

1924

KENYA

P.O.
12787
17 MAR 24

DATE

6th February, 1924.

W.S. Bonynson
Ray
31

Edward
Butterley

Market & Town Hall sites

Discusses question of Mr. Jevanjee's claim to lease & states arrangements he has prepared to offer, viz: - £10000 in respect of Market & £1500 in respect of Town Hall site.

Previous Paper

MINUTES

As regards the legal position in the case of Town Hall site, see minutes in 1415 of 22 and 20534/22. I doubt if we can reach any agreement on the matter. We have offered Mr. Jevanjee certain terms of settlement which in my opinion are generous and the next move is with him. As he is taking so long to reply I think we should send Gov. for info a copy of the correspondence from our letter of 20/11/22 onwards.

J.P.

J.H.

A.L. 18/3 1924
16.3.24
15/3 1924

Subsequent Paper

26532

KENYA

No. 31.

CONFIDENTIAL.



C.O.
12787
17 MAR 24

GOVERNMENT HOUSE,

NAIROBI,

KENYA.

J.

422

5th February, 1924.

Sir,

With reference to Kenya telegram No. 23 of the 22nd ultimo and to previous correspondence on the subject of Mr. A. M. Jeevanjee's claims to leases of the sites on which the Market and Town Hall buildings stand, I have the honour to inform you that in consequence of your predecessor's telegram of December 21st these matters were debated before me at some length by the Acting Attorney General, Mr. Figgis, who is Mr. Jeevanjee's legal adviser, and representatives of the Nairobi Municipality. The Colonial Secretary and Mr. T. A. Wood were also present. I asked Mr. Wood to attend as he was a resident of Nairobi when these buildings were erected.

2. In all the circumstances it is I consider very desirable that Government should become the owner of the Market property - the present system of control will always lead to friction - but when the terms conveyed in your predecessor's Confidential despatch of August 16th were discussed, Mr. Figgis made it clear that the offer was framed by Mr. Jeevanjee so as to produce a sum equivalent to that for which Mr. Jeevanjee had in 1921 offered to sell viz £30,000. The terms of the present offer are however unequivocal but in spite of the contrary evidence reported in my

Confidential -

THE RIGHT HONOURABLE

J. H. THOMAS, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON, S. W.,

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Confidential despatch No.604 of December 20th last, I
 led to negotiate on the basis of an actual consti-
 tutional cost of £5,000. The effect of this Offer
 that for a building which may have cost him, over
 period of 20 years, £7,000 and from dues in connection
 with which he has received over the same period an
 income of from £400 to £600 per annum, Mr. Jeevanjee
 now receive more than twice the original cost

is a very generous offer and Mr.
 to recommend acceptance, and
 his client to agree to an award
 arbitrating body.

The Town Hall site is more difficult
 a point of principle is at issue.
 position has been argued at great length in
 previous correspondence. From this side Sir W. B.

Sir W. B. Gombani, Ra. West Lyall, Grant, Mr. J. L. G.
 and Mr. Jeevanjee have in succession advised
 Mr. Jeevanjee has no objection of a claim to release
 myself I cannot appreciate any delay taken by your

Confidential Despatch
 No. 606 of 21st December, 1923, and particularly on the
 14th August, 1905, from the Municipal Com-

mitted to the Land Officer, on Messrs. Tonks & Allen's
 letter to Mr. Ainsworth dated September 30th, 1905,
 and on the minutes dated May 2nd and 3rd, 1905, between
 the Crown Advocate and Mr. E. L. Sanderson. After full

consideration of the question I can but emphasize the
 points made in my Confidential despatch No.606 of 21st
 December, 1923, and repeat the offer of £1,500 remarking
 that this sum exceeds by £500 the original cost of the
 building -

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1915 24

533 / 308

building.

4. I have throughout fully appreciated the need for affording to Mr. Jeevanjee the most equitable treatment since very unfortunately for this Government he is debarred by Statute of Limitations from taking his case to the Law Courts, and I consider that the offers now made represent the final extent to which this Government can go in its efforts to settle these disputes, and I trust that you will agree that very fair and even generous terms have been offered.

I have the honour to be,

Sir,

Your most obedient, humble servant.

R. T. Coymon

GOVERNOR.

for
12 787/144

Kenya



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J. W. Colquhoun
MINUTE.

Mr. Brett Dec 19

Mr. Calder 19. 3/

Mr.

Sir C. Davis.

Sir G. Grindle.

Sir H. Read.

Sir J. Masterton Smith.

Mr. Omsby-Crore.

Duke of Devonshire.

26 Jan
23 34 49 Jan
5 Feb
From 4709/144 8 Feb
To 15 "
From 6300/144 20 Feb
To 28 "
8000/144

Sir,
I have the honor to acknowledge the receipt of your letter of the 6th of Feb, regarding the
Mr. A. M. Icevanjee's claim
in respect of the Town Hall
& Market sites, ~~which~~ and
transmit to you, for your
info, a copy of further