

1927.

Kenya.

No. 10100

C0533/365

SUBJECT

Purchase of Property
from Maseno, Ltd.

Previous

Gov. 5620/26

Subsequent

15117/28

	20
X (24)	7
S.A. (no. 26) Room 4	21.7
Mr Allen	2/7
Room 4	2/7
Miss Bromley	22/7
Room 1	24/7
Mr. A. H. Boyd	7/7
(Hd)	23/7
Room 4 S.A. 10	9/8
Mr Allen	10/8
Mr Whitcombe	11/8
X (24)	14
E.A.D.	15/12
Mr. Ehrhardt	17/12
Mr. Allen	18/12
Houseman	19/12
R 19	20
Mr Whitcombe	22/12
Room 3	2/1

1.----- Crown Agents----- 28th January, 1927.
min.

Trs: copy letter from Messrs Burchells asking whether any reply has been received from Kenya.

I have told Mr Woodhead that we have had no reply yet; but that if it was to be useful he will let Frank when one was be expected.

Woodhead's note to Mr J.
Every page. 100
with Mr J. 3/12/27

Mr Allen 31/1
stance

~~Mr J.~~ Tel. to you. com 31 Jan. 1927

~~DESTROYED UNDER STATUTE~~

Mr. J. ————— 15 Feb. 1927
Tel.

Despatch follows by mail.

McCliffe.

Please inform Woodhead

1.00 on telephone: that

Mr Allen

16/2/27

Done, by 'p'.

CAJ.

16.ii.27 ✓

4 ——— Charles Elliott + Co ——— 18 Feb. 1917

Requests interviews in order to explain urgency of completing the matter.

After speaking to Mr Charles Burchell I rang up Mr Elliott & said I was to be called to see him but was afraid I could do nothing to expedite matters. Mr Burchell said he would like to see someone as to Burchell's pressing him. I will call at 3 pm a Wednesday

W.A.H.

W.A.H.

21/2 at all

~~Initials of the person who wrote this letter~~

Mr. Elliott called to see me to-day, and he explained that he was being pressed by his trustees as regards the delay in settling this matter, and he was anxious that we should, if there was no objection, ask the Colonial Government to report the exact date on which we might expect the despatch in case its sending off may have been delayed.

He pointed out that the matter had been hanging on now for many months, and indicated the possibility

possibility of a claim for interest. On this I expressed no opinion, but gathered from him that he did not want to make any unnecessary fuss.

There has certainly been a long delay in getting a reply from Kenya to the despatch of the 5th November, and in view of Mr Elliott's anxiety I agreed to telegraph again to the Government. The reply should be communicated to the Crown Agents to pass on to Messrs. Burchells, but I promised Mr. Elliott that I would let him know over the telephone. Draft telegram herewith.

W.A.H.

23/2 at all

~~DESTROYED UNDER STATUTE~~ O.P.C. case 23 Feb

~~DESTROYED UNDER STATUTE~~ W.A.H. Deigham ——— 25 Feb, 1917

... Despatch sent on 18th Feb. Should reach you 12th March.

X.10100/27

On the receipt of this telegram, I telephoned to Mr. Cassleton Elliott and informed him of the contents. I have also sent a note to Mr. Wickhardt, copy herewith.

Pat J
H. Allen

28/3
attach

To: A 28th Feb 1927, minute

Ag. Gordon Clarke

minutes in view of the compliance of the system and need a west plan of the area for the Messrs. Hansen.

by Eckhardt.

Does this cover all the outstanding points so far as they are necessary for the completion of the insurance?

If so I will then be

reassured as I was in 1922 to

the same terms as before

Business

H. Allen

12/3/27

A.L.

12/3

H. Allen

12/3 attach

M.9

To C.A. 16 MAR 1927
(w/copy no 8 & plan)

X.10100/27

56

10 Crown Agents 18 March, 1927

Have sent copy of no. 8 to Messrs Burdells, and have arranged to continue the insurance of the property for a further period of six months.

See No 19 & X.P. 3320.

Pat J

H. Allen

21/3/27

attach

W.A.

~~RESTRICTED UNDER STATUTE~~

Crown Agents 28 April, 1927

Ask whether S of S. has now received a despatch from the Gov. Kenya, containing further inquiry in respect of tenants on the land, buildings, etc., removable by the Vendors.

Reply that to be sent, say that

Noted.

will tell if writing is in fact right or otherwise accordingly.

[I have seen this land the same as before. There are few things more defensible than a good title, but, although for that, I doubt if the land is worth the price or the money.]

Wickhardt

2/5/27 attach

~~RESTRICTED UNDER STATUTE~~ 6 MAY 1927

13

Carlton
Elliott

15 May, 1927

Complain of delay in settlement
Suggests that he receive interest on the purchase
money as from July, 1926, and asks whether he
is expected

See as in off hour etc & recapitulate

Home საქ. 1/2

S.M.K.L.

17/5 at all

Mr. Elliott's copy — 17 May 1927

On the receipt of this letter I rang up
Mr. Wickhart of the Crown Agents who told me that
nothing further was being done pending the receipt
of a further report from the Colony or the
telegraphic reminder contemplated in ^{the} minute on
No. 11. I asked Mr. Wickhart to consult Mr. Burchell
in prior to find out whether there was any
objection to a telegram being sent stating that
the conveyance was ready for execution, but that
signature was being delayed for the report, and
asking whether there was any reason for awaiting
the report before completing the matter seeing
that the vendors were pressing for payment.
I gathered from Mr. Wickhart, after he had spoken to
Mr. Burchell, that there was some point as to
tenancies which might necessitate the preparation of
further

X. 10160/27

b 7

further documents but that there was no objection to
a telegram on the above lines, which was accordingly
sent.

I must say I entirely sympathise with
Mr. Elliott, as I think this matter has dragged out
in a deplorable way owing to the slowness of the
Colonial Government in dealing with the matter.
It will be seen from my second minute on No. 4 that
Mr. Elliott at the interview raised the question of
interest but did not press it, and perhaps if we can
get this matter through in a day or two he will not
urge it further. For the moment, the only reply
can be an interim one on the lines of the draft
herewith.

S.M.K.L.

