

LAND

Acting Gov. (Ward)

685

21.12.36

(30 on 1936 file ~~is~~). Comments on claim for Shs. 138/20 put forward by Major Dru Drury on account of furniture left by him on Wundanyi estate, and suggests that Major Drury should be asked to appoint an agent to collect and sell the furniture and pay to the District Commissioner on behalf of the Local Native Council the sum of Shs. 29/80, i.e. Shs. 638/37 less Shs. 94/ for giving him 4 Shs. 288/57 cash.

I do not think any harm would be done by sending a copy of the OAG's despatch to Major Drury & telling him to address any further comment direct to the King's Fort. After all, we only came into this, because Major Drury had such difficulty in getting a reply at all from Kenya. (See No. 1 on 1936 file.)

I submit draft for approval
A. J. [Signature]
8/1/37

I see no objection, and in other hand considerable advantage - especially in other unusual cases, proposed by me generally. As the points and the case was brought into the case to bring up the Kenya Govt. in reply to Major Drury. Our only objection, not to be punished, the Dept. - a letter from a J. G. P. to get the case, based on the rules as a matter of fact. The J. G. P. is not directly concerned.

Yes we can only do post office for it
J. [Signature]

J. [Signature]
8/1.

2 To Army

14.1.37

3 To Kenya - 50 (4c 2) (1 ansd) - 15.1.1957

DESTROYED UNDER STATUTE

MAJOR DRURY..... 23.1.37.
Acks (2) and comments thereon stating that he is unwilling to write direct to the Kenya Govt. as they previously refused to answer any of his letters; unless the Kenya Govt. are willing to pay his claim he considers this file should be closed.

Major Drury remains obstinate but he seems ready to drop his claim for the higher valuation of his furniture if the Kenya Govt do not claim the 94/3 said to be due by him.

We might ask the AF for to consider waiving the claim.

Draft letter for
C. K. ...

94/3 ...
9/16/37

To Major Drury (1 ansd)

6 FEB 1957

DESTROYED UNDER STATUTE

To Kenya - 120 (4c 445) - 12/2/37

DESTROYED UNDER STATUTE

To Kenya 632
Request Major Drury to withdraw his claim against his own name.

So inform him

14.1.37

To Major Drury

5.11.37

DESTROYED UNDER STATUTE

AIR MAIL

KENYA

No. 632

RECEIVED

27 OCT 1937

P. O. REGD



GOVERNMENT HOUSE

NAIROBI

KENYA

22 October, 1937.

Sir,

I have the honour to refer to your despatch No.120 of the 9th February, transmitting a copy of correspondence with Major Dru Drury on the subject of a claim and counter-claim arising out of the transfer of Wundanyi Estate.

2. This matter has been considered by the Teita Local Native Council, and, upon the advice of my Executive Council, I have endorsed the Local Native Council's recommendation that the claim for KSh.24/30 against Major Dru Drury should be waived and the amount written off.

3. I observe that Major Dru Drury is apparently prepared not to pursue his claim for the higher value of his furniture, and I shall be obliged if he may be notified that the claim against him has been waived.

I have the honour to be,

Sir,

Your most obedient,
humble servant,

A. Brooke-Popham

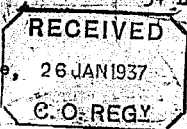
AIR CHIEF MARSHAL

G O V E R N O R

THE RIGHT HONOURABLE
W. ORMSBY GORE, P.O., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S.W. 1.

5
c/o Barclays Bank Ltd,
54 Lombard St. E. C. 3.

22nd January 1937.



The Under Secretary of State,
Colonial Office,
London S.W.1.

Dear Sir,

Your 38001/37 of the 14th inst.

I have to thank you for the above and enclosure.

I am unwilling to write direct to the Kenya Government as you will remember that for some reason they made a point of refusing to answer any of my letters addressed to them on this matter, and I am disinclined to lay myself open to further affront.

In regard to the last part of para. 2. of the Acting Governor's letter of the 24th ult, I never assumed for a moment that my furniture would necessarily be taken over (although I marked it down to extremely low prices), and in my first letter gave the District Commissioner full opportunity to make any suggestion in the matter. I did assume a courteous reply to my letters either from the District Commissioner or the Provincial Commissioner, and to this day I cannot see what the Kenya Government could have lost by replying to them. Your letter of the 9th August 1935 to Messrs. Montagu's and Cox & Cardale stated that the Acting Governor agrees that the matter of the disposal of Mr Drury's furniture can be settled between Mr Drury and the Provincial Administration". It was at this stage that I began to suspect that no care was being taken to take stock of the property, either mine or that sold with the estate, by Wundanyi Ltd.. You will remember that a motor lorry already sold and in the stock book was the subject of a cable from the Acting Governor to you. Eighteen months later, the Acting Governor suggest that I take back the furniture!

Unless the Kenya Government are willing to pay my claim, is it not time that this file were closed? The correspondence is most unprofitable.

I should like to thank you for your continued courtesy in the matter.

Yours faithfully,


Dru Drury.

C. O.

38001/

26

- Mr. Grossmith. 57
- Mr. Parkin 57
- Mr. Flood 8-1 fs
- Sir C. Parkinson
- Sir G. Tomlinson
- Sir C. Billmley
- Sir J. Shuckburgh
- Peru. U.S. of S.
- Parly. U.S. of S.
- Secretary of State

DOWNING STREET.

