

1922

KENYA

27A

35435

FROM
GOVERNOR
KENYA

JULY
24

DATE
19TH JULY 1922

RECEIVED
20 JUL 22

FOR CIRCULATION -
Mr.
Mr.
Mr.
Mr. Grindle
Sir H. Lambert
+ Sir H. Road 25/7/22
Sir J. Masterless Smith
Mr. Wood
Mr. Christoph

SUBJECT

113

MR JEEVANJEE
MAINOBI MARKET

Reports as to Township Rules controlling. Consider lease should clearly set forth terms of argrt so as to avoid possibility of future disputes.

Copy on Paper

MINUTES

Mr. ~~Barbary~~
Mr. Bottomley

31695

We have discussed. To meet the difficulty caused by the 1917 rules which of course were not in existence with the agreement of 1906 was made, we suggested that the formula in our telegram of the 7th July on 31695 should be altered to ~~public~~ public market within the meaning of rules issued under the Township Ordinance."

The last sentence of the Governor's telegram is not helpful; it would mean ~~the~~ the whole basis of our negotiations with Jeevanjee, viz:- to include the terms of the 1906 agreement in a legal form and so leave the interpretation of those terms over for future arguments. It may not be an ideal solution, as the terms of the 1906 agreement are not very explicit, but it seems the only one possible in the circumstances. It is not our fault that the Kenya Government in 1922 have still not performed what they promised ~~what they promised~~ in 1906.

To Messrs Cooper & Co. 28 July 22
Com: Tel. 28 July 22
Also with copy of letter from 15/7/22
If you can copy 10 Aug 22

Subsequent Paper

J.
30567
23

Offer to Messrs Cooper & Co the alternative proposed in paragraph 1 of this minute, and

and, telegraph to the Governor that
we have done so,
and follow up by despatch explaining
as in paragraph 2.

A. G. S.

24 10 22

I agree

A. G.

25/VII

So that the world should
not be led by a East ~~branch~~
and the negotiations to
lead down

A. G.

25 11 22

at once

+ J. D.

S. H. G. S.

25/VII/22

V. G. S. prepared after
discussion with Sir
R. Coryndon. He has
affirmed to you for assistance
I don't think he will write to
him, but he can be told
what we have done

G. S.

14-5

at once

+ J. D.

15/VII/22

and telegraph to the Governor that
we have done so.
and follow up by despatch explaining
as in paragraph 2.

A. G. B.

24 10 22

I agree

A. G.

25/11

So do I. One would think
that the East ~~should~~
should the negotiations to
break down

G. B.

27 1. 22

at once

30.

Sir H. B. C.

25 11/22

V. left. prepared after
discussion with Sir
R. Corydon. Sir J. J. J.
affiliated 1870 for committee
I don't think we had work to
him, but he can be told
what we have done

G. B.

14.5.

at once

30.

5 12/23

111

TELEGRAM From the Governor of Kenya to Secretary
of State, Colonial Office

35405

Recd 20 JUL 22
dated 19th July 1922

(Received Colonial Office 3.30 a.m., 20th July 1922)

1695

249. In a telegram 7th July Jeevanjee
Market control was vested in collector by
township rules 1917 and agreement as to year 1906 must
be read to this. By township rules in
year 1917 control vested in clerk who is an officer
of the municipality. It is suggested that lease should
clearly set forth terms of arrangement so as to avoid
possibility of future disputes.

FORT HAY.

TR 241 From the Governor of Kenya to the Secretary
of State for the Colonies.

35405

REC.
Dated 19th July 1922

(Received Colonial Office 3.20a.m., 20th July, 1922)

1695

49. July 19th Your telegram 7th July Jeevanjee
market control of market was vested in collector by
township rules 1904 and arrangement as to year 1906 must
be read to this subject
year 1917 control vested in town clerk who is an officer
of the municipality. I consider that lease should
clearly set forth terms of arrangement so as to avoid
possibility of future disputes.

NORTHNEY.

Tel. Address: "SIGNALLY, AVE., LONDON. Telephone: 3240 LONDON WALL.

115 (Message No.)