17/5 at all

15 To Elliott (no 13 and) 19 MAY 1927
16 To C. A. (w/ copy ^{at all}) 19 MAY 1927 f.c.

17 — O.A.C. Deane — 20 May, 1927
at

Agree unnecessary to await report before
Completing conveyance. Dep. follow

Copy to C.A. & authorities ^{execution} completion of
conveyance. Ref. to Elliott that this
has been done. [has been done to
repay his claim for interest]

W.S.M.K.L.

21.5.27

18 To C.A. (w/ copy 17)
19 To Elliott } 25 MAY 1927

DESTROYED UNDER EXECUTION OF THE ATTORNEY GENERAL
26 May, 1927

Trusts he is correct in his reading of No. 19, i.e. that completion is now to take place and the money paid forthwith.

I have telephoned to the solicitors of Messrs

Ed. Stoney

28/5/27

To Cassleton Elliott (no 20 and) 30 MAY 1927

22 Messrs Elliott & Co 3 June 27

States that purchase price of Maseno Estate has not yet been received.

Enclosed copy from Messrs Burchells

explaining that it has been necessary to postpone completion requests under

Tr. 1, 2, 3, 4.

23 In our opinion, that the

commission should be completed at the earliest possible date - especially as

there is a claim - ^{actually} ~~believed~~ put forward - X in No: 13

for many months' back interest.

Do you think we are sufficiently safeguarded by the arrangements

proposed in para: 3 of Burchells' letter?

If so, Burchells can hold the money - or could it be placed on deposit, for the benefit of Maseno Ltd. (if completion ~~being~~ place) from the date of deposit?

22. The phrase "as from June, 1927"

is covering ^{our} ~~any~~ letter of 20: 24

(a) Is it sufficiently important to justify a repudiation - especially in view of the fact that it now

A | appears that the Dr. Elliott is not able to produce his title?

(b) Does it amount to ~~the~~ withdrawal of the ^{claim} ~~claim~~ claim for back interest, which in any case

(c) seems to have lost its force through A.

Ed. Stoney
6.6.27.

Yes.

2. In case in the case there is
provision - if no time for completion
is provided - the Contract of Sale - when
it is made - as to the good title,
the purchaser can safely complete.
But he will be told to keep
the money - if to consider any
title claim for interest is possible -

should be in default appropriate
to be made notice to the title
to be made notice to the title

It is not necessary about the title

10/5

10/5

with no interest

10/5 (10/5 u. d) 7 JUN 1927

26 June, 1927
The purchase of the estate was completed
in 10th June & that vendors are not entitled to interest.
Require whether deed should be stamped in their
country or locally.

26

Mr. Deakin
1566

20 May 1927

It appears that only tenant is M. J. R.
Savile to whom he has sanctioned the grant of a
Temporary Occupation Licence when purchase is completed.
For reasons stated is unable to say whether buildings,
etc. are removable by the Vendor.

Mr. Deakin
Mr. Burke
Mr. Allen
Mr. Williams
Mr. C. Shackley

No. 25 is rather urgent as
the period of 30 days allowed under the
Stamp Act will expire on 16 July. No. 26
had better be re-issued therefore when
25 is disposed of.

The Stamps Act. asked on the question
of stamping are 582093/118 & 61814/26 T. dad.
which I annex. In Mr. Burke's minute
on the former. Dated 13.11.18. he said

"In practice purchasers will no doubt be
guided in deciding whether to stamp the
Conveyances, by a consideration of the
likelihood of their ever circulating to produce
evidence in the U.K."

I do not know whether the particular
deed is likely to be wanted again here -
perhaps not, unless Mr. Allen wishes to
insure against claim for interest. Presumably

It will be necessary in any case for the conveyance to be stamped in the ordinary way in the Colony. Perhaps we might ask Mr. Burke for views on Burchell's enquiry.

Sheet
25.6.27

may be when you pass, please
J. H. Allen
23/6/27

There is no obligation to stamp this document, and the likelihood of its being required in legal proceedings in this country is so remote that I should not have it stamped. The land is in Kenya, and it seems almost inevitable that any proceedings in connection with it would take place there.

Noted in
incident book

I send this in as it may serve as a precedent, it will be noted in S.D.

inform the C.A. that the S.O. considers it unnecessary for the conveyance to be stamped in the colony before being forwarded to the Colony.

Reconstr. to 26.
M.A.H. [unclear] to note 4/7/27
J. H. Allen
23/6/27

DEPARTMENT OF LANDS (1025 and) 16 JUL 1927
28% for 612/10 copy 15/27 18 JUL 1927
9 13

H. Allen

No 26. is in amplification of No 7, on receipt of which Burchell was authorized to complete the purchase, and it does not appear that any action need be taken on it now. The Temporary Occupation Licence does not need S.O.'s sanction.

put by
J. H. Allen
21/7/27
Bells and copy to C.A. & [unclear]
H. Allen
21/7/27

1006511

To C. A. (w) copy 26) 22 JUL 1927 B.T.

Mr A.H. Boyd
To note
By Agents 5 Aug, 1927.
State purchase has been completed and Title Deeds forwarded. Pls. copy Burchell's account and advs whether the sum of K.S. 6.00 may be paid from Kenya funds.

H. Allen
I gather that it is according to the usual practice for the Govt., as purchaser, to pay the cost of

drawing up the conveyance, as
claimed by Bushello.

Advise C.A. to pay the same
claimed, from Kenya funds.

and send copy of no. 33, envelope
and our letter to JAG, if ink.

CA Cliffe

27

MAKlen

14/9

atced

To C A 19 AUG 1927

no 30 ansd)

32. to Gov. 742 (4 copies of 30 AUG 1927 - af).
30 f 31

13. ----- Gov. Grigg ----- 21st November, 1927.
749.

States that it would appear that the sum of
£213.18.0 is due from the Maseno Co. in respect
of stamp duty and asks that Crown Agents be in-
structed to collect that sum. Adds as to re-
covery of £1.18.0 from Mr. F.R. Savile, Maseno.

P. [illegible]

ought to be [illegible]

[illegible handwritten notes]

jsdell

15/12/27

27
The person alleged to owe the amount to Maseno
If [illegible] refuse to pay, I do not think the C.A. can take
any steps here to compel them to do so.
? Ask the C.A. to take such steps as they
consider practicable.

