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DESTROY

EAST AFR. PROT.

C. O.  
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with from

Mr. W. H. ...  
letter does ...  
great ...  
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400  
Commissioner's Office

Mombasa,

33069

August 25th

1905.  
Rec. 15-SEP 35

AFRICA PROTECTORATE.

No. 475

Sir,

I have the honor to transmit to you herewith a copy of a despatch which I have received from the Manager of the Uganda Railway protesting against the sum of nine thousand, two hundred and eighty five rupees on account of the Nairobi Municipal drainage scheme being debited to the Railway Zone account, during the quarter ended March 31st last. Acting on the authority of Foreign Office despatch No. 436 of July 23rd 1904 the Treasurer has caused the total proceeds of sale of stands in the Nairobi Bazaar to be credited to Railway Zone account and then appropriated nine thousand, two hundred and eighty five rupees on account of drainage.

I have discussed the matter with the Acting Treasurer, and I concur with him in thinking that the sum in question.

Principal Secretary of State

for the Colonies,

Downing Street,

LONDON

was correctly debited to the sale of stands and credited  
the cost of drainage.

3. Mr. Currie is of opinion, however, that the Lords of  
the Treasury were not in possession of all the facts when  
they sanctioned the appropriation of the sum of six hundred  
and nineteen pounds from the sale of stands; but even if this  
were so, which I doubt, I consider it is rather late to

*3-10-10*  
*1882*  
*104*

reopen the question now. Sir C. Elliot's despatch No. 271  
of April 28th 1904 proposed the appropriation for draining  
purposes of all the premia on stands. Before a reply to  
this despatch was received he wrote on May 15th 1904 (No. 357)  
and gave full particulars of the scheme for drainage, speci-  
fically mentioning the sum of "nine thousand rupees to  
ten thousand rupees from sale of stands." By this latter  
despatch Sir C. Elliot anticipated the questions raised in

*3-10-10*  
*1882*  
*104*

Foreign Office despatch No. 352 of June 17th 1904, and he was  
consequently not asked to make any reply to it, nor did he  
do so. It appears to me reasonable to infer that the

Treasury were aware of the facts when they sanctioned the  
scheme for the Foreign Office in their despatch of July  
1904. The Treasury enclosed a copy of Sir C. Elliot's  
despatch

to notes  
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245 / 07

despatch No. 337 of May 15th in which reference is made to  
his despatch No. 271 of April 25th.

4. Mr. Currie informs me that he does not wish to lay  
claim to these monies but that he desires to regularize the  
matter. He considers that the Treasury, when giving the  
sanction, did not realise that the six hundred and nineteen  
pounds was a debit against the Railway Capital Account. In  
his opinion an irregularity has been committed which from  
the Railway Capital point of view might form an awkward  
precedent, and I therefore have the honour at his request  
to refer the matter to you for your decision. The Manager's  
contention is that an error has been made by debiting the  
Railway Capital Account when the intention of the Treasury  
was to debit the Protectorate funds and that by crediting  
the Railway Zone account with the proceeds of the sales and  
then debiting that account, the Capital Funds have been  
utilized without specific sanction from the Treasury.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

(In the absence of H.M. Commissioner)

Mombasa

August, 1894

SIR D. STEWART

No. 476

Reference

F. O. desp. No. 426 of

July 28th, '04, our desp.

No. 2718 NS7 of April

28th & May 13th, 1904

& F. O. desp. No. 582 of

June 17th, 1904.

Received

by bag

Blank Mombasa Receipt

to be used for the receipt of  
Goods to Railway Receipt of.

Comme  
33069

L.A.P.

412

DRAFT.

The Sec. to the  
Treasury

MINUTE.

- Mr. *W.H. 26/9*
- Mr.
- Mr. Antrobus. *27/9*
- Mr. Cor.
- Mr. Lucas.
- Mr. Gosden
- Mr. ...
- Mr. ... of Marlborough.
- Mr. ...

