

EAST AFR. PRO.

42049

42049

REC'D
4 SEP 16

Gov. Bellfield 468

1916

29 July

Last previous Paper.
42043

LIQUIDATION OF ENEMY FIRMS

The interim statement showing actual Receipts and Expenditure in connection with various liquidations undertaken.

2 taken
4/15/16

W Butler

I don't think there is anything to be done on this - But I don't understand the basis on which the Govt Commission has been calculated - we seem to have no information as to the principle decided on for this, ~~and~~ & it for London whether

23

Next subsequent Paper.

42049

4/23/181 72 Comm: &

1914 (27961) the wording of which follows Section 4 of the S.S. Ordinance 29.1914. The latter section was amended by Ordinance 1 1915 and in paragraph 5 of despatch on 36186 it was suggested to Jamaica that the Jamaica Law should be amended on similar lines, at any rate as regards the maximum commission. Whether or not the amended Straits Settlements section is embodied in the Jamaica law? no need to write further to the Governor.

F.R.B. 2/10/16

as regards Trinidad, I find regulations under Section 3 of Ordinance 37 of 1914 attached to Ordinance 6 of 1915. These regulations empower the Liquidating Committee to employ persons on liquidation business at "such remuneration as the Liquidative Committee shall consider fair and reasonable."

We are not aware how far Government officials may have been remunerated; but no doubt everything has been fixed long ago. If we do address Governor Trinidad, we might simply, to start with, ask for information as to what has been done in regard to the points dealt with in 22337/Nigeria.

G.F.P. 2/10/16.

It hardly seems worth while to write as Mr. Plant proposes but there is no other objection to doing so.

F.R.B. 2 October

Mr. Frindie.

Mr. Frindie.

As regards Hongkong, most of the liquidations are being done by unofficals, but there are at least 3 exceptions (Messrs Messer, Carpmal and Hazeland)

I don't remember seeing anything as to the

Governments

1914 (27961) the wording of which follows Section 4 of the
S.S. Ordinance 25.1914. The latter section was amended
by Ordinance 1 1915 and in paragraph 5 of despatch
on 26136 it was suggested to Jamaica that the Jamaica
law should be amended on similar lines, at any rate
as regards the maximum commission. Whether or not the
amended Straits Settlements section is embodied in
the Jamaica law I do not wish to write further to
the Governor.

G.P.P. 2/10/16

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Section 3 of Ordinance 37 of 1912 attached to Ordinance
6 of 1915. These regulations empower the Liquidating
Committee to employ persons on liquidation business at "such
remuneration as the Liquidative Committee shall
consider fair and reasonable."

We are not aware how far Government officials
may have been remunerated; but no doubt everything has been
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we might simply, to start with, ask for information
as to what has been done in regard to the points
dealt with in 22337/Nigeria.

G.P.P. 2/10/16.

It hardly seems worth while to write as Mr.
Hind proposes and there is no other objection
to doing so:

F.R.B. 2 October

~~Mr. Hind~~
Mr. Hindle.

As regards Hong Kong, most of the liquidations
are being done by officials, but there are at least
3 exceptions (Messrs. Messer, Carmichael and Hazelund)

I don't remember seeing anything as to the
Governments

271
Governments making claims for their expenses as apart
from the expenses of liquidators, or about the rate of
remuneration of officials doing liquidation work. The
Hongkong Ordinance 3/14 says... "2% on total assets
realized or brought to credit by the liquidator to be
retained by him as remuneration for his loss of time and
trouble".

Straits and Federated Malay States "A
(1/15) (10/15)
commission not exceeding 3% to be fixed by the Gov.
Cn. Secy.
on the total assets realized... etc."

Ceylon (20/15) Liquidator entitled to
retain such remuneration as the C.S. Property may authorise

I incline to think that if Mr. Tennyson
agrees we might send out circular as proposed saying that
if it is not desired to upset any arrangements which have
been made if they are satisfactory, ask what arrangements
have been made on the points raised, and say that if
none have been made the Governors will no doubt consider
whether arrangements similar to those for Nigeria could
not be made.

H. B.

4/10/16.

H. B. C.

4/10/16

Draft consideration

H. B. 8.10.16.

At once.

The G. & P. will be dealt with by the
Proposed Circular

Put in
H. B.

11 10 16

at once

AFRICA PROTECTORATE
NO 488.

GOVERNMENT HOUSE,
NAIROBI,
BRITISH EAST AFRICA

July 30th, 1916.