Gasston [illegible] was [illegible] on [illegible]
No delays in settlement of the [illegible] 17/12
Office [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]

19/12

at one [illegible]
19/12/27

34 To C. A. (w/ copy 33) cons. 2 JAN 1928

35 to Gov. 215 (w/ [illegible] no. 34) - 27 MAR 1928
on X15117/28 [illegible]

ha

34

20 X 10100

Mr. Whitehead 32/12/27

Mr. Allen 27

Mr.

Mr. E. J. Harding.

Sir C. Strachey.

Sir J. Shuckburgh.

Sir G. Grindale.

Sir C. Davis.

Sir S. Wilson.

Mr. Ormsby-Gore.

Lord Lovat.

Mr. Amery.

and
No 1

X 15117/28 K

27 Kenya

2 Jan 1928

~~29 Jan 1928~~

Gentlemen,

with ref. to your

DRAFT.

Crown Agents.

30.
copy to 905-215 - X 15117/28 K
27 MAR 1928

letter no. O/Kenya 70 of the 5th
of Aug. & connected notes,
I am directed to h. to you
the acc. copy of a despatch,
with encl., from the Gov.
of Kenya regarding the
liability of various parties
for the payment of stamp
duty on documents
relating to transactions
connected with the
transfer of land prior to its
purchase by the Govt.
of Kenya, and to
request that you will
take such steps as

10.749 - 21.700.
33

the recovery of the amounts
in question as you consider
practicable.

Yours etc.

(Signed) C. J. JEFFRIES.

131 Thos. Secretary of State.



GOVERNMENT HOUSE,
NAIROBI,
KENYA.

KENYA.

No. 749

21st November, 1927.

14 DEC 1927

Sir,

With reference to your despatch No.742 of the 30th August, 1927, on the subject of the purchase of the Maseno Estate, I have the honour to inform you that the documents in this matter have been received from the Crown Agents.

2. On perusal of these it appears that stamp duty has not been paid in respect of certain of the documents relating to transactions prior to the purchase of the Estate. I enclose a list shewing the names and addresses of the various parties who are liable to pay the stamp duty on the various deeds, and would ask that the Crown Agents may be instructed to take any action necessary for the ~~making~~ collection of the sum of £213:13:0. This Government will endeavour to collect the sum of £1:18:0 from Mr. F.R.Savile, Maseno.

3. It is observed that, as some of the other documents are stamped, the Company of Maseno Ltd. must have been aware of its obligations under the Stamp Law of this Colony and

it/

THE RIGHT HONOURABLE
LIEUTENANT COLONEL L.C.M.S. AMERY, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, LONDON, S.W.

Copy to C.A. 2 JAN 1928
list.
(cc. [unclear])

it would not seem that the present conveyance to the Crown should relieve the Company of other obligations in respect of the transactions enumerated above.

I have the honour to be,

Sir,

Your obedient servant,

Edward Gigg

GOVERNOR.

Claim of Govt of Kenya for
Stamp Duty from Maseno Ltd.
10 30

Document	Stamp Duty.	Payable by whom.	Name and Address.
(1) Certified Copy of Trust Deed East African Industries Ltd., dated 21/11/10 and Trustees.	Sh. 2.00	by Either	E.A. Industries Ltd. No.1 & 2 George St. Mansion House, London R. Williams, Bridehead Dorchester, Dorset. T.W. Inskip, 3 Hare G. Temple. W.J. Strather Hunt Holy Trinity Vicarage, Tunbridge.
(2) Agreement to Lease The E.A. Industries Ltd., to F.R. Saville, dated 10/6/1914.	38.00	Lessee	F.R. Saville, Maseno.
(3) Agreement for Sale The E.A. Industries Ltd., and Maseno Ltd., dated 8/10/1914.	1.00	Either	As in No.1.
(4) Trust Deed Maseno Ltd. to R. Williams and others dated 5/10/1914.	2000.00	Mortgagors	Maseno Ltd. Nos.1 & 2 George Mansion House, Lon
(5) Supplemental Trust Deed Maseno Ltd., to R. Williams and others dated 23/5/1921.	1600.00	-do-	Liquidator E.C.E. Throgmorton W. London.
(6) Prior Lien Charge Maseno Ltd. to Samuel Debre & Sons dated 24/5/1921.	600.00	Chargors	-do-
(7) Acknowledgment of Discharge of Prior Lien dated 1/11/1926.	30.00	-do-	-do-
(8) Power of Attorney William and others to W.A. Pailthorpe dated 4/4/1927.	40.00	Donors.	T.W.S. Graig The Malt Worplesden Surrey Sir R. William Bridehead Dorchester. E.C. Elliott 406 Throgmorton W. Maseno Ltd.

Ann. Let. Sent.

Ann. list as desired

19.X.27

Mr. Whitehouse
Mr. Allen
Mr.
Mr. E. J. Harding.

10/8/27

X 10100

15
31
127 Kenya

Mr. Strachey.
Sir J. Shuckburgh.
Sir G. Grindle.
Sir C. Davis.
Sir S. Wilson.
Mr. Ormsby-Gore.
Lord Lovat.
Mr. Amery.

C. D.
R 10 AUG
D 19

~~10~~

19 Aug., 1927

Gentlemen,

I am directed

DRAFT.

Brown Agents.

copy to Gov. 7/22 - 20 AUG 1927

to ack. the recd. of your letter
no. O/Kenya 70 of the 5th. of
Aug. regarding the purchase
of the Mares estate by
the Gov. of Kenya and to
inform you that the S.G.S.
approves of your paying
from Kenya funds Messrs

DLF



ALL COMMUNICATIONS
TO BE ADDRESSED TO THE
CROWN AGENTS FOR THE COLONIES,
THE DATE OF THIS LETTER BEING QUOTED,
AND THE FOLLOWING REFERENCE: O/Kenya 70.
TELEGRAMS, "CROWN, LONDON,"
TELEPHONE, 7750 VICTORIA.

4. MILLBANK,
WESTMINSTER,
LONDON, S.W. 1.

RECEIVED
8 AUG 1927
COL. OFFICE

5th August 1927.

Sir,

With reference to your letter No. X.10100/27
of the 22nd July and previous correspondence, respecting
the estate of Messrs. Maseno, Limited, I have the honour
to report that the purchase has been completed and that
the Title Deeds have been forwarded to the Government
of Kenya.

I transmit a copy of an account received
from Messrs. Burchells in this connection, and have
to enquire whether the Secretary of State approves
our paying them the sum of £75. 6. 4d. from Kenya
Funds.

