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(2) The following reductions have taken place during the last 20 years and may be attributed to the above causes:-

Sultan	1	(Witu)
Livalis	3	(Faza & Siyu, Charra and Coast Liwali)
Mudirs	9	(Roka, Arabuko, Hindi, Wangeh, Mambrui, Tiwi, Mtwapa, Mtangniko, Witu)
Kathis	5	(Wassin, Kiunga, Siyu, Faza, Witu).

18

(3) At the present moment the Arab Administrative Staff is as follows :-

<u>Livalis:-</u>	5	Salary Sh.s.p.m.
Mombasa (Island)		900 (Pensionable).
Vanga		575 "
Mombasa (Mainland)		575 (Holder is also Arab assistant).
Loa		500
Kalindi		500
<u>Mudirs:-</u>	6	
Mombasa (Mainland)		500
Gazi		300
Mkurumbi		300
Faza		500
Kiunga		300
Takaungu		200
<u>Kathis :</u>	6	
Chief Kathi		855 (Pensionable. Salary paid by Supreme Court.)
Mombasa Dist:		500
Loa		200
Kalindi		200
Takaungu		200
Vanga		300
<u>Total</u>	17	

These officers are on no fixed terms of service except as regards their leave (vide section 872, Code of Regulations), and with three exceptions (the Liwali of Mombasa Island and Vanga, and the Chief Kathi) are non-pensionable.

(4) As regards efficiency, it may be stated without fear of contradiction that the majority of Arab officials find it difficult to adapt themselves to modern conditions, and the result has been that European officers who are more energetic and better able to keep up with the times have been able to take over the work of some of the Arab staff in addition to their normal duties.

3. Paragraph 5 of the Note. Conditions of Service of Mr. Mbarak.

(1) Mr. Mbarak is graded as a Second Class Liwali for purposes of leave, passage, etc., He draws consolidated pay at the rate of £345 p.a. without increments or pension.

(2) His activities are principally concerned with the Arab and Native Section of the community, amongst whom he works in the capacity of an Administrative Officer.

(3) It is only correct in to a limited degree that he does the same work as an Assistant District Commissioner. He has, for instance, the legal powers of a Liwali on the mainland, but he has no financial responsibility apart from the collection of tax.

(4) As he deals only with Arabs and Natives he cannot claim to be in contact with, or to have any obligations towards, any of the other races which compose the general population of Mombasa.

(5) It is an accepted principle (in India as well as in Africa) that a European demands a higher salary than a Non-European for performing the same duties, on account of the higher standard of living of the former. Mr. Mbarak's salary is consistent with this principle.

(6) At the same time there would appear to be some grounds for according increments to his post and possibly also for granting it pensionable status. I will give this matter my consideration but you will appreciate my reluctance to increase this Colony's pension commitments without very grave reason.

4. Paragraph 6 of the Note. Arab Clerical Services.

The terms of service for Arab and African Clerks, which have been in force since 1927, were approved by Mr. Amery in his despatch No.480 of the 8th June, 1927.

5. Paragraphs 7 and 16 of the Note. Arab Education.

Paragraph 7.

(1). Dr. Shiels' enquiry as to whether the Arabs were so distinct a people that they required a separate curriculum was a most pertinent one. Mr. Mbarak's reply appears to have been deliberately misleading. The following extract from a letter from Mr. T.A. McKay, the Acting Principal of the Arab School at Mombasa, who has passed the Higher Standard Swahili examination and knows the Arabs well, may be of interest :-

Arabs and Persians settled on the Coast in pre-Mohammedan, perhaps even in pre-Christian, times. Coming in the first instance as traders in, amongst other commodities, slaves, they formed settlements and employed slaves to cultivate the Coast lands. The word "Swahili" originates from an Arabic word meaning a "coast" and was applied by the Arabs to those of themselves who settled on the Coast".

For centuries, then, there have been Arabs living here with numbers of African slaves. From among these slaves they took concubines, by whom they had children. The children of Arabs by slave-concubines took the fathers' nationality, though, as time went on, they resembled less and less the Arab stock from which they came, and took on more and more the physical characteristics of the African.

