



EAST AFR PROT
40258

Recd
DEC 20 DEC 12

683

Hubach, Robert

Date
1912
18
12 Dec

at previous Paper

39589

Land grant
You will instruct to
(Leads various documents concerning)
his application

Cop. case for Case 899, - 10/10/12
for records tel. 27 March 12
I. ans. 24 Apr. 1913 131576

W. Road

I have attached the important part of
the map of course re ^{copy} L.S. file of 1812 &
typed enclosures.

The marked (1) (2) (4) & the margin show
parts which concern the respective heads I
suggested to him I find no reference to the
Hendworth & the 1500 acres, unless it is the
portion sup. 3 s. l. land taken from W. Baker
with his consent: if so I got a copy of the same at
the date of the offer.

I think Mr Baker had done his best to
make himself clear and that he should now
get his case to the ground for what it may be
worth. I have drafted for concom
WCH 22.12

Subsequent Paper

10685



C.O.
40258
REC'D
REC'D 20

13. Herketh
I organize
19

Dear Mr Read

I am sending you
by to-day's mail, under
registered cover, a parcel
of letters & papers all of
which concern our
application for land
when you have read them

will you, when you
are done, so kindly let
the newspaper cuttings
& private letters be taken
care of, as Mr Jackson
our present Governor of
Ontario has asked my wife
myself to write a book
on B. I. A. & most of
them are on date to work
on. We shall be glad
to hear from you as soon
as you can as we are tired
being idle.

Yours sincerely
A. J. Baker

655

0258

2 copies will be

686

13 Hesketh Crescent,

FORQUAY.

18. 12. 12.

975

To

H. J. Read Esq., C.B.E.

Dear Sir,

Referring to our conversation with your Mr. Batterber and Mr. Bottomley on the 12th inst, when they wished for further notes or information, re our old various applications for land in B.E.A.

I should like to preface my remarks by saying that I was one of three members (Mr. Arthur Hutton and Mr. J. Bridge being the others) deputed by the Manchester Chamber of Commerce to meet Sir F. Lugard, Captain Mc Donald and Mr. G. Portal when they were asked to seek the views of this Chamber re the making of the Uganda Railway. I, knowing from Sir S. Baker and Dr. Jephson, that this country would grow cotton of a good quality, I proposed and strongly urged its being made particularly so, as my many friends in Lancashire were being punished by the vagaries of American cotton especially was this the case in the Rossendale Valley where I was principally interested.

I was so keenly interested in this Country that in 1901, I decided to go there taking my wife and family.

When we arrived in Mombasa Sir Charles Eliot the Commissioner sent for me and during the interview I presented to him my letters of introduction from Sir William Baily and the Foreign Office. He asked us what our ideas and intentions were, I informed him that we intended to go in for Cotton.

- 15590-20

Flax, Wool and Rubber, Cotton principally. He sent me up to Nairobi, and after being there a few days, I at the request of the Commissioner took up for my wife, a small area of land known as the Homestead. The area was about 2000 acres but as there were no surveyors, or a land office in those days, it was entered in the 99 years lease as 500 acres or thereabouts. In 1902 Sir Charles Eliot came over to see us. I then asked him about the larger area for myself. he said the County was not yet safe far away from Nairobi, but send in an application. I did so - see reply - not being successful in obtaining this grant. I went on Safari and again applied in 1904 for 10 miles square in what was known locally as the rubber area - see reply from Mr. S.E. Hind and Mr. C.S. Eliot the Conservator of Forest.

Sir Charles Eliot, the Governor, went on leave in 1902, see extract from his letter written to me from 2, Clerges Street Piccadilly, London. Meanwhile I had sent samples of cotton to him and to Lord Emmott, this being the first Commercial sample of cotton from R.E.A. Lord Emmott promptly interested himself in this (see letters from Mr. J.E. Newton, Lynwood, Oldham, and others) and by sending out seed which I distributed in the districts that I thought most suitable, the very prompt action of Lord Emmott, upon the information I was able to give him and his speech thereon at the time, has resulted in to-days large output of cotton from this Country which is yet very, very much in its infancy. (See newspaper articles and comments herewith).

Upon Sir Charles Eliot's return we sought another interview and handed him an application for cotton land. He again said that so soon as it was safe we could have the land.