I have the honour to be,

Sir,

Your obedient servant,

J. S. Burchell

for Crown Agents.

The Under Secretary of State,
Colonial Office.

*19 AUG 1927
30 AUG 1927 - 1/11
Copy forwarded to Govt. 742 -
JUN 1928
Rev. and 11*

100

F&S

COPY.

5. The Sanctuary,
Westminster, S.W.1.

21st JULY, 1927.

THE CHIEF AGENTS FOR THE WORKING.

Dr. to

Burchetts

0/Sec. Kings Co.

**No. 1001 in the Kings District
in the Province of Queens,
Kings Colony.**

Professional charges in relation to
investigating title of above land, and
drawing, agreeing and completing
conveyance by the Trustees for Debenture
Stockholders of Kings Limited and others
to His Majesty King George the Fifth.
Including all incidental correspondence
and attendances.

Search Fees.

Fees paid to Council.

Fees, postage &c..

2 -

22 1 -

10 -

1223 -

£ 13 4

£ 13 4

22 11

475 6 4

1926
July
to
1927
July

26

KENYA.
No. 366



GOVERNMENT HOUSE,
NAIROBI,
KENYA.

RECEIVED
23 JUN 1927
G.O. OFFICE

20th May, 1927.

Sir,

In continuation of the 3rd paragraph of my despatch No.108 of the 14th February last, relating to the purchase of the estate of Messrs. Maseno Limited, I have the honour to inform you that I have caused the necessary inspection to be made in connection with the inquiries referred to in paragraph 3 of the letter from Messrs. Burchells to the Crown Agents of the 15th October, which formed an enclosure to your despatch No.1045 of the 5th November last.

22 JUL 1927
K.S.
A
R
C.R.M.

2. It appears that the only tenant who claims an interest in the property is Mr. F.R.Savile but I am advised that he has no legal claim to the land and that a Memorandum of Agreement of 1914 which is registered as a document and not as a title or encumbrance on the land and upon which I understand the claim to be based does not bind the present purchaser in any way. I have, however, sanctioned the grant of a Temporary Occupation Licence to Mr. Savile when the purchase is completed.

3. With regard to the 2nd point raised by Messrs. Burchells, I regret that, since I have not had an opportunity of examining the contract for sale, I am unable to state whether all the buildings, fixtures and works on the land are included in the sale or whether any such buildings, fixtures or works are removable by the Vendors.

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

THE RT.HON.
LIEUT. COL. L. C. M. S. ABBEY, F.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
PARLIAMENT HOUSE, LONDON, S.W.

ACTING GOVERNOR.

25¹⁹



ALL COMMUNICATIONS
TO BE ADDRESSED TO THE
CROWN AGENTS FOR THE COLONIES.
THE DATE OF THIS LETTER BEING QUOTED
AND THE FOLLOWING REFERENCE: O/Kenya 70
TELEGRAMS. "CROWN, LONDON."
TELEPHONE. 7730 VICTORIA.

4. MILLBANK,
WESTMINSTER,
LONDON, S.W.1.

RECEIVED
23 JUN 1927
COL. OFFICE

22nd June 1927

Sir,

With reference to your letter No. 10100/27 of the
No. 14. 7th June, I have the honour to report that Messrs.
Burchells advise us that they completed the purchase of the

94 Maseno estate, on behalf of the Government of Kenya,
18 JUL 1927 on the 16th June, and that possession of the property
may now be taken subject to the existing tenancy.
They state, with reference to the concluding sentence of
your letter under reference, that the vendors are not
entitled to claim any interest on the purchase money.

2. Messrs. Burchells enquire whether the
conveyance should be stamped in this country or forwarded
to Kenya to be stamped locally and they observe that,
strictly speaking, the deed should be stamped in this
country.

3. Under the provisions of the Stamp Acts the
conveyance, having been executed in this country, is
liable to duty amounting to £40 and, if this is not
paid within the prescribed period of thirty days and it
becomes necessary hereafter to produce the deed in legal
proceedings in this country, there will be a liability
to a penalty of £10, plus the amount of duty, in
addition to payment of the duty itself. In view of the
improbability of the document ever being required for
/production

Ans'd. 16 JUL 1927
copy to Sec 612

The Under Secretary of State,
Colonial Office.

b

CA

production in court in this country, the question arises whether the Government of Kenya should incur the expense of paying duty, or not, and I have to request the Secretary of State's instructions on the point.

I have the honour to be,

Sir,

Your obedient servant,

W. A. Birchall

for Crown Agents.

Mr. ~~Ashton~~
76 f

Mr. E. J. Harding.

Sir C. Strachey.

Sir J. Shuckburgh.

Sir G. Grindle.

Sir C. Davis.

Sir S. Wilson.

Mr. Ormsby-Gore.

Earl of Clarendon.

Mr. Amery.

7/10/00 King
17
Answer
No. 25
Important
7 June 1907.



Gentlemen,

I am in back of the recd
of your letter, of King of 70, of
the 3rd of June, on the subject
of the purchase of the Wilson
estate by the Govt of King.

2. I am to request you to
authorize Messrs Purchells
to proceed as they suggest
in the third paragraph of
their letter and, subject to
the approval indicated,
to complete the purchase.

3. The payment order for
£2000 should be held by
Messrs Purchells, pending
completion. Sir C. Strachey

DRAFT.

CA - for the CA

Elliott has at various times

~~not~~ given some indication

that a claim for interest might
be made in respect of the period during
which completion has been delayed. If

Messrs Burchells considered any

valid claim for interest is possible, it

may be desirable that they should

place the money or deposit appropriated

to the purchase price and ~~to~~ give the

und. or notice thereof

}

(Signed) W. C. BOTTOMLEY.

Elliott has at various times

written given some indication

that a claim for interest might
be made in respect of the period during
which completion has been delayed. If

Messrs Barchells consider that any
valid claim for interest is possible, it
may be desirable that they should
place the money or deposit appropriated
to the purchase price and give the
vend. or notice thereof.

?

W C BOTTOMLEY.

10100
23.



ALL COMMUNICATIONS
TO BE ADDRESSED TO THE
CROWN AGENTS FOR THE COLONIES,
THE DATE OF THIS LETTER BEING QUOTED
AND THE FOLLOWING REFERENCE: Q/Kenya 70.
TELEGRAMS. "CROWN, LONDON."
TELEPHONE. 7730 VICTORIA

4. MILLBANK,
WESTMINSTER,
LONDON, S.W. 1.

RECEIVED
4 JUN 1927
COL. OFFICE

IMPORTANT

3rd June, 1927.