The child of an Arab by a native woman was an Arab. The child's child by a native woman is again an Arab, and so on indefinitely. On the other hand, should the child be a female and marry a native, her child is not an Arab but an "Mzalia", which was also the name applied to the offspring of the slaves. We have then, the descendants of these original Arab settlers divided into two portions, one of which call themselves Arabs, while giving the other portion the same name as was applied to African slaves born in captivity."

Just over a century ago, a third element entered into the question with the immigration of the Mazrui. They affected contempt for the people they found here, and called themselves "Arabs" in contradistinction to the "Swahili" descendants of the earlier settlers. Now, however, there is no apparent difference in appearance, mode of life and standard of living of the Mazrui Arabs and of the two classes of descendants from the original settlers, and there may be little difference between any of them and African converts to Islam. The common language is Swahili.

It will, therefore, be understood that very few pupils in the schools are of pure Arab blood; those who can lay claim to that are generally Shihiri, whose parents come to trade and who are liable to return to their own country. With the exception of these few and of some others who are of pure African origin, the mother tongue is Swahili!

From this it is clear that the majority of the few

boys whose home language is Arabic are not permanent residents in Kenya.

(2) At the commencement of this year there were 287 pupils in the Arab School at Mombasa. Of these 74 were returned as "Arabs" on the definition that they had Arab blood on the male side. 68 others had Arab blood in them. 102 were of various African tribes. 25 were Swahili speaking "Baluchis" and 18 were Swahili speaking boys of mixed African and Indian origin. The Principal informs me that not more than 10 out of all the boys speak any Arabic at home.

(3) The Principal continues :-

" The desire for the teaching of Arabic is not based on its being the mother tongue of the Arabs; it is demanded on purely sentimental grounds, by a few only. A knowledge of Arabic is not a necessity from the religious point of view for it is only those who wish to become religious teachers who learn to translate the Koran. Swahili is despised because it is of no economic value, i.e. it is not used in business yet the same criticism applies to Arabic. The demands, then, for the introduction of Arabic into, and for the omission of Swahili from, the curriculum are not consistent. There is, I fancy, no necessity to state the case for the retention of Swahili at least in the Elementary and Lower Middle stages."

" There is, I should say, a much greater demand for English than for Arabic, because the former is the language of commerce. The "Arab" does not forget that he once possessed slaves, and, manual work being still distasteful to him, his desire is towards a sedentary occupation, for which a knowledge of English is a necessity."

" The first and principal desire of the average Mohammedan parent is that his children should be able to read the Koran. It is not necessary that they should understand what they read, but that they should be able to pronounce the words. To be able to read through the Koran fluently may take from 2 to 6 years depending on (a) the age and capacity of the pupil and the ability of the teacher, and (b) whether the parents can afford a private teacher."

" The custom of completing Koranic instruction before beginning anything else necessarily made the age of entry into the school very high. In order to improve matters a Koran Section was opened in the Arab School in October, 1924. The number on the roll at the end of 1925 was 78, and by the end of 1924 it had increased to 286. Since then the average number has been in that neighbourhood, the highest in any month being 515. The Koran Section has never been abolished, though, in order to save the children the deadly monotony of several years spent learning to read the Koran without understanding it, attempts have been made to intermingle secular instruction with the Koranic. This has been done very gradually and carefully, with due regard to the prejudices of the parents-

" parents, and with the concurrence of competent  
 " Mohammedan advisors. No falling off in numbers  
 " occurred when this change was made. In March of  
 " this year a Koran Class was inaugurated on a new  
 " basis. This was done on the advice of the "Arab"  
 " members of the Central Committee on Arab Education,  
 " of whom Mr. Mbarak Ali was one. There is, however,  
 " no definite opinion on Koran teaching current among  
 " the people themselves."

" In the previous paragraph I have given the largest  
 " number of pupils ever on the roll of the school as 515.  
 " The school can hold 540, without having any class with  
 " more than 30 pupils. There has never been a waiting  
 " list for entry into the school".

