

EAST AFR. PROT.

7103

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ECR

FEB 14

Mayer R.F.

1914

23 Feb.

Last previous Paper.

5455

Site of new Law Court Nairobi

Submits protest agst. action of Prot. fort. & asks for interview. Sends copies with Ch. Secy on the subject.

Re: Rehd. In G. Devel

Site I (orig. ~~for~~ Williams' scheme) - a

Public ~~place~~ place proposed by the Law

Committee for the purpose of convenience

Site II (Col. Keating's proposal) - was to be used

Opposed by the Chief Justice on the

ground of inadequate space for future

requirements & inconvenient

Col. Keating had, without authority,

enclosed this site & had marked

it as reserved for the purpose of

proposed plans.

Site III - the site was offered. (Fourth & 24th Avenue)

Accepted by myself with the Mayor.

Keating

The original site referred to by the

Bro. Keating's proposal of 14 March 1914

Next subsequent Paper. See No. of 6, 9990.

proper seems to be Site II, from his  
reference to the Bank Office having <sup>considered</sup>  
may definitely ~~recommending~~ the site. But  
the question of required interests in the  
neighborhood of this site was considered  
and it was found that only one plot was  
affected - that purchased by a local firm  
of education who were willing to exchange  
the plot for another when the question  
of the Law Courts had been settled Site  
II - therefore requested in favour of  
II, but owing to opposition the matter  
'laid over'; no absolute promise being  
made, but site II not to be alienated  
by decision.

and appear that Messrs Henderson  
came on the scene after the first  
inspection of Site II and before the final  
selection of Site III [If they had been  
earlier their claims would have been  
considered.] Therefore at the time they  
advanced their claims the whole matter  
was ~~under consideration~~. It is just possible  
of course that they bought their plot  
after existing claims had been considered but  
before Mr P. G. Edwards' interests with the  
Municipal Committee at which the matter  
was being up. We have no doubt, but  
even if this was the case it is  
not likely that the interests were large.

to be with.

See papers annexed

but Gov 2236 ~~the~~ states

the matter most clearly.

This para. is the P.M.G.

is of course inspired

by the Mayor, <sup>one of</sup> whose

main objects in life is to

put a discord between

Govt & non-officials

in Ed. Accf

Harriet

seen of 18/3/14

2236/13-4 states the position

clearly

slab

14, BERKELEY SQUARE

W.

Mar. 12th 1914.

Mr. Butler,

Mr. Harcourt would like a  
note as to what the Department knows  
about this matter.

*Adm*  
East African Dept:

Will you please send

the papers with any other

you may have to make?

*fab*

TELEPHONE—CITY 4963.

For

*Harcourt*

# Durrant's Press Cuttings,

St. ANDREW'S HOUSE,

82 to 84, Holborn Viaduct,

AND

8, St. Andrew Street, Holborn Circus,

E.C.

## Pall Mall Gazette.

NEWTON STREET, HOLBORN, E.C.

Cutting from issue dated *11 Mar* 1914

### PUBLIC BUILDINGS SITES.

#### SETTLERS' GRIEVANCES IN EAST AFRICA.

The Government of British East Africa (writes a correspondent) is in trouble with a number of settlers as a result of its failure to carry out its own promises with regard to the erection of certain public buildings.

Some time ago, under the ownership of Mr. Henry Gibbins, it was decided to erect the new law courts on Sixth Avenue, Nairobi. The site was marked in the official maps, and plots round the site for the law courts were sold on the understanding that the building in question would be there erected.

The buildings were accordingly erected in some cases with special reference to their suitability for lawyers' offices. Yet now the site for the law courts has been moved to the eastern side of Elliot Street, between what will be the Fourth and Fifth Avenues.

It is, therefore, not surprising that the settlers who bought property round the first site are complaining bitterly at this time. The Government of French East Africa is pointing out that this policy must affect the progress of the city.

Practically the same thing happened some time ago in connection with the site for the post office at Nairobi and there have been other grievances of a similar nature.

A caveat was issued against the sale of the plot or plots which were originally reserved for the law courts; but this week Mr. Harcourt, the Colonial Secretary, has repudiated supporting the action of the local Government and declining to interfere.

except for them to start building.

So far then as our inf. goes, I would seem that either the purchase of the land or the building (or both) is a speculative venture on the chance of Site II being accepted.

There is the usual reference to an interview with Sir P. Guionard, but, if we take the words in their literal sense (and I think that if Mr. Mayer could have represented the matter more favourably to himself he would have done so), they do not help here much. Sir P. G. pointed out the advantage of having offices opposite the Law Courts, but there is nothing to show that he suggested any

Site B, approved by his predecessor on Site B, which, according to date, had

(a) not been accepted by the Sir P. G.,  
though recommended by the old Office

or (b) been definitely rejected by Sir P. G.,

or (c) had been taken over by Sir P. G.

for further work.

If Mr. Mayer could be brought to see to get some details, up to date, out of

him but I think that as all eyes  
are fixed on him, we might reply to the  
following points -

- a) The Hon. Secy. understands that he refers  
to the Sixth Avenue site, purchased by  
the late Govt of India, but never  
acquired by the Governor.
- b) It appears that when this site was  
subjected to enquiry was made into  
interests acquired in surrounding  
plots & that it was found that only  
one plot was affected - purchased by  
a tall fair & Sikh looking who was  
willing to exchange for another site near  
where the site for the New Courts has  
been allotted. That is, in consequence  
the Gov. decided to reject the Sixth  
Avenue site.
- c) That as a result of this enquiry  
-ations from the Municipal Com<sup>tee</sup>  
the Gov. decided to take the  
Sixth Avenue being given as the  
the first choice.
- d) I would recall that the interests of  
Messrs Anderson & Mayer were acquired  
after the date of the enquiry into  
Sixth Avenue site. It is clear that the Sixth  
Avenue site was therefore a better  
when the selection of that site was

See end of  
file/2236/10

either rejected or open to serious doubt  
and if so, there is no ground for  
any complaint or allegation of breach  
of faith against the Government.

e) Mr. Harcourt did not express his opinion  
on these points before expressing a  
final opinion, but that as at  
present informed he is most disposed  
to accept the Governor's view expressed  
by the Governor, who is not disposed  
to subordinate the requirements of  
the judiciary and the convenience of  
the public to the interests of private  
speculators.