Sir,

With reference to your letter No.10100/27

no 18 of the 25th May, respecting the proposed purchase
of the Maseno estate by the Government of Kenya,
I have the honour to transmit a copy of a letter
from Messrs Burchells explaining that, for the
reason stated, it has been necessary to postpone
completion of the matter.

2. 6. 27.

and 4/6/27

2. I have to request instructions as to whether,
in the circumstances, the course suggested in the
third paragraph of Messrs Burchells' letter may be
adopted.

I have the honour to be,

Sir,

Your obedient servant,

P. Chis

for Crown Agents.

The Under-Secretary of State,
Colonial Office.

5 The Sanctuary,
Westminster, S.W.1.

2nd June, 1927.

Maseno Ltd.

Gentlemen,

We expected to complete this matter to-day but on our requesting the Company's solicitors to hand over, amongst other documents, the trust deed and supplemental trust deed, dated respectively 21st November 1910 and 8th February 1912, executed by East African Industries Ltd. in favour of the trustees for the debenture holders of that Company, we were informed that these documents could not be handed over, as they are held on behalf of East African Industries Ltd., who are the owners of other lands in Kenya besides that agreed to be sold to the Government.

2. In view of the instructions to obtain these documents, contained in the telegram from the Governor of Kenya to the Secretary of State, dated 26th August 1926, we have been obliged to postpone completion.

3. The Company's solicitors offer to supply us with printed copies of the deeds, notarially certified as correct, and if an endorsement is placed thereon, signed by the trustees, stating that the lands purchased by the Government have been released from the charge created by the said deeds, we think the Government would be sufficiently protected.

4. We shall be obliged if you will obtain instructions as to whether we may adopt this course, and in the meantime we shall be glad to know whether we should return the payable order for £4,000 or hold it pending completion.

We are, Gentlemen,

Your obedient servants,

(Sgd) Burchells.

CASSELETON ELLIOTT & CO.

10100 24
22.

E. CASSELETON ELLIOTT, F.S.A.A.
S. BAYLISS SMITH, F.C.A.
T. A. RYDER, B.A., LL.B., A.C.A.
N. KEITH SILVER, A.S.A.A.

RECEIVED
4 JUN 1927
COL. OFFICE

4 & 6 THROGMORTON AVENUE,

LONDON, 3rd June 1927.
E.C. 2.

TELEPHONE: LONDON WALL 0422 (2 Lines)
TELEGRAMS: CASSELETON, PHOENIX, LONDON
CABLES: CASSELETON, LONDON

AUSTRALIAN AGENTS:
CLEVELAND, SON & HISLOP,
31, QUEEN STREET, MELBOURNE

ECE/1

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

Sir,

MASENO LTD. (Your Ref. No. 10100/27)

No 21

I have to acknowledge receipt of your letter of the 31st ulto., for which I am much obliged, but I regret to say that up to the present I have not received the purchase price of the Maseno Estate. I have, however, impressed upon my Solicitors that as you have given instructions for the purchase price to be paid over as on the 1st June, there cannot possibly be any reason whatever for delay, and I have instructed them to press forward the matter with the utmost urgency.

I am, Sir,

Your obedient Servant,

Barth Elliott

Receiver & Manager.

CASLETON ELLIOTT & CO.

E. CASLETON ELLIOTT, F.S.A.A.
S. BAYLISS SMITH, F.C.A.
T. A. RYDER, B.A., LL.B., A.C.A.
N. KEITH SILVER, A.S.A.A.

TELEPHONE: LONDON WALL 0422 (2 Lines)
TELEGRAMS: CASLETON, PHOEN, LONDON
CABLES: CASLETON, LONDON

AUSTRALIAN AGENTS:
CLEVELAND, SON & HISLOP,
31, QUEEN STREET, MELBOURNE

ECE/1

RECEIVED
4 JUN 1927
COL. OFFICE

10100 24
22.
4 & 6 THROGMORTON AVENUE,
LONDON, 3rd June 1927.
E. C. 2.

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

Sir,

MASENO LTD. (Your Ref. No. 10100/27)

n 21
I have to acknowledge receipt of your letter of the 31st ulto., for which I am much obliged, but I regret to say that up to the present I have not received the purchase price of the Maseno Estate. I have, however, impressed upon my Solicitors that as you have given instructions for the purchase price to be paid over as on the 1st June, there cannot possibly be any reason whatever for delay, and I have instructed them to press forward the matter with the utmost urgency.

I am, Sir,

Your obedient Servant,

Casleton Elliott

Receiver & Manager.

Mr. Whitehouse

23/5/27

10100
- 27 Kenya

19

Mr. Alex

Mr.

Mr. E. J. Harding.

Sir C. Strachey.

Sir J. Shuckburgh.

Sir G. Grindle.

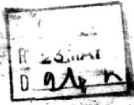
Sir C. Davis.

Sir S. Wilson.

Mr. Ormsby-Gore.

Lord Loyd.

Mr. Amery.



Ans'd
no. 20

25 May, 1927

Sir,

With ref. to the letter

from this Dept. of the 19th

of May, I am etc. to inf.

you that authority has

now been given to the

British Agents for the

Col. to proceed forthwith

with the execution of

the

DRAFT.

E. Cassleton Elliott Esq.

~~23/5/27~~

the Conveyance in respect

of the purchase ~~of~~ by the

Govt. of Kenya of the estate

of Messrs. Maseno, Ltd.:

I am etc

(Signed, W. C. BOTTOMLEY.

the conveyance in respect
of the purchase of by the
Govt. of Kenya of the estate
of Messrs. Maseno, Ltd.

I am etc
(Signed, W. C. BOTTOMLEY.)

Mr. Wainwright 23/5/25

Mr. Allen

Mr.

Mr. E. J. Harding.

Sir C. Strachey.

Sir J. Shuckburgh.

Sir G. Grindle.

Sir C. Davis.

Sir S. Wilson.

Mr. Omsaby-Gore.

Lord Lovat.

Mr. Amery.

DRAFT.

