

1921

KENYA

73

C.O.
40001
10 AUG 21

FROM
N
LEMON, J.W.

DATE
9TH AUGUST 1921

US CIRCULATION :-
Mr.
Mr.
Mr.
Mr. Grivelle
Sir H. Lambert
Sir H. Bond
Sir G. Phipps
Mr. Wood
Mr. Churchill

SUBJECT

BAMBOO CONCESSION

Encloses copies of corres. dealing with option on concession which was originally granted in 1912. States as to steps taken to obtain signatures to agreement and withdrawal of Mr Ellis. Asks all further communications be addressed to Solicitors.

Previous Paper

MINUTES

J
39407

ack. receipt of this to
the Solicitors - & say that
not in my knowledge
it is hoped to arrange
for Mr D. Malley to see
- when
the concession / the
week after next -
& promise further
communication -
& then circulate

ack
12.8.21
at once

to Stanton & Macdonald 15 Aug 21

Subsequent Paper

L
42782



Bamboo's Hotel
10 Palace Street
London, S.W. 1

Aug. 9. 1921.

To The Under Secretary of State
Colonial Office
London, S.W. 1.

Sir

Ref: your ^{letter} 57814/1921 of 30. July 21 -
Bamboo Concession, Chusway - Dabwood
Kenya. U.K. Kenya Colony, - and my
No. 27 of 7 August 1921

I have the honour to enclose for your
information copies of certain correspondence
dealing with the Option on the concession
together with the ^{agreement} of Proposed
Agreement (1920) between the Kenya
Administration and the concessionaire.
A portion of the correspondence is at present
and is not available at the moment.

With regard to the contents of the latter
from the Administration of Kenya and
to yourself - referred to in Para 2 of your
letter - I have the honour to inform you
that the Option on the Concession was
originally granted in 1912, to Estimari



Baines Hotel
10 Palace Street
London. S.W. 1.

Aug. 9. 1921

The Under Secretary of State
Colonial Office
London. S.W. 1.

Ref: your ^{copy} 57814/1921 of 30 July 21 -
Lambton Concessionary Chirelay - Oakwood
near Eltham, Kenya Colony, - and my
27 of 7 August 1921

I have the honour to enclose for your
information copies of certain correspondence
along with the Option on the concession
letter with me ^{concerning} of proposed
renewal (1920) between the Kenya
Administration and the concessionary.
A portion of the correspondence is at Nairobi
and so not available at the moment.

With regard to the contents of the letter
the Administration of Kenya is
myself - referred to in Para 2 of your
letter. I have the honour to inform you
that the Option on the concession was
initially granted in 1912; & Extension

2

75 20

Extension was allowed in 1914, but before the expiration thereof was broken out, and in 1915 - the date for completion of the Agreement was fixed at 6 months after ratification of same. Subsequently extended to 18 months - terminating date being 21 July 1921 - see Attached (re-produra).

Touching the second point raised in your para 2 viz "Signature of the Agreement" I have to inform you that the Concessionaires at no time refused to sign, All the signatures except that of Mr Ellis were completed early in 1921; the Documents were brought to England by Mr. Chettyya but owing to various causes the signature of Mr. Ellis was not obtained and in March 1921 he formally relinquished his interest in favour of the remaining Concessionaires and the completed Document was sent to Mr. Dashwood at Drax's office presentation to the Concession Board.

In April 13th 1921 the Original Agreement containing the signature of Messrs Chettyya Dashwood and Pearson was returned to the Concession Board, Drax's, by our solicitors Messrs Stanton and Innes, Whitehall,

Whitehall, together with a formal Application that in view of the present Depression the Option might be extended for a further period. Certain suggestions for alterations in the proposed Agreement in view of changed conditions were also submitted. These Communications were acknowledged by the Kenya Administration in June and a further extension refused.

Copies of the Application referred to above were sent to

1. Concessions Board
 2. Conservator of Forests
 3. W. C. Bateman Darwood
- Nairobi.

It is presumed that the Kenya Administration will forward your information copies of the Correspondence dealing with the Concessions and the Application of April 1931. Should you so desire we can arrange for a copy of the Application and enclosures to be made and forwarded by me.

Will you very kindly address all further Communications to Thames

Wm. to our Solicitors
Stanton and his colleagues
Whitehall House
29/30 Chancery Lane
London. E.C. 4.

When the hour has passed

Yr
your obedient servant

Wm. Menon

To His Excellency Sir Woodrow Wilson

known to our Solicitor
 Stanton and Associates
 Whitehall House,
 29/30 Charing Cross
 London. S.W. 1.

I am the honor to remain

Sir
 your obedient servant

Wm. Merron

To Messrs Chalmers & Co. Bankers

Enclosures Ref: Bamboo
Concessions 'Ceswaya Dashedwood' and 'Ulu'. Kenya Colony.

