

1923

KENYA

14

423

C.O.  
42819  
REC'D  
REC'D 28 AUG 23

FROM *As. Sec  
Bourne*

1198 1<sup>st</sup> Aug, 1923

DATE

FOR CIRCULATION :-

SUBJECT

Mr.

Mr.

Mr.

Asst. U.S. of S.

*A. G. ...*

Chief U.S. of S.

Chief U.S. of S.

Secretary of State.

"The Disposal of Lands in  
Native Reserves Rules"

Expl. as suggested  
additional rule, and  
ask for approval by tel

Previous Paper

*1098  
37746*

MINUTES

1. The question of Native Reserves  
is one in which we have  
to go very cautiously.  
On the particular point dealt  
with in this Disp., I do not  
think we need make  
difficulty: the Disp. in  
14130723 (wh. if it is a reply,  
put forward for exam. a  
suggestion made by Mr.  
Bourne), but he clearly  
wd. not have wished to  
insist on his proposal,  
if the local Govt. were  
willing to accept it.

2. The Bill in 17522424 & the  
Rules in 14130723 are in  
suspense: the idea was  
to discuss with Mr  
Ridgway. It proved  
to be far more difficult

*Used - 123  
3 Sept 1923*

Subsequent Paper

*500  
46522*



Gen. Dir. of August 11<sup>th</sup>

1948 Governor unable  
prepare comments on

David Ferris Commission  
Report while here

will await those before  
considering further

bill and Rules referred to  
in which no action

should be taken yet

for acc P  
5/9/23

G. J. 4-8-23  
at home

KENYA

No. 1192.



GOVERNMENT HOUSE,

NAIROBI,

KENYA.

430

1st August, 1923.

REC'D  
42819  
28 AUG 1923

My Lord Duke,

700  
14.130

With reference to Your Grace's Memorandum No. 648 of the 8th May 1923, on the subject of the draft of "The Disposal of Lands in Native Reserves Rules 1923", I have the honour to inform Your Grace that the suggested additional rule to secure native cattle against infection from any European stock for which permission to graze on the Reserve may be given has been very carefully considered both by the Chief Native Commissioner and the Chief Veterinary Officer as well as in Executive Council. The advice tendered to me is that, as these responsible officers are satisfied that the existing safeguards provided under the Diseases of Animals Ordinance 1909 and Rules issued thereunder are ample to secure protection to the natives, no additional provision in the draft Rules is required.

2. Your Grace will be aware that Rule 14 of the Consolidated Diseases of Animals Rules 1918 provides that no cattle, swine, sheep or goats may be moved into a Native Reserve without a permit and that Rule 23 precludes the movement of stock into or out of a Native Reserve unless with the sanction of the Administrative Officer in charge of such Reserve. In the practical administration of these proposed Rules the permits referred to in Rule 14 of the 1918 Rules

GRACE

THE DUKE OF DEVONSHIRE, K.G., P.C., G.C.M.G., G.C.V.O.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET,

LONDON, S. W.

Rules would not be granted except by a member of the Veterinary Department and permits are only issued for the movement of cattle which in his opinion are healthy.

3. Thus, it will, I think, be agreed that a non-native whose cattle are moved into a Reserve on a Veterinary permit could not fairly be held responsible for compensation even if it were proved that some later infection originated from his herd. Such proof, which would clearly be extremely difficult to substantiate, would if it is considered not support claims for compensation as between Europeans and should not therefore be held as a basis of claim by a native against a non-native.

4. I trust that this explanation will satisfy Your Grace that the existing law provides a sufficient safeguard against the infection of native by non-native stock and I should be grateful if telegraphic approval could be conveyed to the Rules submitted with Sir Robert Coryndon's despatch No. 243 of 16th February. Alternatively, as it is important that the Bill itself should be read at the next session of Legislative Council and, as no doubt it has been discussed between Your Grace and Sir Robert Coryndon, I would ask that telegraphic permission to introduce it at the next Council meeting may be accorded even though further discussion of the Rules may be thought advisable.

I have the honour to be,

My Lord Duke,

Your Grace's most devoted  
and most obedient servant,

*J. H. Power*

ACTING GOVERNOR.

*I am not  
sure that we  
could safely  
accept this  
stock point.  
C. S.*

Aug 4 1899 Kenya

C. D.  
R 5 SEP.  
D 5

8c

DRAFT.

3d (code)  
Governor for  
Meiobi

Code of sale  
J.C.  
11-20 a.m.  
5/9/23

MINUTE.

Mr. A. P. P.  
atovee

- Mr. Davis.
- Mr. G. Grindle.
- Mr. H. Road.
- Mr. J. Masterton Smith.
- Mr. Ormsby-Gore.
- County of Devonshire.

Mr. Disch of August  
1198 Governor  
unable prepare  
comments on  
Land Revenue  
Commission  
Report while  
in England with

on 17 Sept  
by Ormsby Gore  
W. A. A. P.  
stated  
see  
199-23

Aug 4 1923 Kenya

C. D.  
R 5SEP.  
D 25

8c

DRAFT.

Ill (Cable)  
Governor for  
Meiobi

Cable to Govt  
J.C.  
11-40 a.m.  
5/9/23

MINUTE.

- Mr. [unclear]
- Mr. [unclear]
- Mr. [unclear]
- Mr. Davis
- Mr. G. Grindle.
- Mr. H. Read.
- Mr. J. Maesterton Smith.
- Mr. Ormsby Gore.
- Mr. [unclear]

Your Dip of 1 August  
1923 Governor  
unable prepare  
comments on  
David Fenner  
Commission

Report while  
in England with

in 17 Sept  
[unclear] stated  
[unclear] been  
[unclear] 1923

avoid these before  
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Bill & Rules  
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