Brown
Agents

24. Acc. Co. - tel. - 20 May.
(17)

X 10 100

25 Kenya

25 May 1925

Gentlemen,

With ref. to the

16.

letter
recd. from this Dept. to 101002

of the 19th. of May, I am
etc. to H. to you the acc.
copy of a tel. from the Acc.
Govt. of Kenya regarding
the proposed purchase
by the Govt. of Kenya of
the estate of Messrs. Maseno

the conveyance in respect
of the purchase of by the
Gov. of Kenya of the estate
of Messrs. Maseno, Ltd.

I am etc
(Signed, W. G. BOTTOMLEY.

Mr. Wainwright 23/5/29

Mr. Allen

Mr.

Mr. E. J. Harding.

Sir G. Strachey.

Sir J. Shuckburgh.

Sir G. Grindle.

Sir C. Davis.

Sir S. Wilson.

Mr. O'Mahony-Gore.

Lord Lovat.

Mr. Amery.

DRAFT.

Brown
Agents

2. Acc. Co. - Tel. - 20 May.
(17)

X 10100

18²⁰

Kenya

Ans. by 23

25 May 1929

Gentlemen,

With ref. to the

letter from this Dept. No. 10100/29

of the 19th. of May, I am
etc. to u. to you the acc.
copy of a tel. from the Acc.
Gov. of Kenya regarding
the proposed purchase
by the Gov. of Kenya of
the estate of Messrs. Maseno
Ltd.

... you
... of your

... with with
... seed of
... of the Conveyance
... respect of the property.

I am etc

(Signed) W. C. BOTTOMLEY.

RECEIVED

20 MAY 1927

TELEGRAM from the Officer Administering the Govern-
ment of Kenya to the Secretary of State for the
Colonies.

Dated 20th May 1927

(Received Colonial Office 1.35 p.m. 20th May 1927)

No.181. 20th May.

Your telegram of 17th March

Maseno. Despatch signed and follows by mail.

One tenant F.R.Saville claims interest but I am
advised that he has no legal claim to the land.

With regard to building(s) in the absence of
contract for sale I am unable to state what
buildings removable by vendor. I consider it
unnecessary to await report before completing
conveyance.

Mem
A. 25 MAY 1927

Copy to c

10100/27 Kenya.

15

Mr. Allen 18/5.27

Mr.

Mr.

Mr. E. J. Harding.

Sir C. Strachey.

Sir J. Shuckburgh.

Sir G. Grindle.

Sir C. Davis.

Sir S. Wilson.

Mr. Ormsby-Gore.

Earl of Clarendon.

Mr. Amery.

C 21
P 13 MAY
D 19

Downing Street,

19 May, 1927.

Sir,

I am etc., to acknowledge the receipt on the 17th May of your letter dated the 13th May regarding the purchase by the Government of Kenya of the estate of Messrs. Maseno, Ltd., and to inform you that further enquiry on the matter has been made of the Acting Governor of the Colony by telegraph. A further communication will be addressed to you as soon as the Acting Governor's reply is received.

I am, etc.,

(Signed) H. T. ALLEN.

for Under Secretary of State,

DRAFT.

E. CASSLETON ELLIOTT, ESQ.

Copy will be sent to
S.A. with delay

29
14

X. 10700. 27

1/10/27

Mr. *H. Allen* 17/13 stance

Mr.

Mr.

E. J. Harding.

Sir C. Strachey.

Sir J. Shuckburgh.

Sir G. Grindle.

Sir C. Davis

Sir S. Wilson.

Mr. Ormsby-Gore.

Earl of Clarendon.

Mr. Amery.

Coded report
in W. 6.20 p. 17/5/27

~~18~~
Answer
Nov. 17

Maseno Conference

Ready for signature

but signature delayed

to pending receipt of

report referred to in

para 3 your despatch

Feb 108 @ So there

was reason for

awaiting report before

completing matter

vendors pressing

for immediate

payment purchase

money @ w/ w/ w/
with least possible delay

DRAFT. Re

Garemor

Mairahi

Copy to C.A. - 18 MAY 1927 G.C.

CASSLETON ELLIOTT & CO

CASSLETON ELLIOTT, F.S.A.A.
S. BAYLISS SMITH, F.C.A.
T. A. RYDER, B.A., LL.B., A.C.A.
N. KEITH SILVER, A.S.A.A.

TELEPHONE LONDON WALL 0422 (2 Lines)
TELEGRAMS CASSLETON, PHOENIX, LONDON W
CABLES CASSLETON, LONDON

AUSTRALIAN AGENTS
LEVELAND, SON & H. SLOP
31, QUEEN STREET, MELBOURNE

RECEIVED
17 MAY 1927
COL. OFFICE

13

6 THROGMORTON AVENUE,
LONDON, 15th May 1927.
E.C. 2

ECE/1

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

Sir,

MASMO Ltd. (Your Ref. IX.5629/26).

On the 24th July 1926 I received a letter from you informing me that the Crown Agents had been instructed to take the necessary steps with a view to completing the purchase of certain land held in Kenya by Masamo Ltd., of which Company I am Receiver & Manager. In your letter you stated that the completion was to take place as early as possible, at the figure agreed upon, viz. 24,000. To this letter I replied by return, stating that I had already given my Solicitors instructions to get into touch with you so that the whole matter might be completed in the near future. You, in due course, instructed the Solicitors to the Crown Agents, Messrs. Burchells, who, ever since then, have been in constant communication, I understand, with my Solicitors, Messrs. Montagu's and Cox & Cardale, of 86 & 88 Queen Victoria Street, E.C.4. I negotiated the sale with Mr. Bottomley, and it was verbally understood

Hand I.C. 11/11/27

between us that the price accepted was for prompt settlement. Ever since July, communications have been constantly passing, I believe, between your Solicitors and my Solicitors, asking for certain information in regard to the Title, which, I understand, has always been promptly furnished by my Solicitors. I have been put to considerable trouble in regard to these requisitions, which no doubt were necessary, but at last I understood they were all satisfied, so that several months ago I reported to one of my Trustees, stating that the Solicitors for the Crown had made very many requisitions on Title which I believed, however, were now all satisfied, so much so, that a draft Conveyance had been sent to the Colony to be approved. I do not think I need burden this letter by recapitulating the many times I have been assured that everything had been done to expedite completion, but I would only inform you that on the 18th February I received through my Solicitors, information that the Colonial Office had received from the Governor of Kenya a statement that a dispatch containing all the information asked for was on the way. Subsequently I called to see Mr. Allen at the Colonial Office, when I explained the matter fully to him. I pointed out to him that a deposit had not been asked for, on the understanding that the property should be transferred promptly; neither had I discussed the question of interest.