" The average age of admission over the last three years  
 " is 10. The average period of attendance is 3 years,  
 " and the daily attendance has, over the last three years,  
 " averaged 86.9 of the number on the roll. Of those  
 " who leave school yearly 50% have been in school for less  
 " than two years, 12% stay more than 5 years, while less  
 " than 2% stay long enough to complete the full course."

" The failure of most pupils to reach a satisfactory  
 " standard of education is not due to lack of provision,  
 " but, as the above figures show, the reason is that,  
 " while only a small proportion of the children in  
 " Mombasa take any advantage of the educational facilities  
 " offered, only a very few take anything like full  
 " advantage of them. Their failure to do so I attribute  
 " to the following causes :—

- " (a) the lack of parental control, due in part to  
 " the large number of divorces and to the consequent  
 " low standard of home life;
- " (b) the prejudice and ignorance of parents and  
 " grandparents, especially of the women;
- " (c) poverty;
- " (d) the prevalence of disease (especially intestinal  
 " worms and malaria), and the reluctance to undergo  
 " examination and treatment;
- " (e) the fact that only a few realise the value of  
 " education, and then only as a commercial asset;
- " (f) their obvious and mistaken idea that attainment  
 " is possible without effort.

" It is certain, however, that improvement in all  
 " directions is going on slowly. The new Coast Secondary  
 " School will give increased educational facilities  
 " and also increased opportunities for character training.  
 " At present there are signs of the same reluctance to  
 " take advantage of it, but, when its success is assured,  
 " there is no doubt that it will mark a distinct step  
 " forward in the education of the Coast peoples."

(4) The Acting Director of Education endorses the views  
 of the Principal and adds that one great difficulty  
 encountered in the attempts of the Education Department  
 to educate the Arabs in Mombasa is that, as soon as they  
 have acquired the slightest knowledge of English, they  
 leave school to take employment as low grade clerks and  
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 " the people themselves."

" In the previous paragraph I have given the largest  
 " number of pupils ever on the roll of the school as 315.  
 " The school can hold 540, without having any class with  
 " more than 50 pupils. There has never been a waiting  
 " list for entry into the school".

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 " is 10. The average period of attendance is 3 years,  
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 " taxi-drivers.

(5) Two Europeans have long been employed in the Mombasa school, and one is always in charge of that at Malindi, so that Arab boys are given every chance of learning English. Efforts to induce Arabs at Lamu to attend the Government School there have so far met with little success, and a struggle is always in progress at the out-lying places (such as Mambui, Ganda, Vanga etc.) to induce the boys to go to school.

(6) An Arab boarding school of a secondary character with fees only just covering the cost of food, clothing, and fuel, has recently been opened near Mombasa, far enough from the town to make sound discipline possible. A good deal of difficulty is being experienced in securing even 40 or 50 boys for this School, though every facility for the exercise of their religion is to be provided. Two Europeans of long Coast experience are engaged for this work, as well as other teachers. The premises, apart from land, are costing over £15,000 and an excellent, extensive and healthy site has been secured with the open sea on one side and a creek on another.

(7) What has been and is being done has been in accordance with the advice of the Arab advisers of the Education Department. It is quite adequate. The failure has been on the part of the Arabs who seem to be incapable of taking proper advantage of what is provided. The situation is, however, not without hope for in a decade the School at Mombasa has risen from 65 to 287 boys. Great and permanent advances cannot be expected till the very conservative attitude of the Arab community in respect of female education is changed. Proposals for visiting teachers along the lines of the Zenana system in India have been under consideration by the Education Department and will be put forward when it is possible to make the necessary financial provision.

Paragraph 16. (1) The District Commissioner Nairobi reports that the male adult Arabs in Nairobi appear to number not more than 50 and their children not more than 20. The size and importance of the problem in Nairobi dwindles on a consideration of these figures. A school for non-Indian Mohammedans was opened some time ago but had to be closed owing to lack of pupils. It has recently been re-opened in a good building with two trained teachers, but it is difficult to secure the attendance of the boys whose parents either cannot or will not compel them to attend.

