

DESPATCH

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Rec'd
Ref 17 JAN 08

No.

555

(Subject)

1907

Dec?

of printed Paper.

5015

Land Laws

To the Secretary of State for the Colonies
 In consequence of the number of cases of land
 disputes in the East African Protectorate have already been
 reported by the Land Board

(Memos.)
 Circulation Committee

PRINTED FOR PARLIAMENT
 C.I. 4117 JUNE 1908

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1827

Governor's Office,
RECEIVED
Mairobi.

17 JAN 08

December 1907 1907.

No. 585.

Enclosure.

PRINTED FOR PARLIAMENT
C. 417. JUNE 1908

My Lord,

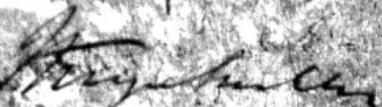
In continuation of my despatch No. 584 of the 6th instant I have the honour to transmit herewith copy of the further proceedings of the Land Board, together with a covering letter from the Commissioner of Lands.

2. The modification of the conditions and the error alluded to by Colonel Montgomery in the concluding paragraphs of his despatch have already been reported to Your Lordship in a telegram of to-day's date.

I have the honour to be,
With the highest respect,

My Lord,

Your Lordship's most obedient,
obedient servant,



Personal Secretary of the Secretary of State

for the Colonies,

Bowing Street,

LONDON, S.W.

6940 339-15 * No. 144998 + No. 144355

MINUTES of a Special Meeting of the

In Despatch Jan 17 1827

1827

L A N D B O A R D .

Recd

Refd 17 JAN 08

held in the Land Office, Mombasa, on Friday, November, 1826,
to consider the recommendations made by the Planters' Association
as to the proposed revision of the Crown Lands Ordinance, 1808,
and such other business as might be laid before it.

Present:-

CHAI RMAN,

The Director of Agriculture, (Mr. A. G. Macdonald.)

COUNCIL BOARD,

The Honourable the Secretary for Native Affairs,

(Mr. A. S. Hollis.)

The Director of Surveys, (Major E. F. Smith, R.E.)

The Land Officer, (Mr. R. Barton Wright.)

The Honourable Mr. A. A. Baillie.

Major E. H. V. Leggett, D.S.Q., R.E.

Mr. A. S. Flanner.

1. It was proposed by Major LEGGETT, seconded by Mr. BAILEY,
Land Board's Agent and carried,-
recommendations".

"That the Honourable the COMMISSIONER OF LANDS be
requested that a copy of the despatch to the Colonial Office
concerning the suggestions of the Land Board go to the Re-
vision of the Crown Lands Ordinance, 1808, might be laid
before the Board."

2. The Board, having heard the recommendations of the de-
putation from the Planters' Association with regard to the treat-
ment of Crown Lands, have the following further suggestions
to make in connection with the revision of the Crown Lands
Ordinance.-

i. That the Board consider that the rates of rent as recom-
mended by the Land Board for land suitable for white coloni-
zation should be applied also to land at the coast and that

apticed to advocate a higher rent than 30 an acre for the best land. The planters will have to spend a good deal of capital and wait some time before they obtain a return.

3. But, like admitting the advisability of the ~~average~~ rates, I consider that the minimum sum demanded for development is too low for the lowlands. We do not insist on white occupation. The Board proposes to leave the negroes on the land as much as that obtaining in the highlands where the white occupation is required. I would double the amount. There will be a fall in one of the plantations, the money spent on the property will be at least ten times the rent; in the long run it will be forty times the rent.

On the analogy of the average signed in my last letter, the money demanded against the lowlands to "200, in the same manner as the highlands.

The effort to be sent on the acquisition method up to the base throughout, i.e. 20 times of rent.

I am sorry to say a mistake occurs in para. 5 of my last letter, in which I suggested on the sum which will be needed to acquire freehold in an average plantation. The amount should have been put at \$100, not at \$200, or only half such sum can be recommended.

4. I venture to suggest that the following telegram may be sent to the secretary of State:

of 7th December. Add, for lowlands
the occupation of farm not necessary, but money
revenue should be forty times the rent.

In Your Excellency's report forwarded with above
particulars for payment due for freehold read one hundred
rupees for two hundred.

I have the honour to be,

Your Excellency's
most obedient servant.

J. M. G. C. G.
Commissioner of Lands.

REGD 17 JAN 08

Office of the Commissioner of Lands,

Nairobi.

17th December, 1907.

Your Excellency,

In continuation of my letter of the 6th December I have the honour to forward a copy of further proceedings of the Land Board after consideration by the East African Planters' Association as follows:

As regards the first question I am certain the Board will be anxious to be furnished with a copy of your letter to the Colonial Office, and cannot be concurred with.

As far as the rest it will be soon sent the Board makes out that only one special proportion for the coast.

I recollect that the rent rates should be fixed at Lester, but now, with the occupation of Mombasa ~~island~~, the minimum sum required to be spent on development should be 40 times such rent rates.

Assuming that the East African lands will come in the interest of classics, I agree with the uniformity of rent rates throughout the country. In the present condition of the country, with the difficulties in getting labour, I am not

proposed

GOVERNOR,

EAST AFRICA PROTECTORATE,

L I R O B I .

on these lands the graduation of rents is undesirable.

iii. That the Board is of opinion that the necessity of white occupation on the Coast Lands should be dispensed with.

iii. That the Board recommends that as it has recommended that white occupation on Coast lands should not be a necessary condition of settlement the development to be effected on such land to entitle to issue of title deeds should stand at 60 times the rental that it has recommended.

iv. With regard to the recommendations of the Planters' Association as to Partnerships (i.e., Recommendation No. 8), the Board is of opinion that the danger of an ~~unwise~~ looking up of land by partnerships or companies can be prevented by a stiffening of the conditions of development.

Mr. WRIGHT wishes to record that in his opinion such partnership development should only be allowed with the consent of the Honorable the COMMISSIONER OF LANDS and not, as recommended by the Planters' Association, permissible on a notice in writing to the COMMISSIONER OF LANDS without such consent.

v. That the Board recommends that Recommendation No. IV. (i.e., that the size of lands for allotment shall be fixed by the Honorable the COMMISSIONER OF LANDS by and with the advice of the Land Board.) for the revision of the Group Land丈ments, shall apply to Coast lands as well as to the Highways.

It was decided that the next meeting of the Board should be held at Saipan on the 9th. of January, 1907.

The question of the issue of free passes on the Railway to unofficial members of the Board was brought up by Major LEIGHTON.

(Signed.)

S.W.J. BAKERFIELD.