42049
REC'D
REC'D 4 SEP 16

Sir,

I have the honour to transmit herewith
an interim statement showing the actual receipts
and expenditure in connection with the various
liquidations undertaken by the liquidator of
enemy Aliens up to June 30th 1916.

I have the honour to be,

Sir,

Your humble, obedient servant,

A. Laway Bey, Esq.

GOVERNOR.

THE RIGHT HONOURABLE
ANDREW BONAR LAW, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S. W.

CA PROTECTORATE.
468.

GOVERNMENT HOUSE,
NAIROBI,
BRITISH EAST AFRICA.

July 29th, 1916.

42049
REC.
REC. 4 SEP 16

Sir,

I have the honour to transmit herewith
an interim statement showing the actual Receipts
and Expenditure in connection with the various
liquidations undertaken by the Liquidator of
Enemy Aliens up to June 30th 1916.

I have the honour to be,

Sir,

Your humble, obedient servant,

H. Conway Beynon.

GOVERNOR

RIGHT HONOURABLE
DREW BONAR LAW, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S. W.

W. M. O' SWALD AND

COMPANY. -

Receipts:

Payments:

Cash and Bank Balances and Fixed	
Deposits taken over.	RS. 353719.97
Foreign Coins in safe custody and	
Office (Rs 1144.43)	
Proceeds of sales of Stock and	
Furniture,	" 21816.63
Book debts collected	" 201417.86
	<u>RS. 556954.46</u>
Balance in hand and in Banks.	Rs. <u>34017. 61</u>

Claims paid to date.	RS. 4763. 25
Cash paid to Treasury.	" 506241. 50
Liquidation Expenses paid to date.	" 11803. 77
Charges recoverable.	" 128. 24
Cash in Banks and in hand.	" 34017. 61
	<u>RS. 556954. 46</u>

N.B. Bulk of Stock still unsold.

July Paid to Treasury.

Government Commission on	
Liquidation ending to June	
30th 1916.	RS. <u>23290. 81</u>

W. M. O' SWALD AND

COMPANY. -

Payments:

Debt and Fixed

RS. 333719.97

over

in custody and

48,43)

Stock and

" 21816.63

" 201417.88

RS. 556954.46

in Banks.

Rs. 34017.61

still unsold.

Claims paid to date.

RS. 4763. 25

Cash paid to Treasury.

" 506241. 59

Liquidation Expenses paid to date.

" 11803. 77

Charges recoverable.

" 128. 24

Cash in Banks and in hand.

" 34017. 61

July Paid to Treasury.

Government Commission on

Liquidation ending to June

30th 1916.

RS. 23090. 81

HANSING AND COMPANY

Receipts

Payments

Cash and Bank balances and Fixed Deposits taken over	Rs. 93431. 50
Foreign Coins in Safe Custody and in Office (Rs 2738/36)	
Proceeds of sales of Stock and Furniture.	" 60086. 12
Books debts collected.	" 142015. 11
Received from Custodian of Enemy Property Uganda.	" 80000. -
	<u>RS. 395532. 73</u>
Balance in Banks.	Rs. <u>26684. 62</u>

Claims paid to date:	RS. 17021.70
Admitted to Liquidators Zanzibar.	" 175000. -
Cash paid to Treasury	" 165187.50
Liquidation expenses paid to date.	" 10316.14
Charges recoverable.	" 1542.68
Cash in Banks.	" 26684.62
	<u>RS. 395532. 73</u>

N.B. Bulk of Stock unsold still.

July Paid to Treasury.
Government Commission on
Liquidation ending to June
30th 1916.

RS. 20450. 52

Payments

and fixed		Claims paid to date.	RS. 17021.70
er	Rs. 93431. 50	mitted to Liquidators Zanzibar.	" 175000. -
Custody and		Cash paid to Treasury	" 185187.50
38/36)		Liquidation expenses paid to date.	" 10316.14
tock		Charges recoverable.	" 1342.68
	" 80086. 12	Cash in Banks.	" 26684.62
	" 142015. 11		
n of Enemy	" 80000. -		
	<u>RS. 395532. 73</u>		<u>RS. 395532. 73</u>

Rs. 26684. 62

July Paid to Treasurer.

Government Commission on
Liquidation ending to June
30th 1916.

RS. 20459. 52

WESTDEUTSCHE HANDELS

PLANTAGEN GESELLSCHAFT.

