

1931

Kenya

No. 17068

SUBJECT

CO 533/407

Glacier Settlement Scheme.

(Land Grants to Retiring Officials.)

Previous

16114/30.

Subsequent

12 January 7

of Gov. Moore Conf. H.

DESTROYED UNDER STATUTE

Inquire if may be informed of decision re
relaxation of period during which a retired official
may claim a passage overseas.

I put up two memoranda.

A — A which explains the particular point at issue.

B — B which sets out the whole position in regard to the scheme & laws for the officials.

? reply that the Govt agrees to his proposed extension of his privileges accorded by Regn 155 in the case of officers who participate in scheme C, provided it is made clear that the extension cannot be commuted for a money payment: point out that the Govt is still awaiting reply to the draft referred to at X & Y in Memo B.

[The Agric Bank proposals have now gone thro' but we can leave it to the Govt if it thinks fit, to reopen the question of state-aided settlement. In view of the economic conditions it is a mercy that no such settlement has actually taken place]

100 Allen
26/1/31

170

And I trust that you will be permitted in present circumstances
accp

See no reason why
the detail relating
to scheme 'C' should
not be disposed of now
as proposed.

All Parliament
26.2.31

So proceed.

It is all the more that
a retiring officer who contemplates
settlement should not feel
that he must avoid
a history.

L.S. 27.2.31
above

2. Q. No. 44 _____ 5 February
States as to an extension of the scheme to cover
non-pensionable railway servants; does not consider
any occasion for submitting proposals re scheme
for brief. States as to use of words "person
and official" in scheme C.

W. Allen

This answers the last
referred to at X in your
Memo. B. above no. 1. It
seems to call for no
action.

? as in A. No.
Glanville
6-3-31

I think we had better get off
the dot on the specific point, leaving the
matters to the top of the dot of 5 June 1930
(No. 1) 16114 (19) recurrent no. 2
series.

W. Allen
6/3/31

10/31/31

3. No. Gov. Conf. - 1. Howard - bonds - 10 MAR 1931

Rec'd
as to X
above

Mr. Patten's

This has been circulated for

No. 2.

The problem is that the scheme
applies to pensionable Europeans &
European contributing to a fund
and - 25. railway their.

There is at present no plan
pension scheme though one is under
way.

It is now known & recorded that
there is no objection in principle to
forming a scheme in 1931 & that
I think we may be well content to
leave the matter in the absence of
any demand or representations from the

Reano.

As to form of the position is
has made clear: also direct. of the
Enquiry was to ascertain whether it
under the special schemes
was in fact the intention to
limit transfer (with all the conditions)
to officials not to include other
persons eligible under scheme C.

? part?

written

31/3/31

all Parkinson
1.4.31

W.D. 1.4.31

Handwritten scribble

H. A. A. Stanton 8 May
Requests particulars of Close Settlement scheme
and applies for an acre in Kericho District
if that area is to be used for close
settlement.

to Allen.

The map flagged on 16/11/20
shows that the Kericho District
is not one of the districts affected
by the close settlement schemes.
He enquires generally about these

I think, he may be told that
assisted settlement is done not be
proceeded with at present. He
for has been told that he may
ahead with the alienation of
some of the farms but without
any prospect of state assistance.
For info. about ordinary
alienation of crown or
private land he must go to
the T & T O. The business
it is to answer questions of
this sort.

? or in D's letter.

Handwritten signature
Date - copy sent to H. Allen 20.5.31.
S. J. O. Moy. Dale (w/c H) s.o. homo 15/6
1 JUN 1931

DESTROYED UNDER STATUTE

6 May. Dale %
Since that of suggested reply to Mr. Stanton re
land in Kericho District had inquiry been addressed
to Land Office.

Draft hereafter of his
discussion with Mr. Parkinson
H. Allen & Co. Secy

H. H. Stanton (Hans) } = 8 JUN 1931
To Maj Dale - (ans) - info - s.o. }

REPRODUCED UNDER STATUTE

See note
No. 7

also known as
Mr. Eastwood

he reply to last paragraph of
no. 3 yet.

Thomas
11/6/31
wait 2 months
Stanton
20/6/31
at

(No)

Please see last paragraph of no. 3.
no. 7 on 16/11/30 has not yet been answered.

Thomas
22/8/31

The info. is not required urgently in
scheme C is apparently only a proposal
(see first para of ① on 16/11/30.
wait another month.

G. B. Hambrook 22/8/31

G. B. Hambrook

6/3

Mr. Eastwood
Please see minute of 24/8/31

Thomas
24/9/31

I imagine that the scheme is
pretty dead at the moment
& I think you might be
able to make a drop for the
present.

