Governor No.
Date 2nd 1907
Received
Previous Paper.
Final

(Subject.)

Report on land dept
1906 7

Title — Ministry of Commerce & Industry

(Minutes)

Mr Antrobus.

On p. 2 the Land Officer says that several farmers are waiting till they can know definitely what crop will return to the producer a reasonable yield per acre. This is a matter in which the new Director of Agriculture is likely to be of great assistance, as he has been asked to advise in similar matters in the West Indies & he is an enthusiastic practical man.

With regard to the last para. of Col. Montgomery's report we had better write in the same sense of Major Cloete's letter, softening it a good deal, as it is [illegible]

Correspondence Paper
No. 5969

E. Africa

35

War Office.
Whitehall.
S.W.

26th July 1907

Dear Read

At the C.O.C. meeting I drew attention to the last para. of Montgomery's report dated June 11, 1907. Therein he says that for the last half of the year under report "Mr Waring, Deputy Director of the Cadastral Branch of the Survey Department" held the post of Land Officer.

This is directly contrary to the policy of separating the Land & Survey Depts, and must have had the effect of reducing

Government Office,
Nairobi,
[illegible] 1907.

[illegible]

No. 565

(Inc. 1)

[illegible] have [illegible] the annual [illegible] in the [illegible] for 1906-07, together [illegible] therewith by the Commissioner for [illegible]

[illegible] in advance of the [illegible] protectorate in [illegible] [illegible] feature [illegible] it may interest [illegible]

Your [illegible] is to be [illegible] at once [illegible] the progress made in the allotment of land during the past year.

2. Your Lordship will [illegible] that the delay which unfortunately still takes place in granting title deeds is largely due to the fact that the Survey Staff has been unable to cope with the arrears of work, but I trust that [illegible]

[illegible] Principal Secretary of State
for the Colonies,
Downing Street,
LONDON, S.W.

[illegible] proceeds [illegible] Survey Department [illegible] brought [illegible] completed [illegible] this state [illegible] will be gradually remedied.

With reference to that portion of the Report which de[illegible] the dis[illegible] within the township of W[illegible] the adoption of a definite scheme for the improvement [illegible] it will be necessary to decide how much [illegible] should be reserved for Government purposes, and then [illegible] shortly be possible to recommend the [illegible] allotment of building plots to private individuals.

I have the honour to be,

with the highest respect,

My Lord,

Your Lordship's most obedient,

humble servant,

ENCLOSURE [illegible]

In Despatch No. [illegible] of [illegible]

ORIGINAL

LAND DEPARTMENT.

Nairobi.

June 1st. 1907.

ANNUAL REPORT ON LAND DEPARTMENT 1906 to 1907.

In accordance with past practice I preface my Yearly Report with the usual information respecting land let and sold for which deeds have been registered during the period January 1st. to December 31st. 1906, also returns for previous years 1904 and 1905.

Period.	Applications dealt with for which deeds have been issued.	Agricultural acres.	Grazing. acres.	Fibre acres.	Forest acres.	Total. acres.
1.03 - 31.12.03	89	3359	1000	*	*	4359
1.04 - 31.12.04	192.	26207	429639	*	64000	519846
1.05 - 31.12.05.	283.	30708	78589	96000	64000	269294
1.06 - 31.12.06.	209	25832	236639	32430	840	293741
Total:-	753.	84105.	745067.	128430.	128840	1086240.

438 Business and Residential Plots aggregating 692 acres are included in above return.

If compared with reports of previous years it may be said that discrepancies are observable; as however, pointed out in a previous report, the error was made in the first years of including certain applications which were virtually granted, as granted. The above is a revised list showing the actual grants for which deeds were registered; in the same way I have altered the heading respecting applications dealt with to applications dealt with for which deeds have been registered, as after all many applications are

are

are received which must be rejected straight away, and to include such beyond indicating the amount of correspondence entailed serves no useful purpose. The fact which really matters is applications which actually bear fruit in the form of revenue as sales or leases.

LAND SETTLEMENT.

Agricultural Land. All available land in the neighbourhood of Nairobi, Kikuyu, Limoru and for some thirty miles along the Fort Hall Road has been taken up; a plan showing the farms let in this district is attached. On some few farms good work has been done, but in the majority of cases development has been very disappointing and we are still without the desired knowledge as to what crops can be raised which will return to the producer a definite return per acre, and I think the policy of many is to wait till this is proved by those who have the money and energy to experiment, in the meantime doing as little as possible beyond planting for their own needs and that of the local market. This is not unnatural as many of the farmers are men of small means, and it would be hard on them if they were forced to comply rigidly with the covenants of their agreements and to expend their small capital on growing crops for which the return is uncertain. But the effect remains that large areas in consequence are uncultivated and undeveloped and the new comer who is unable to obtain land from Government is obliged to buy at absurdly high rates from people who have done little or nothing on the land they offer for sale.

