

EAST AFR. PROT.

C O
14356

13 MAY 10



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See K.

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May

Paper

2/356

Kalendi Concessions

States that Mr. Foulkes has failed to form a Co. within the period of 3 mos from 28 Feb. required by the Agreement & asks that in order to safeguard the interest of Lady MacKenzie a fresh Agreement with Co. be drawn up in the name.

W. Cox

Mr. Foulkes says that the S. of F. will amount a further £2. inf. has definitely settled & that Mr. Foulkes has been able to carry out the terms of the existing Agreement. - a copy of the proposed Co. for inf. D. 1

W. J. R.

14/I

Mr. Foulkes

Says we had better not commit ourselves either way until the 3 months are up & Mr. Foulkes has been definitely got rid of. We shall then be free to make a grant to Lady MacKenzie if we think fit under all the circumstances.

W. J. R. at once
15/5

18/23

Copy sent Mr. 26/1/10
Copy sent Mr. 30/6/10

Subsequent Paper

15766

TELEPHONE:
6060 BANK.

RECEIVED
9 MAY 1912
LONDON

144 QUEEN VICTORIA STREET.

LONDON. E.C.

May 18th. 1912.

The Under Secretary of State for the Colonies,
Downing Street, S.W.

Sir,

Malindi Concession, British East Africa Protectorate.

When may I hope to have a reply to my letter of the 12th. inst. The time is drawing close, and I am anxious to make arrangements for the matter to be carried through on behalf of Lady Mackenzie as soon as possible.

I would be glad to call to see Mr. Reid early next week to discuss the matter with him, as I believe it comes under his department.

I am, Sir,

Your obedient servant,

Wm. Mackenzie of Scotland



C O
14356
13 MAY 10

144, QUEEN VICTORIA STREET,
LONDON, E. C.
May 25th, 1910.

The Secretary of State for the Colonies,
Downing Street, S. W.

Sir, Malindi Concessions, East Africa Protectorate

On the 28th. of February 1910 an Agreement for a Lease of 20,000 acres of land to Mr. Joseph Foulkes was signed by the Crown Agents for the Colonies, under which Mr. Foulkes was given three Calendar months from that date to form a Company to acquire and develop the Lands in accordance with the provisions of the Lease annexed thereto.

There were two Concessions granted, one for 10,000 acres in the name of Lady Mackenzie, and one for 10,000 acres in the name of her Agent, Mr. Foulkes when she went to East Africa in 1906 to select and apply for 20,000 acres of land.

In August 1909 Lady Mackenzie gave Mr. Foulkes her Power of Attorney to deal with the 10,000 acres standing in her name, understanding that he had made arrangements to form a Company to take over the property as soon as the necessary Lease was granted by the Crown Agents. This Lease was not signed until February 28th. last as before mentioned, and when it was signed, Mr. Foulkes was unable to form the Company as agreed.

In the middle of last month, April, Mr. Foulkes informed Lady Mackenzie that he had obtained the necessary financial assistance and was ready to form a Company forthwith, provided she would execute a fresh Agreement embodying new terms. This she did on April 28th. on the understanding that Mr. Foulkes would so form & register the Company at once.

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-449-20

He has entirely failed to carry this out, and from information received, Lady Mackenzie does not believe that he can do so before May 28th. when the three months given him for that purpose, lapse.

As the whole of the expense incurred in obtaining these lands has been borne by Lady Mackenzie, & which amounts to a considerable sum, she is anxious not to lose the rights obtained, and having no longer any confidence in the promises of Mr. Foulkes, desires that should he fail to carry through what he undertook to do on or before the 28th. inst., the Agreement for a Lease to him should terminate, and that a fresh Agreement should be made between the Crown Agents and herself on exactly the same terms, so that she can deal with the property instead of Mr. Foulkes as Concessionaire.

Only a few days now remain before the three months given to Mr. Foulkes lapse, and under the circumstances Lady Mackenzie has no intention of renewing or extending the Agreement by which he is empowered to act. Unless a new Agreement be made between the Crown Agents & Lady Mackenzie, the Concessions will lapse, and this ought certainly to be avoided in view of the heavy expenditure she has incurred, and that the fault is Mr. Foulkes', not hers.

I would mention that at the time Lady Mackenzie signed the last Agreement with Mr. Foulkes, I had introduced him to some financiers in the City who were prepared to deal with the business at once, but he would not accept their offer, stating that he had others who would do it. Up to now, nothing has been done by him, but the people with whom I was negotiating have intimated to me that they are still open to do the business, directly Mr. Foulkes is known to have failed. In order that they can do so, the Agreement for a Lease with the Crown Agents must be in the name of Lady Mackenzie.

Although quite foreign to the matter, I may say that when this is done, she will make arrangements on behalf of Mr. Foulkes to safeguard his interests.

I hope, therefore, in the interests of all concerned that you will kindly give instructions for the transfer of the Copossion from Mr. Foulkes into the name of Lady Mackenzie should he fail to carry out the terms of the existing Agreement by the date fixed therein, and the New Agreement to Lease can be in exactly the same terms as the one now in force.

I am, Sir, &c.

Your obedient servant,

Wm Mackenzie of Scatwell

14356 CAP

83 MAY 24

24 May 1940

Sir,

951

I am ~~pleased~~ to acknowledge the receipt of your letter of the 12th of May and in relation to the subject mentioned in the last, and to inform you that I am considering the request. The Committee has decided to refer the matter to the Public Health Committee and to report whether a vote should be taken on the subject.

DRAFT.

K. Mankenberg 186 + of the 12th of May

relation to the subject mentioned in the last, and to inform you that I am considering the request. The Committee has decided to refer the matter to the Public Health Committee and to report whether a vote should be taken on the subject.

MINUTE.

Mr. Roberts 21/3

Mr. Dutton 24/3

Mr. Fiddes.

Mr. Just.

Mr. Cox.

Sir C. Lucas.

Sir F. Hopwood.

Col. Seely.

Lord Crewe.

Copy 106-27 May 7576

Copy C.A. 26 May 7/15766

14356 C.A. 26

his father has been asked to carry out the work

of the District Council