

1931

Kenya

No. 17109

SUBJECT

CO 533/408

Mrs P. Gaphiro

Application for gratuity in respect of
service in E. A. P.

Previous

Gov/15400/16. E. A. P.

Subsequent

Kenya (Kenya no longer (no
 because the Sudan) is in a position to
 be reverse at the moment: but if
 Kenya (es.) has proposed to do something
 in the form proposed (see 927) it would
 be hard on the Zaphiro I have the
 report turned down because it makes
 at a bad time though any
 modification must not have to be
 implemented before 2005 time
 them.

I copy back to you to
 Kenya (Kenya) / I believe that back
 in recommendation after consultation:
 add that it's been suggested that
 to that decision ^{the} ~~should~~ ~~be~~ ~~made~~ ~~by~~ ~~the~~ ~~committee~~
 that ^{should} also ~~be~~ invited to
 consider the question of a grant, if this
 has not already been done.

Smith
 to write to Mr. Montgomery
 explaining & apologizing for the delay:
 substance of
 & copy / comes with the Smith.
 Montgomery to the Moon (Kenya) &
 to Scott (Kenya) saying that
 in the event of any news here of
 need ~~in~~ ~~the~~ ~~future~~ ~~to~~ ~~be~~ ~~made~~

(as to which
 we have been
 unable to
 trace copyright
 here)

been done in the past but that
 as appears from the Zaphiro letter to be
 ready ~~to~~ ~~make~~ ~~of~~ ~~it~~ ~~and~~ ~~the~~
 of fact of Kenya at any rate was prepared to
 Z's services in the past in a great way
 927 to recognize / it is noted that the

present financial stringency will not
 be regarded as sufficient in itself to
 rule out the possibility of a grant
 at some future date when the Zaphiro
 situation & the financial position
 will it is to be hoped, will have improved.
 I ask that although we have been
 pulled to delay this will amount to
 an early reply.

copies of the 8th Edition might
 be sent to Mr. Montgomery as an
 incentive to the S.C. to do the same
 in the case of the Zaphiro

7/7/21
 1/3
 Bottomley

It is quite like old times
 to be dealing again with
 a Zaphiro paper!
 Undoubtedly Zaphiro

Gov Kenya
to Western
... ..

did receive more for the
S.A. but I am
surprised to learn
that he is now so
ill - provided with
funds.

? as proposed
at Parkview
7.3.31

W.C.S. 9.3.31
at once

- 4. To: Sir H. Montgomery (Baro) - S.O.
 - 5. - Wm. M. Moore - S.O.
 - 6. - S. G. Scott - S.O.
- 17/6
1. To: Gov. Kenya 189 } (C/o. encls. 1.) - ~~Baro~~ - 17 MAR 1931
8. Uganda 115 }

col

M. Hartwood

his reply to nos. 4 and 8.

W.C.S. 14/6/31
wait 2 months

J. Gardner
29.6
at

W.C.S.

Will no reply to nos. 4 & 8
17/6/31

M. Hartwood
29/6/31
wait a month
M. Hartwood
29/6
at

col

M. Hartwood

Please see minute of 29/6/31.

nothing in.

M. Hartwood
30/6/31

9

Gov. 551 - 15 Sept 31

States that it has not been possible to trace
any copy of the offer of the Govt. of Kya. to grant a
gratuity to Mr. Kaplin & that there is no
copy in the Legation at Addis Ababa. Govt.
unable to make any recommendation unless
the contents of the offer can be communicated.

I should have thought the case
could have been considered on its
merits quite apart from the
Govt. proposals.

? wait a month for
Legation to reply.

J. Gardner
16.2

Noted

No. in referring to Sir E. Lygon

Depose to Mr Moore. He agrees but
I want to see to ask Sr. E.
Grog & the Comsec. I think it
has better of being sent to
not landing in the Kenya East.
I thought the tea might be considered
in its merits apart from the main
the Comsec. I understood Mr
Moore to agree.

Wait in Uganda.
J.M. Allen
4/11/31
Atank

10 Mr E. Scott, Uganda, So. - 9/10/31.

Nothing is known of the
Philip Zaphiro, & Uganda records
contain no particulars of any
services rendered by him to Uganda.

I was reply to no. 9 suggesting
that the matter should be considered
on its merits despite the absence
of comsec. /
I reply to no. 10 asking that
an official reply may be sent
after X.

Mr. I suppose in writing to Kenya we
should indicate as in Mr Allen's minutes of
14th November and we might also add
~~the suggestion~~ that, if the Kenya records are not
sufficient, the En. will no doubt be able to
obtain from Addis Ababa a statement of the
services ^{in respect of which} ~~which he has rendered~~ it is suggested
that a gratuity might be awarded to Mr.
Zaphiro by the Gov't of Kenya & Uganda.