(2) It is presumed that the reference to the "illegality" of the attendance of Arab boys at Nairobi schools is based upon the application of one such boy to enter the Indian Secondary School. The systems of Arab and Indian education in Kenya are quite distinct and are paid for from separate Sub-heads of the Estimates. The mixing of the schools would result in serious financial, racial and linguistic difficulties. The father of the particular boy referred to was advised to send him to the Arab school at Mombasa.

6. Paragraph 8 of the Note.

A Bill to define the status of Arabs is now under consideration.

7. Paragraph 9 of the Note. Land for the Arab Community.

The attached memorandum by the Provincial Commissioner, Coast, deals with the points raised by Mr. Mbarak.

8. Paragraph 10 of the Note. Arab representation on Legislative Council.

Separate correspondence has passed in regard to this.

9. Paragraph 11 of the Note. The Mombasa Town Planning Scheme.

I am addressing a separate despatch to you on this.

10. Paragraph 12 of the Note. Arab representation on Mombasa Municipal Board.

(1) Arab interests are represented on the Mombasa Municipal Board directly by one nominated Arab (Mr. Ali bin Mohamed) and one Government representative who is an Arab (Mr. Mbarak Ali) and indirectly by the District Commissioner, Mombasa, who is Chairman of the Board.

(2) The full constitution of the Board is as follows :-

- Chairman - District Commissioner, Mombasa.
- 7 Nominated Europeans
- 7 " Indians.
- 4 Government Nominees (2 Europeans, 1 Indian, 1 Arab).
- 1 Port Nominee (European).
- 1 Nominated Arab.

There are therefore 11 Europeans, 8 Indians and 2 Arabs on the Board.

(3) As stated above, Arab interests, which are closely related to Native interests, are the special care of the Chairman of the Board.

(4) Very careful consideration was given by the Feetham Commission to the question of Arab representation on the Mombasa Board, and the above constitution reflects their recommendations in this respect.

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11. Paragraph 15 of the Note. Welfare Work in  
Mombasa.

On the departure of Miss Twining on leave she was replaced by a Lady Medical Officer engaged locally.

Since the termination of Miss Twining's services the employment of the lady referred to above has been continued. It will be observed that there has been no interruption in the work previously performed by Miss Twining.

(2) Some confusion appears to have arisen with regard to the type of work formerly carried on by Miss Twining and continued by her successor. Her duties were solely connected with child welfare and allied subjects and have not included such matters as the sanitary condition of shops or houses, these falling within the province of the Medical Officer of Health and his staff.

12. Paragraph 14 of the Note. Government and  
Municipal Taxation.

It is at their own expressed desire that Arabs are classed as Non-natives. They are very insistent on the point, and emphatically resist any suggestion that they should be regarded as Natives even where payment of tax is concerned. Non-Native Poll Tax is, as stated, at the rate of Rs.50/- per annum. It is a fact that many of them appear to find difficulty in paying that sum, but discretion to remit the Tax wholly or in part is vested in the District Commissioner, (vide Government Notice No. 78, page 230 of the Official Gazette for 1924) in cases of inability to pay.

It should be noted, however, that Arabs are exempt from payment of the Education Tax.

As regards Municipal Taxation, there are possibly grounds for complaint. A Site Value Rate of 2% is levied at present on all property on the Island, and there are also Refuse Removal Fees amounting to Shs.12/- p.a. per house. The point has been engaging the attention of the Board for some time, and proposals have been put forward to re-distribute the burden of taxation by abolishing the Refuse Removal Fees (and substituting therefor a rate on improvements). These proposals are still under consideration by Government.

Increased taxation would appear to, <sup>be</sup> the inevitable concomitant of Local Government, but generally speaking it is probably not unduly high in Mombasa, though some adjustment in its incidence is indicated as advisable.

13. Paragraph 16 of the Note. Fishing Industry.

I am unaware whether any decision has been reached on the recommendation of the Colonial Office Conference 1960.

14. Paragraph 17 of the Note. Customs Duties.

The import duty on salted, pickled or dried fish was reduced in April 1960 from Shs.4/- per 100 lbs. to Shs.2/- or 30% ad valorem whichever is the greater.