- i) 2. Maps showing locality of Concession Area
- ii) Letter L 1950 R/W T of 6 Aug. 1912
 { Land Office Nairobi to Concessionaires
- iii) " { C. 19 AL/RH of 24 Dec. 1919 Land Office
 { to Mwan
- iv) " { dated 2nd Feb. 1920. Concessionaires
 { to Chief Conservator of Forests
- v) " { 1920 of 3rd Feb. 1920. Chief Conservator
 { of Forests to CE. Bateman Dashedwood
- vi) " { C. 19 S/AV of 14 Feb. 1920 Concessions
 { Board to CE. Bateman Dashedwood
- vii) " Feb. 16 1920 Reply to above.
- viii) Official Intification Supreme Administration of European War.

^{Duplicate}
i) The ~~Original~~ Agreement. Kenya Administration and Concessions.

PUBLIC RECORD OFFICE.

79

Two

~~One~~ Document, being 1) Plan of Uganda Railway,

British E. Africa 2) Kenya Provinces.

has been removed to MPG 1037

30.1.70

H. Neary

Copy-Original in L.O. File L 1958

Land Department,

Nairobi,

British East Africa.

6th August 1912.

L 1958 R/WT

Gentlemen,

re Application for Bamboo Concession

With reference to your letter of the 2nd instant on the subject of your application for the above concession, I have the honour to inform you that I am prepared, on the recommendations of the Concessions Board, to grant the concession on the following terms.

1. That the Company to work the concession be formed before the 1st. January 1914, and that in the first instance on the formation of the Company (with a capital of not less than £15,000) a license be granted to cut over an area of not more than 50,000 acres (with a minimum, if possible of 30,000 acres) to be defined and approved by Government, if such can be found in one block.

The area shown roughly on sketch map furnished to be reserved for applicants until 1st Oct. 1912, subject to exclusion of alienated land covered by applications and reservations mentioned in clause thirteen, that they may have a first claim on it with reference to any scheme in connection with bamboo.

2. Royalty to be paid at the rate of Re 1/- per ton of pulp manufactured, with a minimum of Re 5,000 per year, but free up to January 1914.

3. The licence to be for fifty years from the date of the execution thereof, but no promise can be given that the lease will be renewable or expiry.

Land Department,
Nairobi,
British East Africa.
25th August 1912.

L. 1203 1/12

Gentlemen.

Re Application for Bamboo Concession

With reference to your letter of the 2nd instant on the subject of your application for the above concession, I have the honour to inform you that I am prepared, on the recommendations of the Concessions Board, to grant the concession on the following terms.

1. That the Company to work the concession be formed before the 1st. January 1914, and that in the first instance on the formation of the Company (with a capital of not less than £15,000) a license be granted to cut over an area of not more than 50,000 acres (with a minimum, if possible of 30,000 acres) to be defined and approved by Government, if such can be found in one block.

The area shown roughly on sketch map furnished to be reserved for applicants until 1st Oct. 1912, subject to exclusion of alienated land covered by applications and reservations mentioned in clause thirteen, that they may have a first claim on it with reference to any scheme in connection with bamboo.

2. Royalty to be paid at the rate of Rs 1/- per ton of pulp manufactured, with a minimum of Rs 3,000 per year, but free up to January 1914.

3. The license to be for fifty years from the date of the execution thereof, but no promise can be given that the lease will be renewable on expiry.

4. The cost of Survey to be borne by applicants and to be paid in advance.
5. The sale of bamboo to be prohibited, such bamboo to be utilized for purposes of making paper pulp only.
6. The concession to be subject to such forestal conditions as the Conservator of Forests shall think fit to impose.
7. During the currency of the licenses, no other person to be allowed to cut bamboo in area granted, native rights excepted.
8. A certain area to be reserved for Government purposes.
9. The concession shall include the right to utilize such water power as is available in the area. The water power may be used for power purposes in connection with the concession subject to the approval of the Conservator of Forests, and to any rules or regulations in force governing the use of water for power purposes.
10. The concession to include the right to use such timber in general within the area as may be required for building and fuel in connection with the bamboo industry, subject to such charges and conditions as may be imposed by the Conservator of Forests.
11. General rights of way as may be required will be granted, including access to railway.
12. Concessionaires to be granted permission to erect factories and other necessary buildings on such sites as may be deemed suitable for the development of the industry subject to the approval of the Conservator of Forests.
13. The nearest point of the concession to be not less than three miles from the Railway.

