

PROI
42144

42144
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1914

166

Governor Conf
Miffield 155
1914
10th October

MAKIPA BRICKFIELDS

belonging to East African Industries Ltd. Bring to notice certain negotiations which have been made re purchase by Railway and enclose letters from Acting General Manager. Has no option but to request telegraphic sanction to the purchase. In view of repetition of unauthorised acts cannot but feel distrustful of Mr Taylor's proceedings.

~~Mr Taylor~~ See also 42128
S. G. Fielder

Mr. Miffield is notified that G.M. has a loan secured in 36128 (p. 6) & the Gov's general approval of the proposal must be taken for granted. Indeed, if the lines had been normal I doubt if we should have had a proposal of this kind.

But Mr Taylor ought certainly to have stated in his offer of 4 July that it was subject to the Governor's approval, and he must certainly ought not to have written in a month after making that offer,

36128

"£7,500 has been put down for the purchase of a brickfield. We shall be fortunate if we can secure this brickfield."

We have not the date of the Company's

5624
2375

Request Paper
43753

acceptance of the offer, but it is likely
to have been earlier than Aug 5th, when
Mr Taylor took ~~interest~~ in the above ~~matter~~
that the matter was one for ~~consideration~~

The Attorney General considering that
leave is ~~not~~ ~~needed~~, & that we should lose
the lawsuit which the Company would
bring. [As the Harrison is acting for them
we can expect that they would bring it.]

We have told the Governor more than
once that Mr Taylor took too much on himself,
& if, as must be assumed, this was
permitted in both T., his action is extraordinary
? Request approval & consider
further

6/25/14

H. J. R.

see now 20 J.
43753/14

2/27/14

H. J. R.

9/27/14

Wm. G. [unclear] 14/14

2744
GOVERNMENT HOUSE,
NAIROBI,
BRITISH EAST AFRICA.

167

EAST AFRICA PROTECTORATE.

CONFIDENTIAL No. 155.

October 3rd, 1914.

Sir,

I have the honour to bring to your notice certain negotiations which have taken place respecting the purchase by the Uganda Railway of the Brickfields at Makupa belonging to the East African Industries Limited.

Genl. Manager
18-9-14

Genl. Manager
29-9-14

2. The first official intimation of the matter which I received was contained in a letter dated September 16th from the Acting General Manager, a copy of which I enclose. As you will observe Mr. Eastwood very properly asked for confirmation of a transaction which apparently had not received official sanction.

3. I replied that Mr. Taylor had mentioned the subject to me some months previously, that

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THE RIGHT HONOURABLE
LEWIS HARCOURT, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S.W.

I had told him that the arrangement proposed seemed desirable, and that since then I had heard nothing further about it. I went on to say that the proposal must of course be put forward in the form of an official recommendation, giving the particulars of the property, the reasons for purchase, the price, and the source from which the cost was to be met. I added that if I was satisfied as to the propriety of the project I would refer it to you, but that in the meanwhile no arrangements made by the Railway Administration could be recognized or confirmed.

4. In reply to my minute in the above terms I received the accompanying letter from the Acting General Manager from which it would appear that in this instance also Mr. Taylor has committed the Government to large expenditure without addressing me on the subject. In view of the opinion of the Attorney General, with which I agree, I have no option but to seek telegraphic sanction of the purchase.

5. I can only say that this case, taken in conjunction with that of the Kilindini Landing Stage, which I reported in my despatch No. 859 of September 28th, makes me very apprehensive of the General Manager's methods. In

view

42128

view of the repetition of these unauthorized acts, which are only brought to light after his departure, I cannot but feel distrustful of Mr. Taylor's proceedings, which preclude me from keeping that watch upon Railway expenditure which it is your wish and my own desire that I should exercise.

I have the honour to be,

Sir,

Your humble obedient servant,

Henry J. ...
GOVERNOR.

42144
INCLOSURE *Inc*

Despatch No. 155 of *Sept 3rd* 1914

170

September 14

TO
THE ACTING CHIEF SECRETARY
TO THE GOVERNMENT
NAIROBI.

MAKUPA BRICKFIELDS

SIR,

In connection with the purchase of the Makupa Brickfield belonging to the East African Industries by the Uganda Railway I have the honour to state that I have had the agreement completing the purchase sent to me for signature. I do not however care to sign it until I am assured the transaction is in order.

The first negotiation in the matter commenced in March last and after certain correspondence the General Manager made at the end of April an offer of £7,500 for the ground, buildings and plant, the stock and stores in hand to be taken at a valuation. It was proposed that money should be provided from the loan of £100,000 provided for Kilindini Harbour Works, as the plant is for engineering purposes and a great many bricks will be used both in and in connection with the Harbour Works.

There is a minute by the General Manager dated May 8th 1914 to say "His Excellency agrees to the purchase" but the matter apparently has not been put forward officially and consequently there is no official sanction to the transaction. I shall be

greatly obliged if you will place the case before His Excellency and ask him to confirm the statement made by the General Manager in the memorandum quoted above.

