

Officers of the East Africa
and Uganda service in
regard to prospect of
absorption in the permanent
staff as vacancies arise

2

EAST AFR. PROT.
No. 3152.

17
DOMESTIC.
C. O.
3152
Recd
28 JAN 08

Office or Individual.
Two Res. R.A.H.
1908
27th Jan
Last previous Paper.

(Subject.)
His Estate
Observations in reply to Co
letter of 22 Jan

Copy sent for Com. 176 (8 pgs)
for memo (under-secy) slightly for 25946
Next subsequent Paper.
25945

(Minutes.)
Mr Reed
This is a tangled affair & I
think Mr Rankin has some grounds
for dissatisfaction. Taking his points - admin
(1) one or matters which do not concern us.
(2)
(3) As to this? refer him to para 3 of Mr
Clutterbuck's letter of 30 March '06, a copy
of which we sent to him in our letter
on 15509/06. y.v.
(4) Mr Rankin's point is apparently good on the
dates. The accounts of the estate were
balanced & dated 13.3.06 (15509/07)
and in Messrs. Dyan & Harrison's letter
of 11.12.07 (1522/08) it is stated that
the Kiambezi shares was sold in May
1906, six months afterwards. The
£2,000 can therefore well have been
included

in the accounts of the estate
which we received & sent
(copy) to Mr Fawkes.

? Point this out to the Govt
& ask him to have the
point cleared up.

(6) note on (4).

? Ref Mr Fawkes as at (2) -
(3) say that his letter
has been referred to the
Govt for enquiry as to (4) & (6)
and send copy of same
to the Govt drawing as at (4).

RTE 25
1

Yes. the trouble has arisen in the
first place from the Act of Govt
transferring his duties to a private
person Mr Chubbuck, & in
the second place from Mr C
apparently allowing the transfer (for
such Mr Fawkes was & still is
in the eye of the law in the Post.)
to have a voice in the manage-
ment of the estate.

MM 29/1

at home
H. J. R.
29/1

Mr. Paisley.

Mr. Read

On further review I am
not sure that we are right in
saying that the question of the
region which Messrs Mead
Byron & Harrison dealt with
the land at Kees is one
between Mr. Fawkes & the firm
of solicitors referred to.

It is true that the year says (1822)
that Messrs M. B. & H. asked a behalf
of Mr. Fawkes for permission
to transfer - but Mr. F. appears
to deny this - & Mr. F. being,
as I understand legally a curative,
his instructions ought not to
have had any weight one way
or the other.

I think we should point this out
& ask for a report by the Crown
Advocate on the legal position
& the responsibility of the Govt.

2/1907-8

2.
The Under Secretary of State,
Colonial Office,
London,
S.W.

J. W. Farnley Halls
Oley
Yorkshire

C. O.
3152
REC'D
29 JAN 08

Jan 27th 1907.8

Sir,

I beg to acknowledge the receipt of your letter of the 22nd of January together with inclosure.

1 In regard to paragraph 2, it is quite correct that I was unable to complete the necessary formalities, but before I left the country it was decided that the cotton land at Kan should continue to be held by me, but that my other property should be disposed of.

2 In regard to paragraph 3, I am in ignorance why Messrs. Mead, Byron & Harrison sought permission to transfer the area.

22/1907-8

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

Furnley Hall
Otley
Yorkshire

3152
REC'D
JAN 29 1908

Jan 27th 1908

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In regard to paragraph 3, I am in ignorance why Messrs. Chad, Byron & Harrison sought permission to transfer the area.

1907-8

Farnley Hall, O.

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

Office,
Yorkshire.
REC'D 28 JAN 08

Jan 27th 1907.8

Sir,

I beg to acknowledge the receipt of your letter of the 22nd of January together with inclosure.

In regard to paragraph 2, it is quite correct that I was unable to complete the necessary formalities but before I left the country it was decided that the cotton land at Kan should continue to be held by me, but that my other property should be disposed of.

In regard to paragraph 3, I am in ignorance why Messrs. Mead, Byron & Harrison sought permission to transfer the area.

3 In regard to paragraph 4. I am at ²¹
a loss to understand how it came
to be proved that practically no
development had taken place, for
I left Mr. Davis in charge at Kaw
and I heard that he had erected
a house, he certainly had
implements + cotton seed, and
the latter was sown, but owing
to floods I understand that
the crop was not gathered.

4 [I have received no notice that
the money (Rs 3000) realized on the
sale of the Krambu property
was expended on the Kaw
development, but unless it has
been expended in this manner
I do not know what has become
of it. There was no mention made
of this three thousand rupees in the
accounts furnished to me, but there
is an item of fifteen hundred rupees
shown in the accounts as being
paid to Mr. Davis, but this is not
part of the Rs 3000 for on the credit
side of the account this amount does
not appear, nor could it, as the latest

entry is dated March 1906 & the 22
Kiambu property was not disposed of
until May 1906.

