

1923

KENYA

C.O.
21321
REC
30 APR 23

FROM
FITZGERALD, T.

DATE
27TH APRIL 1923

CIRCULATION -
Mr. *B. M. ...*
Mr.
Mr.
Asst. U.S. of S.
.....
Perm^t U.S. of S.
Part^r U.S. of S.
Secretary of State.

SUBJECT
MOMBASA ISLAND TELEGRAPH ARRGTs

Encloses reply received from Eastern Tel. Coy which he considers unsatisfactory. Proposes to inform them that as there is no likelihood of his coming to an agreement with them further corres. should be addressed to C.O.

Previous Paper
An. G. ~~10332~~ *10328*

MINUTES

In also ICC 21438/23 Kenya sent on separately.
Many count are now wish to have up these negotiations with the Cable Coy.

? del. receipt - note position of negotiations with the Cable Coy - send for conf. ref. copy of Dis. to C.O.; proposed on 21438/23 w/ marconi offer - say that in the end it will suffice 1/2 of F. informs the Cable Coy that he is in comm. with the C.O. - enclose for personal copy of the 1907 copy. referred to.

copy sent before conf. by ...
2 discs (photostats) sent - 18 May 1923
copy of copy above to S.C.O. - 29/5/23 25062/23
M.S.D.

Subsequent Paper
See 27 25562/23
25062
King

21438/23
49821/23 (London)
reference to letter

(minutes) - i.e. 5/11/07
 5/4931/07 record! -
 10/1/07 letter
 to the Com on that
 paper - a 11/1395/07
 require whether
 the removal of this
 comm. is 7.
 has any further
 action to be taken before
 the term of this
 right to the cable
 is decided upon -
 mark letter 'confidential'
 ? send to Com. for ref. in
 Com. ~~ref.~~ ref. the
 Com. ref. on 11/19320/23
 keep a copy of this
 further comm. with
 to Fitzgerald - a
 give cross ref. to the
 Com. to be written now
 on 10/1/07 24630/23 in
 wh. we promise this
 separate comm.

JCS

5-5-23

Recd

F.F.L.

408

St. Helen's,
Leeson Park,
DUBLIN.

CO
21321
REC
Rpt 30 APR 23

27th Apl. '23.

The Under Secretary of State,
Colonial Office,
London, S.W.1.

Sir,

⁴ With reference to your letter (Confidential) No. 17326/23 of the 17th inst., regarding arrangements for dealing with telegraph work on Mombasa Island I have the honour to forward herewith a Copy of the Cable Company's reply to the proposals I submitted to them.

2. I cannot regard the reply as anything but unsatisfactory and in the circumstances the only course I see open to me is to inform the Company that, in view of its apparent unwillingness to make any concessions on the one hand, and my total inability to agree to the unconditional grant of a Licence or that the Company has any right thereto on the other, I propose to forward you a copy of the correspondence which has taken place; inform you that there is no prospect of an agreement being arrived at between the Company and myself on the question of a licence; and that if the Company desires to pursue the matter further you should be addressed on the subject.

(over

3. I regret I have not had the advantage of perusing the correspondence referred to in paragraph 2 of the Company's letter upon which the right to deal direct with the public is based, but I doubt if there can be anything in that correspondence definitely conceding that right to the Company. That correspondence is now 16 years old and it certainly cannot be said that the present refusal of the Colonial Government to admit the Company's claim disturbs any long standing practice or deprives the Company of any privileges actively exercised in the interval. Only the disturbance of some long standing arrangement would give the Company any claim to have its right to deal direct with the public formally recognised as no such right exists under the Colony's Telegraph Act.

4. I shall be glad to know whether the course proposed in paragraph 2 has your approval.

I have the honour to be, Sir,

Your obedient Servant,

W. H. G. G. G.

27/4/23.

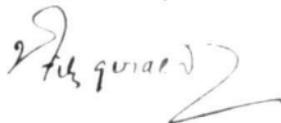
409

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Your obedient Servant,



27/4/23.

409

FROM:-

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Your obedient Servant,

W. J. G. G. G.

(Ref. TA/266.)

FROM:- The Eastern & South African
Telegraph Co. Ltd.,
Electra House,
Finsbury Pavement,
LONDON, E.C.