G.C.B. 2/2/14

I think that we sh<sup>d</sup> avoid as  
far as possible, being drawn into a  
discussion of details.

Heck may say that if he wishes to  
amplify the statement embodied in  
his letter, it will be much more  
convenient that it sh<sup>d</sup> be done in  
writing this rally - that Mr. Harcourt  
does not consider that any useful  
purpose will be served by a personal



THE EAST

# African Standard

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In your reply (No.  
please quote)

5455/1914

London, February 23rd. 1914  
C/o J.J.B. Saffery, 35 Queen Vict. str.

The Under Secretary of State.

Colonial Office. S.W.

Dear Sir,

In reply to your letter of 16th instant, for which I thank you, may I enclose a copy of a letter I sent to the Chief Secretary to the Government of Nairobi on December 12th, and his reply thereto. This, as you will see, is the chief outline of my case against the Government in respect to their change of policy regarding a site for the Law Courts. It also refers to a previous instance of what is regarded as a want of good faith under similar circumstances on the part of the Nairobi Government.

At the same time, I would venture to state that the matter which I am taking the liberty of bringing before Mr Harcourt is not merely one affecting my firm only but a number of settlers who like myself have hitherto counted upon

cc  
5455/1914

the reliability of Government undertakings. As <sup>the</sup> a matter of course is very important, and a definite decision is much to be desired, I would venture to repeat most respectfully my request for an interview when I should be pleased to lay before Mr Harcourt or his representative the full facts of the protest which I have outlined in brief in the letter I sent to the Chief Secretary to the Government at Nairobi.

Yours very faithfully,

*K. P. Mayer*

Nairobi 12th December 1913

C O  
7103

Chief Secretary to The Government,  
Nairobi

On my arrival in Nairobi I found an article in the local paper, which speaks of a letter from yourself, announcing that His Excellency had given approval to the Law Courts being erected on the Eastern Side of Elliot street, between what I take to be the fourth and fifth Avenues. I have the honour to acknowledge with ledge an objection - on behalf of my firm - to this erection on the undermentioned grounds. These grounds, I am sure, are well known to yourself, but His Excellency does not appear to have taken any notice of them.

I am leaving East Africa almost immediately, on account of ill-health, and on my arrival in London I shall ask for an interview with the Colonial office, to put my case before

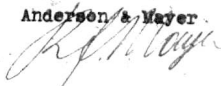
The plots around the original site reserved for the Law Courts were sold to my firm - and other firms surrounding this site - under the impression that the Law Courts would be erected on this site, and thereby the surrounding plots would be rendered valuable. Sir Percy Girouard himself drew our firm's attention to the fact that the best place to erect our building would be opposite the Law Courts, and we therefore purchased the plot on which our building now stands. Also, in instructing our Architects at the time, we gave instructions for the building to be erected so that the two upper stories would be suitable for Lawyers' offices. Many of my neighbours here

11  
have purchased their plots under the same impression, and especially after the Land Office issued a map, distinctly earmarking the site in question as reserved for the Law Courts. I consider the action by His Excellency the Governor to be an absolute breach of faith with us.

It is well known to you that this is not the first time the public has been treated this way, and I need only draw your attention to the promised site for the Post Office and the site where the Post Office stands now. I have collected correspondence which passed in these days and shall put them before the Colonial Office. I herewith request you to withhold the sale of the plot or plots which were originally reserved for the Law Courts until I have seen the Colonial Office, and, and as I am leaving by Sunday's train, you will greatly oblige me by acknowledging the receipt of this letter so that I can tell the Colonial Office that you have received it.

yours faithfully

signed Anderson & Mayer



Sir,

I have the honour to acknowledge the receipt of your letter of the 12th instant respecting the selection of a site for the Law Courts in Nairabi.

I have the honour to be,

Sir,

Your most obedient servant,

( signed ) T. S. Thomas

For Chief Secretary to  
the Government.

F. Mayer Esq.

• The African Standard,  
Nairabi.

M. 7/03/14  
EAP  
L  
83

10 March 1914

Sir,

I am by to acknowledge the receipt of your letter of the 23<sup>d</sup> of February and to inform you that he has received a report from the ~~the~~ the ~~the~~ that the question of the site for the erection of the Law Courts at Nairobi received the fullest consideration locally and was finally decided in the manner which seemed most desirable

DRAFT.

R. A. Mayer Esq

MINUTE

- r. Harper 2/3/14
- r. Bottomley 3/3/14
- in Reed
- in G. Fiddes. 3
- in H. Just.
- in J. Anderson.
- Lord Emscott
- Mr. Macmillan

Reed

F. Ken has prepared to  
and before City of  
554 dft 2703 v. 1th  
No. 2 25-5

Yes  
- H. J. A.

in the public interest.

2  
Mr. Harcourt concurs in  
the previous <sup>view.</sup> decision, and  
sees no reason for his  
intervention in the matter.

your representative  
that the question should not  
be considered in this case

J

(Signed) H. J. [unclear]  
for the Under Secretary of [unclear]