In the meantime he wished us to go on with some special work in dairying, as he had sent for cows for us from Lams and Fort Wall, and this work proved a great success, being the

x Not printed

+ See 38589 not printed

best advertisement possible for the County (please read the newspaper articles upon this) as nearly all men people coming into the county were sent by the Governor to see this. He also gave my wife a pair of fine pure bred Berkshire pigs, this started another industry, as they also turned out a great success. And he sent us a pure Hereford bull to use so long as we cared to do so. Soon afterwards came Sir Charles Eliot's resignation, but before he left, he wrote to my wife saying that all the land she had held was to be hers, whether 500 acres or more, when surveyed. The reason of this letter was that he had when granting the lease, said if we remained for 3 years and proved dairy work successful, he would ask the Foreign Office to make her a present of the Freehold (hence the reason for clause 5 being put in the original lease) and that at the end of that time we should be treated as first comers. Being unable to do this through his resignation he did the next best thing - secured her the Freehold, he also knew of the area that had been taken from her grant, by her consent, providing an equivalent was granted in its place. This was taken from her with the intention of granting it to the East African Syndicate, who eventually took up a much larger area at Kilijel, but, instead of giving this back to my wife it was declared Forest area, and no equivalent has so far been given. - Various applications have been made from time to time for land, without result, so that in 1907 we became desperate and asked for an interview with Mr. Churchill when he was in Nairobi in November of that year. At that interview there was Mr. Churchill, Mr. E. Marsh, Mr. Barton Wright, my wife and myself. We placed the whole matter before him. He consulted Mr. Barton Wright who is the chief Land Officer and who confirmed all we had said, and even went so far as to say that we had been very harshly treated - Mr. Churchill instantly granted my wife a further 500 acres of grazing land for 5 years, or until the promised larger area was granted to

He gave his promise of this large grant after going most carefully and patiently through all we had to say and show to him, just as Sir Charles Eliot had done. We now ask for this promise to be fulfilled, as it is not a new application, but dates from 1902.

We came away from our interview with Mr. Churchill quite clear upon all ~~points~~ except one which the letter from the Land Office Nairobi, 14th November 1907 explains. (Copy enclosed)

We are the pioneers of B.E.A. in the truest sense. We hold the first settlers lease ever given out there. We started the Agricultural Society Show in 1902, to find out what the county could do. See letter herewith from the Royal Agricultural Society of England. We proved at great expense and labour that Dairy produce of the highest quality could be made in the Highlands of B.E.A. and cotton of splendid staple could be grown there.

We know through many experiments how to keep our cattle in the best of health, and only lost 3 animals in 6 years out of a herd of nearly 1000.

We are the only pioneers who have ever sent fresh butter to England, and pure fresh milk from the Highlands to Mombassa by every train. We have taken over 40 first prizes in Zanzibar, Mombassa and Nairobi for our produce, we bred the nucleus of the half bred stock for the Government Farm. (See letter herewith) and have been used by the Government, out there for various purposes for the advancement and advertisement of the County. All intending settlers were sent to us by the Government, as they had nothing to show. You will find a letter amongst others from Mr. Mc Donald Director of Agriculture asking permission to bring over the German Colonial ~~Secretary~~ and staff, the German Governor and staff had previously been. The Dairy and cotton industries came to the County through our efforts and as Mr. Akers of the Foreign Office

(we used to be under this Office) told my wife we were entitled to 10,000 acres of land each upon the original terms as the pioneers of the county, and not to be passed over time after time, as the Government back ~~of~~ ⁱⁿ enclosed shows that we have ~~been~~ all the grants in this book have been, given out since our work has proved a success, and we have been used by the Government at every turn.

Mr. Churchill asked us if we had been compensated in any way for all we had done for the Government, and we replied "No". He then said "You are most certainly entitled to exceptional consideration for this splendid work".

Although Mr. Churchill gave us 500 acres of grazing land in 1907, we did not get in until 1911 and meanwhile we had to ~~bring~~ feed for our herd as they were starving. Mr. Churchill also told us the Forest areas taken from us, if we cared to contest, our right to it, he would give instructions to the Crown Advocate not to defend the case - as Sir Charles Eliot had written saying my wife could have freehold all the land she had held - We have his letter.