DATED: 18th April '23.

TO:- T. Fitzgerald, Esq.,
"St. Helen's",
Leeson Park,
DUBLIN.

Sir,

In further reference to your letter of the 15th ultimo, I have the pleasure to inform you that the various questions raised therein have received our consideration, and I now beg to give you our observations.

It is noted that you do not see your way to surrender any item of revenue represented by the terminal taxes on Mombasa traffic, but I would 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 10th February 1907.

It is regretted that exception is taken to paragraph 3 of our letter dated 1th September 1921, as it would appear obvious that the present arrangement for dealing with Kilimani traffic must necessarily lead to delay and errors; the District Committee's Minutes of the 4th August 1922 would also appear to substantiate our statement.

In regard to the question of reduction in cable rates,

18th Apl. '23.

I regret it is impossible for my Company to make any concessions at present in view of the general falling-off of revenue and the greatly increased cost of working as compared with the pre-war period.

In conclusion I would add that my Company desires to continue the working of its station at Kilindini.

I am, Sir,

Your obedient Servant,

Sgd (..... Grant)

Managing Director.

18th Apl. '23.

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In conclusion I would add that my Company desires to continue the working of its station at Kilindini.

I am, Sir,

Your obedient Servant,

Sgd (C. Grant)

Managing Director.

C. D.
R 3 AY
D 10

21321/25

copy

Kenya

Confidential

11 May 1923

DRAFT.

Fitzgerald Esq.

~~Confidential~~

MINUTE.

- Mr. Whitaker 7.5
- Mr. Parkinson
- Mr.
- Mr. Davis.
- Sir G. Grindle.
- Sir H. Road.
- Sir J. Masterton Smith
- Mr. Ormsby Gore.
- Duke of Devonshire.

copy 11 May 23
copy 25/6/23
copy 29/5/23
copy 25/6/23

25062

Sir

I am in accordance with

receipt of your letter of the 27th of April relative to

~~the~~ office the position of your Eastern African Telegraph Coy negotiations with the ~~Cable~~

Company and to transmit to you for your confidential information

a copy of a ~~copy~~ copy of the policy of Kenya

despatched with reference to the Western Telegraph office of the Marconi Company.

~~to the O.A.T. Kenya~~ to erect a wireless station in Kenya

2. In the circumstances

His Grace considers that

it will be sufficient in the present to ~~the~~ ~~best~~ to ~~understand~~ the

Kenya Contd. on
24 38/23
May 2nd, Eastern Telegraph 15.2 '07
3/4931
over copy for further
reference)

The Cable Company, that you
are in communication with the
Colonial Office on the subject of their
letter of the 18th of April.
also transmitted for you
number 1015 of the 1907

correspondence referred to in my
letter of the 18th of April, and I enclose
a copy of the same in place of

whether you have any
matter arising to be referred
to the Colonial Office to the
Colonial Office to be
able to refer to the same.

(Signed) H. J. READ

From 1015 of the 1907
to 1015 of the 1907
1015 of the 1907
1015 of the 1907
1015 of the 1907

2132/23

Kenya

11
10 May 1923

Sir

With reference to my
confidential despatch of the
10th of May, I have a
transmit for your information
copies of further correspondence
on this with Mr. Fitzgerald
relative to his negotiations
in connection of a wireless
station in Kenya, at
C/O

enclosed in my despatch
(1) in this connection I will
revert to you in para 3 of
my copy, Dip. of even date
with. I have

I have
communicated with
you as to the proposal

DRAFT.

O. A. G.
Kenya
Confidential

MINUTE.

- Mr. Whitehead
- Mr. Parkington
- Mr.
- Mr. Davis
- Sir G. Grindle
- Sir H. Read
- Sir J. Masterlon Smith
- Mr. Ormsby Gore
- Duke of Devonshire

2132/23
1923
Kenya
Subject: [illegible]

Mr. Fitzgerald
2132/23
11 May
2132/23

2 copies.

Mr Marconi Wireless
Telegraph Co for
the erection of a
wireless station
in Killybegs.

(Signed) DEVONSTIRE

Mr Marconi Wireless
Telegraph Coy for
the erection of a
wireless station
in Kenya.

(Signed) DEVONSTIRE