

DESPATCH

EAST AFR. PROT.
No. 17436

17436

REC'D
16 MAY 09



1907
Paper

(Subject)

Highway bridge

The appl. of Mr. Reynes is recommended by Mr. ...

(Minstra)

Mr. Head

See on 15364.

Mr. Reynes is a competent water engineer & so far his plans are deserving of more esteem than those of Mr. Gibbs of whom we know nothing. The water proposed for the supply of water to the public are most adequate.

Observe the same done made by me on 15364 apply to the above also.

1899 25/5

F.O.

W. Robertson

If Mr. Jewell is appointed Com^{dr} of
Boston the S.M. I think that in addition
to proceeding as proposed ~~agreed~~ in
15267, we had better send three papers to
him & we will have to look into the
matter as soon as possible after he arrives.
He has had large experience of navigation
work in India & ought to be able to
give us valuable advice in the matter.

H. J. R.

27/5

Plt June 25
H. J. R.



C. O.
17436
Recd
MAY 07
566

Commissioner's

Railroad

EAST AFRICA PROTECTORATE

No. 151

(Incl. 5)

with reference to the letter No. 145 of 4th
instant forwarding a copy of an application in connection
with a scheme for supplying Kambaa with water which
was submitted by Mr. P. U. Gibbs. I have the honour to
enclose another and similar application received from
Mr. Thomas R. Ynes. I also enclose herewith
Mr. Gibbs' and Colonel Robinson's on these schemes, and
a further letter from Mr. Gibbs stating an objection to the

the importance of supplying Kambaa with a proper water
supply for irrigating the lands but fertile soil

Principal Secretary of State

for the Colonies.

Downing Street,

LONDON, S.W.

2040 - 347-41

of the Town of ... and the Coast.

I have the Honour to be,

With the highest respect,

Your Lordship's most obedient,

Humble servant,

Acting Commissioner.

C. O. 17436

REC-16 MAY 07

COPY.

With reference to the two memoranda, the first of which took place in the latter part of February last, relative to the water supply of Mombasa, I have the honour to make formal application herewith for the right to supply that town with water.

It may not be out of place, perhaps, to mention here that I am not without some knowledge in the matter of water works, having had some 20 years' experience in the construction and management of such undertakings. During this time I have held the position of Chief Assistant Engineer in the City of Berlin in the Water Department for 10 years being promoted thereafter to the position of Chief Resident Engineer for a further period of 10 years; after which I was Engineer and Engineer-in-Chief of the Johannesburg Water Corporation for nearly two years, which only terminated upon my departure to the Transvaal. I have also to mention that I am a Resident Engineer in the Transvaal, and have every intention of remaining so for the future. And I may also add in this connection that when in the Transvaal, I discussed the matter of a water supply for Mombasa with a number of three gentlemen who have been associated with engineering schemes of this sort and had obtained support from them for any scheme which I might propose. Further though I have

His Excellency
The Acting Commissioner,
East Africa Protectorate,
Nairobi.

(8)

have been communicated to the local authorities after the completion of the project and the local authorities will be responsible for the maintenance of the works and the water supply in this instance.

The specific rights for which applications are invited are as follows:-

(a) The right to supply water, and any extension of the town with fresh water for a period of twenty five (25) years.

(b) The right to a permit to dig, for a term of any 50 years, not exceeding 100 square miles, in situations to be determined, but generally in positions suitable for irrigation by the proposed scheme, for the purpose of cultivating cotton, sugar, rice and other such like crops.

It is stated that the grant include the following rights and conditions:-

(i) From expiration of the said 25 years the right of disposal of the original grant term is to be determined.

(ii) The right to dig shall be subject to the following conditions:- within the term of the grant the grantee shall be bound to carry out the works and the water supply shall be taken over in terms of clause (10) hereof.

(iii) The right to carry out any one or any combination of any two or more of the following alternatives:-

(a) To take water from the Tavo River by constructing a dam, reservoir or other works at a point above Tavo Station to be hereafter determined, and convey same by open cut, conduit or pipes to a receiving station provided with Service Reservoir, Filters and all necessary

(4)

...wells to be drilled or dug

...supply water for irrigating land subject to the... of the town of... shall be a first charge on the grant...

(A) The grantee to be obliged to supply water when called upon... in cases of consumers requiring a supply at a great distance from the... laid down; when it shall be at the discretion of the grantee to require such consumer or consumers to show or guarantee a gross return of not less than... the capital required for the new main and connections.

