

1911

EAST AFR. PROT.

22045

Recd  
13 JUN 11

22945

Foreign

Date

German claims in water

5 July

Last previous paper

19579

Leads further comes with German Embassy resp.  
claim of seaboard waters to certain mangrove  
areas. Nothing in losses, which has since  
passed but. Br. German pub. has in any way  
modified the view expressed in 79. letter to Co. 7 Sept 05.

Dr. Baile  
Dr. Frakes

Copy to the Govt for info.  
in conf. 127, with info. to our  
conf. resp. 124 to June - 18573

H. J. R.

14/11

127 14/11

112 4/7

Volume P. 15

30

In any further communication  
on this subject please quote  
No. 22992/11.

and address  
The Under-Secretary of State  
Foreign Office  
London.

C O  
22945

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Foreign Office

July 12th, 1911.

Sir:-

427

With reference to your letter No. 18573/1911 of  
the 12th instant, I am directed by Secretary Sir E.  
Grey to forward for the information of Mr. Secretary  
Harcourt a copy of the Note which has been addressed  
to the German Ambassador in reply to His Excellency's  
communication of the 20th ultimo on the subject of  
the claim of the Denhardt Brothers to certain man-  
grove areas in the Protectorate of Witu.

Mr. Harcourt is right in assuming that nothing  
in the correspondence which has since passed between  
the British and German Governments has in any way  
modified the view expressed in the letter from this  
Department to the Colonial Office of the 7th September  
1905.

I am, Sir,

Your most obedient,

Humble servant,

*W. Langley*

Under Secretary of State,  
Colonial Office

*Received  
July 20, 1911  
File  
July 2, 1911*

translation.

GERMAN EMBASSY.

May 20th 1911.

774).

22915

Urgent.

Your Excellency:-

The communication from His Britannic Majesty's Government of April 25th last deals with the land claims of the German East Africa Company, whereas the Imperial Embassy in their note of March 29th last referred to the rights of the brothers Denhardt which they allege have been violated.

There certainly exists a connection between both these claims, in that the German East Africa Company have become the legal successors of the brothers Denhardt in so far as the Company have acquired an area which Clemens Denhardt obtained from the Sultan of Witu by Agreement dated April 9th 1885. However at that time Denhardt also obtained other properties from the Sultan, especially mango grove plantations, which he did not alienate. It is these properties which are in question at present. I have therefore the honour to refer Your Excellency again to the considerations advanced in the Embassy Note of March 29th.

It is strongly to be recommended that in the interest

interest of clearing up the legal case now in preparation,  
no decision with regard to the property in dispute should  
previously be taken.

I have &c.,

(Signed) P. Metternich.

C. O.  
28945

68

FOREIGN OFFICE, 3

July 12th, 1911.

12992/11.

Your Excellency:-

I have the honour to acknowledge the receipt of Your Excellency's Note of the 20th <sup>inst.</sup> ~~ultimo~~ on the subject of the property claimed by the brothers Denhardt in British East Africa. Your Excellency explained that you specially referred to certain properties claimed by Clemens Denhardt under his 1885 agreement with the Sultan of Witu, and other than those subsequently alienated to the German East Africa Company, and I understand from your Note that the brothers Denhardt allege that in particular their rights to certain mangrove-plantations have been violated.

On receipt of Your Excellency's communication I at once referred the matter to the Secretary of State for the Colonies who made the necessary enquiries of the Governor of the East Africa Protectorate

terate

Excellency

Count ~~ambassador~~

Esq., &c., &c.

(22992/11).

Protectorate by telegraph. In reply, a telegram has been received from Sir Percy Girouard to the effect that no measures have been taken in regard to the unalienated lands in question and that the brothers Denhardt own no mangrove areas. Mangrove areas were leased to Herr Denhardt by the Government of the Protectorate for ten years; the lease, however, expired as long as two years ago. The right of the Government to this land was admitted by Herr Denhardt when he signed the lease.

I may add that in the opinion of His Majesty's Government the claims of the Messrs. Denhardt can only be decided by a Court of law.

I have the honour to be, with the highest consideration,

Your Excellency's most obedient,

humble servant,

(for Sir D. Grey)

(signed) W. Langley