31

between us that the price accepted was for prompt settlement. Ever since July, communications have been constantly passing, I believe, between your Solicitors and my Solicitors, asking for certain information in regard to the Title, which, I understand, has always been promptly furnished by my Solicitors. I have been put to considerable trouble in regard to these requisitions, which no doubt were necessary, but at last I understood they were all satisfied, so that several months ago I reported to one of my Trustees, stating that the Solicitors for the Crown had made very many requisitions on Title which I believed, however, were now all satisfied, so much so, that a draft Conveyance had been sent to the Colony to be approved. I do not think I need burden this letter by recapitulating the many times I have been assured that everything had been done to expedite completion, but I would only inform you that on the 18th February I received through my Solicitors, information that the Colonial Office had received from the Governor of Kenya a statement that a dispatch containing all the information asked for was on the way. Subsequently I called to see Mr. Allen at the Colonial Office, when I explained the matter fully to him. I pointed out to him that a deposit had not been asked for, on the understanding that the property should be transferred promptly; neither had I discussed the question of interest.

between us that the price accepted was for prompt settlement. Ever since July, communications have been constantly passing, I believe, between your Solicitors and my Solicitors, asking for certain information in regard to the Title, which, I understand, has always been promptly furnished by my Solicitors. I have been put to considerable trouble in regard to these requisitions, which no doubt were necessary, but at last I understood they were all satisfied, so that several months ago I reported to one of my Trustees, stating that the Solicitors for the Crown had made very many requisitions on Title which I believed, however, were now all satisfied, so much so, that a draft Conveyance had been sent to the Colony to be approved. I do not think I need burden this letter by recapitulating the many times I have been assured that everything had been done to expedite completion, but I would only inform you that on the 18th February I received through my Solicitors, information that the Colonial Office had received from the Governor of Kenya a statement that a dispatch containing all the information asked for was on the way. Subsequently I called to see Mr. Allen at the Colonial Office, when I explained the matter fully to him. I pointed out to him that a deposit had not been asked for, on the understanding that the property should be transferred promptly; neither had I discussed the question of interest.

On the 4th April all the documents were at last executed in this office, and I certainly expected to receive the purchase price within the next few days. I understood that the only difficulty in the way was that your Solicitors could not advise the purchase money to be paid until they had received a final cable stating that the Register was clear in the Colony. They suggested that a cable could be sent to Kenya Colony asking for this information and also for a cabled reply, but that the cost of both cables would have to be paid by me. I immediately replied that although I did not consider I should pay for the cables, I was prepared to do so, so as to get the matter settled, and, within a day or two afterwards, to my surprise, although the Conveyance had been completed, Messrs. Burchells said that they were still waiting to receive some replies to their enquiries of their Agents in the Colony. I cannot understand this extraordinary delay, in view of the fact that I have received information from the Colony that the Government of Kenya is already in possession of the Estate, without having paid the purchase price. I do not wish to be unreasonable, but I do think I have been treated very badly, and I must now suggest to you that I should receive interest on my purchase money as from July 1926, when the Estate was sold.

At the moment, I do not say anything further about

the information I have received that the Government has taken possession. I must confess I cannot understand that this is so, but in any event I shall certainly expect the whole matter to be completed quickly, otherwise I shall have to consider my position and consult my Trustees.

I am, Sir,

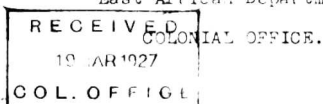
Yours faithfully,

Quveta Aliah

Receiver & Manager.

Mr. Allen,

East African Department,



With reference to Colonial Office

No 4
letter No. 10100/27 of the 16th March, we have forwarded to Messrs. Burchells a copy of the despatch with enclosure, from the Acting Governor of Kenya respecting Messrs. Maseno, Ltd.

As agreed on the telephone, we have arranged to continue the insurance of the property for a further period of six months, and have paid the premium of £5. 13. 4d. from Kenya funds.

W.A. Burchell

"O" Department,
Crown Agents.
18.3.27.

/JET.

N 10100/1925
1011

Mr. Cliffe 15-11-27.

Mr. Allen 15

Mr.

Mr. E. J. Harding.

Mr. Strachey

Mr. Shuckburgh

Sir G. Grindley.

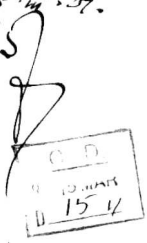
Sir C. Davis.

Sir S. Wilson.

Mr. Oswald Gore

Earl of Clarendon.

Mr. Amery.



Alford 10/10
S

10 March 1927

DRAFT.

Crown Agent

Important

185620/6

Gentlemen

With reference to your
letter of 17th of the
30th of October 1926 and
previous correspondence,
in order to transmit
to you for communication
to Messrs. Burchells,
the accompanying copy
of a despatch with

From Gen: 14/11/27
~~14/11/27~~
Enclosure
D

belong from to

being found at

own regarding

the proposed method

of the matter

is also

...

...

...

KENYA

No. 108



GOVERNMENT HOUSE,
NAIROBI,
KENYA

February, 1927.

RECEIVED
12 MAR 1927
COL. OFFICE

Sir,

I have the honour to refer to your despatch No. 1045 of the 5th of November, 1926, and your subsequent telegraphic reminder of the 3rd January regarding the proposed purchase by this Government of the estate of Messrs. Maseno Limited.

In regard to the points raised by Messrs. Burchalls in their letters to the Crown Agents for the Colonies dated 15th October and 20th October, 1926, respectively, I am advised that -

- (a) the property should be conveyed to the Crown direct in the usual form.
- (b) the Receiver for the Debenture Holders must be a party to the Deed and the order of his appointment registered.
- (c) the following instruments recited in the draft conveyance should be stamped and registered prior to the registration of the Conveyance to the Crown:-

- (1) The Trust Deed dated 15th October, 1914.
- (2) The Supplemental Trust Deed, dated 23rd May, 1921.
- (3) The Charge dated 24th May, 1921.

The vendors should bear the cost of so doing and it is for them to decide whether they desire the Deed to be executed locally or in England.

