

1927

KENYA

1927

X. 10412

X. 10412

C0533/370

Grant of Concession in the Tana Valley  
to a Sugar Syndicate

Previous

Syn. 2662/26

Subsequent

See 15506/29

15938/29

W. Lee 29/2

W. Allen 3/8

W. B. M. 3/8

R. 29

(A) 29/11

E. A. S. 1/2

M. 1/2

W. M. 15/12

R. 29

DESTROYED UNDER STATUTE

15 July 1927

Mr. L. C. Wilson

and M/3 in file

Put

Mr. Allen

7/27

at

Copy folder on  
SAC FILE A

2 m/s to Kenya - 20 July 1927 in sub. file  
"A"

A

(a)

Mr. Allen.

1. Mr. Wilson's letter has unfortunately been held up until the M/3 has gone off.
2. The NDIA are a tribe East of Kenya usually classed with the Akikuyu see p. 264 of the Naval Intelligence Division Handbook of Kenya.
3. Presumably enquiry must be made of Kenya though the information supplied in Mr. Wilson's letter is not very satisfying. I do not know if it is sufficient to justify S. of S. mentioning the officers' by name in a despatch if so.

Refer to this question and answer & say S. of S. understands that the source of the information on which the question was based is not official but ~~is a reliable source~~ <sup>that it is stated that</sup> Mr. Wightman, Mr. Paleul, and Mr. Champion have conferred, or are about to confer with the NDIA as to their agreeing to the grant in question and that the natives are apprehensive

of

X 10412  
of Government pressure being brought to bear on them, and ask for any observations.

Mr. Wilson to be informed so that query is being made.

The last paragraph of the letter relates to a Nyasaland case. I annex Hansard for 29.11.26, and Nyasaland pp. I.T. Department will deal with this.

G. Seel

29.7.27

*Handwritten:* Seel

*Handwritten:* 29/7/27

*Handwritten:* 16

The investigations which I made when dealing with the question in 10412 were, owing to lack of time very limited as regards locality, and even now although Mr. Seel has discovered references to the Ndebele people, I have still failed to find any reference to the Ndebele people and their active concerns relating to the Nyasaland case. The only reference referred to in the Hansard connection with the various proposals in regard to Nyasaland is dealt with in 18190/26 and previous papers which I got out at the time. However these speculations are not very material so I proceed as proposed.

*Handwritten:* Seel

*Handwritten:* 3/8/27

*Handwritten:* I have two theories, one of which is that this is an ancient history from the Ndebele side view the Ndebele's claims are important

*Handwritten:* 3/8/27  
Seel  
3.8.27

*Handwritten:* O.B. This 9Lain added to the file

X 10412  
33  
To Wilson (no rays) 12 AUGUST 1927  
H. K. L. Co 703 Co  
13 AUG 1927

*Handwritten:* G. Seel 31st October 1927

Date application referred to was made in 1924 by a syndicate of Mauritian sugar planters and that after investigation by the C.N.C., together with Mr. Filleul and the late Mr. Hope, application was supported for reasons stated herein. The application dropped adds that in future similar cases will be dealt with by the Local Nat Land Trust Board.

*Handwritten:* D. Allen

It appears that Mr. Wilson's question did relate to the Mauritian sugar planters referred to in memo (A).

*Handwritten:* Both Mauritians may have written to Mr. Wilson (ref 3, say) that

the subject of his question relates to an application made in 1924 by a syndicate of Mauritian sugar planters for a parcel of 2000 - 2500 acres in the S. Nyasa District, that the application was referred to the Local Native Council at the time and were subsequently been agreement to a lease with the usual safeguards as to native cultivation rights and right of way and as to the payment to the Native Trust Fund of the revenues

10412  
27

received from the land, but that the  
Council declined to agree & the  
Department's expenditure will draw their  
application for land & Kenya & the  
matter casually dropped.

It might be added that  
the ~~main~~ officials in London mentioned  
in his letter  
have been stationed at the District  
during the last 3 or 4 months and  
the first two left by area 6 1925

Steel  
11/17

There is no obligation to land to the  
District but it may be as well to  
have a note here of their

Hand letter  
has been  
the only  
of a definite  
of the  
circulated only  
in the bank  
etc

the balance of the land & the CO  
to be taken into account  
dealing with mt of etc matters & the  
Raid

15/11/27  
15/12/27

It was on an official paper  
at one time  
15/12/27

To Wilson by Dec 27

Mr. Seal 15. 12. 27.