The rate of import duty on dates was examined by the Inter Colonial Committee which investigated the Customs Tariff last year and as it was found that the rate of Shs.4/- per 100 lbs. was approximately equivalent to the basic rate of 30% ad valorem imposed on other foodstuffs, no change was recommended.

The particular kind of cotton cloth woven in Arabia to which Mr. Mbarak referred is probably an unbleached cloth, the duty upon which was reduced from 40 cents per lb gross to 30 cents per lb gross in April 1960.

The rates of duty chargeable on these goods are the same whether imported into Kenya, Uganda or Tanganyika Territory.

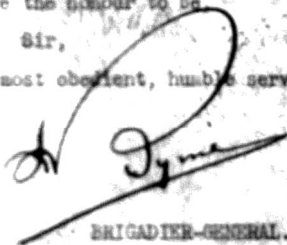
As regards the statement that high railway freights have had a depressing effect upon trade with Arabia, it is generally agreed that this trade is and always has been confined to the Coast and that extensions of trade connections far into the interior have never been attempted.

It is probable that the extremely primitive conditions of trade with Arabia, which is almost entirely carried on by dhows able to make only one round trip during a year (being dependent upon the two monsoons) cannot long survive competition with more advanced methods and to this fact must be ascribed the serious diminution in the traffic to which Mr. Mbarak refers.

I have the honour to be

Sir,

Your most obedient, humble servant,



BRIGADIER-GENERAL.

GOVERNOR.

COAST LANDS.

Reference Para: 9 of Kenya despatch No.347  
of the 21st May, 1951, from the Secretary of State.

.....

Mr. Mbarak's statement that much land had been taken away from Arabs by the Government on the ground that it was not under cultivation is hardly in accordance with the facts.

2. When the Crown assumed control of the Coast area in 1895 all waste and unoccupied land was deemed to be Crown Land. Between that time and the enactment of the Land Titles Ordinance (Cap 145) in 1908 Government granted many leases and conveyances of land within the Coast strip which did not conflict with private rights.

3. As time progressed, however, it became increasingly clear that squatters with the most shadowy form of title, or with no claim or right at all, were planting and extending their holdings, and that sales were taking place which were not based on genuine occupation. A Government Notice dated the 18th May, 1907, and appearing in page 206 of the Official Gazette of June 15th, 1907, stated that

"Whereas large tracts within those portions of the East African Protectorate which are under the Sovereignty of His Highness the Sultan of Zanzibar appertain to and belong to the Crown as waste and abandoned land.

"And whereas it appears that certain persons have been and are in the habit of laying claim to and purporting to sell such lands without right thereto and to the prejudice of the State.

"It is hereby notified that no person can acquire any title to any land which was not privately owned prior to the year 1887 or to any land which has since been abandoned except through or from the Government, and that any person who knowingly sells or purports to sell such land commits an offence against the law and is liable to punishment."

4. Government thereupon decided to enquire into the validity of titles within the Coast strip and to determine what proportion of lands were privately owned and what proportion should be regarded as Crown property. The Land Titles Ordinance was designed to settle this question.

5. On the application of the Ordinance to a District, Arbitration Boards were set up consisting of the Provincial Commissioner or District Commissioner concerned together with the local Lwali, whose knowledge was of great assistance. As the Boards pursued their investigations on the spot the adjustment of Coast titles was very greatly accelerated by their efforts. In the majority of instances a settlement was reached and the cases came before the Recorder for formal judgment. Altogether about 20,000 claims were dealt with.

6. In view of the machinery which was established under the Land Titles Ordinance for the settlement of claims it is not easy to understand upon what grounds



2.

Mr. Mbarak has based his statement. A title can be acquired after 12 years' possession, and if the Ordinance had not been brought into force it would have been impossible for Government in a large number of instances to establish its right to its own property. But the Ordinance certainly did not have the effect of confiscating land from the Arabs. On the contrary, it enabled those Arabs who laid claim to land to receive a valid title for their holdings.