Coffee promises extremely well, but in view of the experience of India, Ceylon and German East Africa the ultimate success of coffee cannot be predicted with any degree of certainty, and it is highly advisable that planters have more than one string to their bow so that in the event of disease or failure occurring in any particular crop, they may have something also to which to fall back.

back.

The above remarks apply more particularly to the highlands as represented by the country round Nairobi. Land is now however being largely applied for on the coast belt for the purpose of cotton growing and possibly rice and rubber; sisal fibre, coco-nuts and ground nuts which have been so successfully raised in German East Africa are also receiving attention.

Further agricultural land available in the highlands and open for selection occurs in the Fort Hall and Sotik districts, and steps are being taken in both cases for survey and allotment. Though these districts are less favoured by the public than the Kikuyu district owing to distance and consequent cost of transport by road in case of Fort Hall, and in case of Sotik the extra transport by rail.

GRAZING LAND. With the notable exception of Lord Delamere and a few small dairy farms little has been done to develop the huge areas let. The grazing in the Rift Valley which has been let out in 5000 acre farms has deteriorated considerably owing to land having been practically left to itself since the removal of the Masai and their herds to reserves.

Pigs are being raised by many people with marked success, and we have a proposal on foot from a gentleman by name Mr. Prosser who is prepared to start a pig factory on a large scale and export the results to foreign markets like Bombay and South Africa. This will be of immense assistance to the small and struggling farmers who have not the means to take up the business on a sufficiently large scale for export purposes, and are consequently dependent on the uncertain and limited demand of the local market. The actual time elapsing, however, between the conception of these big schemes and the putting into operation of same is usually a very lengthy one with the result that when another year comes round there seems little fresh to add in the way of actual results.

Ostrich farming too is being carried on both at Limoru and Lukenia and I am given to understand that results so far are very encouraging.

FIBRE LAND. Owing to protracted negotiations only four of the many applications for land for collection of fibre have reached the stage of applicants obtaining completed deeds and of these only one is up to date being worked, namely, the Afro American Company and as predicted in my last report the machinery has been greatly improved, though there is still room for further improvements, and I am sanguine that this may prove a successful industry.

BUSINESS AND RESIDENTIAL PLOTS IN TOWNSHIPS

Nairobi. Owing to uncertainty of future Government requirements, no further land has been let within the Municipal area of Nairobi, and though complaints are rife that it is impossible to obtain land by people who are willing to at once take up and build the fact remains that a very large number of plots granted are unoccupied so that private purchase is always possible for new comers who however are disgusted at the exhorbitant prices ruling.

The leasing of further land here is also indefinitely hung up by Mr. William's scheme as until it is decided if his proposals are to be adopted the question of location of roads, drains, Government sites, further business and residential sites and native locations must all remain in abeyance.

MOMBASA. The Island of Mombasa is also closed against further application, the root reason for this being that no proper survey of the island existed, and I considered it of paramount importance that a map should be prepared showing all land privately owned and owned by the Crown, and this being determined that a definite scheme of reads be laid down and areas reserved for present and future Government requirements.

The old

X Other Numbers [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

The old system of letting land indiscriminately would have involved us no doubt in litigation regarding clashing claims, and would have further resulted in being obliged to reacquire land at exhorbitant prices for Government needs.

Naivasha, Nakuru and Kisumu. In all these three stations surveys have been made, and a scheme of roads and plots laid out which plots are from time to time auctioned when justified by demands. Though many plots have been acquired by Europeans it is the old story of nothing done, the principle development being due to Indian Traders.

No other township surveys have so far been undertaken, demand in my opinion not having so far justified the necessity.

Wherever, however, Indians or others for some special reason ask for land for business purposes temporary licenses are issued which are terminable by three months notice. Should survey later determine that such plots would interfere with any scheme of roads or plots which may be considered desirable, the applicant would then be given notice and would have the option of buying a surveyed plot being granted a lease under the Crown Lands Ordinance when such plots are auctioned.

With regard to survey, although the Land and Survey Departments have been separated, the whole question of dealing with land applications is so dependent on survey, that I now no longer control this branch I feel justified in making comments in so much as it is impossible for me now to forecast with any degree of accuracy the probable output of deeds and consequently of revenue. This will be apparent in the shortage in revenue for this financial year as compared with the revenue estimated. The reason being that in my estimates I worked on the basis that certain definite farms applied for would be surveyed deeds granted and rent or purchase money collected. I knew the staff available for the purpose and felt

perfectly

perfectly confident that the figures given would be fully realised.

