

1911

EAST AFR. PROT.

C.O.
22212
7 JUL 11

22212

clean bar

Gratitude

Date

July

in respect of services of late Maj. Borlean
Requests. Enclosed sent by the Veterinary
officer stating that Maj. Borlean lost his life
in execution of his duty.

Previous Paper

10999

Mr. James
Mr. Fiddis

Cano - paper

the person
in his
letter
76753

Copy to Mr.

Subsequent Paper

2533

When I dealt with this paper, I
felt that I did not better substantially
that it was claimed that the accident
from which Major Borlean met his death
was incurred by him while in the discharge
of his duty, and on reconsideration this
appears to me considerably to heighten
Mr. Borlean's claim. After speaking to the

W. 28, 032-50
31.10 A. S. W.

I have written to Mr. Selous of the Treasury
 to ask whether they were prepared to give the
 case this sympathetic consideration, and I
 apprehend he will give what I address.
 That they are prepared to sketch the
 rules on what.

If it can be established that Messrs
 Bouleau paid his death while in the
 discharge of his duty, it would seem to
 be a case for an annuity to his widow
 rather than a gratuity. It is difficult

to find a exact precedent - I put
 up two or three cases of officers killed by
 the enemy. The precedents which I mention
 rather, by the case of the 50th Regiment
 and Van Rensselaer's case, in *Tramway* 15183
 and also that it is of the same nature
 but they hardly form an exact parallel
 to the Treasury precedents which
 are - I think the case Selous - and a
 few others. I think that it would be best

to propose to the Treasury to
 deal with the case on the analogy
 of the rules laid down for the part
 of annuities to the widows of post
 surgeons killed through diseases in
 post sanctioned practice - I did mention
 a warrant of September 1887 in volume
 herewith. If the case were dealt
 with on these lines, Mr. Bouleau
 would get an annuity of 1000 of £100
 or £50 a year.

I put all the facts so far as we
 have them to the Treasury and ask
 for an annuity of £500 a year, supposing
 the ground is shown to be valid and

Application - to Masonry

was probably used a full report
from the juror, and especially as
to whether the accident was in any
way Mason's fault. But
we can wait until the Masonry
have time

[I find this in a paper, as
Mason Heathcote's letter to Mrs Lucas
is waiting for an answer]

Mr. Butterick hesitates, and writes
C.H. 15/7

(See the Bottomley paper above regarding)

at once 15/7

See Dec 1877

Treasury Chambers,
Whitehall, S.W.

14 July 1911

My dear Batterbee,

I am sorry to have kept you waiting for a reply about Mrs. Boileau, but, as you say yourself, the case is without an exact precedent and therefore required rather careful consideration.

The view here is that if you will write to us officially stating the circumstances of the case fully, and if you can certify that the death was incurred in the actual discharge of duty and without the Officer's own default, we could in this particular case overlook the fact that the widow does not fully satisfy the conditions as to destitution (provided, of course that the case is satisfactory in other respects).

Yours

W. B. ...

July 4th
1911

18 Colvington Road
South Burlington

To the Indian Secretary
of State for the Colonies

RECEIVED
JUL 11 1911 375
COL. OFFICE

Sir

I enclose a Certificate I have
received from the Chief Veterinary
Officer, approved and signed by the
Secretary to Govt. Nairobi, B.E.A.
by which you will see that my
late husband, Major C. P. Bourne
lost his life in the execution of his
duties while in the Veterinary Dept.
I should be most grateful to you
if under these circumstances
you could kindly see your way
to granting me some compensation

for the loss of my husband, as
 though his estate I am left
 absolutely without means, except
 for the £70. as widow of my first
 husband, Major J B Clarke, Scottish
 Rifles, which has been restored and
 I am anxious to return to Nairobi
 where I have made my home, as
 soon as possible, & to start a
 small business there, which will
 be little amount from my present
 Pension it is impossible to do. &
 for this reason I have ventured to
 forward to you for your personal,
 the Certificate received from Nairobi

& which I trust will meet with
 your favorable consideration, as
 I really am in great need.
 Major Foreman was for a year in the
 P. W. D. & on reduction of the Establishment
 was transferred to the Veterinary Dep't.
 I have letters from the Commissioners
 of Works, speaking highly of his work
 in that Dep't. -
 Will you be so kind as to return
 me the Certificate? -