7. Sir Robert Hamilton's explanation is rather misleading in so far as it gives the impression that the Arabs used to own all land in the Coast strip and that portions of the territory became unoccupied as a direct and sole result of the abolition of slavery. The fact is that long before the enactment of the Abolition of the Legal Status of Slavery Ordinance (Cap. 27) in 1907 Government was satisfied that there existed a considerable area of waste and unoccupied land, and, as stated in para: 2 supra, it proceeded to grant conveyances and leases which did not interfere with private rights. The Ordinance to which he refers is presumably the Land Titles Ordinance, which lays down, in Section 17, that "all land ..... concerning which no claim or claims for a certificate of ownership shall have been made ..... or if such claim or claims having been made none shall have been allowed, shall ..... be deemed to be Crown land."

8. The Ordinance imposed no condition to the effect that land not in occupation with permanent cultivation was to revert to the Crown. There was no question whatever of the reversion of land to the Crown. Either the land was privately owned or it was deemed to be Crown land. Where genuine claims were put forward and upheld in the Land Registration Court indefeasible titles issued to the owners.

9. It is not correct therefore to state that "the proportion of the lands previously in occupation of Arabs, which had thus reverted to Government, was put at no less than 70 per cent". It is quite possible, and even probable, that land which had at some time or other in the past been occupied by Arabs has subsequently been declared to be Crown land: but if so that can only be because it had been abandoned by the Arabs and become waste land. Even so, there was ample opportunity during the operation of the Land Titles Ordinance for any individual who considered that he had a claim on the land to assert it in the prescribed manner.

10. The authority for the figure 70% is not quoted: and no figures exist, so far as is known, by which it might be checked. It is more than probably a mere guess. If correct, it would appear to indicate what a large proportion of the land previously occupied by Arabs was allowed to go to waste. As explained above it did not "revert" to Government except in the sense that it was deemed to be Crown Land by reason of the fact that there was no claim to it on the part of private individuals.

11. The question of the alienation of this, or other, land to the Arabs is discussed in the concluding portion of this Memorandum.

12. As regards the question of fees referred to in the

-last-

last paragraph, Mr. Mbarak's contention would not appear to be based on fact. The initial fees on application for title were Rs.2. Survey fees were not as a rule collected until a transaction in connection with the particular piece of land required to be registered. When Certificate of Title issued a fee at the rate of 1% of the value of the land was chargeable, with the proviso that no land should be assessed for the purpose of the fee at a higher rate than Rs.1500 per acre. By the Amending Ordinance, No.22 of 1910, the fee was raised to 2% on the value of the land, with a proviso that no land should be assessed for the purpose of the fee at a higher rate than Rs.1500 per acre or at a lower rate than Rs.10 per acre, and that in no case should a fee of less than Rs.5 be payable. Power was at the same time given to the Governor to remit the whole or any portion of the prescribed fee in cases of extreme poverty or when for any reason he should consider that such remission should be allowed. The object of increasing the fee was to put on the landowners a somewhat larger proportion of the cost of the work of settling title to land.

13. Shortly after the application of the Amending Ordinance representations were made by the Arabs, for the reduction of the fee, but Government considered that the scheme should be self-supporting and was unable to entertain the suggestion. It was realised that the Ordinance would apply to a large number of small holdings but it was the opinion of Government that a minimum Certificate Fee of Rs.5, with Survey Fees at Rs.10, would not entail undue hardship on the owners.

14. However, many Arabs and natives were sceptical regarding the intention of the Ordinance and seemed to imagine that their land would be confiscated by Government in cases where no documentary title was held. They also felt that there was an injustice in charging fees. And for these reasons they delayed putting in their claims. Meetings were held by Administrative Officers and Liwalis at various centres and the objects and reasons of the Ordinance were thoroughly explained, as a result of which it was possible to dispel the doubts which existed.

15. In view of the very moderate fees which were chargeable on small holdings, and having regard to the measures which were taken to disseminate the purpose of the Ordinance, it is difficult to credit the assertion that "a number of claims which might have been submitted under the Land Titles Ordinance had not been submitted, the reason being the fees payable for certificates of title were so large".