Yours faithfully,

A. Audubon Bunker

not reported

Encl

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~~Address~~

2 charges Street,

Piccadilly,

LONDON. W.

Sept 15th 1902.

Dear Sir,

Your letter of July 26th has only just reached me. I am pleased and interested to hear that experiments in cotton growing are likely to be made near Nairobi. I have heard myself that the Germans cultivated cotton in the past near Lamu with great success and that the samples produced were of very high quality. I should be prepared to grant land for experimental purposes in that district on very easy terms.

Yours faithfully,

C. Eliot.

GDPY

No 10/22

EAST AFRICA PROTECTORATE,
Kenya Province,

Fort Hall 17th March 1904.

From H.M. SUB-COMMISSIONER,

Kenya.

To F. Sandbush Baker Esq.,
The Homestead,
Nairobi.

Subject: Rubber Forest.

Sir,

I have the honour to acknowledge the receipt of your letter dated 18th February 1904, re taking up the working of the Kinangop Rubber Forest. It is highly improbable that land can be found as per your plan. I have forwarded your application to Mr. Elliott who will no doubt communicate with you.

I have the honour to be

Sir

Your most obedient servant,

S. L. Hind.

H.M. Sub-Commissioner.

675/05

Agricultural & Forestry Department

Nairobi,

September 4th, 1908.

Madam,

I have the honour to acknowledge receipt of your application for grazing rights in the forest North of your estate.

Until I definitely know what grazing will be required for the Government oxen, I regret that I cannot give any answer to your application.

I have the honour to be,

Madam,

Your obedient servant,

A. Linton.

Director of Agriculture & Forestry.

Mrs. Sandbach Baker.

The Homestead,

Nairobi.

~~CONF~~

Board of Trade,
Whitehall Gardens,
S.W.
Aug. 24th 1899.

Dear Mrs. Sandbach Baker,

Mr. Churchill asks me to say that he has received your letter of July 24th, and that he has explained the circumstances to Sir Percy Sifton and asked him to give his attention to your case.

With kind regards.

Yours very truly,

B. Marsh.

9

Land Department

Wairahi

14th. November 1907.

Dear Mr. Marsh,

I have had an interview with Mr. and Mrs. Sandbush-Baker this afternoon and they wished to be certain that we were in accord regarding the terms agreed to by Mr. Winston Churchill in our interview of yesterday.

My interpretation of these instructions is that the lease was for five years at grazing rates over five hundred of the forest land adjoining the Homestead without prejudice to forest rights.

Mr. and Mrs. Baker interpreted Mr. Churchill to say that this grant was for five years, but that supposing though having applied they are unable to secure land for cotton growing within the five years, the five years forest lease be extended till such time as the grant applied for be given.

I would be glad if you would reply to me confirming which interpretation of instructions is the correct one.

Yours sincerely

R. Barton Wright

~~CONF~~

Kampala

Nov. 22nd. 1907.

Dear Mr. Barton Wright,

Mr. Churehill asks me to say that you are right in your understanding of what he meant as to the lease to Mr. and Mrs. Sandbach Baker which was quite independent of their claim for a cotton concession.

Yours sincerely

~~(sd)~~ E. Marsh.

~~CONF~~
In reply please quote:

No. 214.

The Office of
The Commissioner of Lands,

Nairobi.

January 28th 1910.

Madam,

With reference to the previous correspondence on the subject of grazing land for your cattle, I am directed by His Excellency the Governor to offer you the two areas shown on the accompanying map as No. 11 and No. VI, making a total area of 310.7 acres.

I am to say that the land can be let to you on a yearly lease at £5 a year, terminable at 6 months notice.

Will you be good enough to inform me if you wish to occupy the land (which adjoins your property) on these terms.

I am, Madam,

Your obedient servant,

J. Montgomery.

Commissioner of Lands.

Mrs. Santash-Paer,

ACCEPTED

"The Homestead",

Parklands.

March 5

63

Dear Mr. Aead

The last time
I saw Mr. Bottomley,
asked me to write
you in about 2/3
of the time, that is
in the meantime
I had not heard
from you. This 2/3
of the time has now expired
and both my wife

and myself are anxious to hear from you, as we really tired of playing it so very much and not half so much fun as is generally supposed. We are anxious to hear something definite, it is rather sweet and good you you did not take anything like this of time to be paid Ford Hitchman has across others who are now coming.