Receipts

Payments

Cash Balance taken over.	Rs. 539. 19
Foreign coins in safe custody (246.26)	
Proceeds of sales of stock and furniture.	" 189796. 30
Book debts collected.	" 86710. 76
	<hr/>
	<u>RS. 248046.25</u>

National Bank of India Ltd.	
Overdrafts repaid.	Rs. 3479. 09
Claims paid to date.	" 448. 83
Cash paid to Treasury.	" 99815. 62
Liquidation expenses paid to date.	" 9455. 29
Charges recoverable.	" 11. 50
Cash in bank.	" 134855. 92
	<hr/>
	<u>RS. 248046.25</u>

Balance in bank. Rs. 134855.92

July Paid to Treasury.

Government Commission on
Liquidation ending to
June 30th 1916.

RS. 27390. 72

WESTDEUTSCHE HANDELS

PLANTAGEN GESELLSCHAFT -

Payments

er.	Rs. 539. 19	National Bank of India Ltd.	Rs. 3479. 09
custody (246.26)		Overdrafts repaid.	" 448. 83
stock and	" 198796. 30	Claims paid to date.	" 99815. 62
	" 86710. 76	Cash paid to Treasury.	" 9435. 29
		Liquidation expenses paid to date.	" 11. 50
		Charges recoverable.	" 134855. 92
		Cash in bank.	<u>Rs. 248046. 25</u>
	<u>Rs. 248046. 25</u>		
		July Paid to Treasury.	
	Rs. 134855.92	Government Commission on	
		Liquidation ending to	
		June 30th 1916.	<u>Rs. 17390. 78</u>

INTERIM LIQUIDATION ACCOUNT

TO JUNE 30th 1916.

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AFRICANA HANDELS

GESELLSCHAFT n. b. H.-

Payments.

Receipts.

Cash Balance taken over	RE. 5828. 03
Foreign Coins in Office (Rs5/)	
Proceeds of sales of stock and furniture.	" 95047. 05
Book debts collected,	" 50905. 07
Funds transferred from W.Hintzmann & Co.	" 5045. -

RE. 156793. 15

Balance in Bank.

Rs. 13024. 24

July

Paid to Treasury.

Standard Bank of S.Africa	
Overdrafts repaid.	RS. 40914.88
Claims paid to date	" 354.22
Remitted to Liquidators of Enemy Firms, Zanzibar.	" 25000. -
Cash paid to Treasury.	" 57920.64
Liquidation expenses paid to date	" 9322.17
Charges recoverable.	" 257. -
Cash in banks.	" 13024.24

RS. 156793.15

Government Commission on
Liquidation ending to
June 30th 1916.

Rs. 9635.41

AFRICANA HANDELS

GESSELLSCHAFT n. v. H.-

Payments.

Over	RS. 5828. 03	Standard Bank of S. Africa	
Office (RMB/)		Overdrafts repaid.	RS. 40914.88
of stock and		Claims paid to date	" 354.22
	" 95047. 05	Remitted to Liquidators of Enemy	
	" 60903. 07	Firma, Zanzibar.	" 25000.-
ad,		Cash paid to Treasury.	" 67080.64
From W. Hintzmann	" 5048. -	Liquidation expenses paid to date	" 9322. 17
		Charges recoverable.	" 257. -
		Cash in banks.	" 13024.24
	<u>RS. 156793.15</u>		<u>RS. 156793.15</u>

Rs. 13024.24

July

Paid to Treasury.

Government Commission on
Liquidation ending to
June 30th 1916.

Rs. 9635.41

INTERIM LIQUIDATION ACCOUNTS

TO JUNE 30th 1916.

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ALOIS SCHWEIGER &

COMPANY LTD:

Receipts

Payments

Cash and Bank Balances taken over Rs. 6401. 10

Proceeds of sales of stock and furniture. " 113773. 97

Book debts collected. " 23530. 52

RS. 143705.59

Bank's Overdrafts repaid. RS. 8897. 92

Payment to Standard Bank of S. Africa towards claim bills. " 121196. 69

Liquidation expenses paid to date. " 6125. 33

Bank Balances. " 7485. 65

RS. 143705.59

July paid to Treasury:

Government Commission on Liquidation ending to June 30th 1916.

RS. 8119. 92

INTERIM LIQUIDATION ACCOUNT

TO JUNE 30th 1916.

