

EAST AFR. PROT.

No. 30875

5815

REC-7

22 AUG 29



Office or Individual.

(Subject.)

Grogan Capt. R.

Grogan & Stephens East African

1908

2) Rep.

Explains like address to go & express
 seems to have litigation - suggest that
 matter a dispute be settled at a conference
 in England

(Minutes.)

Mr. Read

See my minute on 19/3/08 for
 a short history of this question.
 The new front referred to there
 was Grogan's intention that he
 had been prevented from working
 the first by their being within
 - did in a cloud district.

The fact has not yet reflected
 to our dept of 15 June when you
 to the truth of the you did ask by
 letter.

We might tell Mr. Grogan
 that we are enquiring as to this

sent to Mr. Grogan 10/5/08
 X of City Lines found 10/5/08
 printed copy of Grogan 10/5/08

Encl. and Paper
 2
 3260

and that if it be found to be well
founded the P.P. would not
be disposed to insist on enforcing
their strict legal rights to the exclud-
-tion of the Agreement, provided
(a) that he & Mr. Simpson be per-
-mitted to have inserted in their leases
the provisions which Mr. Hustling
considers necessary for the promo-
-tion of the forest.

(b) - that they can show that
they are prepared to provide
the road a suitable means
to develop the forest: but that
it appears from 28862 that
they are not prepared to do this
and accordingly these does
not run any way in prolonging
beyond the time limited by law.
[the Agreement] [the conditions of
which they have not the means or
intention of carrying out.]

9 from the
previous
negotiation

? omitted

Mr. Cox. Proceed as proposed & copy
of lease to the Gov. & Mr. ?
D.H. Conson at once H.D.C. 26/8
26/8

and that if it did prove to be well
founded the P.P. would not
be disposed to insist on enforcing
their strict legal rights to the exclud-
-tion of the arguments, provided
(a) that he & Mr. Simpson are prepa-
-red to have inserted in their leases
the provisions which Mr. Hustling
considers necessary for the preser-
-vation of the forest.

(b) - that they can show that
they are prepared to provide
the road a certain way necessary
to develop the forest: but that
it appears from 28862 that
they are not prepared to do this
and accordingly there does
not seem any use in prolonging
beyond the time limited by law.

the agreement [the conditions of
which they have not the means or
intention of carrying out.]

Mr. Cox. Proceed as proposed - + copy
of map as to the site - 27.9
H. J. R. 2678
at one side
2018

9 from the
previous
negotiated

? omit



✓

317
20815
REC-21.AUG

*Under Secretary of State
Colonial Office
S.W.*

Langton House,
Palace Gate
August 21st, 1908.

Sir

n. 28862/1908

28862

I have the honour to acknowledge the receipt of your letter of August 19th, and wish to emphasize my desire to avoid any litigation. My letter to the Lieutenant Governor was necessary to protect my position in view of the initiative in this direction having been taken by the Government. Any failure to register an emphatic protest might have prejudiced our position more particularly as a private individual is handicapped by having to give 3 months' notice wherein to obtain permission to apply to the Courts for relief.

I can only asseverate my desire to conform in every possible way with the Government wishes in respect of the forestal clauses.

*28862/15 + h. 28862
+ h. 28862*

-2-

I personally am debarred from returning to E.A. before the end of the year owing to ill health and domestic considerations, and having been obliged to disband our expert staff by reason of the closing of the district it is impossible within the period of the notice to deal locally with the questions arising out of the correspondence.

As I am confident that the Government does not wish to force me into litigation I would venture to suggest that while I am in this country a speedy solution of any existing differences may be found in a personal conference between us, or failing this that all questions should be raised and discussed between our respective legal representatives here with a view to a friendly settlement.

Your obedient servant,



4
D. 4



Capt. E. S. Grogan

Sir,

4 Sept 8
Secretary of State for the Colonies

F.R.C. 27/8

Mr. S. L. 21/8
Mr. Head 28
Mr. Cox 28
Mr. Tol. also.

Mr. J. H. ...
1 Aug 1888
Low ...
copy to ...
4/1-452 18 Sept

LISTED

I am ~~to~~ to ack. the recd. of your letter of the 21st Aug., on the subject of your agreement with the Govt. of the S.A. Prot., and to inform you that he is making enquiry into your allegation that you were hindered in your operations by native troubles involving the closing of the districts in which the forests are situated. Should your complaint prove to be well founded, the S. of S. would not be disposed to insist on the strict enforcement of the Govt.'s legal rights, the cancellation of the agreements with yourself and Mr Lingden, provided (a) that you are prepared to have inserted in your leases the provisions which Mr Hutchins considers necessary for the preservation of the forests; and (b) that you can show that you are prepared to provide the road or railway necessary to develop the forest.

It appears, however, from your letter of the 21st Aug. that you are not prepared to comply with the latter condition; and accordingly there seems to be little advantage in prolonging the agreements beyond the time limited by law.

I am &c
H. B. ...

+ to 30815
+ to 28862

2593 - 250 - 15

f. 30815 S.A.P 320

Imag

Sent 3.50p
Wm
4/9

Pseudonym
a Sept
~~day~~

anodes
Numerous for repl

daydust
my desp. no. 276
holometer
15th June

09222260

DRAFT

del.

Sadler, Nairobi

MINUTE.

- Mr. Ellis *11/21/81*
- Mr. Just.
- Mr. Astrobos.
- Mr. Coz.
- Sir G. Lucas.
- Sir F. Hopwood.
- Col. Seely.
- The Earl of Crowe.

See letter also