A copy of No. 9 & the reply might go to
Uganda. & the reply to No. 10 should say that
the official dispatch from Kenya suggests that
their enquiry to Addis Ababa was directed rather
to get the tracing the correspondence than to
obtain info about Mr Zaphiro's services. That
we are anxious that Mr Zaphiro's appln should
be fully considered ^{have suggested to Kenya} ~~to be fully considered~~
that if necessary they should obtain a statement
in connection with ~~the Kenya records~~ ^{the Kenya} records which
of the services in respect of which the Kenya
and Uganda En. might be asked to award
from Addis Ababa: that they will no doubt keep
in touch with Kenya records have an official
recommendation in due course.

(I've tried to think of anything
better than this!) Draft J.M. Allen
I have since talked to
19/12
to 10

11 Jo. Moore w/c 10 + 12 - 1/2 }
 12 J. Scott 10 award - w/c 9 + 11 % } 1 - FEB 1932

13 Sir H. Montgomery — 11 March 1932
 (S.O. to Sir S. Wilson)

Mr Allen

? Reply that comm. with the Kenya Legation. Govt. is still proceeding; but that it has not been possible to trace any documents relating to the supposed offer of a gratuity by the Kenya Govt. in 1927, and while the two Govts. will consider the case on its merits it would be unsafe to assume that they will find it possible to recommend any payment.

C. J. Morris
 12.3.32.

I am sorry that for various reasons

Yes, please

discussion I have to be able to deal with the matter in his return.

I agree with the efforts of the Dept but if you wish I will again look to the Scott & Moore asking them to expedite the matter & address on the lines of the last para of Montgomery's letter.

J. H. Allen
 12/2/32

P.H.G.
 14.3.32

Mr Allen
 By Air Mail 15
 22/3/32

14 Sir H. Montgomery - S.O. - 15.3.32.
 (Answers 13)

To Scott. } 1/2 - 22 MAR 1932
 To Moore. }

17 Sir Kenya — 102 — 9/2/32
 States duration of the Zambian's service on the frontiers & it would be agreed that any case for special treatment from Kenya funds has been made out.

This has crossed 15-16.
 ? Send copy of 17 to Sir H. ...

implies and adding that so far as Kenya is concerned nothing more can be done.

J. S. P. Smith
5/4/32

J. S. P. Smith

J. S. P. Smith
5/4/32

Sir S. Wilson

This may seem a bit mean, but
an award outside the regulations
would involve a vote of Council, a
certain separation, and it would
set up a precedent - of course
opposition - in dealing with any
other European cases.

13/4/32

18. To Sir H. Montgomery 26/7. - fu. 9/4/32

19. To Uganda - 9/28 - 2/4/32
Endorse the view of Sir Kenya in fu
for as Uganda is concerned.

20. To Scott (Ch. Secy Uganda) - fu - 2/4/32
If it could be shown that Uganda has
really received considerable benefit from

send or mention 20 as it is
fully certain that Uganda has not
received considerable benefit from
Mr L's services.

J. S. P. Smith
12/4/32

J. S. P. Smith
6/1/34

To Scott 2/4/32

13.4.32

To Sir H. Montgomery S.O. - 15.4.32

DESTROYED UNDER STATUTE no. c. 19

8 20
In any future correspondence
on this subject please quote

No. K12

RECEIVED
12 APR 1932
COL OFFICE

CHIEF SECRETARY'S OFFICE,
P. O. Box 8
ENTEBBE, UGANDA.

2 April, 1932.

Dear Mr. Allen,

I have received your letter of the 22nd of March, in the matter of a gratuity for Mr. Philip Zaphiro, and the official reply for which you ask goes by to-day's air-mail.

I am afraid you will not find this reply satisfactory, as we have felt obliged to accept Kenya's view that there is no case for any grant.

I hope you will see our difficulties in the matter. Any payment would be an extraordinary one - quite outside any regulations; and there is absolutely no record of Mr. Zaphiro's having rendered any services to Uganda which we could advance to the unofficial members of Council as reasonable grounds for such an exceptional payment. Moreover, it is extremely improbable, in the nature of things, that his services could have been of any real value to Uganda. During the period 1904 to 1911 our administration only extended some forty miles to the north-east of Mbale. The vast area then known as the Rudolph and Labor Provinces lay between our administration

H. T. Allen, Esq.

and Abyssinia, and constituted a no-man's-land in which Abyssinian and Swahili ivory-poachers and raiders did as they pleased. They had not the faintest intention of jeopardising their freedom of this happy-hunting-ground by coming into contact with our administered area away to the south and east, and I cannot think that the existence of an inspector of the Abyssinian frontier during those years made any conceivable difference to Uganda. However, my views are based only on impressions of the situation then existing, when I was stationed at Mbale twenty-two years ago. They may be wrong, and all I can say is that if it can be shown that Uganda has really received conspicuous benefit by Mr. Zaphiro's work, we will gladly consider the matter again sympathetically. As things are, however, we cannot make out a case.