Stanton
2.9.31
G. B. Hambrook

9 Gov. & Dep. Martin Conf. 119 25th August 1931.
Gives further information re Scheme C. In view
of present position, it is not proposed to proceed
with the scheme as a whole at the moment.

Mr. Freeston.

10 Largely to clear my own mind about this
subject, I have prepared a note which is attached
opposite.

With regard to ^{the} Tigoni areas, this business
of native rights on unoccupied Crown land will be
one of the primary matters for the proposed Land
Commission to consider. In any case it is not
proposed to proceed further with Scheme C. We
may therefore ? leave the matter as it stands.

The Governor seems to want the Secretary
of State to give approval to the proposals for
assisting European Civil Servants to acquire and
develop land in Kenya prior to their retirement,
as set out in the enclosure to No. 3 on 15/10/28.

The reference to No. 2 on this file is

somewhat

somewhat confusing... I see no reason why

this approval should be withheld if the ^{Money} ~~Money~~ advances can be found. The ~~if~~ however is rather a large one.

I would suggest ask^g note the request for approval of the advances scheme; say that it is assumed that approval is requested

for the scheme as set out in the encs to nos 3 & 15298/28

(KagH) i.e. & enquire in the first instance from what

(b) source it is proposed to provide the necessary advances & what amount ~~with~~ it is expected will be required.

(a) & (b) come both before (b)

Glennard
10.12.31

I agree that if any reply is to be sent, it should be on the lines proposed by Mr. Eastwood. But I should be inclined to read the permissive para. of the despatch rather as a statement of fact than as an indication that approval is desired. The present moment seems inappropriate for promising approval for the scheme; and in the absence

of any evidence for demand, there is much to be said for letting the sleeping dog lie.

Pringle
12/10

I may have an opportunity at this year's Nov. 2 speeches to say more about this. Keep it for present & do not

J.M. Allen

25/10 1.31 advance

11. for Dept^y 188 Conf. 22/9/31

States that the Conf. despatch in regard to 'B' Scheme, referred to in No 9, has been held up on account of a further examination of the Nideragna Farms.

I spoke to Mr Moore about this. He told me he did not think at all the remarks in para 4 of No 9 did not amount to a recast of a decision. The scheme of the Railway was approved & was always under the impression that the latter total scheme in which the Railway scheme was treated as approved but I can find no definite approval of it. We can now await the further

somewhat confusing. I see no reason why this approval should be withheld if the ^{Money} ~~the~~ advances can be found. The 'if' however is rather a large one.

I would suggest ask^r; note the request for approval of the advance scheme; say that it is assumed that approval is requested

for the scheme as set out in the encire to nos a 15298/28

(Koe/H); & enquire in the first instance from what

(b) source it is proposed to provide

the necessary advances & what

(a) amount ~~with~~ it is expected will be required.

Eastwood

10.12.31

I agree that if my reply is to be sent, it should be on the lines proposed by Mr. Eastwood. But I should be inclined to read the penultimate para. of the despatch rather as a statement of fact than as an indication that approval is desired. The present moment seems inappropriate for promising approval for the scheme; and in the absence

of any evidence for demand, there is much to be said for letting the sleeping dog lie.

Eastwood
12/10

I may have an opportunity at the beginning of Nov. of speaking to Mr. Moore about this. Keep it in front of you note

10/10/31

27/10/31 advance

11. for Dept^y ——— 100 Conf. ——— 22/9/31

States that the Coy despatch in regard to 'B' Scheme, referred to in No 9, has been held up on account of a further examination of the Ndaragua Farms.

I spoke to Mr. Moore about this. He told me he did not think it was the Kwana in para 4 of No 9 did not amount to a request for a decision. The scheme of the Railway was approved & was always under the impasse but the Collier's Colony scheme in which the Railway scheme was treated as approved but I can find no definite approval of it. We can now await the further

dispatch, when the matter can be
considered in the light of the
note on the front of the

of the 2nd sheet of No 9

J. H. Allen

15/1/31 17/1/31

stance

W

J. H. Allen

It has been
concluded in
the meeting with
the account
of the 1st

Papers circulated

R 297

30
17/1/32

with view

That three weeks

J. H. Allen

26/3

stance

Papers circulated to the Allen

20/4/32

Returned to Registry. 27/3/32.

