

1923

KENYA

27 B 394
C/O
EX 29580
RE
13 JUN 23

FROM
THE EASTERN & SOUTH
AFRICAN TELEGRAPH
CO. LTD.

DATE
12 June 1923.

FOR CIRCULATION:-

Mr. Bushell
Mr.
Mr. B. H. ...
Asst. U.S. of S.

SUBJECT

DIRECT DEALING WITH THE PUBLIC ON
MOMBASA ISLAND.

Form U.S. of S.
Part U.S. of S.
Secretary of State.

Requests reconsideration of the matter in
light of correspondence in 1906-7.

Previous Paper

MINUTES

Send 577 & recirculate
15.6.23

1. As regards direct dealing ^{between} Cable Co's & the public, the G.P.O. have told us in 9/10/5125/21 that the general policy of the G.P.O. is to permit "in suitable cases" such dealing.
2. G.P.O. have further said in 3/10/1533/23 that it is the practice to grant such facilities to cable co's in other Colonies.
3. But we know from 1.0./5733/22 that the proposal to allow the E.P.C. to deal direct with the public for the collection & delivery of tel. in Bombay has been abandoned for the present (i.e. in Jan 1923)

Handwritten notes:
X 25062
Copy comes T. J. ...
copy & refer copy 24 June 23
14/7/23
June 7
x Shuttle around 11 July '23

Subsequent Paper

35507
See of 30222

MINUTES

MINUTES NOT TO BE WRITTEN
ON THIS SIDE.

The Marconi Coy. in their recent application to erect a long distance WTS station in Kenya have urged that no right to deal directly with the public arrangements be granted to the Cable Coy. Marconi's views of the registration somehow. We have said nothing whatever to Marconi on the subject, but in para 3 of conf. disp.

(11/5/23) Kenya on 2.4.20/23, we have told them that as WTS's would have failed to arrive at any provisional arrangement with the Cable Coy, they proposed in the week that the registration with the Coy should be pursued for the present.

On this point G.R.O. view was that there was no reason to refer giving the Cable Coy the right as the represent of a possible competitor.

were now given to the Cable Coy, no doubt a similar right wd. have to be given to the Marconi Coy, if applied for. (see G.R.O. 10332/23).

5. Quite apart from the Marconi point, the Kenya Govt. has been much overzealous from giving the Cable Coy a licence to deal direct with the public except on terms -

see O.D.G. 4200/21.

and for earlier history see minute on

G.R.O. 4200/20.

6. The matter has drifted on - a now as Mr. Fitzgerald is unable to come to any sort of arrangement with the Coy over the question, we have reached the present position of dead lock - which, incidentally, suits us very well in one way, viz. viz. Marconi in case their scheme for station should be proceeded with.

7. The actual position is now
that, negotiations having
failed, the Cable Co
claims the right to deal
direct with the public
in Montserrat Island
in view of a consp. that
passed in 1906 or 1907.

The consp. in question
is that in S/ 4931/07 } Sal
a m/ 6667/07 } upward.

P. W. Fitzgerald traverses
this claim in 77 25062/23 & claims
None of his arguments have
yet been put to the Co by
- to see para 3 of 21324/23

Would you, in the first instance,
advise after reading S/ 4931/07,

m/ 6667/07, 77 25062/23
& 77 21324/23 whether, in
your opinion, the Cable Co
can legally claim now
the right to deal direct
with the public in Montserrat
Island

Accf
20 6 23

~~Mr~~ Parkinson
If you will please advise sometime
when convenient I should like to
discuss this. I have some more
facts

26
/6

the; information as to
past commitments from the
G.P.O here we may have
to refer to them. best at rest

W.S. 29.6.23

The Eastern Telegraph & Cable Company Limited
London

TA/266.

12th June

1920.

Sir,

We have to acknowledge the receipt of your letter No.25062/23 of the 29th ultimo, with regard to the correspondence recently exchanged between ourselves and Mr. Fitzgerald, Postmaster General of Kenya.

Although it is noted from your letter that there is no prospect of any agreement being arrived at for direct dealing with the Public in Mombasa Island, I beg to remind you that this Company claims the right to deal direct with the Public in accordance with the correspondence exchanged with the then Postmaster General of British East Africa in 1906 and 1907 and subsequently confirmed by the Colonial Office in their letter No.4931, dated the 16th February 1907. In view of this confirmation it is difficult to understand why my Company should be precluded from so acting, and I beg that the matter may have further consideration.

I am, Sir,

Your obedient Servant,

J. G. ...
Managing Director.

The Under Secretary of State,
COLONIAL OFFICE,
LONDON, S.W.1.

Kenya
24080/23

293

DRAFT.

14 July 1923

Managing Director,
Assistant & Cash Officer,
Kieffers Company Limited
MINUTE.

Mr. Drew June 30.

Mr. Robinson 30/7/23

Mr. Bushe 2/7

Mr. ~~...~~ 2/7/23

Sir G. ~~...~~

Sir H. Read

Sir J. Masterton Smith

Mr. Ormsby-Gore

Duke of Devonshire

~~...~~
17/7/23
19/7/23

My letter of 19th of June
Sancti
(J.S./266), it is observed that,
so far as he is aware, no
claim to a legal right
~~Company~~
to deal direct with the public
in Mombasa island has
hitherto been advanced
by ~~your name~~ ~~but~~ ~~than~~
in your company
(2) Before it can be considered
the claim)

~~it is~~ the fact - must ask
~~you to request you to~~
that you will be good enough to
indicate precisely the
in which you claim

to formulate the grounds
upon which the claim is
based,
made, with references to
particular documents &
particular words in those documents.

R

(1910) H. J. REAY

~~it is~~ the fact - must ask
~~I am to request you to~~
that you will be good enough to
indicate precisely the
facts which you claim

to formulate the grounds
upon which the claim is
based,
~~made~~, with references to
particular documents &
particular words in those documents.

rc

(REMOVED: H. J. REAY)