Yours sincerely,

J. S. S. S.

Uganda Protectorate



GOVERNMENT HOUSE,
UGANDA.

No. 128

2 April, 1932.

Sir,

I have the honour to refer to Lord Passfield's despatch No.115 of the 17th March, 1931, on the subject of an application from Mr. Philip Zaphiro, Oriental Secretary at the British Legation, Addis Ababa, for gratuity in respect of his services to the Governments of Kenya, Uganda and the Sudan.

2. The records of this Government contain no reference to services rendered by this gentleman to Uganda. Enquiry was made of the Kenya Government with a view to ascertaining whether the particulars available there would throw any light on the nature of the services rendered. You will now have received the Governor of Kenya's despatch No.102 of the 9th March, 1932, in which he expresses the view that no case for special treatment from Kenya funds has been made out, and it only remains for me to endorse that view in so far as this Government is concerned.

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

W. J. Gowers
GOVERNOR.

The Right Honourable

Copy to Sir 10. Whitegway - 197/32

Notes

No. 17

119

RECEIVED OFFICE

17109/31.

C. O.

Mr. Priestman *PK*

Mr. *Mr. Drusk 6*

Mr.

Mr. Parkinson.

Mr. Tomlinson.

x Sir C. Boltonley. 7.6. (v minute)

Sir J. Shuckburgh.

*+ Permt. U.S. of S. *PK 6**

Parly. U.S. of S.

Secretary of State. *8.4.32*

Qto. for Sir Samuel Wilson's sig.

DOWNING STREET,

9th April, 1932.

My dear Montgomery
~~My dear Montgomery~~

I can now give you some information

(13)

in reply to your letter of the 11th March

regarding Mr. P. Zaphro's application for

a gratuity, but you will see from the

(17)

enclosed copy of a despatch from Kenya

that, as I feared, their decision has been

unfavourable.

I will let you know as soon as the

Uganda reply arrives.

So far as Kenya is concerned, however

I am afraid that nothing more can be done

Amusement
(Kd). H. G. Fisher

DRAFT.

HUBERT MONTGOMERY,
K.C.M.G., K.C.V.O., C.B.

r. Kenya 9th March
(17)

KENYA.

No. 102



172
GOVERNMENT HOUSE,
NAIROBI,
KENYA.

RECEIVED
4- APR 1932
COL OFFICE

9th March, 1932.

Sir,

109,
With reference to Kenya despatch No. 551 of the 15th September, 1931, regarding the application of Mr. Philip Zaphiro for a gratuity in respect of his past services to the Governments of Kenya, Uganda and the Sudan, I have the honour to inform you that in accordance with the suggestion made demi-officially to the Colonial Secretary I have had the question further examined on its merits and am informed that the records available reveal that Mr. Zaphiro's service on the Frontier dated from the 24th October, 1905, to the 29th May, 1911, i.e. 5 years and 7 months and not six - seven years as stated in his letter of the 4th August, 1930, which formed an enclosure to Lord Passfield's despatch No. 189 of the 17th March, 1931.

107,
2. As you are aware, in special cases gratuities may be awarded to officers holding non-pensionable posts, but in no case is the qualifying period less than seven years and this Mr. Zaphiro did not complete in the Kenya Service. In any case the gratuity computed in accordance with regulations would only amount to five weeks' pay based on a salary of £200 per annum or approximately £20.

3. In the absence of any records to show that Mr. Zaphiro's services in so far as this Colony is concerned were of a peculiarly outstanding nature I

regret

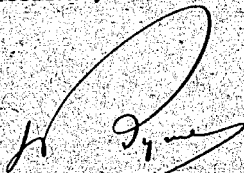
THE RIGHT HONOURABLE
MAJOR SIR PHILIP CUNLIFF-LISTER, P.C., G.B.E., M.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, LONDON W.C.

13

regret that I am unable to agree that any case for special treatment from Kenya funds has been made out.

4. I am sending copies of this despatch to the Governments of Uganda and the Sudan.

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



BRIGADIER-GENERAL.

G O V E R N O R.

17/09/31 Kenya

15-18
14

C. O.

- Mr. ~~Harley~~ 19/11
- Mr. ~~...~~ 19/11/32
- Mr. ~~...~~
- Mr. Parkinon
- Mr. Tomlinson
- Sir C. Bottomley
- Sir J. Shuckburgh
- Permi. U.S. of S.
- Party. U.S. of S.
- Secretary of State

~~Richard~~
for Mr. ~~...~~

C.D.
R 21 MAR
21

22 Mar 1932

Dear Mr Scott
Dear Moore

DRAFT.