I have the honor to be,

Sir,

Your obedient servant,

sd/ E. Eastwood

Actg General Manager
Uganda Railway.

No 20/3/91
4811

September

TO
THE HON'BLE
THE AGING CHIEF SECRETARY
TO THE GOVERNMENT
NAIROBI.

Makupa Brickfields

SIR,

I have the honour to acknowledge the minute of His Excellency on the purchase of these brickfields, forwarded under your No. S. 2489 of the 21st September, and as desired forward you full particulars of the proposed arrangement.

2. For several years past we have been giving contracts to the East Africa Industries for buildings at Kilindini and on the Kilindini Voi Section of the line. The buildings are of brick, of good quality and generally a very desirable class of permanent building. The East Africa Industries has not proved a success, owing to want of proper management, and the Company decided to close down their works, and if possible to sell them.

The works are situated on the mainland side of Makupa Bridge, and cover an area of 48 acres. There is a kiln with a capacity of 150,000 bricks, three clamps, capacity about 30,000 each, windmill pump, water tank, mixing machinery and shed, a bungalow for the European in charge and a certain stock of coal and made bricks. On the 2nd March 1914 the property complete was offered to the Railway for £15,000 plus the best price of coal

and bricks in stock as certified by the Auditors, and also plus Rs 300 for the bungalow.

4. The property was inspected by the District Engineer III Maintenance Division who submitted the following report :

"I have the honour to inform you that I have been over the brickworks at Nakupa and estimate the value as follows :

Buildings tank etc	...	Rs 43,000
(These buildings are in fair repair (but the sheeting and guttering of Power house roof will require considerable repairs.)		
Engine, mill and press		24,000
(This is a Very rough estimate as I have no means of finding out the cost of this sort of machinery)		
Small Machinery and Plant		9,500
Land 46 acres at Rs 450/- per acre		20,250
Land required for water works at Changanave was valued at Rs 180 per acre for the water works)		

Rs. 95,700

& 3,383

sd/- G. O. HYATT,
District Engineer.

On this report the sum of Rs 7,500 plus the value of stock and the bungalow as mentioned in the foregoing paragraph was offered. The offer had to go to England for the Board's consideration, and while waiting their decision a question arose, as to the possession by "the Industries" of a clear title to the land, or rather to 40 out of the 46 acres they were offering for sale.

On June 17th 1914 the Company's solicitor agreed to the terms of the offer of Mr. Taylor, the General Manager, and on June 30th the General Manager, acting on the advice of the Land Office, withdrew his offer. An alternative suggestion was then made that we pay the purchase money

less K1300, being the valuation of the land as given by the District Engineer, and on July 4th 1914 the General Manager made the following offer :-

"I have the honour to acknowledge receipt of your letter of 24th June in regard to the sale of the East Africa Industries Ltd Brickfields at Nakuru.

- 1. In reply thereto I beg herewith to make the following offer for the transfer of the property free of all liabilities to the Uganda Railway.
- 2. The Uganda Railway to pay the East Africa Industries a sum of £5,914 (Five thousand nine hundred and fourteen pounds) for the Company's Brickfield property, buildings, plant, machinery etc with an additional sum of £300 (three hundred) for the dung, also. The Uganda Railway also to take over at a valuation all serviceable materials comprising manufactured stock of bricks and tiles, as also stacks of coal and wood fuel."

TO
A. Morrison Esqr.,
Attorney for
East Africa Industries
NOMPAS.

34/ H.S. TAYLOR
General Manager,
UGANDA RAILWAY.

This was accepted and the case was referred to the Attorney General for the necessary arrangements to be executed.

5. As mentioned in my No. 3/3/91/422 dated 18th September to your address I did not feel justified in purchasing a property where the transaction had not apparently received sanction, and in this connection I give the opinion of the Attorney General on the matter :

"Re: Nakuru Brickfield.
With reference to your No. 3/3/91/422 of even date I have the honour to state that it is of importance that sanction be obtained as quickly as possible.

-4-

"An agreement has in fact been reached and I am of opinion that it will be difficult successfully to defend any action which the East African Industries Limited may bring if such agreement is not carried out."

W/ J. J. BARTH
ATTORNEY GENERAL.

175

6. I send you my file for your further information.

7. These brickfields would undoubtedly be of great service to us, and I would like to see the purchase completed. The funds would be provided from the appropriation for "Kilindini Harbour works", and a depreciation charge on the cost of the bricks would be made on all bricks used at works not actually part of or in connection with the Harbour works.

I cannot express the opinion that the property is worth the money offered for it. The District Engineer in his report values it at £2,300 including £1,500 for land. The Company's Manager Mr. Taylor states the machinery is not of the very best but is serviceable. The Law Officer states that he was informed that £5000 had been offered on the property. It looks therefore that £7000 is an extreme value to be placed upon it, but I am fully of the opinion of the Attorney General that we have done so far in the matter and there is no alternative than to complete the purchase.

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

J. J. Barth
Actg. General Manager,
Uganda Railway.