



LAST AFR. PROT.  
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REC  
1912

Governor  
Richard 73

Date.  
1912  
1st January

CAPTAIN GROGAN'S LAND AT NAIYASHA

previous Paper  
25812  
11

Notes with regard criticisms on the conduct of the negotiations with Capt Grogan. States reasons for action. It is of course understood that any arrangement come to with Capt Grogan is subject to approval.

But why

Mr Bull.

The Land Agent should, I think, have  
directed the negotiations by informing Capt  
Grogan that the Govt. could not agree  
to the transfer made on provision of rat lines.  
When Capt Grogan refused to look at the  
transfer on these terms, he has to be held  
responsible for having expressed a slight  
ill-will of some kind as a set off against the  
provision of water (in the negotiation he  
may have had some hope that Capt Grogan  
himself) and to stand the proceeds of

Subsequent Paper  
1912

payment by saying in the letter the  
SFB's default was, I shall consider, sufficient.  
I will not however pursue the matter further.

Party - and wait to hear  
whether any settlement is arrived at

WYS 26/2

W. Read

I am of Mr. Butterlee's opinion.  
but I agree that the point need not be  
further pressed.

\* J.  
H. H.

H. B.  
Feb. 27

at once.  
H. J. R.  
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GOVERNMENT HOUSE,  
NAIROBI,  
BRITISH EAST AFRICA

EAST AFRICA PROTECTORATE.

(No. 73)

January 31st 1912.

Sir,

I have the honour to acknowledge the receipt of your despatch No. 664 of November 14th last and note with much regret your criticisms on the conduct of the negotiations with Captain Grogan respecting the exchange of land held by him in the Naivasha Province for an area on the Athi Plains.

2. The Land Officer to whom the preliminary arrangements were entrusted states that it would have been impossible to effect any settlement without offering Captain Grogan the inducement, the disclosure of which you deprecate, and from my experience of the latter I should certainly say that he was far too astute a man of business to surrender any advantage without adequate compensation.

3. As you will recollect the original proposition was that he should exchange certain farms held by him in the Naivasha Province for a larger acreage of less desirable land on the Athi Plains, the terms of the lease remaining unaltered. The stipulation made in your despatch No. 114 of March 4th that the grant of the Athi area should be governed by the

THE RIGHT HONOURABLE

LEWIS HARCOURT, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON, S.W.

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new conditions providing for a periodical revision of rent was not one which Captain Grogan could have been expected to accept without some quid pro quo and this was understood to be provided for by a contemplated additional increase in the acreage to be allotted.

4. The Land Officer assures me that it was evident to him from the commencement of the negotiations that no basis of settlement could by any possibility be arrived at without the disclosure of the inducement in question, nor would any process of bargaining have taken place, as Captain Grogan would have simply declined to pursue the matter further and taken his chance of establishing his rights to the Naivasha farms.

5. It was, I think, agreed that the proposed arrangement was in the interests of Government and Mr. Barton Wright did not feel justified in reserving the only consideration which could have induced Captain Grogan to ratify it.

6. It is of course understood that any settlement eventually arrived at will be subject to your sanction.

I have the honour to be,  
Sir,

Your humble, obedient servant,

GOVERNOR.