

EAST AFR. PROT

C. O.  
20025

REC'D  
15 JUN 09



2002

Governor. No.

536

here 22. 76

*Mackenzie Concessions*

1909

15 June

Last Previous Paper.

m  
19140

Mackenzie inf. by letter of Jan that he can either have area applied for through at once subject to private and native claims which wd diminish its extent, or he can wait Land Com's decision, when it is hoped to grant full area though not necessarily within limits originally asked. Do not reply yet to this letter. Do not let by mail to June

W. Read

This simply confirms the information given in the encl. we in 19140. I have spoken to Col. Montgomery, the Comd of Lands about that letter. He is quite prepared to stick to either of the alternatives offered in it to Sir K. Mackenzie. But he is not prepared to endorse the modifications with which Sir K. Mackenzie announces his readiness to accept the first of the two alternatives.

I gather from Col. Montgomery that there has been no discussion in the P.C.

To Sir K. Mackenzie 19 June  
- a/c copy of memo to Gov of 30.5.25 June  
also to be d. 10 Sept 28999

Next subsequent Paper

G.W.  
22.189.

at the terms of the lease. It has simply  
been a question of the actual area  
available. This puts a bad look on Mr.  
Foulker's attempt to rush us into an  
agreement which is not all that we  
originally proposed.

Col. Montgomery feels that it would  
be wise to retain the original arrange-  
ments as to the provision of capital. I  
feel that very strongly myself, after my  
brief experience of Mr. Foulker.

I submit a draft

JMB.

June 16.

at me.

H. J. R.

12/11

2025

5/10 L

C. O.  
20025  
1527

Telegram.

The Officer Administering the Government of the  
East Africa Protectorate to the Secretary of State  
for the Colonies.

AFRICAN  
929  
COLONIAL OFFICE

(Received Colonial Office 12.13 p.m. 15th June, 1909)

W  
19/10

No. 76. With reference to your telegram of 11th  
June Mackenzie informed by letter from Land Office,  
5th January, that he can either have area applied for  
surveyed at once subject to private and native claims  
which would land in his hands, or he can  
await Land Court's decision when it is used to give  
them full area though not necessarily within its  
original limits. The reply received to this letter.  
Despatch sent by mail of 10th 1909.

see now Gov.  
22/189

MACDON.

x to 19 10  
+ see to 22 189

- 2849 - 1/10

538

# THE EASTERN TELEGRAPH Co., Ltd.

LONDON STATIONS:  
CHIEF STATION: 21, OLD BROAD STREET, E.C. 4  
BRANCH STATIONS:

20025

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2. GREAT TOWER STREET, E.C. 3  
37. HOLBORN VIADUCT, W.C. 1  
44. ST. MARK'S PLACE, W.C. 2

4. ELECTRA HOUSE, 11, FLEET STREET, S.W.  
41. A. C. PARLIAMENT STREET, S.W.  
Foreign Auction Hall, COVENTRY GARDENS, W. 1  
THE PATENT ST. MARY AXE, E.C. 4  
BORN, HILL STREET, ST.



REMARKS

No.

The following TELEGRAM Received at

From  
Foreign  
No.

No. of  
Words

Dated

Time

via "Eastern"



To

76  
 Write up to your file on 14 June  
 is informed by ...  
 Land Office for 8 January that he  
 can either ...  
 surveyed at once subject to  
 private ...  
 to contact ...  
 hoped to ...

**REPLIES SHOULD BE ORDERED Via Eastern**

Doubtful cases should be OFFICIALLY reported. See Rule book  
No reply respecting this form can be attended to without the production of this copy

(Manager Form 111)

538A

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 3, GREAT TOWER STREET, E.C. 4, LEADENHALL HOUSE, E.C.  
 37, HOLBORN VIADUCT, E.C. 1, 11, PARLIAMENT STREET, S.W.  
 44, ST. AND. W.C. 1, 11, AUSTIN HALL, COVENT GARDEN, W.C.  
 6, DENMAN STREET, W. 1, 11, THE CATH. ST. MARY AVE.  
 11, GORING HIGH STREET, S.E.

No. \_\_\_\_\_ X 190

REMARKS

The following TELEGRAM Received at \_\_\_\_\_

From \_\_\_\_\_ via "Eastern."

Foreign \_\_\_\_\_ No. of \_\_\_\_\_ Dated \_\_\_\_\_ Time \_\_\_\_\_

To \_\_\_\_\_

*was thought not necessary  
 to enter into details  
 as to the business  
 he was engaged in  
 was up to the  
 respect sent by, and of  
 direct and perhaps  
 Jackson*

Recd 13.11.14  
15 June

**REPLIES SHOULD BE ORDERED *via Eastern***

Small charges should be OFFICIALLY requested. See Rate Book.  
 The Eastern Telegraph Co., Ltd. is not responsible for the production of a copy

25  
10

Gr  
2025

E. A. P.

929

~~18~~

18  
18

~~18~~

answ 20406

19 June 1909

DRAFT.

in Kenneth Mackenzie  
of Seaforth Bart

Sir,

I am directed by

MINUTE.