- C. L. Scott, Esq., O.A.E., M.C.
- H. M. H. Moore, Esq., C.M.F.

~~...~~
Mr Hubert Montgomery
has again written to Sir Samuel
~~...~~ Wilson
regarding the application

of Mr Philip Zepher for
a grant in respect of
his past services to the
Govts. of Kenya, Uganda
and the Sudan, about

which I wrote to you
on the 1st Feb. I should

(nos. 11 and 12)

Therefore be ~~grateful~~ if you
would do what ^{is} possible
to expedite a reply to
the S. of S.'s dispatch

We realize, of course,
that the present is a
difficult time for making
financial arrangements;
but the case of Zaphir
undoubtedly appears very
palpable, and any
assistance which can
be given from Uganda
Trust
funds would be very
welcome.

to Mr. Wilson
to Samuel Wilson
to the
Mr. Wilson's
that the 70.

Very truly yours,

to
MOORE
to Mr.

Yours sincerely
(Signed) H. T. ALLEN

C.O.

14

8 March, 1932.

Mr. McSweeney.

Mr.

Mr.

Mr. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Sir G. Grindle.

Permt. U.S. of S. *SHK*

Parly. U.S. of S. *6.3.32*

Secretary of State.

My dear Montgomery,

DRAFT.

SIR HUBERT MONTGOMERY,
K.C.M.G., K.C.V.O., C.B.

I have your letter of the 11th of March about the application of Mr. Zaphiro for a grant in respect of his past services to the Governments of Kenya, Uganda and the Sudan. I am very sorry indeed that there has been such delay in dealing with this matter, but correspondence is still proceeding with the Kenya and Uganda Governments, and has been rather held up ^{because} by the fact ~~that there is very little record of Mr. Zaphiro's services, and that we waited~~ for an opportunity of talking over the matter with the Colonial Secretary of Kenya when he was recently on leave.

The present position is that it has not been possible to trace any documents relating to the offer, which Mr. Zaphiro states to have been made in 1927 by the Government of Kenya, to pay

O.O.

14

5 March, 1932.

Mr. McSweeney.

Mr.

Mr.

Mr. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Sir G. Grindle.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

8/16/32
5.3132

My dear Montgomery

DRAFT.

SIR HUBERT MONTGOMERY,
K.C.M.G., K.C.V.O., C.B.

I have your letter of the 11th of March about the application of Mr. Zaphiro for a grant in respect of his past services to the Governments of Kenya, Uganda and the Sudan. I am very sorry indeed that there has been such delay in dealing with this matter, but correspondence is still proceeding with the Kenya and Uganda Governments, and has been rather held up ^{because} ~~by the fact~~ ~~that there is very little record of Mr. Zaphiro's services, and that we waited for an opportunity of talking over the matter with the Colonial Secretary of Kenya when he was recently on leave.~~

The present position is that it has not been possible to trace any documents relating to the offer, which Mr. Zaphiro states to have been made in 1927 by the Government of Kenya, to pay

him a gratuity in recognition of his services, so that the two Governments can only consider the case purely on its merits. This they are doing, but in the circumstances it would be unsafe to assume that they will find it possible to recommend any payment. Still, that is no reason why the matter should not be cleared up as soon as possible, and we are asking Kenya and Uganda to expedite their decision.

Yours sincerely
(Sgt) S. A. Arkan

16
13.
FOREIGN OFFICE.

11th March, 1932.

My dear Wilson,

On the 28th October 1930, I sent you in a private letter a copy of a despatch from our Minister at Addis Ababa about the pensionable service of Mr. Zaphiro, as he was employed as District Commissioner in the East Africa Protectorate for some time prior to 1911. The next day you kindly informed me in reply that you would ask the relevant Department to look into the matter and let me hear further.

On the 4th March of last year I explained that as the matter would undoubtedly be raised during the visit of Barton to this country, we should be grateful to hear how matters stood. You replied on the 16th March that you were addressing letters, of which you sent me copies, to the Colonial Secretary of Kenya and Acting Chief Secretary of Uganda on the subject, and that you would let us know their replies.

I do not wish for one moment to hurry you unduly

Ansod. s.o. No. 14
Brigadier-General

but /

Sir S.H. Wilson, G.C.M.G., K.C.B., K.B.E.

but if you can give us any help in this matter, which is becoming somewhat pressing, I should be very grateful.

We realize, of course, that the present is a difficult moment for any financial concession anywhere; but, on the other hand, the case of Zaphiro is undoubtedly very parlous and any help would be most welcome.