Receipts

STRATHMANN &

JOACHIM. -

Payments

Bank Balances taken over Rs. 112. 97
 Proceeds of sales of stock and furniture. " 45915. 30
 Book debts collected. " 27153. 23

RS. 73181. 50

Balance in hand and in bank. Rs. 13967. 82

Standard Bank of S.Africa
 Overdrafts repaid. Rs. 50676. 73
 -- towards claim on bills. " 4000. -
 Liquidation expenses paid to date " 4461. 95
 Charges recoverable. " 75. -
 Cash in hand and in bank. " 13967. 82

RS. 73181. 50

July Paid to Treasury.

Government Commission on
 Liquidation ending to June
 30th 1916.

Rs. 4931. 79

INTERIM LIQUIDATION ACCOUNT

TO JUNE 30th 1916.

222

CHAS. A. HETER& COMPANY, Nairobi.ReceiptsPayments

Cash and Bank Balances taken over.	Rs. 54 283. 54
Foreign coins in hand (Rs 50)	
Proceeds of sale of stock.	" 24735. 08
Book debts collected.	" 5548. 09

Claims paid to date.	Rs. 1004. 38
Cash paid to Treasury.	" 70500. --
Liquidation Expenses paid to date.	" 4239. 57
Charges recoverable.	" 182. 63
Cash in bank.	" 2349. 63

RS. 84366. 71RS. 84366. 71July Paid to Treasury:

Government Commission on
Liquidation ending to June
30th 1916.

RS. 2388. 71

INTERIM LIQUIDATION ACCOUNT TO JUNE 30th 1916.

Receipts

WM HINTZMANNA COMPANY -

Payments

Bank Balances taken over. RS. 566. 50
 Proceeds of sales of stock. " 26448. 95
 Book debts collected. " 3285. 11

Bank's Overdraft repaid. RS. 2041. 28
 Claims paid to date. " 75. 89
 Cash paid to Treasury. " 22500. -
 Liquidation expenses paid to date. " 19. 36
 Funds transferred to Africana Company " 5015. -
 Bank Balance " 639. 12

RS. 30290. 65

RS. 30290. 65

Balance in bank. RS. 639. 12

July Paid to Treasury

Government Commission on
 Liquidation ending to June
 30th 1916.

RS. 1675. 07

INTERIM LIQUIDATION ACCOUNT

TO JUNE 30th 1916.

224

DEUTSCHE ENGLISCHE OST-

AFRIKANISCHE KOMPAGNIE, Voi.

Receipts

Payments

Bank Balances taken over.

Rs. 102. 75

Claims paid to date.

Rs. 151. 48

Proceeds of stock sales.

" 7669. 13

Liquidation expenses paid to date.

" 53. 25

Cash in Bank.

" 7567. 15

RS. 7771. 88

RS. 7771. 88

Bank Balance.

RS. 7567. 15

July Paid to Treasury.

Government commission on
Liquidation to date.

RS. 384. 47

EAST AFRICAN TRADING

COMPANY.

Payments.

Receipts.

Proceeds of sales of furniture and stationery.

RS. 3300. -

Book debts collected.

" 74. 74

RS. 3374. 74

Bank Balance.

Rs. 3317. 74

Liquidation Expenses paid to date.

RS. 57. -

Cash in Bank.

" 3317. 74

RS. 3374. 74

July Paid to Treasury:

Government Commission on

Liquidation ending to

June 30th 1916.

RS. 172. 47

D. O. A.

GESELLSCHAFT.-

Receipts

Payments

Proceeds of sales of stock.

Rs. 31745. 61

Book debts collected.

" 375. -

Nett proceeds of stock paid to

National Bank of India, Zanzibar

Rs. 29962. 94

5% Government Commission on

stock held paid to Treasury.

on 6th June 19 16.

" 1567. 50

Liquidation expenses paid to date.

" 283. 37

Bank Balance.

" 787. -

RS. 32620. 61

RS. 32620. 61

Bank Balance.

RS. 787. -

July Paid to Treasury

Government Commission

Liquidation from 7th June

to date.

RS. 87. 50

D. O. A.

G E S E L L S C H A F T . -

Payments.

ock.

Rs. 31745. 61

" 875. -

RS. 32620. 61

RS. 787. -

Nett proceeds of stock paid to

National Bank of India, Zanzibar

5% Government Commission on

stock held paid to Treasury.

on 6th June 19 15.

Liquidation expenses paid to date.

Bank Balance.

Rs. 29952. 94

" 1567. 30

" 283. 37

" 787. -

RS. 32620. 61July Paid to Treasury

Government Commission

Liquidation from 7th June

to date.

