over a period of 17 years in equal half-yearly instalments to include both interest and redemption.
- (ii) That the Loan take effect from the 1st of January, 1933, the first instalment being payable to Government on the 30th of June, 1933; thereafter instalments to be paid on or before the 31st of December and the 30th of June in every year until the 31st of December, 1949.
- (iii) That the Renewals Fund existing at the date of transfer, namely 1st January, 1933, be retained by Government, who will not claim any amount in respect of past trading losses.
- (iv) That any plant, tools or other equipment, including unallocated stores and stock of Water Supply material be transferred to the Municipality at cost, to be met from funds of the Municipality unless such articles

can usefully be taken on charge by the Public Works Department.

- (v) That all revenue earned by the Water Supply but not collected at the date of transfer be credited to Government revenues.
- (vi) That recurrent expenditure incurred on the Water Supply but unpaid at the date of transfer be chargeable to Government funds.
- (vii) That the cost of transfer of the Water Supply plus proportionate expenditure to which Government may be committed in respect of leave, salary and passages and incidentals be borne by the Municipality.

6. I submit the above terms of transfer of the Water Supply and of the Loan to the Municipality for your approval. The sale of the Water Supply on those terms will mean that the Colony has disposed of an asset mainly constructed out of Loan Funds. I am advised by the Treasurer that, whereas the Water Supply itself is not shown as an asset in the Colony's accounts, the debt due by the Eldoret Municipal Board must be so shown in cases where the money required for the Loan to the Municipality does not itself figure in a Colony Loan Schedule.

No 5

16.2/14/30

7. In the case of a similar transaction affecting the Nakuru Water Supply approved in Lord Passfield's Despatch No.172 of the 12th of March, 1931, the obligation of the Nakuru Municipality to pay £21,000 on purchase of the Nakuru Water Supply was recorded under "Loans to Local Authorities" in the appropriate item of the 1930 Loan Schedule.

This course was possible in that case because, at the time of transfer, the borrowings mentioned were in a Schedule of Advances pending the raising of a Loan.

8. In the case of the Eldoret Water Supply, the Loan Schedule has been finalised by Ordinance,

and .....

and the procedure adopted on the transfer of Nakuru Water Supply does not, therefore, appear to be capable of application to the present transaction.

9. The Treasurer advises that, in these circumstances, the Loan of £31,071 to the Eldoret Municipal Board should appear as an asset in the Colony's Balance Sheet but, inasmuch as the Water Supply was mainly constructed out of Loan Funds, he considers that Loan expenditure actually incurred, namely £30,652, should appear in the Colony's Balance Sheet as a liability; that the balance of £1,219 together with the amount now shown as a liability in respect of the Eldoret Water Supply Renewals Fund should accrue to the Colony's revenue; and that the investments and cash held against that Renewals Fund should in future be shown as Colony's investments and cash.

10. The half-yearly interest and redemption payments from the Eldoret Municipal Board are based on an interest rate of 5.2% per cent. and on the assumption that redemption payments will accumulate at the rate of  $\frac{3}{2}$  per cent. per annum over the seventeen years covered by the Loan period. Each half-yearly instalment will thus amount to :-

Interest	£ 333 : 8 : 53
Redemption	£ 693 : 18 : 95
Total :-	<u>£1,527 : 7 : 48</u>

The Treasurer proposes that payments by way of interest should be taken to revenue under the revenue Head "Interest" and that payments by way of redemption should be credited to the supplementary sinking fund and invested. He observes that interest and redemption payments on Loans to Local Authorities made out