Yours ever,
John H. Thompson

but if you can give us any help in this matter, which is becoming somewhat pressing, I should be very grateful.

We realize, of course, that the present is a difficult moment for any financial concession anywhere; but, on the other hand, the case of Zaphiro is undoubtedly very parlous and any help would be most welcome.

Yours ever,
H. H. Tompkins

12

C. O.

Mr. Hyde 4/1

Mr. Acheson 5/1

Mr. Allen. 27/1

Mr. Tomlinson.

Sir O. Bottomley.

Sir J. Shuckburgh.

Sir G. Grindle.

Permt. U.S. of S.

Party. U.S. of S.

Secretary of State.

Quarto for Mr. Allen's signature.

DRAFT.

E.L. SCOTT, ESQ., O.B.E., M.C.

Pl 3

Downing Street

1 - FEB 1932

January 1932.

Dear Scott

Acheson has turned

over to me your letter (No. K.1/2)

of the 9th of October about

Mr. Philip Zaphiro, as I had been

dealing with the matter. We

have received an official despatch

from Kenya (of which I enclose a

copy), which suggests that the

enquiries which the Kenya

Government have made from the

British Legation at Addis Ababa

were directed rather to tracing

the correspondence referred to

Fr. Govt. Kenya No. 551
15th Sept. 1931

(9)

To Mr. Moore
(Comp. dft)

Copy to Moore (11)

12

C. O.

Mr. Hyde 4/1

Mr. Acheson 5/1

Mr. Allen. 27/1

Handwritten initials 'A' and 'S' next to Mr. Allen's name.

Quarto for Mr. Allen's signature.

Mr. Tomlinson.

Sir O. Bottomley.

Sir J. Shuckburgh.

Sir G. Grindle.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

DRAFT.

Downing Street

1 - FEB 1932

January, 1932.

E.L. SCOTT, ESQ., C.B.E., M.C.

Dear Scott

Handwritten '2/3' with a line through it.

Acheson has turned

over to me your letter (No.K.1/2)

of the 9th of October about

Mr. Philip Zaphiro, as I had been

dealing with the matter. We

have received an official despatch

from Kenya (of which I enclose a

copy), which suggests that the

enquiries which the Kenya

Government have made from the

British Legation at Addis Ababa

were directed rather to tracing

Fr. Gov Kenya No. 551
15th Sept. 1931

(9)

To Mr. Moore
(Comp. dft)

Copy to Moore (11)

L7109/31209



KENYA.

No. 551

GOVERNMENT HOUSE,
NAIROBI,
KENYA.

RECEIVED
12 OCT 1931
COL OFFICE

September, 1931.

Sir,

4

I have the honour to refer to Lord Passfield's despatch No.189 of the 17th of March transmitting copies of correspondence on the subject of an application from Mr. Philip Zaphiro, Oriental Secretary at the British Legation, Addis Ababa, in respect of past services to the Governments of Kenya, Uganda and the Sudan.

copy to Scott (B)

2. After the most thorough search it has not been possible to trace any copy of the offer of this Government to grant a gratuity as referred to in the penultimate paragraph of Mr. Zaphiro's letter of the 4th August, 1930, but it has been stated by His Britannic Majesty's Minister at Addis Ababa that the offer was contained in a private letter "from the then Governor in reply to a private letter from Mr. Bentinck". Sir Sidney Barton adds that no copies exist in Legation but the date would be between June and December 1927.

The terms of that letter are unknown and you will appreciate that this Government would be unable to make any recommendation unless its contents can be communicated.

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

THE RIGHT HONOURABLE
J. H. THOMAS, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, LONDON S.W.

H. J. Martin
GOVERNOR'S DEPUTY.

C. O.



21

Mr. Chamberlain 10/3
 Mr. Allen 11/3
 Mr. [unclear]
 Mr. [unclear]
 Sir C. Bottomley
 Sir J. Shackburgh
 Sir G. Grindle
 Perm. U.S. of S.
 Perty. U.S. of S.
 Secretary of State

X:17109/38 Kenya.

Downing Street,

17 March, 1931.

Sir,

I have the honour to transmit to you, for your consideration, copies of the correspondence noted in the margin, on the subject of an application from Mr. Philip Zaphiro, Oriental Secretary ~~at~~ the British Legation, Addis Ababa, for a gratuity in respect of past services to the Governments of Kenya, Uganda and the Sudan.

2. I shall be glad if you will, after consultation with the Governor of Uganda ~~Kenya~~, furnish me at an early date with your recommendations with regard to Mr. Zaphiro's application, which, you will observe, is strongly supported by His Majesty's Minister at Addis Ababa.

DRAFT.