(d) the Deed of Exchange dated the 8th of May, 1913, made
between/

THE RIGHT HONOURABLE
LT. COL. E.G.M.S. AMERY, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES, LONDON, S.W.

Handwritten notes:
10 22
16 MAR 1927
A 16 MAR 1927
18 MAR 1927
This is enclosing...
No 108
108

between R. Williams, T.D.S.Craig, H.W.Maynard of the first part, Maseno Limited of the second part, and J.W.Willis, Bishop of Uganda of the third part, and the Crown of the fourth part should be recited. Under this deed 30 acres being a portion of the 982 acres at Maseno (No.1436) were exchanged for 30 acres being a portion of 80 acres at Maseno (No.1091).

(e) In consequence of the above exchange the description in the Schedule to the conveyance is not correct. I understand that a plan signed by the Director of Surveys to be attached to the Conveyance, will suffice and that a description of the boundaries is not necessary.

3. I am awaiting a report on the further questions raised by Messrs. Burchells in respect of tenants on the land, and buildings, fixtures and works removable by the Vendors.

4. As, however, these matters do not affect the form of the Conveyance, I have not considered it necessary to delay transmission of information which is required for amendment to the Draft until this report is received.

5. A Deed Plan of the area to be conveyed is forwarded for favour of transmission to Messrs. Burchells so that they may annex it to the Conveyance.

I have the honour to be,

Sir,

Your most obedient, humble servant,


ACTING GOVERNOR.

Mr. Wickhardt,
C. Dept.,
Crown Agents.

In regard to our recent telephone conversation about the purchase of the Maseno property by the Government of Kenya, I saw Mr. Cassleton Elliott on the 23rd February, and he explained that things were getting a bit difficult for him in view of the delay in fixing things up. He even suggested that he thought interest ought to be paid on the purchase money, but did not press that point at all, at any rate, at the moment. What he was anxious to know was, what is the exact date on which we might expect the despatch from Kenya, and a further telegram was, accordingly, sent to the colony. A reply has now been received stating that the despatch was sent on the 18th February and should reach us on the 12th March. I have passed this on to Mr. Elliott by telephone, and you will, no doubt, let Messrs. Burchells know.

Downing Street,

28th February, 1927

CASSLETON ELLIOTT & CO

E. CASSLETON ELLIOTT, F.S.A.
S. BAYLISS SMITH, F.C.A.
T. A. RYDEN, B.A., LL.B., A.C.A.
N. KEITH SILVER, A.S.A.

TELEPHONE: LONDON WALL 0422 (2 Lines)
TELEGRAMS: CASSLETON, PHONEX, LONDON
CABLES: CASSLETON, LONDON

AUSTRALIAN AGENTS
CLEVELAND, SON & HISLOP,
31, QUEEN STREET, MELBOURNE

4 & 6 THROGMORTON AVENUE,

LONDON, 18th February 1927.

B. C. 2.

RECEIVED

21 FEB 1927

COL. OFFICE

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

Sir,

REV. I. F. 5620/26.

On the 13th July 1926, I had an interview with Mr. Bettemley in regard to the purchase of certain land at Maseno by the Government of Kenya. Subsequent to this interview, I received a letter, dated the 14th July 1926, in which I was informed that Mr. Secretary Amery had decided to approve of the purchase of the land by the Government of Kenya at the price of £4,000.

Subsequently, I gave full particulars as were required, and I informed you that the Title Deeds were in the possession of my solicitors, Messrs. Cox & Cardale. These solicitors were put into touch with your solicitors, Messrs. Burchell's, and in my letter I said that I hoped completion would take place as soon as possible.

Seven months have now elapsed, and I learn to-day that there may be yet another month's delay.

One of the Trustees, who will be required to sign the ~~Consent~~, is going abroad early in April, and I

The Under Secretary of State.

(2)

40
18. 2. 27.

shall be glad if I can be granted an interview to explain to you the urgency of this matter. If you could kindly give me an appointment for some day next week, I shall be obliged.

I am, Sir,

Your obedient Servant,

A handwritten signature in cursive script, appearing to read "Charles Allen", is written over a horizontal line.

Receiver & Manager.

D
Kenya 70.

L

East African Department,
Colonial Office.

RECEIVED
29 JAN 1927
COL. OFFICE

No. 23

With reference to your letter XF.5620/

26 dated the 9th November last, please see the

attached copy of a letter from Burchells re

purchase of property from Maseno Ltd.

Have you had any reply from Kenya yet?

WAT Wickham

"O" Department.
Crown Agents' Office.
28th January 1927.

MESSRS. BURCHELLS TO THE CROWN AGENTS.

5, The Sanctuary,
Westminster, S.W.1.

26th January 1927.

Gentlemen,

Maseno Limited.

We beg to refer to our letter of the
15th October^{last} and to enquire whether you have
received any reply from the Colony to the points
therein mentioned, as we have a letter this
morning from Messrs. Cox and Cardale informing
us that the Receiver is leaving this country
shortly to visit the Colony and Uganda, and
unless this matter can be completed before his
departure it will have to stand over for some
months.

We are,

Gentlemen,

Your obedient Servants,

(Sgd) Burchells.

MESSRS. BURCHELLS TO THE CROWN AGENTS.

5, The Sanctuary,
Westminster, S.W.1.

26th January 1927.

Gentlemen,

Maseno Limited.

We beg to refer to our letter of the
15th October^{last} and to enquire whether you have
received any reply from the Colony to the points
therein mentioned, as we have a letter this
morning from Messrs. Cox and Cardale informing
us that the Receiver is leaving this country
shortly to visit the Colony and Uganda, and
unless this matter can be completed before his
departure it will have to stand over for some
months.

We are,

Gentlemen,

Your obedient Servants,

(Sgd) Burchells.

PUBLIC RECORD OFFICE

END

TOTAL EXPOSURES →

PUBLIC RECORD OFFICE

C0533/366

ORDER NO. ⇒ FN/E207
CAMERA NO. ⇒ 19
OPERATOR. ⇒ SP
REDUCTION. ⇒ 12
EMULSION NO. ⇒ 321022
DATE. ⇒ 17/2/72

CROWN COPYRIGHT

THESE COPIES ARE SUPPLIED FOR INFORMATION
AND RESEARCH ONLY—NO REPRODUCTION MAY BE
MADE FOR PUBLICATION WITHOUT THE ASSENT OF
THE PUBLIC RECORD OFFICE