Mr. Allen 16/11/27

Mr. Wiscara 15

Mr. Stanley 16. 12

Sir J. Shackburgh.

Sir G. Grindle.

Sir G. Davis.

Sir S. Wilson.

Mr. Ormsby-Gore.

Lord Loat.

Mr. Amery.

X1042

Kenya

(Mr. Ormsby-Gore)

16<sup>th</sup> Dec. 1927

DRAFT

C. Wilson  
Esq. R.P.

Dear Mr. Wilson,

for consideration

I have now received from the Gov<sup>t</sup> of Kenya a reply to the enquiry referred to in my letter of the 12<sup>th</sup> August, about the statement regarding the supposed intention of the Colonial Gov<sup>t</sup> to grant a Commission concession in the territory of the Ndia tribe to an European group concerned with sugar production. The Governor states that the statement subject



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KENYA

GOVERNMENT HOUSE,

NAIROBI,

KENYA

No. 703

31<sup>st</sup> October, 1927.

Sir,

*11/10/27*

I have the honour to refer to your despatch No. 703 of the 13th August on the subject of a question asked by Mr. Cecil Wilson, M.P., in the House of Commons on the 18th July regarding a proposal to grant land in the Tana Valley in the Nyeri Native Reserve for sugar production.

2. As regards the statements on which you desire my observations neither of the officers mentioned has been stationed in the South Nyeri District during the last six months and the two former left that area in 1925.

3. Mr. Wilson's question relates to an application made in 1924 by a syndicate of Mauritian sugar planters for a grant of between 20,000 and 25,000 acres of land situated in the South Nyeri District. That application was referred to the Chief Native Commissioner who, after discussing it with Mr. Fillichi, then District Commissioner, and the late Mr. Hope, then Senior Commissioner, strongly supported the application, which, in the opinion of all three officers was in the best interests of the natives as it afforded an opportunity for the development of the area in the interests of the native population. A copy of a report by the Chief Native Commissioner is annexed. The local Native Council was therefore urged to agree to a lease with the usual safeguards as to native cultivation rights and rights of way and as to the payment into the Trust/

THE RIGHT HONOURABLE  
LIEUTENANT COLONEL L.C.M.S. AMERY, P.C., M.P.,  
SECRETARY OF STATE FOR THE COLONIES,  
DOWNING STREET, LONDON, S.W.

Trust Fund of the revenues received from the land. The Council however declined to agree and the Mauritian syndicate subsequently withdrew their application for land in Kanya. The matter accordingly dropped.

4. A case such as this will in future be dealt with under the proposed Native Land Trust Ordinance by the local Native Land Trust Board and if necessary by the Central Board.

I have the honour to be,

Sir,

Your most obedient, humble Servant,

*Edward Gigg*  
GOVERNOR.

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REPORT BY THE CHIEF NATIVE COMMISSIONER.  
TO THE COLONIAL SECRETARY,

NYERI,

13th June 1924.

I have had a long talk with both Mr. Hope and Mr. Filleul about the Mauritius sugar scheme and both fully agree with me that it would not be to the best interests of the natives to allow such a chance of development and of potential wealth to themselves to slip by on account of the ignorance of the people, and that it would be consistent with our duty as trustees to grant a lease provided (1) that all native cultivation rights and rights of way are safeguarded and (2) that all rents etc. are paid to the local Native Fund. I have not been over the ground, for to do so properly would take a long time, but, as you can see from a map, the area which is applied for is part of a huge flat which must amount to about 300 square miles and is almost exclusively used for grazing. Now it is obvious that, as civilisation and development progress, cattle must give way to agriculture and land that is capable of producing say 250 worth of sugar-cane to the acre cannot be held up as grazing for herds of cattle which are not an economic asset. Moreover the Kikuyu are not a pastoral, but an agricultural tribe, and we must check any tendency of agriculturists to become pastoralists - there are far too many of the latter class of natives in the Colony. Our efforts must be in the opposite direction. Though the Kikuyu have now quite a lot of cattle, I think that they have been mostly acquired since Government times for in pre-Government days this grazing area was subject to raids by both Wakamba and Masai, and therefore, though it is regarded as a native reserve I doubt whether it could be shown that Kikuyu ever effectively and permanently occupied it in the past - but I do not make a strong point of that; what we have now to consider is not the whims and ideas of ignorant natives but what is our duty as their

/trustees

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trustees with our understanding of what this development would mean to them and their descendants, and what they would lose if we allowed their refusal to hold good.