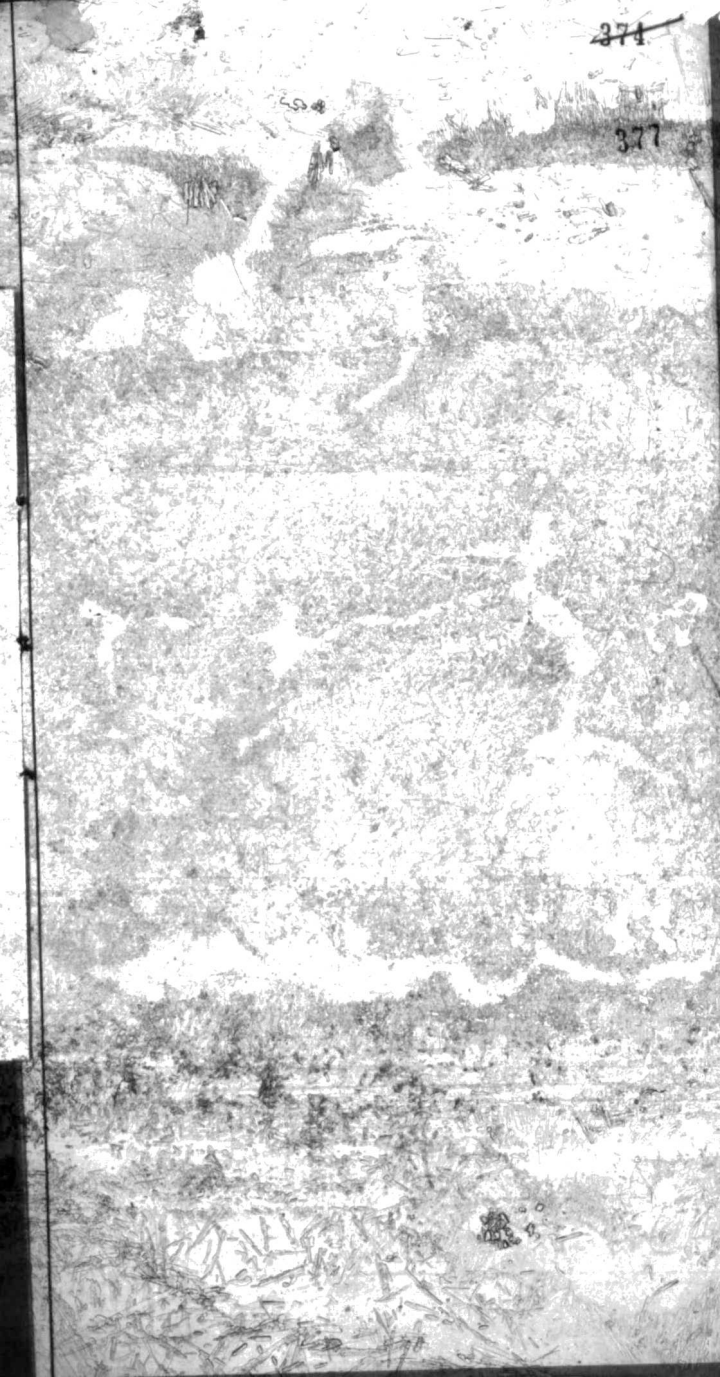
I have the honor to remain, Sir
 your obedient servant

E. Mulholland

~~374~~

250

377



W. ~~Scott~~ ~~Feilcke~~

378

Hein sees the attached letter sent
by Mr. Bottomley. He wants the Dept.

to suggest a reply to Mrs. Poiteau.
Mr. Bottomley & I both think that
Mrs. Poiteau's case ought not to be
put to the Commission.

The conditions as to gratuities are
clear -

- (1) The widow must be destitute.
- (2) There must be no relatives who
can afford to help her.
- (3) The husband's ~~most~~ death
must have been due (in some
measure at least) to the ~~war~~ ^{war}
service.

It appears from that neither (1) nor (2)
is fulfilled - certainly not (2) as she

has £20 p.a. from Army funds.
The case of Mrs. Robbins - her nearest
relative - does not really, I think,
help. In her case there was a total
sum of £600 (at maximum) in cash
+ £1.10 p.a. this w'd. at most
give £30 p.a. income.

As to (3) - see Mrs. Poiteau's letter
of 2nd Sept in 14638. "This cond." seems
to be fulfilled.

I suggest that the reply should

W. B. Fisher

Please see the attached letter sent by Mrs. Bottomley. He wants the Dept. to suggest a reply as to Mrs. Poileau.

Mrs. Patterson & I both think that Mrs. Poileau's case ought not to be put to the Treasury.

The card as to gratuities all clear -

- (1) The widow must be destitute
- (2) there must be no relatives who can afford to help her.
- (3) the husband's ~~income~~ death must have been one (in some measure at least) to the card as "poor".

It appears to me that neither (1) nor (2) is fulfilled - certainly not (2) as she

has £70 p.a. from Army funds. The case of Mrs. Robbins - the nearest parallel - does not really, I think, help. In her case there was a total sum of £600 (at maximum) in cash + £10 p.a. this wd. at most give £30 p.a. income.

As to (3) - see Mrs. Poileau's letter of Sept. 14th 38. The card seems to be fulfilled.