(B) The grantee to complete the contemplated works and to have the meters... available in... within three years from the date of the grant... periods of delay caused by shortage of labour, the act of God, ... materials not being delivered within the stipulated time shall not be reckoned in the said period of...

...to have the right to appropriate or... water works at any time upon such terms as may be agreed... the grantee or falling agreement may be made by arbitration.

(11) The charge or rate for water supplied to be Rs. 1/6/- per 1,000 imperial gallons but a minimum charge of Rs. 1/- per month to be made allowing consumer use of 500 gallons.

(12) All arrears of charges or rates to be recoverable

(5)

by ordinary legal process.

(12) Bye-laws of the company shall be based on the

Articles of Association of the company.

(13) The directors may give the right to any person

to attend any general meeting of the company.

(14) The directors may give the right to any person

to attend any general meeting of the company.

(15) The directors may give the right to any person

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(28) The directors may give the right to any person

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(29) The directors may give the right to any person

to attend any general meeting of the company.

In Despatch No. 151 of 21st May 1907

C. O.
17430
REC
MAY 16 1907

copy

MEMORANDUM

Mr. Gibba's proposal is the more business-like in that he asks for the option on the scheme for just as long as he enables him to make the necessary arrangements.

Mr. Raynes asks for the concession to be given to period within which Government may increase its price. This covers things which the work must be completed within three years. But this would not do as the concession would not be entered into unless the Government was satisfied.

In the preceding series

- (a) Mr. Gibba asks for 25 years as against Mr. Gibbs 50.
- (b) All this land is granted between Mombasa and Pemba Stations. I have objection to it, indeed quite the reverse.

Conditions

is reasonable.

(c) It is financially impossible but Mr. Raynes perhaps could be otherwise.

(h) Reasonable.

(i) Reasonable.

(j) and (k) are reasonable.

(l) Part of Mombasa to be reserved.

(m), (n), (o), (p), (q) are reasonable.

(r) The rate is much more reasonable than Mr. Gibbs' for construction in Mombasa but is not so favourable for the Railway. Possibly a lower rate could be quoted for Railway requirements as also for Mombasa having regard to the large amount of land. I would suggest a sliding scale. I see no serious objection to 12, 13, and 14.

(2)

I would suggest that Mr. Haynes informed that Mr. Gibbs' proposal was very good, that if he can see his way to add an extra clause of six months or so his proposal will also be very good. In the event of Mr. Gibbs not getting our option he will have to be regarded as

Penalty clauses, etc., etc. will of course be entered in the contract when being drawn up and need not now be considered.

Sd/- H.A.F. CURRIE.

Manager,

Uganda Railway.

Nairobi,

April 17th 1907.

In Dispatch No. 17 of 2/6/27 1907

C. O.
17436
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16 MAY 07

Mr. Raynes' offer is on the whole more favourable to the Government than Mr. Gibbs'.

The concession is dated for a shorter period, and the proposed rates are very much lower. Mr. Garke rightly asks for a still lower rate for the railway, as a great deal of the water required for his Department will be taken off before it gets to Mombasa.

The demand of a grant of 100 acres, more or less, is first sight extravagant, but if it is taken in the form of a desert or other such tract which is at present quite useless it may well be given on a lease at a low rate of rent.

The rent at grazing rates inside the ten mile zone would be Rupees four thousand a year. It might allow even half this rate.

As regards condition (1) I would remark that it will be necessary to provide to the advantage of the wells with water. It would be better to stipulate at once that the wells should be open to all on an equal basis. The people who will be most likely to object will be the natives.

In condition (3) the words "at a great distance" are indefinite.

For the rest I have nothing to suggest.

J. MONTGOMERY.
Commissioner for Lands.

Nairobi,

April 1907 1907

INCLOSURE *1004*

In Despatch No. *15* of *4th 23*, 1907

C. O.

576

17436

Paras. 1004

16 MAY 07

1907

is also very early.

Referring to my application for the grant of a
condenser for the above works, I beg to request that the
following clause may be added to the application viz:

In the event of this application receiving favourable
consideration, before being bound to proceed with the
works, I respectfully requests the grant of an option for
the purchase of any and all land in which to more deeply
prospecting the country than has hitherto been possible, for
the purpose of definitely settling upon the best source
and situation both for the water supply and also for the
proposed grant of land, and ascertaining the feasibility
or otherwise of the same.

I have, etc.,

Thos. James, J. Inst. C. E. Ac.

The Acting Commissioner,