

EAST AFR. PROT.

N^o. 44278

44278

REC^d
REC^d 20 DEC 07

Individual

(Subject.)

date

07

Mr. J. Clark

Re-apply as District Surveyor

in Paper

Transmits copy agreement. Passage
taken for 8 February

49

(Minutes)

Pat by

at once

H. J. R.

29 xii

44270

OFFICE OF THE CROWN AGENTS FOR THE

WHITEHALL GARDENS, LONDON, S.W.

17 December 1909

Sir,

With reference to your letter No. 33820/09 of the 27 September

I have the honour to transmit to you for the information of the Secretary of State, a copy of the Agreement into which we have entered on behalf of the Government of Sierra Leone with Mr. J. P. [unclear] on his appointment as District Commissioner in the Protectorate

A passage has been provided for Mr. Clark in the steamship "Kampong" appointed to leave Monrovia on the 9 February

A copy of the Agreement has been forwarded to the Government.

I have the honour to be,

Sir,

Your obedient Servant,

Under Secretary of State,
Colonial Office.

[Handwritten Signature]

for Crown Agents

Agreement

44278

Thousand nine hundred and seven Between
The Undersigned (One of the Crown Agents
for the Colonies) of Whitehall Gardens London
in the County of Middlesex acting for
and on behalf of the Government of the
East Africa Protectorate (hereinafter called
the Government), of the one part and
John Percival Clark of 46, Arlic
Gardens, Hyndland, Glasgow in the
County of Lanark of the other part.

Whereby it is agreed by and between
the parties hereto as follows:

1. The said John Percival Clark (hereinafter
called the person engaged) is hereby selected
in agreement as a District Officer for in
the District of British Somaliland, Department
of the East Africa Protectorate, on the terms
and conditions hereinafter set forth.
2. The person engaged shall proceed to East
Africa when directed by the Crown Agents for
the Colonies there to perform the duties of the
appointment for the period of Three years
commencing from the date of his arrival at
Mombasa but this period may be extended as
provided for in Clause 6.
3. The duties of the person engaged shall
include the usual duties of the appointment
and in addition any other suitable duties which
the Government may call upon him to
perform.
4. The person engaged shall during the term

East Africa
Reg. No. 10006
4/10

8. If the person engaged shall be compelled by reason of ill health not caused by his own misconduct to resign his appointment or if at any time it shall be certified by a duly qualified medical officer employed by the Government that he is incapable on physical grounds of rendering further efficient service in the Protectorate the Government shall pay him his salary up to the date of such resignation or certificate and shall if he is in the Protectorate at the time provide him with a free passage first class to England provided that he claims and avails himself of such passage within two months but he shall have no claim on the Government. If he shall resign his appointment from any other cause he shall refund to the Government or to the Crown Agents for the Colonies on demand the amount paid for his passage to the Protectorate and if he is in the Protectorate at the time he shall not be entitled to a passage to England. A certificate signed by a duly qualified medical officer employed by the Government shall be conclusive evidence on the question whether or not the person engaged was compelled to resign his appointment by reason of ill health within the meaning of this clause.

9. If the person engaged shall at any time neglect or refuse or from any cause (excepting ill health not caused by his own misconduct) (as provided in Clause 8) become unable to comply with any of the clauses of this agreement or any of the duties required of him or any of the orders of the Government or their officers or shall correspond verbally or otherwise directly or indirectly in or about the affairs of the Government with any person not in the employment of the Government or shall publish directly or indirectly any document or information of any kind

on his part he may be liable to a deduction from his salary to make good the damage in any part thereof the amount of which shall be fixed by the Commissioners of the Protectorate

13 If the person engaged shall commit any breach of this agreement or of any by-law regulation or instruction or shall in any way misconduct himself the Commissioners may after such investigation and upon such evidence as he may think fit fine him to any amount not exceeding five pounds

14 The person engaged shall if required furnish such security as the Government may decide upon for the faithful and honest discharge of his duties and if any premium is payable in respect of such security it may be deducted from his salary by the Government

15 The Government shall deduct each month from the salary of the person engaged the sum of _____ pounds (£) which amount shall be payable in England by the Crown Agents for the Colonies to the _____ of the person engaged on the presenting to them for acceptance a bill drawn upon them by the Government in his favor and endorsed by him

16 Three months prior to the expiration of this agreement the person engaged shall give notice in writing to the Government whether he desires to remain in its employment and if the Government desires to retain his services he may thereupon be re-engaged on such terms and for such period as may be mutually agreed

on his part he may be liable to a deduction from his salary to make good the damage or any part thereof the amount of which shall be fixed by the Commissioner of the Protectorate

13. If the person engaged shall commit any breach of this agreement or of any by-law regulation or instruction or shall in any way misconduct himself the Commissioner may after such investigation and upon such evidence as he may think fit fine him to any amount not exceeding five pounds

14. The person engaged shall if required furnish such security as the Government may decide upon for the faithful and honest discharge of his duties and if any premium is payable in respect of such security it may be deducted from his salary by the Government

15. The Government shall deduct each month from the salary of the person engaged the sum of _____ pounds (£) which amount shall be payable in England by the Crown Agents for the Colonies to the

_____ of the person engaged on his presenting to them for acceptance a bill drawn upon them by the Government on his favor and endorsed by him

16. Three months prior to the expiration of this agreement the person engaged shall give notice in writing to the Government whether he desires to remain in its employment and if the Government desires to retain his services he may thereupon be engaged on such terms and for such period as may be mutually agreed

17. In the event of the person engaged becoming entitled on the expiration of this agreement to any payment in England on account of military passage allowance or other expenses it will be necessary for him to produce to the Crown Agents a Certificate from the Government of the amount so due before payment will be effected

18. The Crown Agents for the Colonies shall not be in any way personally liable for anything arising out of this agreement.

As witness our hands the day and year above written

Signed by

William Hipworth Mercer,
One of the Crown Agents,
at the Colonies as formed
in the presence of

W. H. Mercer

Whitehall Gardens
1877

Signed by John
Mason Clarke,
in the presence of

(C) John Mason Clarke

At Witness

Name
Address

Roll Burns
No 1 West George Street

Occupation

Banker & Law