5 In regard to paragraph 5 I have no
remarks to make.

6 In regard to paragraph 6 I would
beg to state that I have been
furnished with no information
whatsoever about the disposal
of the land. It is in order to obtain
this information that I have persistently
made application, & on this head
I would respectfully beg to draw
your attention to a letter of
mine dated ^{(15th June 1907 (25276) 25271/06)}
~~(15th June 1907 (25276) 25271/06)~~
The only accounts which I have
received are the enclosed and you
will see that the item of three
thousand rupees does not appear,
nor could it as the date on which
the accounts were signed appears
15th March 1906 and the property
was not sold until May 1906. —

I beg to remain

Sir,

Your obedient servant,

Richard H. Hawkes.

7
3152

S.A.P.

23

CD
6
8

Jed

DRAFT

S.A.P. 2-176

Govt

Area 25945

March 29
9 Apr 09

Sir

I have the honour to
acknowledge the receipt of your
letter of the 22nd of Dec 1907, & to
thank you for the same, for
your interest in the matter
of further connection
relative to the
estate of the R.A.H.
Dunbar in the C.A.P.

MINUTE.

Mr. Lyle 3
Mr. E. J. 4
Mr. J. 4
Mr. G. 5
Mr. H. 4
The Earl of 4
for review

CD
1522
15

2. It is suggested to pass a
copy of the Dunbar's
letter of the 27th of Feb 1908,
it appears to me that
the disposal of the sum
of Rs 2,000 therein
mentioned is a matter
which calls for
further

2. The Dunbar's 22nd Jan 08
(1522 15)
Dunbar 27th Feb 08
(1522) 15
The Dunbar's 27th Feb 08
(1522) 15
1908

24
further investigation.

3. In their letter of the 11th of December last, a copy of which was enclosed in your deep under reply, it is stated by Messrs Mead, Byron & Harrison that Mr Faulkes's farm at Kiamibu was sold in May, 1906, and that the purchase money ~~was~~ above mentioned was included in the amount of the estate.

4. These accounts, a statement of which amount to your deep No 161 of the 2nd of April 1906, were however balanced on the 13th of March, 1906, two months before the sale

(2
15507/06)

of the Kiamibu property, and they contain no entry of such a sum as that above mentioned.

5. With regard to ~~the~~ Mr Faulkes's concession at Kiam, it is stated in your deep under reply that Messrs Mead, Byron & Harrison applied in January 1907 for permission to use this land, on his behalf and that, ^{also} for his behalf, they subsequently abandoned all claim to it.

6. You will observe

from the 3rd para of Mr
Fawkes's letter of the 27th
of Jan 2 last that he
appears to deny that
the firm in question
were acting on
his behalf in the
matter ~~in~~ ~~the~~ ~~case~~

7. ~~However this may be,~~
~~7 am sorry,~~
~~It is pointed out,~~
~~Consequently,~~
~~that Mr~~
Fawkes was legally
a lunatic, in consequence.

If Judge Lator's declaration
of the 18th of Jan'y, 1905,
his wishes ought not
to have had any weight
in the matter, and it
is not clear to me
how, under these circumstances,
Messrs Mead, Byron &
Harrison can have acted
on his behalf, having
regard moreover to
the fact that the ~~fact~~

rise
C= (15507/06)

DRAFT.

C=
(15507/06)

MINUTE.

Mr.
Mr.
Mr. Just.
Mr. Antrabus
Mr. Cox
Mr. Lucas.
Sir F Hopwood
Mr. Churchill.
The Earl of Elgin

25
8. Administrator General
by the Court
had been appointed to manage
his estate.

8. In the report on the case
furnished by Judge Hamilton,
a copy of which accompanied
your despatch 2-161 of the 12th of
April, 1906, it is not
clear stated whether the
Administrator General
was acting on this occasion
as such, or only as a
manager appointed by the
Court under the Indian Act
35 of 1855; neither does
it appear whether there
was any enquiry under
that Act, or whether
there were any other
proper legal proceedings
as a result of which
Mr Clutterbuck was

appointed manager of
Mr Faulkner's estate
in place of Judge
Hamilton.

98. Even if Mr
Chatterlauch was
acting lawfully as
manager, it would
not appear from
the info before me
that the Court
had exercised any
proper supervision over
his management.

109. I have accordingly
to request that
you will furnish
~~at an early date~~
me with a full
report on the case
of the Co. Admorsate,
in order that

26
these points may be
cleared up and the
responsibility & liability
^{in the matter}
of Govt defined.

Yours

7.
3152 S.A.P.

Handwritten signature
8 April
March 1908

DRAFT.

R.A.H. Faulkes Esq

MINUTE.

Mr. Lobb 2/3

R.A.H. Mr. Ellis 4 April

Mr. Just.

Mr. Antrobus.

Mr. Cox.

Mr. Lucas.

Sir F Hopwood.

Mr Churchill.

The Earl of Elgin

for review

2 of

Sir,

I am directed by the
S.A.P. to acknowledge the receipt
of your letter of the 27th
of January last relative
to the winding-up of
your estate in the
S.A.P. and to inform
you that the S.A.P.
has been requested to
cause further
enquiries to be made
regarding the various
points which you
have raised.

Copy for 176 safe.

2. On receipt of

Handwritten signature

So J Hayes Sastry's
reply, a further
communication will
be sent to you

with