Owing, however, to the alteration in arrangements it was no longer possible for me to direct that such surveys be carried out and in some cases surveyors being diverted from surveys of farms to the work of producing cadastral sheets of townships and other, as far as revenue is concerned, non-productive work.

It should, however, here be stated that the shortage in revenue is one of sales only, the revenue from leases and homestead instalments having slightly exceeded the estimate, and though non control of survey was partially responsible for this shortage, it is partly due to many applicants for freeholds afterwards altering their applications from freehold to leasehold. Against a contingency of this kind it is impossible to estimate, and the practise of the office is always to accede to such a request should it be made.

In making my estimates for 1907 to 1908 Major Smith had just arrived and I had not realised that the change of regime would produce the results referred to, I have discussed the matter with him and he has undertaken now to furnish me with an estimate of surveys which will be completed in financial year based on applications with which I shall furnish him, from which I shall compile my estimates for 1908-1909, and I purpose submitting a revised estimate for 1907 to 1908 after consultation with Major Smith. I would again bring forward the fact that I have continuously the necessity of a frig survey and from every point of view can only express intense satisfaction that this has atlast been commenced, more particularly as this will make efficient control of Licensed surveyors possible, their employment in the past being a make shift which it

it

8

it would be necessary to adopt. The necessity still exists as it will be seen they have been reapplied for, but with efficient control it may be looked upon as a most useful adjunct. Major Hills has been out and reported on the survey, and comments on the and to mouth way in which the survey has been carried out in the past and that with better organisation and the employment of more rapid methods the arrears will disappear, and consequently the chief complaint among settlers, that of delay in obtaining titles, will disappear also, and leads us to expect the desired result is in process of achievement I trust Major Hills forecast may prove a correct one.

I subjoin below the usual statement supplied by courtesy of the Traffic Manager, Uganda Railway, of the up and down freights carried by Railway during this and previous years. Though owing to the very large proportion from the lake and more especially German East Africa this must not be taken as an index of what our own settlers are sending down, to obtain these facts a detailed analysis would be necessary.

FIGURES SHOWING UP and DOWN FREIGHT.

Year ending 31st March.	RAILWAY.		STEAMER.	
	Tons	Tons	Tons	Tons.
1903-04.	10667	5704	1873	745
1904-05	18459	8258	3919	2603
1905-06	25293	14564	5481	5486
1906-07	34114	18870	6782	7646

The correspondence during the year has been exceptionally

heavy

heavy, the inward and outward letters aggregating 9800 for the 12 months.

In conclusion I would like to pay a tribute to the work of my staff. I have every reason to be satisfied with the work done by Mr. Campbell who was appointed last year as Assistant Land Officer. Among the clerical staff, Mr. Martin, Chief Clerk and Mr. De Sousa, Rents Clerk, deserve special mention. The health of the staff has on the whole been good.

S. J. Scholefield
for Land Officer

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[illegible] report of Land [illegible]
[illegible] 1906-7.

[illegible]

In reports [illegible] been [illegible] to the [illegible] ness [illegible] land [illegible] Commissioner [illegible].

2. [illegible] by giving the [illegible] land grants [illegible] to date. The figures are not comparable with those of previous years, for the reason they are taken only [illegible] grants, that [illegible] for which deeds have been issued and [illegible]. The number of cases pending [illegible] very large, due to the fact that [illegible] all the [illegible] surveyed. The survey staff has been [illegible] to be of inadequate strength, and even with the aid of the licensed surveyors it will [illegible] be a long time before we can overtake the arrears.

3. The last half yearly return of land concessions, [illegible], gives some idea of the arrears. The total [illegible] of the return are given below.

Province.	No of applications.	Area. acres.
Nyanza.	65.	519840
Central.	[illegible]	414[illegible].
Coast.	[illegible]	[illegible]
Kikuyu.	[illegible]	545844.
[illegible]	2	614.
[illegible]	1.	1712.
[illegible]enya.		286.
Total.	632.	[illegible]26,44.

It would be wrong to say that all the land applied for in these cases will be allotted. Probably not more than half the cases will go through to the actual grant of a deed. But even so the arrears are very serious.

4. Until lately the Land Department has borne all the odium for the delay. Now that there is a separate Survey Department, the responsibility is shared. The greater delay naturally affects in the Survey Department for the reasons above given. The Director of Survey fully realises the responsibility, but with land taken up in excess of applications all over the Protectorate, it is impossible to effect the requisite surveys with any speed, clearing off the arrears in a short time.