RS. 87. 50

ASSETS

HOTEL. -

ASSETSLIABILITIES

Cash and Bank Balances taken over.	Rs. 23. 68
Proceeds of sale of stock and Furniture.	" 3417. 85
Book debts collected.	" 93. -

 RS. 3536. 53

Cash in Bank.	RS. 380. 68
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Claims paid to date (Dividend of 84.07% on Rs. 3391.53)	RS. 2931. 65
Proceeds of sales of trophies paid to Customs Department.	" 86. -

Payment to Treasury.

Commission on cash and stock ending 11th January 1916.	" 153. -
Liquidation expenses paid to date.	" 5. -
Bank Balance.	" 380. 68

 RS. 3536. 53

July Paid to Treasury.

Government Commission on Liquidation ending to June 30th 1916.	RS. 25. 75
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MAURITIUS
JAMAICA
TRINIDAD
HONG KONG
CEYLON
STRAITS SETTLEMENTS.
INDIA PROTECTORATE
ANDAMAN
NANDA

MISCELLANEOUS.

DOWNING STREET.

20th October, 1916.

C/1181 (1916) 1/2

Sir,

I have the honour to inform you that I have had under consideration the question whether Colonial Governments should be authorized to retain out of the assets of liquidated enemy firms any commission or other payment in respect of the work imposed on them by the liquidations and upon what principles the remuneration of Government Officials for work undertaken in connection with such liquidations should be calculated. I enclose for your information Extracts from a despatch which I addressed to the Governor General of Nigeria on the subject.

2. If you have made any arrangements in consistent with the principles laid down in the enclosure, which you do not consider can now properly be modified, you should communicate to me particulars of the arrangements made. Any arrangements which you may make in the future should I consider, in the absence of special reasons to the contrary, follow the principles referred to, any proposed deviation from those principles being reported to me in advance.

I have, etc.,

(Sgd) A. BONAR LAW.

OFFICER ADMINISTERING
THE GOVERNMENT OF
MAURITIUS
JAMAICA
TRINIDAD
HONG KONG
CEYLON
STRAITS SETTLEMENTS & A. PROTECTORATE,
ANDAMAN

Copy of an extract from a despatch from the Secretary of State for the Colonies to the Governor General of Nigeria, dated 20th October, 1916.

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As regards compensation for the assistance afforded by the respective Governments in winding up enemy firms, I have come to the conclusion that, although no doubt a fairly good case could be made out for charging a small percentage for the services of the Colonial Government, it is preferable on various grounds that the Governments, as distinct from their officers, should not receive any remuneration for their services. I consider, however, that the respective Governments are fully entitled to reimburse themselves and to regard as a charge pro rata on the liquidated assets of the enemy firms all expenses incurred by those Governments inclusive of the following:-

- (1). Expenditure in respect of stationery, postage, etc.,
 - (2). The salaries and wages of any additional officers and clerks specially engaged for this work.
 - (3). The salaries of Government officials while specially seconded for liquidation work and any special remuneration granted them for the work. The term "salaries" should be deemed to include duty allowances and the estimated value of free quarters and a proportionate amount for pensions, leave salary, and passages, where applicable.
 - (4) Where officers have been employed in the duties of their substantive posts and have been granted an additional payment for performing liquidation work
- in

in addition to their ordinary duties - then any payment so made, together with a share of their salaries (as defined above) roughly proportionate to the amount of their official time spent on liquidation work.

(5). The travelling and transport allowances paid to officers, and train and steamer fares incurred in connection with the liquidations.

(6). A fair payment for office accommodation and clerical assistance.

4. As regards the personal remuneration of Government officials engaged in liquidation work,

I consider that:-

(1). They should receive the ordinary travelling and transport allowances applicable to their official positions. If, owing to their having special expenses of this kind to meet, the ordinary allowances of their grade are not sufficient to cover their legitimate out-of-pocket expenditure, the rate should be raised so as to do so.

(2). A reasonable payment in addition to their salaries and duty pay (if any) should be made to them for the additional work and responsibility imposed upon them by the liquidations. This allowance should be fixed with due regard to these considerations and to their ordinary emoluments. For instance, where two officers of the same Department, but of different grades, have been employed on the same work in connection with the liquidation, the officer with the higher official emoluments should receive a lower rate of special remuneration.

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Copy of an extract from a despatch from the Secretary of State for the Colonies to the Governor General of Nigeria, dated 20th October, 1916.

+ + + +

When the total amount of the expenses of liquidation, including the payments to Government and the payments to officers, has been settled, it should be calculated as a percentage on the assets of the firms.

+ + + +