I suggest that the reply should

Ad. Hall Charles the condⁿ on
th. Messing ~~is~~ point
particulars a point out that
they are to not at appear to be
fulfilled in the Porteus case.
& we might mention that Mr.
B. was given a passage pass
to a. to England at Govt. expense
with: also had no claim
A.C.C.

9/12/20

5/7
H. J. L.
5/VII

Mr. D. S. S. S.

Letter. We had felt much
deterred from assisting in similar
cases, and I am afraid that Major
Wynne has taken a second one.

Ms. 6

But how far beneath in 22/12

MS

9

STONEHAM GOLF CLUB

379

BASSET.

SOUTHAMPTON.

SOUTHAMPTON.

17 June 911

Dear Lord Lucas

I am not writing to you
this time about Deacon
though he has not yet
paid up his Rent - but
in behalf of a cousin of mine
Major H. H. H. H. H. H. H.
Wiltshire Regiment
whose mother in law's
will has paid a £100
Barclay

who was in the Colonial Service in Algand
 East Africa where Boileau is now in England
 lost his life as follows: Rex Wyndham says
 He was in charge of the [?] as to a Pension from
 Government [?] Colonial Office -
 and when setting a [?] you kindly make
 for Leopards which [?] this is
 killing the cattle - that you care for her
 himself through the [?] is very badly off -
 I had to undergo two [?] there again and
 amputations of the [?] I think
 the second of which [?] being you are well
 Yours sincerely

H. H. Newbottle

28 June 1900

Dear Miss Heathcote

381

The Convention holidays have prevented me from answering your letter of the 17th about before the end of a week that I find it is impossible for me to hold out any hope that we can help Mrs. Boileau in any way. We have no arrangement for widows for pensions to widows of officers dying in the Colonial service in Africa, and although in cases of destitution it is often possible to obtain a vote of the local legislature granting ^{small} affluents, the procedure has to be confined strictly to the more recent cases.

I see that the War Office have restored to Mrs. Boileau the Army pension granted to her as the widow of her first husband, and although the amount is not large it certainly removes the case from the category of destitution.

Yr sincerely

S. S. Lewis

July 1911

Dear Major Heathcote,

DRAFT

Grant for L. Lucas's wife

Major R. W. Heathcote

I am afraid I cannot add anything encouraging to what I have said as to Mr. Bouleau's case. The practice of giving ~~with~~ ^{at} ~~gratuitous~~ ^{gratuitous} in special cases arose out of the fact that in only too many instances an official dies without having made any provision whatever for his wife, who was then left absolutely penniless. It is only intended to meet cases of extreme hardship and the conditions of the grant (which can in no circumstances exceed six months' salary - say £100 in Mr. Bouleau's case) require that

- (1) the widow must be destitute
- (2) there must be no relatives

Wid 6/7
 Recd 6
 Lucas 7/7

Major (Wid) Loan 2/7
 (letter kept 20/7)

able to afford help, and
(3) the husband's death must
have been due in some measure
at least to the conditions of
service.

The death in this case the
third condition is satisfactorily
fulfilled, but when the others
present a very serious difficulty
and I am sure that, even
if the Legislative Council
of the Protectorate were
willing to vote a grant, the

Treasury (whose approval
we should have to get) would
refuse to refund anyone who
had an assured pension of
£70 a year as a suitable
recipient of a compassionate
grant.

I may mention that a
point has already been
stretched in Mr. Doole's
favour by allowing him a
five pound bonus.

I remain, Sir, your obedient servant,
G. W. G. G. G.

BATHMORE CAMP, LANCES.

2.7.11

My dear Walker,

It was very good of you to write to Lord Lucas about Mrs Boileau, but what he doesn't seem to grasp is that, ^{though} the case may not be necessary it will become so unless she can get a gratuity from the C.O. as I don't see quite how she is to live on £70 a year which is all she gets from the W.O. What she seeks is a sum of ready money even if it is only small to enable her to start something out in B.E.A. so as to supplement her pension. This I think she can do as she has done something of the same kind before. Failing that I don't see how she is going to rub along, as she has no resources.

Would you write to Lord Lucas once more and point this out. I don't like bothering you, but it is no use taking a first "no" for an answer from any Government official, and I must do what I can for Mrs B. She is applying officially and I understand from her that her case is approved by the Secretary to Government at Nairobi, B.E.A. which should surely weigh especially as her husband lost his life in the performance of his duty to the C.O.

We are out here doing better training and I
spent last night on top of a hill doing night out posts
and a precious cold job too. How does the golf go?
I hear you have been playing with Mary Hunt-Grubbe.

Yours, etc.,

REX.

Letter. I am sorry to have to
add a few more "no", but
You will realize the impossibility
of making exceptions to rules
governing exceptional cases.