Kenya
 NO. 189
 Gov. Byrne
 Uganda
 NO. 115
 Gov. Gowers

Fr Mr. Zaphiro 4th Aug. '30
 (Enc. to 1)

Fr H.M. Minister at Addis Ababa of 14th Sept. No. 130
 (Enc. to 1)

Copy to Sir H. Montagu 20. 11. 31

3 drafts.

3. It has been suggested to the Foreign Office that the Government of the Sudan should also be invited to consider the question of a grant to Mr. Zaphiro if ~~that~~ ^{this} Government has not already been asked to ~~do so.~~

I have, etc.

(Signed) PASSFIELD.

Mr. Chamberlain 10/3
Mr. Allen 4/3
Mr. Robinson
Mr. Tomlinson
Sir C. B. B. B.
Sir J. Shuckburgh
Sir G. Grindle
Permi. U.S. of S.
Perly. U.S. of S.
Secretary of State

X.17109/31 Kenya

For Mr. Parkinson's signature.

Downing Street,

16th March, 1931.

DRAFT.

H.M.M. MOORE ESQ., C.M.G.
(Colonial Secretary,
Kenya).
E.L. SCOTT ESQ., O.B.E., M.C.
(Acting Chief Secretary,
Uganda).

See [unclear] 14/3/31

Copy to Sir H. Montgomery so 16/4/31

The Secretary of State is sending to the Governor by this mail a despatch regarding an application from Mr. Philip Zaphiro, Oriental Secretary at the British Legation at Addis Ababa, for a gratuity in respect of his past services to the Governments of Kenya, Uganda and the Sudan. Sir ~~Hubert~~ ^{Hubert} Montgomery of the Foreign Office has written to Sir Samuel Wilson about the case. He points out that ~~the case~~ ^{the case} has some elements of distinct hardship, but he recognises ^{that} it is impossible for the Treasury, under the regulations, to agree that Mr. Zaphiro's service prior to 1st October, 1921, should be counted as pensionable. He has

3 drafts.

It's such that it's no use asking the Treasury to reconsider the

5-6 22

accordingly asked whether there is any chance of obtaining for Mr. Zaphiro on his retirement a gratuity from the Governments of Kenya and Uganda.

If the Government of Kenya, at any rate, was prepared in 1927 to recognise Mr. Zaphiro's services on the frontier (as to which we have been unable to trace correspondence here), ^{we hope} ~~and~~ the present financial stringency ^{in Kenya a} ~~will, it is~~ ^{and Uganda} ~~to be hoped, improve, and will not be~~ regarded as sufficient in itself to rule out the possibility of a grant at some

future date when Mr. Zaphiro retires. ^{the} ~~Swansea position will, it is to be hoped, have improved &~~
We have, I am afraid, been

guilty of a good deal of delay in this matter as you will see from the dates of the enclosures to the Secretary of State's despatch. But in spite of that (or should I say because of that?) I hope you will

I am writing a similar letter

to Scott ⁱⁿ ~~of~~ Uganda.
Moore ⁱⁿ ~~of~~ Kenya.

Harry Kenealy

(A) L. B. Parkerson

C. O.

H 24

X.17109/31 Kenya.

Mr. Chamberlain 10/3

Mr. Allen 11/3

Mr. ~~Lawson~~ 11/27/31

Mr. Tomlinson

Sir C. Balfour

Sir J. Smuckburgh

Sir G. Grindale

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

For Sir Samuel Wilson's signature.

Downing Street,

10th March, 1931.

Handwritten signature: My dear Mr. Chamberlain

DRAFT.

SIR ~~Mr~~ ^{H. H. H.} MONTGOMERY, K.C.M.G.,
K.C.V.O., C.B.

To Govs. Kenya & Uganda
.....March

To Mr. Moore ... March

To Mr. Scott.....March

(Comp: 2/12)

I have your letter of the 4th (No. 6983/530/503) March regarding an application from Mr. Philip Zaphiro for a gratuity in respect of his past services to the Governments of Kenya, Uganda and the Sudan.

I am very sorry indeed that the matter had been lost sight of ^{here,} ~~hitherto~~ as your previous letter to me of the 28th October, (No. 6983/530/503) was put aside and overlooked.

I ~~however~~ enclose copies of despatches which have now been sent to the Governors of Kenya and Uganda, together with copies of semi-official letters to Mr. Moore, the Colonial Secretary of Kenya, and Mr. Scott, the Acting Chief Secretary of Uganda. These communications will,

3 drafts.

(11)

I hope, ensure that Mr. Zaphiro's application will receive full consideration, and I will let you know as soon as we get replies from the respective Governors.

I assume that you have invited, or will invite, the Government of the Sudan also to consider the question of a grant from their funds.

W. S. S. S.

W. S. S. S.

25 /

FOREIGN OFFICE. S.W. I.

28th October, 1930.