12 Extract from Govt's despatches No 499
dated 13/7/32 as sent to Gov. Kenya
on 27/10/32 E.A.

? This can now be put by as
pending the result of the land inquiry
no schemes as such will be approved
and any individual cases will fall
to be dealt with in accordance with
the ruling on alienation of land
vide 4 and 5 in 1899 3/32 Kenya

W

J. H. Allen
26/1/32

J. H. Allen
26/1/32

Dispatch, when as the matter can be
considered in the light of the
acts on the part of the
report of which shall be No 9

1870/11/31

2/2

1871/12/31

stance

WV

the 1870/11/31

Papers recirculated

20

R 297.

1872/1/31

with 2000

that three weeks

1870/11/31

2073

stance

Papers recirculated to the 1870/11/31

2074/32

Returned to Registry. 1872/1/31.

12 Extract from Govt's despatches No 499
dated 12/17/32 as sent to Gov. Kenya
on 2700/32 E.A.

? This can now be put by as
pending the result of the land inquiry
no schemes as such will be approved
and any individual cases will fall
to be dealt with in accordance with
the ruling on alienation of land
vide 4 and 5 in 1809 2/32 Kenya

WV

1870/11/31
26/11/31

1870/11/31
26/11/32

App. have been
to use in
Commission will
the account
1/2 of the De take

Paragraphs 50-61. White Settlement.

The Joint Committee, subject to the remarks made in these paragraphs and to the general principles laid down in their report, affirmed their belief in the value of white settlement as an important element in the progress of East Africa. I share the Committee's opinion on this matter; but it has been urged that further white settlement should, for the present, not be encouraged on two grounds:-

(a) It is held in some quarters that an excessive amount of land has already been alienated for white occupation.

(b) Even if ample land were made available for further ^{white} settlement (by the splitting up of large holdings already in the possession of white settlers) it would be a mistake to introduce fresh settlers who might prove unable to stand economically on their own. The first of these contentions relates, so far as the three territories of Kenya, Uganda and Tanganyika are concerned, more especially to Kenya and is covered by the suggestion in paragraph 105 (11) of the Joint Committee's

Report regarding the land enquiry in that

Dependency to which I shall refer later. As

A | regards the second contention I am of opinion that no further subsidised settlement should be undertaken unless it can be established that

it is economically justified; and I also agree with the view expressed by the Joint Committee

B | in paragraph 60 of their Report that the figures and arguments submitted to them merit serious consideration before any policy of further intensive white settlement is adopted.

Paragraphs 59-61. White Settlement.

The Joint Committee, subject to the remarks made in these paragraphs and to the general principles laid down in their report, affirmed their belief in the value of white settlement as an important element in the progress of East Africa. I share the Committee's opinion on this matter; but it has been urged that further white settlement should, for the present, not be encouraged on two grounds:-

(a) It is held in some quarters that an excessive amount of land has already been alienated for white occupation.

(b) Even if ample land were made available for further ~~settlement~~ ^{white} settlement (by the splitting up of large holdings already in the possession of white settlers) it would be a mistake to introduce fresh settlers who might prove unable to stand economically on their own. The first of these contentions relates, so far as the three territories of Kenya, Uganda and Tanganyika are concerned, more especially to Kenya and is covered by the suggestion in paragraph 105 (ii) of the Joint Committee's

Report regarding the land enquiry in that Dependency to which I shall refer later. As regards the second contention I am of opinion that no further subsidised settlement should be undertaken unless it can be established that it is economically justified; and I also agree with the view expressed by the Joint Committee in paragraph 60 of their Report that the figures and arguments submitted to them merit serious consideration before any policy of further intensive white settlement is adopted.

A

B



RECEIVED
16 OCT 1931
GOVERNMENT OFFICE

8

KENYA

No. 133

CONFIDENTIAL

GOVERNMENT HOUSE,
NAIROBI,
KENYA

*Advised by
was with
H. Martin*

22nd September, 1931.

No 9

Sir,

I have the honour to refer to my Confidential despatch No. 119 of the 25th August last on the subject of Closer Settlement in which I stated that I had addressed a separate Confidential despatch in regard to the "B" Scheme.

2. I desire to explain that the actual transmission of this separate despatch has been held up on account of a further examination of the Ndaragua farms by the Agricultural Department which I was advised was desirable. I expect to receive final recommendations from the Department towards the end of next month.

I have the honour to be,

Sir,

Your most obedient servant, humble servant,

H. J. Martin.

GOVERNOR'S DEPUTY.

THE RIGHT HONOURABLE J.H. THOMAS, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S.W.1.

RECEIVED
16 OCT 1931



GOVERNMENT OFFICE

GOVERNMENT-HOUSE,

NAIROBI,
KENYA.