Yours sincerely

385

sfm

386

Colonial Office,

Downing Street, S.W.

18th Dec 1911

Dear Major Westcott,

I held over your letter
of the 2nd because I found
that the Department were
already engaged in ~~the~~ looking
up precedents which might justify
special treatment in Mrs. Poole's
case. They have found an old
subsidy in the home service on the
strength of which we are going to
approach the Treasury, but of
course I cannot say whether they
will

will regard it as relevant
or will agree to its extension to
Colonial service. I shall let you
know the result as soon as I
can and in the meantime I
return you a Wynne Thomas letter.

Yours sincerely

S. Lucas

27 July 1960

Madam

I am etc to ack.

two receipt of your letter
of the 4th of July

forwarding a certificate
by the Chief Petty Officer

in the effect that

the accident through
the late Major Boikau
which ~~your~~

but his death was

in the discharge
of his duty.

2 In admiralty case,

DRAFT.

Boikau

MINUTE.

Mr. [Signature]

Mr. [Signature]

Mr. Fiddes

Mr. Just

Sir C. Lucas

Lord Lucas

Mr. Harcourt

2 Draft

Chief Petty Officer's report
to be kept in the
files (2 papers)
Lord Lucas has written
you should be in his
files

of your husband's death
had been the result of
the conditions of service,
Mr. Harcourt could have
felt himself detained from
asking ^{to be} ~~to~~ Harcourt to
grant you a compassionate
allowance, in view of
the fact that you are
in receipt of a pension
of £70 per year from W.D. funds.
But, if I can be of satisfactory
value to you in this
death case, in connection
with the actual discharge

of duty, I would be 388
non default, it is possible
that the Secretary ^{may} ~~ought~~
be willing to overlook the
fact of your W.D. pension
~~but~~ ~~is~~, and
to grant you a small
pension a gratuity as a
special case. Mr. Harcourt
is, incidentally, aware of
the fact of this case
before the Lords Comptrols,
and in the course of
their proceedings for their
communication will be
addressed to you.

3. The Certificate Entitled

B Sal
22212

25 July 1901

25837

DRAFT

Secretary to the
Barony

MINUTE.

- Mr. 1878 4/1
- Mr. ~~Feed~~ 19
- Mr. ~~Fiddes~~ 20
- Mr. Just. 22
- Sir C. Lucas.

Lord Lucas.
Mr. Harcourt

Edw. B.

26 May (1875) to the
 before to send to the Treasury
 the ground with the Treasury
 necessary to inform the Treasury
 into Ireland in 1872

I am etc to transmit
 to you, for the concern
 of the title of the Inquiry,
 the accompanying copy of
 a letter from Mr. Borhan,
 in which she makes
 application for the grant of
 her of a person a partner
 in the business of the said
 attending to the death of
 her husband, the late
 Major Borhan, a Stock
 Inspector in the Railway

Dist of the S.P.
I am also to enclose
2 copies of a certificate
by the Chief testimony
Special, which confirms
the bankrupt statement
that certifying that
the accident which was
the cause of Major
Berham's death occurred
through his attempt to
protect his tin stock
under his charge from
the depositions of a
hooped ~~to~~

2
his certificate
was appointed orally as
a stock reporter in the
4th of May 1880, and
his salary at the time
of his death was £100 10s.
He had procured his
employment for about a
year in the Public Works
3
I am to explain
that, since Mr Berham's
letter was received
Mr Macmillan has been
informed by the A.C.
that the pension of £70 a

Year of which she was
formally accepted from
Army Service as the widow
of Major James Ross Clarke,
Scottish Rifle, has been
returned to her, with effect

from the 27th of Oct. 1911,
the date following that of
the death of Major Borlase.

It is noted of his part,
his Parliament would have
felt himself obliged, in

advising her, for
to Borlase's
submitting the application
to the Treasury, but,

as it would appear that

the accident through
which Major Borlase
met his death was
circumstances in the actual
discharge of his duty,
his case would appear

DRAFT

MINUTE.

Mr.

Mr.

Mr. Paines.

Mr. Just.

Sir C. Lucas.

Lord Lucas.

Mr. Harcourt.

to call for somewhat more
generous treatment.
It is difficult to find
an exact precedent for
the present case, but
it is thought to be
undesirable to propose that it
should be dealt with
in the analogy of the

the Heavy Guard of

September 1887 for the

part of accounts to

the orders of your servants

embodied in a dangerous

manufacturing dept and

filled with the

discharge of duty

in the analogy of time

when Mr. Nathan would

have a claim to be paid

an amount at the rate

of 700 of 1000 (his late

business being)

£25 per annum

5 to account book 392

that P. & Co. will be

able to pay the

amount from the

and to purchase the

part of an account to

Mr. Nathan at the

rate above proposed.

h
7