16. By 1924, however, land values throughout the Coast area, with the exception of Mombasa Island, had depreciated very materially, and authority was accordingly given to District Commissioners to remit at their discretion the fees due on Certificate of Title as it was felt that in many cases they might be regarded as excessive. No remission has been granted in respect of plots situated on the Island, but partial remission has been effected in regard to Certificates to Title of land situated on the Mainland in the vicinity of Mombasa, whilst total remission on the ground of extreme poverty has been accorded in the case of certain plots in the outlying districts of Kipini, the Sultanate of Witu at Lamu.

17. Attached is a statement showing according to Districts

- (a) the number of holdings in respect of which certificate of title has been granted to Arabs and Natives - 6,700:
- (b) the acreage represented by those holdings - 128,283:
- (c) the number of subsequent transfers to Non-natives 671:
- (d) the acreage transferred - 45,505.

18. It will be noted that rather over a third of the area in respect of which certificates of title have been granted has been transferred to Non-natives. On the other hand, the actual number of transfers is comparatively small. The reason why such a large amount of land has been transferred is to be found in the figures for the Malindi district, which show that though less than a quarter of the titles given under the Ordinance have changed hands more than half the land involved has been alienated. In one conveyance alone Mazrui Arabs disposed of 30,000 acres of agricultural land to Indians.

19. This fact has a close bearing on the question whether, as stated by Mr. Kibarak, land "could be given by Government without loss of revenue to the Arab Community", the suggestion that "there should be preferential treatment of the land to Arabs" and the possibility of now "making arrangements for placing any of the unalienated land in the Coast Province at the disposal of the Arab community".

20. The Arabs have the reputation of being improvident people, unable to resist the temptation to make monetary profit out of any negotiable asset. Where their holdings are small the temptation may not be great. But where the holdings are comparatively large the time will come, sooner or later, when the temptation will prove too strong to be withstood. In these cases it is moderately safe to assume that the land in question will pass out of their possession.

21. For these reasons any proposal for the wholesale alienation of land to the Arabs should be subjected to close scrutiny, and if the idea is, as suggested, that the Arabs are in need of land for beneficial occupation, conditions should be imposed which are calculated to achieve that end. In any other case it is a reasonable supposition that the land alienated will in course of time fall into other hands.

22. A Communal Reserve was established recently in the Digo District with the object of preserving certain lands to the Arab owners in perpetuity, but has met with opposition from the parties concerned mainly because it precludes them from the right to dispose of their land should they wish to do so.

23. In June 1925 Government agreed to put 5000 acres in the Lamu district at the disposal of the Arabs or natives who might wish to cultivate. Any one who wished might have 5 acres on a Temporary Occupation License renewable annually free of rent. No advantage has yet been taken of this offer.

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24. It is difficult to avoid the conclusion that the demand for more land, if it really exists - which is at the least open to doubt - is based really on a demand for a right to dispose of any land granted.

(sgd) L.L.A. Feild Jones

PROVINCIAL COMMISSIONER  
COAST.

26.9.1941.

21/12/50

SCHEDULE SHOWING THE NUMBER OF HOLDINGS HELD BY  
ARABS AND NATIVES UNDER CERTIFICATES OF OWNERSHIP  
GRANTED BY THE RECORDER OF TITLES UNDER THE LAND  
TITLES ORDINANCE (CAP. 143 of the LAWS OF KENYA)  
AND THE NUMBER OF HOLDINGS WHICH HAVE BEEN  
TRANSFERRED TO NON NATIVES UP TO THE 31ST AUGUST, 1950

District	(a) Number of holdings held by Arabs & Natives.	(b) Total area Acres.	(c) Number of holdings transferred to Non- natives.	(d) Totals area transferred to non- natives Acres.
Mombasa Island	1895	401	180	32
Changanwe-Miritini	845	5337	69	486
Mainland - South	399	5640	79	276
Mainland - North	1249	25010	97	3371
Malindi District	881	78798	195	41149
Lamu	1125	1024	19	12
Witu Sultanate	268	6750	6	41
Tana River district	738	3325	26	138
TOTAL	6900	126283	671	45505