The question of your application for general permission to erect factories and other buildings on the railway at points to be chosen is being dealt with, and a

4. The cost of survey to be borne by applicants and to be paid in advance.
5. The sale of bamboo to be prohibited, such bamboo to be utilized for purposes of making paper pulp only.
6. The concession to be subject to such forestal conditions as the Conservator of Forests shall think fit to impose.
7. During the currency of the license, no other person to be allowed to cut bamboo in area granted, native hunters excepted.
8. A certain area to be reserved for Government purposes.
9. The concession shall include the right to utilize such water power as is available in the area. The water power may be used for power purposes in connection with the concession subject to the approval of the Conservator of Forests, and to any rules or regulations in force governing the use of water for power purposes.
10. The concession to include the right to use such timber in general within the area as may be required for building and fuel in connection with the bamboo industry, subject to such charges and conditions as may be imposed by the Conservator of Forests.
11. General rights of way as may be required will be granted, including access to railway.
12. Concessionaires to be granted permission to erect factories and other necessary buildings on such sites as may be deemed suitable for the development of the industry subject to the approval of the Conservator of Forests.
13. The nearest point of the concession to be not less than three miles from the Railway.

The question of your application for general permission to erect factories and other buildings on the railway at points to be chosen is being dealt with, and a

further communication on the subject will be addressed to you in due course.

A map is enclosed showing the area over which it is proposed to grant the concession subject to the reservations mentioned.

R. BARTON WRIGHT.

Land Officer.

Messrs. Dashwood, Lenon, Ellis & Chesnaye,
Kismara, Kyambu.

further communication on the subject will be addressed to you in due course.

A map is enclosed showing the area over which it is proposed to grant the concession subject to the reservations mentioned.

R. BARTON WRIGHT.

Land Officer.

Messrs. Dashwood, Leman, Ellis & Chesneys,
Kismara, Kyambu.

copy to [unclear] [unclear]
P.O. Box 139.
Land Department.
Nairobi.

No. C.19 AL/RH.

24th. December, 1919.

Sir,

Re: Bamboo Concessions.
Messrs. Cheenaya, Dashwood, Lenon and Ellis.

With reference to Mr. Dashwood's recent interview, and further to my letter of the 10th. September, 1915, I have to inform you that the term allowed for completion of the Agreement herein extends until 6 months after the ratification of peace between England and Germany.

I am, Sir,

Your Obedient Servant,

S/4 S.E. MORTIMER.

for ACTING LAND OFFICER.

J. W. Lenon Esq.,
Kiambu.

P. O. Box No. 887,

Nairobi,

2nd February 1920.

The Chief Conservator of Forests,

Nairobi.

Sir,

With reference to our conversation of today's date re, Land Office letter No. C.19 AL/RM. of 24th December 1919, and your letter No. 127/20 of 20th January 1920, we should esteem it a favour if you could see your way to granting us an extension definitely stated to be of 18 months from date of ratification of peace in place of the extension as expressed in the above mentioned letters. The gist of these letters and the terms we hereby ask for are the same, but in the case of the two letters there is considerable ambiguity, also these two letters emanate from different departments.

This has given rise to difficulties in the negotiations we are engaged in with regard to the financing of the undertaking. The above proposed alteration should be embodied in clause I of the draft agreement stating that the period allowed to the concessionaires be extended to 20th July 1921, or for 18 months from the date of the official Ratification of Peace.

Owing to the present financial situation in England and the unavoidable delays occasioned by strikes, shipping difficulties etc. etc, every extra day available for investigations etc is of enormous value.

is of enormous value.

We should be extremely obliged if you could let us have your reply embodying these suggestions in time to hand them to our representatives to enable them to post the documents by the outward mail leaving about 4th.

C. S. Hartman Schum

Yours faithfully,

for the Commissioners.

FOREST DEPARTMENT,
 NAIROBI,
 BRITISH EAST AFRICA.

Post Office Box No. 187.

In reply please

quote No. 192/20

and date.

February, 3rd, 1920.

Sir,

I have the honour to acknowledge the receipt of your letter dated the 2nd instant, and to inform you that it will be necessary for your application for an extension of the period of the option to take up a licence to cut Bamboos for the manufacture of paper-pulp, to be considered by the Concessions Board.

2. The Board's decision in the matter will be communicated to you as soon as it has been given.

3. I may mention that personally I see no reason why your application should be refused.

I have the honour to be,

Sir,

Your obedient servant,

S. Battiscombe

Conservator of Forests.

C. E. Bateman-Dashwood Esq.,

P. O. Box 387,

Nairobi.

P. O. Box. 130.

Land Department,

Nairobi.

14th. February, 1920.

No. 5. 19 5/AJ.

Sir,

Re: Request for making amendments.
Mwamba, Sengeru, District, Lower & Upper.

With reference to your letter of the 2nd. Inst. addressed to the Conservator of Forests re above, I have the honour to inform you that at a meeting of the Concessions Board held on the 13th. instant, it was decided to grant an extension of the period of your option as requested in yours under reply, viz, to the 31st. July 1921.

