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EAST AFR. PROT  
23096

23096  
REC  
RE 10 MAY 20  
444

P. A. G. 390  
COVERING  
1920  
29th MARCH

MAGADI SODA COMPANY, INCREASE OF TRAFFIC

and previous Paper  
16720

Trans correspondence re. Uga Rly Co accept no responsibility for delays to extra tonnage handled prior to 1st July 1921

Sir

Thank you for letter of 14/5/21  
re. Uga Rly Co. I am really surprised  
that it is with this before the  
copy of the previous letter of 14/5/21  
(concerning a coal strike) is sent  
letter of 2/6/21 (re. Uga Rly Co.)  
regarding that to send all the fuel  
supplies - (say that we have no  
idea why the coal does not  
run smoothly in Uga Rly Co.  
and regarding the fact  
that the Uga Rly Co. has been asked to  
have passed forward all my  
letters to the Uga Rly Co.

Mr. G. H. G. 11/5/21

23096

GOVERNMENT HOUSE

11, ROBINET

BRITISH 20 MAR 20

29<sup>th</sup> March, 1920.

45

My Lord,

I have the honour to refer to my telegram No. 141 of 17th March regarding the increase of traffic to be expected from the Magadi Soda Company, and, in this connection, to transmit copies of letters from the General Manager and Mr. Lawley, together with the opinion of the Acting Solicitor General as to the liability of the Railway Administration to fulfil their contract unless fresh notice is given by the Company.

2. I should be grateful if Your Lordship would inform the Magadi Company that no responsibility can be attached to the Uganda Railway if, in the event of the Uganda Railway Administration being asked to handle extra tonnage prior to 1st July 1921, delay occurs in the transportation thereof. I would respectfully point out that Your Lordship's telegram of 20th February 1920 cannot be accepted by the Railway Administration as being a notice to deal with 150000 tons per annum within the terms of the Contract with the Magadi Soda Company prior to that date and request Your Lordship's instructions as to whether I have interpreted it correctly.

I have the honour to be,  
Your Lordship's  
Obedient servant,

AGRICULTURE GOVERNOR.

RIGHT HONOURABLE  
FRANCIS WILSON, P.C., O.S.E., M.C.M.G., &c., &c.,  
SECRETARY OF STATE FOR THE COLONIES,  
DOWNING STREET,  
LONDON, S.W.

14745  
Mr. S. Couper  
16.3.20.  
Mr. K. J. Myir  
in his with  
Messrs.  
Mr. S. Couper  
12.3.20.

C.4/42/44

UGANDA RAILWAY.

446

Nairobi 16th January 20.

The Honourable The Acting Chief Secretary,  
East Africa Protectorate,  
N A I R O B I.

Sir,

MAGADISHI SODA TRAFFIC.

I have the honour to inform you that on the 8th October 1918 the "Acad" Soda Company gave 12 months' notice in accordance with paragraph 43 (a) of the agreement dated 12th April 1911 requiring the Railway to carry 160,000 tons per annum.

2. On 20th June 1919 the Secretary of State cabled that the carriage of this quantity would not be required until about July next, vide your No. 1522/75 of 27th June.

3. It should be noted that this cable used the word "about".

4. On account of this indefiniteness I wrote the Local Manager on the 2nd December last asking if he would give me some idea of the tonnage of Soda that will be offered the Railway during the coming year, and he replied on the 6th id.

"I regret that I am unable to give you the information you require until I receive advice from London of the shipment dates of the new plant from England."

As soon as this comes to hand your enquiry will have attention.

5. The reason why I am so anxious to know when a large quantity will have to be handled is, that I must engage extra train crews, and this as a rule takes several months to do, and I naturally do not want to engage them before they are really required; otherwise I may have them on my hands without being able to give them work. Nor do I want to be placed in a position whereby I cannot carry all the Soda that is offered and then have to meet claims for not fulfilling our part of the Contract.

6. If some definite arrangement should be come to, I shall be glad if you will cable the Colonial Office requesting them to find out the exact date when the Company will start giving the Railway the 160,000 tons per annum - or, if this information cannot be given that we consider the previous notice of October 1918 as cancelled and that a fresh twelve months' notice must be given, otherwise we cannot hold ourselves responsible for the transportation of the Soda.

The Hon. A. G. S.

447  
17/1/20

7. As you are aware 21 locomotives and various rolling stock are on order to handle this traffic, and Clause 10 of the Lease will doubtless have to be enforced, but unfortunately this Clause does not refer to the payment of any extra staff engaged and lying idle, and it would I think be extremely difficult to bring men out here on a temporary agreement. I should add that the date when operations commenced has not yet been fixed, although the matter has been referred to the Colonial Office by the Company.

8. Might I suggest that the Attorney General be consulted as to our legal position with regard to paragraphs 5 and 7.

I have the honour to be,  
etc., etc. & etc., etc..

Sgt. S. Couper

GENERAL MANAGER

Uganda Railway.