TELEGRAM

ISSUED FROM CHIEF CABLE STATION, CECILIA HOUSE, PINSBURY PARKMENT
REPLIES SHOULD BE ORDERED

Via Eastern

Doubtful words should be OFFICIALLY repeated. See **REC'D 20 JUL 22**
No inquiry respecting this Telegram can be attended to without production of this Copy.
See back of form for list of Company's Stations and Telephone Numbers.



Clerk's Name: *J. A. Jan* Time Received:



Example: DW-345 p. HL-955 d.

DA 22 4 NAIROBI SE 08 19 GOVT
SNAPEURIES LN

July 19 1922
249 JEROME UNNEAVER JEEVANJEE

MARKET BOYSWOOD MARKET WAS THURMBS

COLLECTOR BY TOWNHIP RULES 1904 AND

ADVERTISED BY VUJINER MUSKAPPE READ

THE EASTERN TELEGRAPH COMPANY, LIMITED.

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CONTINUATION SHEET NO. 2

(Message Form 2, 1916)

E. T. Co., Ltd.

116

Ref: *299*

THIS SILVEROOD BY NAIROBI

TOWNSHIP RULES UNDER PRESSURE CONTROL THROUGHOUT

TOWN CLERK TOOTADOR AN OFFICER SUPERIOR

MUNICIPAL SILVEROOD I CONDORIED DEASE

SHOULD CLEARLY BE CALLED STYPTIC ANOLESUS

ARGOLIC PEPASSITE FUTURE DISPUTES NORTHEY

"Further market as at present under
the terms of the Municipal
Market by the operation of the provisions
of the following words

"Further further market within

the meaning of Rules issued
under the King's Townships

"Ordinances"

(Signed) H. J. [unclear]

Downing Street.

14 August, 1922.

to Jeevanjee's solicitors
 having agreed to the
 to states in your letter
 of July, I have been very
 of to address the alteration
 the offer made to his solicitors
 to indicate to my letter of 25 July
 that to have F. Gordon etc. had
 to have been the as suggested in
DRAFT.

Sir,

I have, etc. to confirm my telegram of the 28th July, which read as follows :-

"Your telegram of 19 July, No. 249 I approve of formula proposed in my telegram of 7 July being altered to public market within meaning of rules issued under Towns'hip

Ordinance. Jeevanjee's, Solicitors informed accordingly. Dispatch follows"
 I have a copy of a letter from Jeevanjee's solicitors dated 21-8-22 to the last

of your telegram sentence, of the 17th July, I have to observe that the ~~as you suggest would~~ be to upset the whole basis of the present negotiations with Mr. Jeevanjee, ~~(provision of the terms of the 1906 Agreement should be embodied in a lease and that the interpretation of those terms should be left over for future argument.~~ viz. that the terms of the 1906 Agreement should be embodied in a lease and that the interpretation of those terms should be left over for future argument.

I agree that if negotiations were proceeding de novo it would be preferable to set out the terms in detail, but having regard to the history of the present case, there appears to be no option but to proceed as now proposed.

I have, etc.

MICHELL

CONFIDENTIAL
 S. B. NORTHBY

MINUTE.

- Mr. Batterbee
- Mr. 3. VII. 22
- Mr.
- Mr. Davis
- Sir G. Grindle
- Sir H. Road
- Sir J. Masterton Smith
- Mr. Wood
- Mr. Churchill

F. Gordon etc

Downing St.

16 May, 1923.

G. O.
R 15/MAY
1923

Sir,

With reference to my predecessor's confidential despatch of the 4th August last, I have the honour to inform you that Mr. A.M.

32405/22

DRAFT.

Jeevan

[Large section of the document is heavily obscured by dark ink smudges and scratches, rendering the text illegible.]

... has not

personally in the Colony

3. I consider that it is most desirable that the lease should be completed at once on the basis arrived at in the correspondence of 1922, if no serious objection is seen by your advisers. If there is such ^{serious} objection

O.A.G.

MINUTE

Bottom

Mr. H. Road

Mr. J. ...

Mr. ...

Urals of Devonshire

KENYA
Confidential

So request that you will inform
me of the fact by telegraph as soon as
possible, and that you will explain the
nature of the objection and the grounds
on which it is based.

4. It is, in my opinion, to be
regretted that no earlier