I have the honour to be,

Sir,

Your Obedient Servant,

H. T. Martin.

CHAIRMAN,
Concessions Board.

C. E. Saterau-Dashwood Esq.,
P.O. Box 337,
Nairobi.

P. O. Box 387.

Your reference
C.19 S/AJ.

Nairobi, E.E.A.

February 16th, 1929.

Sir,

Re: Request for extension for making map,
Mbari, Mbari, Mbari, Mbari & Mbari.

We beg to enclose the receipt of your letter dated 14th. February in which you inform us that the Concessions Board decided to grant an extension of the period of our option as requested.

We thank you for the trouble you have taken on our behalf and beg to inform you that we have communicated with the Conservator of Forests accordingly the extension as granted.

I have the honour to be

Sir,

Your Obedient Servant,

S/d. C.E. Bateman-Dashwood.

For the Concessionaires,

The Chairman of the Concessions Board,

Land Department,

Nairobi, E.E.A.

P. O. Box 387.

Nairobi S.E.A.

February 16th, 1926.

Your reference
C.19 S/AJ.

Sir,

Re: Concessions for making pulp,
saw-logs, shingles, ashwood, larch & birch.

We beg to enclose the receipt of your letter dated 14th. February in which you inform us that the Concessions Board decided to grant an extension of the period of our option as requested.

We thank you for the trouble you have taken on our behalf and beg to inform you that we have communicated with the Conservator of Forests accepting the extension as granted.

I have the honour to be

Sir,

Your Obedient Servant,

S/d. C.E. Bateman-Dashwood.

For the Concessionaires.

The Chairman of the Concessions Board.

Land Department,

Nairobi. S.E.A.

March 2nd, 1920.

Government Notice No. 78.

S. 19048.

THE TERMINATION OF THE PRESENT WAR
(DEFINITION) ORDINANCE,
1919.

HIS Excellency the Acting Governor-in-Council in pursuance of the powers contained in section 2 subsection (5) of the Termination of the Present War (Definition) Ordinance, 1919, thereto enabling has declared that the 10th day of January, 1920, is to be treated as the date of the Termination of War with Germany and the provisions of the aforesaid Ordinance apply accordingly as from the aforesaid date.

By command of His Excellency the Acting
Governor-in-Council.

Nairobi.

The 25th day of February, 1920.

J. G. HAMILTON-ROSS,
Ag. Clerk to the Executive Council

L Kenya

40001

Su Quay

15 Aug 1921

Dear Sir,

DRAFT.

Mr Stanton Mackenzie
Whitehall House
29/30 Chang Court
MINUTE SW1

I am sorry to acknowledge the receipt

of Mr J.W. Lenon's letter of the
9th of Aug. regarding a bamboo
concession in Kenya

Mr. Jewell 12/8/21
Mr. Parkman 12/8/21

concession in Kenya

- Mr. Grindle.
- Sir H. Lambert.
- Sir H. Read.
- Sir G. Fiddes.
- Mr. Wood.
- Mr. Churchill.

It may be possible to arrange for Sir

Edwards to see Mr.

Chesmore and Mr. Lenon

Enclosure

L Kenya
40001

Su 29/8/24

15 Aug 1924

DRAFT.

Dear Sir,

I am sorry to ask the rest.

Mr. Stanton (Manager)
Whitehall House
29/30 Changi Cross
MINUTE. SW1

of Mr. W. Lenon's letter of the
9th of Aug. regarding a bamboo
concession in Kenya.

Mr. Jewell 12/8/24
Mr. Parkin 12/8/24

It may be possible to arrange for Sir
Edmund Watherly to see Mr.
Chesnage and Mr. Lenon

- Mr. Grindle.
- Sir H. Lambert.
- Sir H. Road.
- Sir G. Fiddes.
- Mr. Wood.
- Mr. Churchill.

Respectfully

L Kenya
40001

July 21

Su

15 Aug 1921

DRAFT.

Dear Sir,

Mr. Stanton Mackenzie
Whitehall House
29/30 Changi Cross
MINUTE SW 1

Mr. Jewell 12 8 21

Mr. Parkman 2/12

Mr. Grindie

Sir H. Lambert

Sir H. Reid

Sir J. Fisher

Mr. Wood

Mr. ... hall

Respectfully

I am in to ask the rest
of the P.W. ~~Lenon's~~ letter of the
9th of Aug. regarding a 'bamboo
concession in Kenya'.

(4)
It may be
possible to arrange for Sir

Edmund W. they to see Mr
Chesmore and Mr. Lenon

the week after next, which it is
understood will suit the
convenience
of these
gentlemen.

2. A further communication
will be sent to you on the
subject.

(signed) H. J. READ