ATTORNEY GENERAL'S OFFICE  
N A I R O B I.

British East Africa

9th February 1920.

The Hon'ble

Acting Chief Secretary

N a i r o b i.

re. Magadi Soda Company.

Ref. No. S. 13228/150 of the 6th inst.

If, as I gather from the Hon'ble General Manager's Uganda Railway letter, no notice to carry large quantities of soda has been given by the Magadi Soda Company since that referred to of October 1918, I think that the position is made clear and that the Magadi Soda Company have themselves cancelled the notice of October 1918 by their letter of 14th July, 1919. (I attach a copy for reference since it may be that this letter is not included in your file).

However I agree with the Hon'ble the General Manager, Uganda Railway, in his proposal to cable the Company who it is possible may not be in full possession of the facts and in ignorance of their Manager's action.

Legally the Railway Administration are undoubtedly entitled to a fresh notice without further action on their part.

Sgd/- K. J. Muir Mackenzie

ACTING SOLICITOR GENERAL.

COPY

Magadi

14th July 1919.

Dear Sir,

I have received a cable from the Magadi Soda Company Limited saying that they have decided to shut down forthwith their production until such time as they can erect some mechanical means of dealing with the excavation and general treatment of the soda, the present system by hand labour being found too expensive. It will therefore, not be necessary for you in the meantime to go to the expense of providing additional rolling stock to work a large tonnage as it was anticipated would be required in October next. I will arrange with the Company to give you at least a year's notice when they will require a large tonnage to be carried.

I shall take the opportunity of calling upon you during the present week, and explain the whole position to you.

I beg to remain

Faithfully yours

For and on behalf of the

Magadi Soda Company, Ltd.

Sgd/- A.L. Lawley  
General Manager.



# Uganda Railway

General Managers Office

10th March 1900  
E. A.

The Honourable the Acting Chief Secretary,  
to the Government,  
East Africa Protectorate, NAI, Col.

Sir,

Office of Messrs. Soda Company - Your No. 13228/  
107 of 23rd February and 10th March.

I regret the delay in replying but it took some time to go into the fuel figures - the coal on order will I consider be sufficient to deal with this traffic.

Please refer to my letter No. M. 6531/104 of 18th February - I should like to know what action has been taken.

I note the Secretary of State in his cable of February 20th states "Messrs. Soda Company gives notice of a traffic rate of 160,000 tons per annum as from 1st July next".

The rolling stock is no doubt being delivered satisfactorily but new Stations and quarters have to be erected and the matter of who will pay the full cost of equipping the Uganda Railway is not yet settled vide your cable to the Colonial Office No. 93 of 21st February.

Under these circumstances I cannot be responsible if there be a delay in the carrying of this 160,000 tons - the Company should be made to give us the twelve months notice as stipulated in the contract.

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

General Manager,  
Uganda Railway

Jan 23 09 / 20 02

Sad

DRAFT

1887  
no 687

MINUTE

- \* Monday 13 May
- \* Parliament 13 5 20
- \* Wednesday 13 5 20
- Mr. G. G. G.
- Mr. H. L. L.
- Mr. H. P. P.
- Mr. G. F. F.
- Mr. J. J. J.
- Mr. K. K. K.

at the set, of your despatch  
 to 320 of the 20th  
 March etc etc etc  
 for your info to see  
 copy of process with  
 to Madrid Sada Col  
 regarding this noble  
 to of a carriage of Sada  
 on the 17th of your  
 2. but refers to the last  
 sentence of your despatch  
 I have to inform you  
 Sada

Madrid 17th of your  
 2. but refers to the last  
 sentence of your despatch  
 I have to inform you  
 Sada



that my letter of the 20<sup>th</sup> (5945)

of the last was in fact intended as communicating a formal notice to

the Company, but that nothing was known in this

fact at that time of the Lawley's letter of the 14<sup>th</sup>

of July 1919

Signed MILNER

23096/20 Cal

121 55

apt

Magadi Soda Co Ltd 17 May 1920

Minutes

Bonaley 18 May  
Parkinson 13 15 20  
Hawley 13 15

(14745)

With <sup>reference</sup> preference to the letter  
from the Department of the  
27th of March last, I am  
~~pleased~~ to inform  
you that a despatch  
has now been received  
in answer of the Cal  
with regard to the carriage  
of soda on the <sup>Western</sup> coast  
I am to enclose a copy

Hawley 14 7.19

Copy for 17 May 20

The letter which was  
addressed to the Prob  
fect by June has  
been forwarded on the 16th  
of July 1919

P.T.O.

from the company.

453

4. As you are aware from  
the letter from the Dept of  
16719. ) the 7th of April, the U.S. Gov.  
has been asked to have  
the railway works pressed  
forward, but <sup>to point out that</sup> in the circumstances  
the Prot foot cannot be  
held responsible for  
there is some delay in  
completing the arrangements  
for the carriage on  
full load of goods.