The case is not in any way parallel to cases in which I have had to take exception to the action of our predecessors, e.g. Mandi Reserve, Lumbwa Reserve, etc. for (1) this land is not the subject of a definite agreement as the Mandi land was. (2) There is no proposal to eject natives from their homes and shambas as in all the other cases. (3) It is clearly understood that all rents or proceeds from the alienation are to go to Native Funds, which has not so far been done in any of the other cases.

I enclose a rough tracing showing (hatched) the area that Mr. Nichols has asked for. It is but a very small part of the enormous grazing area lying between the Tana and Thiba Rivers. There are about 300 families on that block and all their villages and cultivation would have to be excluded from the lease. Vide Crown Lands Ordinance 1912, Section 95. A little lower down, I am told, the land is just as good and there are no villages but only cattle kraals. The mill site must of course be on the Railway line, but it might be better to take an area further down for the same land and thus avoid having native settlements all over the estate, for these would have to be surveyed separately and probably fenced off at the applicants' expense. I think that Mr. Nichols and his friends should go out and go over the ground properly, which I gather they have never done, and see if they cannot find a suitable area without including native homesteads, or at any rate including no more than cannot be avoided. If they send a wire to Mr. Filleul some one can meet them there, if so desired. Their application at present is far too vague and if we on our part suggest a place, they may afterwards say it is not as good land.

/My

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PUBLIC RECORD OFFICE  
Reference  
C.O. 533  
370

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My conclusions are as follows:-

(1) In view of the great benefit to be derived by the natives from the establishment of a big sugar mill in their midst (rents, sale of cane, wage-earning near their homes, sale of produce etc. to mill and field employees), it is the duty of Government to regard the land as "available for leasing", vide the Crown Lands Ordinance, 1915, Section 25.

(2) The land is "not required for the use and support of the members of the native tribe", vide the Crown Lands Ordinance, 1915, Section 56.

(This reserve has not as a matter of fact been reserved from sale, lease or other disposal" under Section 54, but it is an old Reserve and the principle is the same.)

(3) The consent of the Secretary of State will be necessary under Section 6(1) and, as regards area, under Section 25.

(4) We cannot guarantee any fuel supply for a mill, so they will have to use water power and electrify their factory. There is ample water power in the Tana River.

(5) Water power must be arranged for with the Public Works Department and paid for separately. It is not included in the rent. - Vide Crown Lands Ordinance, 1915, Section 75.

(6) Rent will have to be paid at the rate assessed by Government's advisers. A verbal valuation given to me by the Land Office was Shs. 9/- per acre per annum.

(7) All rents must be paid to Native Fund.

(8) Native villages, cultivation and rights of way must be preserved.

(9) The applicants should go over the ground and see if cane-land cannot be found away from the inhabited part. (25 acres should be taken for mill site near the Railway line with road of access to cane-lands.)

(10) Standing instructions of Secretary of State in despatch of August, 1921, require consent of natives and compensation/

PUBLIC RECORD OFFICE					
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11  
- 4 -  
compensation in land of equivalent area. I consider we can put up a good case for waiving both these points.

(11) We cannot guarantee any labour supply, but will always encourage labour to work, provided pay and conditions are satisfactory - as we do for all farmers or other employers.

(12) I see no reason why Government should provide a cane inspector for native cane. It is to the mill owner's interest to see that he gets the best possible supply.

(Signed) G.V. MAXWELL.

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C.O. 533

370

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Mr. Seal 4/9  
Mr. Allen 4/8  
Mr. Bottomley 4/6

Mr. E. J. Hastings  
Mr. C. Strachan  
Sir J. Shackleton  
Sir G. Grenville  
Sir C. Davis  
Sir S. Wilson  
Mr. O'Mahony-Gore  
Lord Lamb  
Mr. Amey

X104121  
Kenya  
12/12

13 Aug 1907

Sir

DRAFT.

Kenya  
No. 703  
O.M.

I have etc. to refer  
to the question asked by Mr  
Cecil Wilson in the  
House on the 18 July  
regarding the alleged  
supposed intention of the  
Gov<sup>t</sup> of Kenya to grant a  
concession in a native reserve  
in the Tana valley to an  
European group concerned

for answer

13  
Mr.  
Mr.  
Mr. E. J. Harding.  
Mr. C. Strachey.  
Sir J. Shackburgh.  
Sir G. Orindle.  
Sir C. Davis.  
Sir S. Wilson.  
Mr. Ormsby-Dore.  
Lord Lovat.  
Mr. Amery.