(X 5983/530/503)

My dear Wilson.

I enclose a copy of a despatch from Barton, our Minister at Addis Ababa, on the subject of the pensionable service of Mr. Zaphiro, a member of his staff who was employed as District Commissioner in the East Africa Protectorate for some time prior to 1911 when he received an appointment at our Legation at Addis Ababa.

You will see from the despatch and enclosure that the case has some elements of distinct hardship. But it was impossible for the Treasury in view of the regulations governing cases of this sort, to agree to the proposal that Zaphiro's service prior to October 1911 should be counted as pensionable, and I am sorry to find you are asking for reconsideration.

In

copy into C. M. Kenya 189 }
Africa 115 }

1 MAR 1931

By the Secretary, Foreign Office,
Sir Wilson,

26

In the penultimate paragraph of his letter Zaphiro refers to an offer by the Kenya Government of a gratuity in recognition of past services rendered by him. I should be very grateful if you could cause enquiries to be made into this aspect of the matter and let me know whether there is any chance of a gratuity being obtained for Zaphiro, when he has to retire, from either Kenya or Uganda or both.

Yours sincerely,

W. H. Thompson

British Legation,

Addis baba

No.150.

September 11th, 1930.

27

Sir,

I have the honour to transmit herewith copy of a letter addressed to me by Mr. Zaphiro, Oriental Secretary to this Legation, on the subject of his pension.

2. Mr. Russell in his despatch No.45 of 11th March 1921 recommended that Mr. Zaphiro's services should be made pensionable as from 1904 the date of his first employment under the Foreign Office, but Lord Curzon's telegram No.34 of 9th June 1921 ruled that his services prior to 1921 could not be made pensionable on the ground that he had not given full time services during that period.

3. Mr. Zaphiro's letter herewith makes it clear that only on one occasion during the period from 1904 to 1921 were his services shared with any private concern and that under an arrangement which had the full approval of His Majesty's Government and which only lasted for one year: on no other occasion did he avail himself of any permission to trade which may have been attached to the conditions of his service prior to 1921.

4. Mr. Zaphiro's health has been precarious for some time past, having been undermined by malaria contracted during his long service on the frontiers and by a nervous affection of the oesophagus aggravated - if not induced - by his experiences in connection with the Bishop Gwynne incident. A natural anxiety as to the future,

The Right Honourable caused by the small amount of the pension to which he could/

Arthur Henderson M.P.
etc, etc, etc.

could look forward under the 1921 ruling, has militated against recovery.

5. Mr. Zaphiro now appeals for a reconsideration of that ruling in a statement of his case which I venture to think is as moderate as it is lucid. He asks that if his services from 1904 to 1921 cannot be reckoned as pensionable he should be awarded in respect of that period a special gratuity to which the Governments of Kenya, Uganda and the Sudan might contribute in recognition of work done for them.

6. It is not necessary for me to dwell upon the value of his Mr. Zaphiro's services, to which testimony has repeatedly been borne by my predecessors and by the Foreign Office, but I would wish to support with my strongest recommendations his present appeal. The passage of time since Mr. Russell's despatch above-mentioned was written has but served to reinforce the arguments therein contained as to the difficulty of satisfactorily replacing Mr. Zaphiro and in the interests of the public service it is essential that he should be enabled to continue to discharge the duties of Oriental Secretary until an officer has been trained to succeed him.

7. From personal observation I can vouch for the fact that nothing could contribute more to the ease and the removal of the anxiety as to the future of his family which a solution of his pension question would alone effect, and I therefore venture to express the earnest hope that his appeal may receive the most favourable consideration at the hands of His Majesty's Government.

I have the honour to be with the highest respect,
Sir,
your most obedient
humble Servant,

J. S. BARTON

29
British Legation,

Addis Ababa.

August 4th, 1930.

56

Sir,

I have the honour to request your favourable consideration of the facts which I set out below:-

For the past 26 years, i.e., from 1904, I have been continuously in the service of His Majesty's Government.

In the first six-seven years of this service I was employed on the southern frontier of Abyssinia and my duties caused me to lead a life of considerable hardship and constant trouble in an unhealthy climate. This resulted in my contracting malaria so severely that in 1910 I had to spend six months in a nursing home in England undergoing treatment. During the seven years on the frontier my pay was £200 per annum, and I had no leave from 1904 to 1910. Since the end of 1910 I have been a member of the Staff of the British Legation at Addis Ababa, but in 1913 and 1915 I was again travelling on duty in the interior, on the first occasion I accompanied Mr. Theisiger on his journey overland to Nairobi, and on the second occasion I was attached to the Tsana Mission and spent six months on the Lake. On my return from this expedition I had to undergo an operation for gravel which was caused, so the doctors believe, by the bad water which I had been compelled to drink during my travels on the southern frontier. In 1918 I was sent to Jerusalem to act temporarily as local adviser to General Storrs. There I was again infected with malaria, and was subject to a further six months course of/

His Excellency,

Sir Sidney Barton, K.B.E., C.M.G.,

H.M. Minister Plenipotentiary
Addis Ababa.

of treatment in a nursing home in England.

