

DOMESTIC.

EAST AFR PROT.

N^o. 30875S. O.
815REC'D
22 AUG 23

Office or Individual.

Fogas Cpl Ed.

(Subject.)

1908

2) Rep.

Last previous Report

1908

Fogas & Stephen East African

Explains the address to express
desire to avoid litigation - Suggest that
matter be referred to arbitration as a compromise
in England

(Answered.)

Mr Read

Pursuing my note on 19/350 for
a short history of the question.
The new point referred to there
with Fogas's intention that he
had been prevented from working
the forest by their being under
a cloud of debt.

Therefore his not yet applying
to our Govt of 15 years asking us
to take care of him you will ask by
letter.

He might tell Mr Fogas
that we are enquiring as to this

and 19/550
or City Island
and 19/550

Subsequent Paper

2260

and that if it be found to be well
founded the P.P. would not
be disposed to insist on enforcing
their strict legal rights to the execu-
-tion of the Agreement, provided
(a) that he & Mr. Linfield are proper-
-ed to have inserted in this clause
the provisions at Mr. Hutchins
considers necessary for the genera-
-tion of the funds to -

(b) that they can show that
they are prepared to provide
the road a ~~re~~ ^{new} way necessary
to develop the port - but that
it appears from 28862 that
they are not prepared to do this
and accordingly these does
not run any risk in prolonging
beyond the time limited by law.

the Agreement [the conditions of
which they have not the means or
intention of carrying out.]

March 26/8
No. Cont. Proceed as proposed & copy
of answer to be sent by L.D.T. ?
Officer Atone 18/8
H.S.R. 26/8

and that if it be found to be well
founded the P.P. would not
be disposed to assist or impugn
their strict legal rights to the execu-
-tiation of the agreements, provided
(a) that he & Mr. Langton are prepa-
-red to have inserted in their terms
the provisions at Mr. Hutton's
earlier newspaper for the summa-
-tion of the first to.

(b) that they can show that
they are prepared to provide
the word a certain way newspaper
to develop the first - but that
it appears from 28862, that
they are not prepared to do this
and accordingly these does
not run any wire in prolonging
beyond the time limited by law.

the Agreement [the conditions of
which they have not the occasion
or intention of carrying out]

W.W. 26/8

No. 26/8 Printed as proposed - + copy
if required to the Govt. Dr. 9
Dated 26/8 Atone 11/8
H. J. R. 26/8



317

30815

RECEIVED

Longton House,
BIRMINGHAM.

REG'D 21 AUG

August 21st, 1908.

Under Secretary of State
Colonial Office
S.W.

Sir

n.s. 28862/1908

I have the honour to acknowledge the receipt
of your letter of August 19th, and wish to emphasize my
desire to avoid any litigation. My letter to the
Lieutenant Governor was necessary to protect my position
in view of the initiative in this direction having been
taken by the Government. Any failure to register an
emphatic protest might have prejudiced our position more
particularly as a private individual is handicapped by hav-
ing to give 3 months' notice wherein to obtain permission
to apply to the Courts for relief.

I can only concur in every
possible way with the Government wishes in respect of
the forestal scheme.

15 - 28862/1908

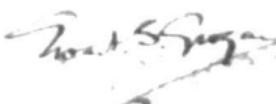
15 - 28862/1908

-2-

I personally am debarred from returning to E.A. before the end of the year owing to ill health and domestic considerations, and having been obliged to disband our expert staff by reason of the closing of the district it is impossible within the period of the notice to deal locally with the questions arising out of the correspondence.

As I am confident that the Government does not wish to force me into litigation I would venture to suggest that while I am in this country a speedy solution of any existing differences may be found in a personal conference between us; or failing this that all questions should be raised and discussed between our respective legal representatives here with a view to a friendly settlement.

Your obedient servant,



f. 30815 S.A.P
320

For M.

Sent 3.50 p.m.
W.B.M.
4/9

Pseudonym

Sept

Say.

Anxious for reply

daybreak

my desp. no. 276

Holometer

15th June.

DRAFT

sel.

Sadler, Nairobi

MINUTE.

~~Mr. QC 7/8~~

~~Mr. Ellis~~

~~Mr. Just.~~

~~Mr. Astrobus.~~

~~Mr. Cox.~~

~~Sir G. Lucas.~~

~~Sir F. Hopwood.~~

~~Col. Seely.~~

~~The Earl of Orkney.~~

Off letter also