Ans'd. 35500

30 September 05

Per I am directed by  
Mr. Sec. Lytton  
to transmit to you, for  
the record of the L.C.  
of the Treasury,  
the accompanying copy  
of a report on the subject  
of a change of the  
for the  
drainage of the  
municipality of Nairobi  
which has been submitted  
against the Railway  
Zone account

for record

*Mr. ... to @ 16475-15/11/05*

See  
11006 35500

It seems clear, as the  
acting Comptroller points out,  
that the L.C., by their  
letter of 21 July 1904,  
did sanction this  
charge against the  
Railway Zone Account,  
since the words "\$1685  
by the specific savings  
indicated" refer to  
Sir C. Elliot's despatch

(Printed on p. 55 of F.O.  
part 44)

No 337 of the 13 May  
in which it was  
proposed to spend  
about 9,000 to 10,000  
pounds from the sale  
of stands to this  
service.

Mr. Currier, however,  
contends that their  
Lands Dept. sanction

(Printed on p. 112 of F.O.  
part 44)

was given in ignorance of  
the true facts of the case.  
& Mr. Lytton would  
be glad if a decision  
could be given in the  
matter. 412A

4. If it is decided  
that the amount in ques-  
tion (£619) must be  
referred from  
Protective revenues to  
the Railway Zone  
account, a sufficient  
large estimate will  
probably become necessary  
as there is naturally  
no provision in the  
estimates for such  
a charge.

Yours  
(82) R. & A.

33069

No. 1114  
1614

Head Office,  
Nairobi, July 20, 1904.

413

I am informed by the Chief Accountant that Rs. 9885/- on account of the Nairobi Municipal Drainage scheme have been debited to the Railway Zone Account during the quarter ended 31st March last, the authority quoted being the Foreign Office despatch No. 456, dated 29th July 1904.

In this connection I have the honor to draw your attention to Sir G. Elliot's despatch No. 271, dated 25th April 1904, to the Foreign Office - enclosing Mr. Cowring's No. 60 of the same date - in which sanction is asked for writs on the sale of leases in the Nairobi District being utilized on the trains instead of being credited to the Railway Capital Account.

The Foreign Office reply to this is contained in Sir G. Elliot's despatch No. 358, dated 17th June 1904, and is a qualified refusal.

The next communication bearing on the question which should be read is the Foreign Office despatch, dated 15th July 1904 to the Treasury. It is important to observe that this despatch was written before a reply could have been received to the one to Sir G. Elliot already quoted and therefore evidently with the idea of obtaining sanction by the township drainage being debited to the Protectorate. The wording of paragraphs 2 and 3 of

this

a Protectorate.



his sanction make this absolutely clear, the Railway Capital account and the Proportionate funds being separated.

The Treasury sanction is contained in despatch No. 1834, dated 21st July to the Foreign Office communicated to you in the Foreign Office despatch No. 436, dated 2nd July 1904. The Foreign Office does not appear to have communicated Sir U. Elliot's despatch No. 471, dated 2nd April 1904, to the Treasury, so their sanction was issued in ignorance of the fact that, in addition to Rs. 27500 specified as being debitible to the Railway Capital Account, Rs. 2018 was <sup>also</sup> debitible to the Railway Zone account i.e. to Railway Capital Funds.

The Foreign Office appears to have failed to advise that this sanction was not in accordance with the sanction expressed in their despatch No. 458, dated 17th March.

Under the circumstances I consider that the failure of the account has been settled with Rs. 2984/- without authority and I refer the matter to you for consideration.

I have the honor to be,  
Sir,  
Your obedient servant,

(Sd). H. A. F. Currie,  
Manager,  
Railway.

not from Protectorate Estimates: B

that the produce of sales  
of land should be credited to  
the Railway Capital Account -  
as has apparently been done -  
and not applied in reduction  
of it. Mr. Eliot seems to have  
contemplated

Yours sincerely,

Richard Wilkes

I think that on the whole,  
it had better exchange official letters  
in order to have the decision fully  
recorded.