I am now 51 years of age and my health, as you are aware, gives such cause for anxiety that it is doubtful whether I can continue to serve much longer. If I am compelled to retire in the next year or two my pension will be £100 per annum only. I have no private means, and the high cost of living in Abyssinia has precluded my saving money on my salary. I am married and have four young children to maintain and to educate. The position causes me the very greatest anxiety. If I am compelled for reason of health to retire I shall not be fit to undertake other work, and I cannot possibly maintain myself and my family and bring up my children on £100 a year! When I think of what will happen to them.

It is not just that after 16 years of royal service I should receive such treatment.

The reason for this inadequacy of my pension is that my service towards pension is counted only from 1921, the supposition being that I was permitted to trade before that date and therefore could not be put on the pension list. It is true that for one year i.e., 1919 I received remuneration from three sources other than the Government. I had been offered a post with the Abyssinian corporation at a salary of £2000 per annum, and as my pay and prospects in Government service were not adequate I notified ~~the~~ ^{the} then Chargé d'Affaires, Major Dodds, that I contemplated resigning and accepting the offer of the Abyssinian Corporation. As ~~the~~ the Foreign Office was unwilling to release me from service it was then arranged that in addition to my official salary of £500 per annum plus 10/- per diem I should be permitted to receive remuneration amounting in all to a further £1,100 from three British firms in Abyssinian who were desirous of utilising my services in an advisory

capacity. This arrangement only lasted for one year as Mr. Russell, who shortly afterwards resumed charge of the Legation, objected to it. On condition that I severed my connection with the three firms mentioned my salary from the Government was increased to £800 per annum with annual increment of £25 up to £1000 per annum and, I was placed on the Pension list. Mr. Russell asked that I should be placed on to the pension list to date from 1904, but to this the Foreign Office did not agree. If the reason for refusing this request was that up to 1921 I had been permitted to trade, I repeat that the only income I have received which might be considered as accruing from trading was this £1,100 which I received in 1919. This £1,100 ought not to weigh in the scales against the pension which would normally come to me for seventeen years service (1904 - 1921), and in fact the amount was dissipated in defraying the many expenses I was put to in connection with Bishop Gwynne's incident. If it is contended that I could have traded and therefore ought to have traded, I reply that at no time would it have been compatible with the interests of my official work to do so, my superiors would have almost certainly objected (as did Mr. Russell), and in fact I did not trade.

The plain truth remains that after 16 years of loyal service I am unable to be sent about my business owing to broken health, with no private means to fall back upon and with a pension of ¹⁶⁰~~£100~~ per annum wherewith to support my family. This is not just, and I cannot believe that His Majesty's Government will, after a proper consideration of the facts treat me in this manner. The facts of my service are all there for investigation, and though Sir John Harrington, Mr. Thesiger and Major Doughty-Wylie, who are best acquainted with my work are dead, Sir George Clerk, Sir T. Hohler, Lord Herbert Hervey, Major

Dodds and Mr. Russell can still be consulted and will bear testimony to the accuracy of the facts stated by me.

I am convinced that when the facts are properly appreciated by His Majesty's Government it will desire to find a way to make proper provision for me, and I venture to suggest that a way could be found as follows:-

In 1927 owing to the unfortunate circumstances which arose in connection with a certain speech of Bishop Gwynne it seemed to Mr. Bontinck that it would be difficult to retain me on the staff of the Legation here and, as a way out of this difficulty he enquired whether a post might be found for me in the administration of Kenya Colony. The Kenya ~~Secretary~~ Government replied that there was no suitable post available, but that it would gladly help me in another way i.e. by giving me a lump sum of money as a gratuity in recognition of past services on the frontier. In view of the offer of the Kenya Government would it not be possible for the Foreign Office by their generosity to grant me in lieu of a pension a gratuity and request the Governments of Kenya, Uganda, and the Sudan to all of whom I have rendered special services at various times, to supplement the Foreign Office gratuity with similar gratuities making up in all a sum which would suffice to secure me an income of 300 to 350 pounds which would not "die with me", and would remain available for the support of my wife and family and the education of my young children.

You yourself, Sir, are aware of the precariousness of my health, and will realise and sympathise with my overwhelming anxiety as to the future of my family. I beg of you to do your utmost to secure favourable consideration of this my application.

I have the honour to be,

Sir,

your most obedient, humble servant,

(Sd) Philip Zaphiro.