14 January, 1937.

Sir

I am etc. to refer to the letter

from this Department of the 19th of

October, and to inform you that the

claim for shs. 138/20 which you put

forward on account of furniture left

on the Wundanyi Estate, has been carefully

considered by the ^{Government} Acting Governor of

Kenya.

A copy of a despatch received

from the Acting Governor is enclosed

for your information, and I am to invite

your attention to the suggestion that

you should make your own arrangements

for the furniture to be collected and

sold.

If you are not prepared to

accept the valuation of shs. 196/50 placed

upon

DRAFT.

for Cannon
29
1936

MAJOR DRU DRURY.

copy to Kenya

24 December 1936

FURTHER ACTION.

upon ~~your~~ ^{the} furniture, it would be appreciated if you will arrange for its disposal as suggested by the Acting Governor, and remit to the Kenya Government a sum of shs.290/80. If, on the other hand, you now agree to the valuation of shs.196/10, ^{ask} I am to request that you will pay to the Kenya Government a sum of shs.94/30.

It is suggested that you should address

any further communications in regard to the

claim direct to the ^{Colonial Secretary in} Government of Kenya, ^{Chennai}

It would save time and trouble if you would

1000

upon ~~your~~ ^{the} furniture, it would be appreciated if you will arrange for its disposal as suggested by the Acting Governor, and remit to the Kenya Government a sum of shs.290/80. If, on the other hand, you now agree to the valuation of shs.196/50, I am to request that you will pay to the Kenya Government a sum of shs.94/30.

It is suggested that you should address any further communications in regard to the claim direct to the ^{Colonial Secretary} Government of Kenya.

It would save time and trouble if you could

I am, etc.

LOOD

AIR MAIL

KENYA
No. 685

RECEIVED
4 JAN 1937
C. O. REGY



GOVERNMENT HOUSE
NAIROBI
KENYA

24 December, 1936.

Sir,

I have the honour to acknowledge the receipt of your despatch No. 823 of the 19th October, regarding the claim for Shs. 138/20 put forward by Major Dru Drury on account of furniture left by him on Wundanyi Estate.

2. It may be convenient to recapitulate the history of the transaction from which this claim arises. On the 4th July, 1935, Major Drury wrote to the District Commissioner, Voi, stating that he owed Shs. 638/37 for wages due to labour up to the date of his departure on the 1st March, 1935, and that 198 gunny bags valued at Shs. 99/- and furniture which he valued at Shs. 428/- had been left behind on the estate. He suggested that the District Commissioner should take over the furniture and gunny bags "either personally or for the place", in which event he (Major Drury) would pay the balance of Shs. 111/37 to the District Commissioner, this sum being made up as follows:-

	Shs.	Cts.
Wages due to labour	638.	37.
Less:		
Value of gunny bags	99.	00.
Value of furniture	<u>428.</u>	<u>00.</u>
	Shs.	<u>111. 37.</u>

It will be observed that there was no agreed valuation of the furniture, and the District Commissioner reports that Major Drury had no reason for assuming that the furniture would be taken over either by himself personally or by the Local Native Council.

3. In order to effect a settlement the Local Native Council

THE RIGHT HONOURABLE
W. CRIMSBY-GORE, P.O., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S. W. 1.

Native Council

*copy Drury - 2
received*

Native Council agreed to take over the furniture at a valuation, made by the District Commissioner and the Estate Manager, of Shs. 196/50. The net proceeds of sale in Nairobi, which was the alternative mentioned by Major Drury, in his letter of the 4th July 1935, would probably have been nil. A copy of the list of items comprising this valuation was enclosed in Kenya despatch No. 240 of the 14th of May, and this list Major Drury has stated to be erroneous, in that it omits four items and wrongly includes nine items. He has not, however, furnished the information necessary to enable the list to be altered.

(19) on 1936 file

4. The difference between the two valuations (Shs. 428/- and Shs. 196/50), which amounted to Shs. 231/50, had thus to be added to the sum of Shs. 111/37 owed by Major Drury, whose net liability became Shs. 342/87. The Headman Reuben had, however, in the meantime, handed to the Estate Manager a sum of Shs. 248/57, which was claimed by Major Drury as his. In October 1935, Major Drury wrote to the District Commissioner claiming this sum, and, acting still on the assumption that his furniture would be taken over, asked that Shs. 138/20 might be refunded to him.

5. The position, was, however, that on account of the lower valuation of the furniture Major Drury still owed a sum of Shs. 94/30 (Shs. 342/87 less Shs. 248/57), and this amount he was asked in your letter of the 29th May to pay in the event of the offer for the furniture proving acceptable to him. In his letter to the Colonial Office of the 13th October, Major Drury states that he is now unable to consider any reduced offer for his furniture. In these circumstances it would appear that his proper course would be to appoint an agent to collect and sell the furniture and to pay to the District Commissioner ...

(19) on 1936 file

Commissioner on behalf of the Local Native Council the
sum of Shs. 290/80. i.e., Shs. 638/37 less Shs. 99/-
for the gunny bags and Shs. 248/57 cash, and I suggest
that he should be asked to do so:

I have the honour to be,

Sir

Your most obedient, humble servant,

A. J. M. ...

ACTING GOVERNOR.