

5. In this case it appears to Mr. Harcourt that the Co. is as much British as the other two Companies mentioned by Sir Claude Maxwell & he says Mr. Meade of the 26th of August & he says again that Sir E. Grey will come with him & thinking that it is entitled to receive equal support from ^{H.M.'s} ~~the~~ representatives of Japan.

He

Just

1911

EAST AFR. PROT.

C O
30932
PREC
Page 25 etc

30932

Foreign	
Date.	German Claims in letter.
22 Sept. previous Paper. 20945	Sends despatch from Berlin resp. certain concessions alleged by C. Nielsen to have been accorded to C. Denhardt by Sultan of Sokothland in 1897, & to have been subsequently acquired by himself. Proposes to approve reply sent to Nielsen.
copy comes for copy 28 Dec 1911	<p>W. Read.</p> <p>The alleged agreement would appear to be something different from the "treaty" of the 8th of April 1885 stated to have been made by the Sultan of Witu with Clemens Denhardt, in which the claim of the German East Africa Company is founded. (See $\frac{70}{16630/05}$). If so, it is odd that we have never heard of it before in the course of the correspondence about Denhardt's claims. It is however, stated in the German note of the 20th of May last (in 1911) that Denhardt</p>

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subsequent Paper

1627/14

obtained from the Sultan other properties than those which form the subject of the German East Africa Company's claim.

The alleged agreement of the 2nd of April 1887 looks very much like a bogus document, both from its attribution to the Sultan of Swaheliland & from the improbable character of its reported contents. It may be possible to reject it outright and on these grounds. It is not my presumption that the 2nd will take up the attitude adopted in regard to Senhad's own agreement viz. that the claim must be decided by a Court of Law.

I must say that I don't like his belated production of the claims of German subjects in Witu. The German Govt are wickedly clever in turning such claims to account. We do not want a small scale Morocco in East Africa. Sir E. Goschen has clearly done the right thing in referring Herr Nielsen to the German Govt in the first

instance. We ought to know from the
start whether the German Govt. means
to back up this preposterous document.
Draft herewith.

183

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Sept. 25.

A. L. R.

679

In any further communication on this subject, please quote

No. 36175/11.

and address—
The Under-Secretary of State,
Foreign Office,
London.

30932
Foreign Office

September 22 1911.

Sir:-

40
22/9/11

Goschen.
Africa Sept 12

With reference to the letter from this Department of the 12th July last on the subject of the claim of the Denhardt brothers to certain mangrove areas in the Protectorate of Witu, I am directed by Secretary Sir E. Grey to forward herewith, to be laid before Mr. Secretary Harcourt, a copy of a despatch from His Majesty's Ambassador at Berlin regarding certain concessions alleged by Herr Carsten Nielsen, of Berlin, to have been accorded to Herr Clemens Denhardt by the Sultan of Suaheliland, British East Africa, in 1897, and to have been subsequently acquired by himself.

Sir E. Grey proposes, with Mr. Harcourt's concurrence, to approve Sir E. Goschen's action in causing the communication from Herr Nielsen to be returned to him on the grounds given in His Excellency's despatch.

I am, Sir,

Your most obedient,
humble servant,

F. Campbell

Under Secretary of State,
Colonial Office.

No. 43 Africa.

C O
30932
Recd
Ref 23 SEP 11

Berlin, 36175
September 22, 1911.

17 SEP 1911

Sir,

I have the honour to report that I have received a letter from a Herr Carsten Nielsen of Berlin requesting me to forward to His Majesty's Government a declaration to the effect that Herr Nielsen has acquired from a Herr Clemens Denhardt the right to exercise certain privileges accorded to the latter by the Sultan of Suaheliland (British East Africa) by an Agreement dated April 2, 1887 and signed at Wito; that he has founded a Syndicate called the Wito-Syndikat, to develop the country, which will commence operations on September 15, 1911; and that His Majesty's Government are called upon, under Article 9 of the Anglo-German Convention of July 1, 1890, to recognize the rights of the Syndicate and the validity of the measures taken by them. Failing such recognition the Syndicate must consider that His Majesty's Government have violated the above mentioned article and will lodge a protest

The Right Hon.

Sir Edward Grey, Bart., M.P.,

etc. etc. etc.

protest with the German Government.

According to the text of the agreement, copy of which Herr Nielsen enclosed in his letter, the privileges accorded by the Sultan are of a very extensive character. Not only are lands granted, but also the exclusive right to issue paper and metal currency, establish Banks and postal, railway, telegraph and telephone systems, as well as monopolies of all kinds. The right is also accorded to collect taxes and duties even from incoming and outgoing ships. Finally under Article 7 the Sultan makes over to Clemens Denhardt the exercise for a period of 50 years of all his sovereign rights over all the territory at present in his possession or to be acquired by him in the future, and authorizes him to take all necessary measures to ensure a good government, to enlist soldiers, issue loans, enact laws, establish taxes, duties etc., make treaties with native Sultans and peoples etc. etc. etc. By article 10, however, Clemens Denhardt is precluded from selling the exercise of these sovereign rights. In return for these concessions the Sultan is to receive 5% of the net profits earned by the Company to be formed by Clemens Denhardt for the exploitation of the privileges accorded

to him.

I do not know anything of Mr. Nielsen except that in February last he made an offer for the purchase of His Majesty's Embassy House, for the sum of 2½ million Marks.

I have caused him to be informed in reply to his letter that I am not able to forward his communication to His Majesty's Government and that his proper course would be to address himself to the Imperial Foreign Office, and I have caused the communication in question to be returned to him.

I have the honour to be, with the highest respect,

Sir,

Your most obedient,

humble Servant,

(Signature)

7.0 - E.A.P.
30932

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27 Sept 1911

DRAFT.

The U. S. of B.
Foreign Office.

MINUTE.

- Mr. Butler. Sept. 25
- Mr. Read. 25
- Mr. Fiddes.
- Sir H. Just. 26/9/11
- Sir C. Lucas.
- Sir J. Anderson. *away*
- Lord Lucas.
- Mr. Harcourt.

Sir,

I am enabled by
Mr Secretary Harcourt
to acknowledge the
receipt of your letter
No 36175 of the 22nd
of September, and

for conson.

to request you to
inform Secretary Sir
E. Grey that he concurs
in the proposal to
approve

Copy Secretary 28 Sep 11

Copy of 30932 and
closure and of this
draft to Govt for inf.
conf-ht.