Yours truly

J. S. Baker

0258
R.23 DEC

S
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790

24 Dec 1904

DRAFT

EAT (No 899)

For
Belfield

MINUTE

- Mr. Ashmore 3/4
- Mr. Reed 23
- Mr. G. Fiddle 23
- Mr. H. Just
- Mr. J. Anderson
- Lord Emmott
- Mr. Harcourt

By whom

I have the honor to
 acknowledge the receipt of
 copy of correspondence with
 Mr. Landbeck Baker on
 the subject of the applications
 for land in the EAT which
 have been made by his self
 and Mr. Landbeck Baker. I
 gather that they have already
 lodged a fresh application
 for land in West Kenya,
 with the Land Office and
 I consider it desirable that
 your views be before you,
 in considering that application,
 the representations which
 they have put forward as
 to their claim for special
 treatment in the matter

(4028)

Land Office
Kisumu

23 3/04
K. C. 15 4 14

24 Dec 1904

Mr. Landbeck Baker

* No 40258

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It is probable, however,
that the terms of the clause
will be well understood, and
although the point does not
appear to have been made
clear in his applications,
he has no doubt that it has
been understood that they
were made on the strength
of the pledge contained in the
clause.

4. A further point is that the
statement that in 1907 Mr.
Churchill offered for them
500 acres of grazing land
and promised that they
should subsequently have a
lease of a considerably larger
area. I have ascertained
that Mr. Churchill has no
recollection of such a promise,
although he certainly ~~later~~ ^{long}
offered himself to serve for them
the 500 acres and indicated that
the Govt. intended to make them a
large grant for more extended
cultivation at a later date, and

I believe there is nothing in the
letter of which Mr. Baker has
sent copies to imply that a
promise was given. Mr.
Baker however is confident
that Mr. Barton Wright will
be able to corroborate his
statement

792

DRAFT.

MINUTE

Mr.

Mr.

Sir G. Fiddes.

Sir H. Just.

Sir J. Anderson.

Lord Emmott.

Mr. Harcourt.

Mr. Baker mentioned in the
minutes another matter to
which I can find no clear
reference in his letter,
namely that Mr. Baker or
one of his associates had
offered 1500 acres of grazing land
near Kaniara at the suggestion
of Mr. Emmott, who promised
verbally
that he should have included
a copy in the enclosure.

You will no doubt consider
that the

The conditions advanced
by Mr. Baker cannot however
be admitted as furnishing grounds
for special treatment unless
they are capable of
substantiation. If however they

Can be substantiated you
will without take care that
they are for the weight is
given to them when the
highest application from
him is to be taken in consideration.
Mr. Baker has been informed
that they cannot be promised
exclusive treatment and that
their application cannot
be dealt with in advance
of the general consideration
of the ^{future} arrangements for the
grant of land in the
Probitorate.

I have etc

S
40258
SAD

985

24 Dec 1891

DRAFT

J Sandbrook Baker

MINUTE

- Mr. Pottomey 23/24
- Mr. Reid 23
- X Sir G. Piddes. 13
- Sir H. Just.
- Mr J. Anderson.
- Lord Emmott.
- Mr. Harcourt.

In
I am directed by his
Serj. Harcourt to send the
rest of you letter to the
of the 10th of Dec and to
advise you that he is
communicating to the Gov
of N. S. A. with your
representations in regard to
the application made by
you and Mr. Sandbrook
Baker for land in the

Probitorate
2 The letter + papers

sent to the office
under registered over
in the 19th of Dec.
are returned herewith.

copy to Mr. Reid

for

15/02/12

* N. 20258

Sept. 12. 40 pm.
\$ 27
3

JL

March

240258

DRAFT.

Tel'm

Governor

March

reminds to
When may reply be
expected to ^{implausible} my resp. of 24 Dec.

^{patina}
899 person named

attending
session to know whether

also and
application receiving

^{congrat.}
favourable conduct

MINUTE

Mr. Bottomley 2/1/3 for

Mr.

Sir G. Fiddes.

Sir H. Just.

Sir J. Anderson.

Lord Emmott.

Mr. Harcourt.

(Mr. Read agreed to this -
which Mr. Dobson again asked
for when he called on Monday)

WR
27

Papers of P. D. a woman the
has gone