Mr. Butler June 16

Mr. Read 17

Mr. Just.

X Mr. Antrobus 17

Mr. Cox.

Sir C. Lucas.

Sir F. Hopwood.

Col. Seely.

The Earl of Crew.

for conon

the Earl of Crew to  
acknowledge the receipt

of your letter of the 8

of June + relating

to the lease of two

areas of 10,000 acres

each near Wabindi  
the E. A. P.

2. You will remember

that in April 1907  
+ he 19140

~~copy 15000~~  
2350-15  
copy 15000  
19140 with  
of this to the E. A. P.

C.A. for the Colonies  
were instructed to pre-  
pare an agreement  
for the lease of the  
areas in question on  
the conditions mentioned  
in your letter of the

(M. 11/10/07)

27<sup>th</sup> of March of that  
year. It appears that  
Crown agents  
the Solicitors actually  
drafted such an agree-

(M. 11/10/07)

ment, but that, for  
reasons with which Lord

+ L. 11/06  
appear to  
do q.

Crewe is not acquainted  
you did not proceed  
with the matter in this  
after a ~~prolonged~~ ~~inquiry~~,  
the ~~real~~ ~~implication~~  
which ~~is~~ ~~the~~  
to Lordship as to

The progress of the  
negotiations was a  
letter from the Crown  
Agents dated the  
29<sup>th</sup> of May last  
reporting that Mr.  
Gulker's solicitors  
had, a few days  
earlier submitted a  
copy of the draft  
agreement containing  
very substantial  
alterations. These  
alterations have  
to ~~be~~ depart  
very materially from  
the conditions mentioned  
in your letter of the  
27<sup>th</sup> of March 1907.

(C.A.  
18743)

#101503

In particular, they include  
the omission of the preliminary  
agreement as to raising  
the necessary capital  
and earmarking the  
portion of it required  
as a maximum  
for the adequate develop-  
ment of the areas to  
be leased; ~~and~~ <sup>that</sup> ~~we~~  
~~consider such an~~  
~~agreement to be an~~  
essential part of the  
proposed arrangement.

3. It would now  
seem from your letter  
under reply that  
the negotiations which  
have been taking  
place in the Protectorate,

and of which His  
Lordship now learns  
for the first time,  
have had reference  
only to the delimita-  
tion of the actual areas,  
and not to the terms  
on which they are to  
be leased. His Lordship  
therefore sees no reason  
for varying the conditions  
set out in your letter  
of the 27<sup>th</sup> of March 1907,  
and I am to enquire  
whether you wish to  
resume negotiations ~~to proceed~~  
on the basis of those  
conditions. 3  
4. I am

DRAFT.

MINUTE.

- Mr.
- Mr.
- Mr. Jüst.
- Mr. Antrobus.
- Mr. Cox.
- Sir C. Lucas.
- Sir F. Hopwood.
- Col. Seely.
- The Earl of Crewe.



To inform you that  
a necessary preliminary  
to any resumption  
of the negotiations  
is that you should  
undertake to pay,  
not only the expenses  
hereafter incurred by  
the C.A. in the prepara-  
tion and execution of  
the agreement, but  
also the expenses  
already incurred in  
this connexion, which  
amount to £81-18-8.

5. With regard to  
the actual area to  
be leased, you state

to accept the first of  
the alternatives<sup>542</sup>  
offered to you in the  
letter from the Comptroller  
of Lands dated the  
8th of Jan<sup>r</sup> last, viz.  
that the Lands Dept.  
should <sup>at once</sup> survey the area  
~~for which you have applied~~  
for and make it over  
to you, but subject to  
all rights which may  
be proved on any part  
of it. You probably mean  
acceptance, however by  
making it subject  
to certain modifications  
which were justifiable  
by Mr. Hollis

the ~~Committee~~ <sup>Secretary</sup> for Native Affairs, <sup>as to the grant of</sup> Lord Crewe reports that he is not in a position, without reference to the Committee, to accept the modification mentioned, and that he has <sup>no</sup> information which would enable him to discuss in detail the boundary which you propose. He <sup>is impelled</sup> ~~is~~ therefore, to confine his approval to your <sup>without any qualification</sup> ~~choice~~ <sup>choice</sup> between the alternatives offered to you by the Council.

Land <sup>conveyed</sup> by way of compensation for any part of the original area from which you may be debarred by the existence of these rights

Lands ~~without any~~

Qualification, subject always to ~~the~~ H. 513 receipt of a satisfactory reply to the kind and frank paragraphs of his letter, and to the resumption of negotiations on the <sup>indicated</sup> ~~land~~ ~~lines~~

DRAFT

MINUTE.

- Mr.
- Mr.
- Mr. Justice
- Mr. Anthonys
- Mr. Cox.
- Sir C. Lucas.
- Sir F. Hopwood.
- Col. Seely.
- The Earl of Crewe.

(Signed) H. BERTHAM COX