5. Practically all land fit for agricultural use or grazing in the neighbourhood of the Uganda Railway has been allotted. We have kept a tract closed in the Nakuru in the Rift Valley District until it could be first surveyed and blocked off into farms, we shall shortly be able to satisfy most of the numerous applicants for land in that part.

6. It is true that so far not much development has been effected on the majority of farms. We are now beginning a systematic enquiry into the work done on each property, and are taking action where grantees have been negligent in the fulfilment of conditions. Remembering however that the country is new, and that many difficulties have to be contended with, I am proceeding in the first instance against those persons only who

[illegible] taken up the grants as a mere speculation [illegible] have done nothing. No one residing on his property [illegible] doing his best towards development need fear harsh action from us. We wish to be very patient with such people. The report of the Land Committee showed that some of the development conditions were not suitable, and I supported their recommendation as regards beneficial occupation expressed in terms of money value. I have for some time been working on the principle, which has now been approved by the Secretary of State.

7. To judge from the numerous applications lately received for land grants in the coast belt, the general belief is that more money is to be made there than in the highlands. This is doubtless true, but the coast lands have not the healthy climate of the highlands. In the latter part of the Protectorate I believe it will be quite possible for a landholder to make a living, especially if the contemplated Bacon Factory is established by the Uplands of the East Africa Syndicate; but there is more money in cotton, rubber and fibre, all which can be grown on the coast and near Lake Victoria. There are also large areas in the intermediate country between the highlands and the coast strip which produce quantities of wild fibre. This is now been rapidly taken up.

8. In commenting on the development of land we must not omit consideration of what the natives may be

able to

13

able to do. Parts of the country, notably the lower slopes of Mount Kenya, and the Kavirondo country near Lake Victoria, support a teeming population. At present they are content to grow inferior crops which they have cultivated for generations. But in course of time, with wise encouragement from the District Officer, and from the pressure of population, they will improve their methods, and become large producers of food stuff as well perhaps of cotton. Even under existing conditions there is a considerable surplus stock in the Kavirondo reserves which was found of much use in the threatened famine in the Kavirondo country.

9. The question of the rights of the natives in land is receiving some attention, and I shall rejoice when the appointment of a Secretary for Native Affairs and the special officer to go into this matter with the Provincial Commissioners.

On the coast this is an especially important question which must be settled before long.

10. The figures of railway traffic at the end of the report are of little use as showing development of goods traffic in the Protectorate proper. We know that a very large proportion of the goods carried comes from the Lake Steamers which tap the trade of German East Africa, Uganda, and now of the Congo State. Without the figures for each station in the Protectorate between the two ends of the line the actual traffic of the country cannot properly be gauged.

I shall ask the Land Officer to get these figures next year

next year.

The post of Land Officer was held for half of the year by Mr. Barton Wright, and for the rest during his absence on leave by Mr. Furing, Deputy Director of the Cadastral Branch of the Survey Department. Both Officers did very good work.

[illegible]

COMMISSIONER FOR LAND.
12/6/07.

15

Sir. S.A.P.

25234

25234

51

DRAFT.

S.A.P. No. 438.

Sir

MINUTE.

Mr. Read. 12 Aug.

Mr.

Mr. Ashrobus.

Mr. Cox.

Mr. Lucas.

Mr. Graham.

Sir M. Omianney.

Mr. Churchill.

The Earl of Elgin.

Mr. Butler, when disposed, has fine.

We write.

Sir, I have the honour to acknowledge the receipt of your despatch No. 243 of the 18th of June, transmitting the annual report on the land department for the year 1906-7, and the observations of the Commissioner for Lands upon it.

2. I have read these papers with interest, and I congratulate the Government on the good work which has been done by the Department, in the face of many obstacles.

3.

25234 to the Treas.

27.10

3. I believe that the
last part of Col.
Montgomery's memorandum
relates to the last
half of the year
1906 — Mr. Waring,
Deputy Director of
the Cartographical Branch
of the Survey Dept., left
the post of Leader
of Parties.

4. The — of course
relating to the policy
of separating the Land
& Survey Depts., must
have had the effect of
reducing the staff of
the Survey Dept. by one officer
& also has been one
contributing to reducing
duties at the same
time that he had
charge of the Land Office
an important check.

which likely to have
proved satisfactory.

5. I should be glad to
receive further information
on the points here
I am,
Yours
Regd.

SHEET N° 2

FORT HALL DISTRICT

Scale 1 mile to 1 inch