**DRAFT.**

to bear upon them in the  
matter.

3. I shall be glad  
to be furnished with  
your views on these  
statements

14/17

Mr. Seel 28/7  
Mr. Allen 28/7  
Mr. ~~Protheroe~~ 28/7  
Mr. E. J. Harding

Mr. C. Stouch  
Sir J. Shackleton

Sir G. Grindle  
Sir C. Davis

Sir S. Wilson  
Mr. Ormsby-Gore

Lord Lond  
Mr. Amery

Dr. A. D. ...  
Signature

DRAFT.

Christman Esq M.P.

for ...

X10214

17th Aug 1927  
19th Aug 1927

Dear Mr. ...

I am sorry to hear that  
you have been unable  
to get the letter  
of the 21st July to the Secretary

about the statement that  
administrative officers

of the Kenya Govt have  
visited the Ndia tribe with  
regard to the supposed  
intention of the Govt to  
grant a concession to an

European groups concerned  
 with sugar production & other  
 & business are being made of  
~~enquiry has been addressed~~  
 to the U.S. Government in the matter,  
 and we shall let you know  
 the result in due course

As regards your last paragraph  
 may I refer you to Mr. Amory's  
 reply on the 4<sup>th</sup> of July to  
 your question about  
 the nation of Newland, Isa  
 Lawrence?

1887/2/17

(Sgd) Yours sincerely  
 W. Ormsby Gore

European groups concerned  
with sugar production  
& quotas is now being made of  
~~importance~~ has been addressed  
to the U.S. Government in the matter,  
and we shall let you know  
the result in due course

As regards your last paragraph  
may I refer you to Mr. Ames's  
reply in the ~~...~~ to  
your question about  
Lawrence?

1897/2/27

(Sgd) Yours sincerely  
W. Amosby Gore

15  
END

21. July, 1927

Dear Mr. Amery,

In replying to a supplementary question of mine on the 18th. and you invited me to give you the source of my information. This I cannot do, but I may say that it is not from any official source, but I have reason to believe that Mr. Brightman, an Assistant District Commissioner, Mr. Fullant, a District Commissioner, & Mr. Champion Lee, or are about to confer with the natives as to their agreeing to the land grant, and that the natives are apprehensive of Government pressure being brought to bear on them.

I trust that with this information you may be able to make some

S  
END

21 July, 1927

Dear Mr. Amery,

In replying to a supplementary question of mine on the 18th. inst. you invited me to give you the source of my information. This I cannot do, but I may say that it is not from any official source, but I had reason to believe that Mr. Wightman, an Assistant District Commissioner, Mr. Fullerton, a District Commissioner & Mr. Chapman had been about to confer with the natives as to their agreeing to the land grant, and that the natives are apprehensive of Government pressure being brought to bear on them.

I trust that with this information you may be able to make some

15  
END

21 July, 1927

Dear Mr. Amery,

I'm replying to a supplementary question of yours on the 18th. said. you invited me to give you the source of my information. This I cannot do, but I may say that it is not from any official source, but I had reason to believe that Mr. Wrightman, an Assistant District Commissioner, Mr. Falleur, a District Commissioner - Mr. Champion has, or are about to, confer with the N.D.A. natives as to their agreeing to the land grant, and that the natives are apprehensive of Government persons being brought to live on them.

I trust that with this information you may be able to make some

Ans. 12 AUG 27

15  
EHD

21 July, 1927

Dear Mr. Amery,

In replying to a supplementary question of yours on the 18th inst. you invited me to give you the source of my information. This I cannot do, but I may say that it is not from any official source, but I had reason to believe that Mr. Wightman, an Assistant District Commissioner, Mr. Fallent, a District Commissioner - Mr. Champion has or are about to, confer with the natives as to their agreeing to the land grant, and that the natives are apprehensive of Government persons being brought to live on them.

I trust that on his information you may be able to make some

Wright

enquiry & let me hear something.

While writing to you, may I  
point out that the communication  
promised on 29 Nov. 1936, Hansas  
Col 8034 has not yet reached me.

Yours sincerely,

Clair H. Wilson.