KENYA

No. 133

CONFIDENTIAL

Handwritten notes:
Mr. G. H. ...
Mr. ...
M. ...

2nd September, 1931.

Sir,

No 9

I have the honour to refer to my Confidential despatch No. 119 of the 25th August last on the subject of Closer Settlement in which I stated that I had addressed a separate Confidential despatch in regard to the "B" Scheme.

2. I desire to explain that the actual transmission of this separate despatch has been held up on account of a further examination of the Ndaragua farms by the Agricultural Department which I was advised was desirable. I expect to receive final recommendations from the Department towards the end of next month.

I have the honour to be,

Sir,

Your most obedient servant, humble servant,

H. J. Martin

GOVERNOR'S DEPUTY.

THE RIGHT HONOURABLE J. H. THOMAS, P. C., M. P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S. W. 1.

10

The Governor's Conference of 1926 recommended "That facilities for acquiring land in the East African Dependencies should be given to officials about to retire who wished to settle in areas suitable for settlement".

As a result of this resolution, discussions regarding a concrete scheme took place locally, and such a scheme was eventually forwarded to the Secretary of State in a Confidential despatch No. 53 of the 26th June, 1928.

(No. 3 on
15198/28
Flag A.)

This ~~claim~~^{scheme} contained two proposals:-

- X
1. For granting Crown land on special terms to retiring Civil Servants.
 2. For facilitating by means of advances from Colonial funds the purchase and development by Civil Servants of privately held land or of any Crown land that might be granted under the first proposal.

The first proposal formed part of the comprehensive "Closer Settlement proposals" which were sent home by the Governor a few months later, in November 1928. A print summarising these proposals will be found below No. 1 on 15776/29, Flag B.

(Despatch No.
645 of 19th
Nov. 1928, No.
13 on 15013)
hr

The "Closer Settlement proposals" comprised three schemes ~~wholly~~^{namely}:-

Scheme A. A Small Holding scheme.

Scheme B. A Mixed Farming scheme.

Scheme C. A scheme for small holdings and residential plots for pensioners and other persons in similar circumstances.

We are not concerned here with the details of Schemes A and B.

Under

Under Scheme C it was proposed to provide for retired servants of the Crown of all branches of the Service, - Military, Naval and Civil - and other persons in similar circumstances of retirement from business or profession, with special reference to the retirement of Civil Servants of the East African Group who propose to settle permanently in the Colony but do not desire to farm on the scale contemplated in Schemes A and B.

The three areas which it was proposed to make available under this scheme were:-

1. At Kileleshwa on the outskirts of Nairobi.
2. In Tigoni township, near Limoru, and
3. On the outskirts of Kitale.

The conditions under which the grants were to be made did not provide for any direct Government assistance, though no part of the purchase price was to be demanded until three years after the date of allotment, after which it was to be payable over seventeen equal annual instalments. There were to be conditions as to development, occupation and transfer.

The Schemes A and B However, unlike Scheme C did involve definite Government assistance, and discussions regarding these schemes took some time. It was not until October, 1929, that the then Secretary of State informed the Governor that if the Land Bank were established he would be prepared to agree generally to the "Closer Settlement proposals" subject to certain limitations, which, however, did not affect Scheme C.

Tel. of 11th
Oct. 1929 No.
12 on 15576/29
Flag C.

Subsequent events, have led the Secretary of State

Under Scheme C it was proposed to provide for retired servants of the Crown of all branches of the Service, - Military, Naval and Civil - and other persons in similar circumstances of retirement from business or profession, with special reference to the retirement of Civil Servants of the East African Group who propose to settle permanently in the Colony but do not desire to farm on the scale contemplated in Schemes A and B.

The three areas which it was proposed to make available under this scheme were:-

1. At Kileleshwa on the outskirts of Nairobi.
2. In Tigoni township, near Limoru, and
3. On the outskirts of Kitale.

The conditions under which the grants were to be made did not provide for any direct Government assistance, though no part of the purchase price was to be demanded until three years after the date of allotment, after which it was to be payable over seventeen equal annual instalments. There were to be conditions as to development, occupation and transfer.

The Schemes A and B However, unlike Scheme C did involve definite Government assistance, and discussions regarding these schemes took some time.

It was not until October, 1929, that the then Secretary of State informed the Governor that if the Land Bank were established he would be prepared to agree generally to the "Closer Settlement proposals" subject to certain limitations, which, however, did not affect Scheme C.

Subsequent events, have led the Secretary of State

Tel. of 11th
Oct. 1929 No.
12 on 15576/29
Flag C.

State to modify his approval.)

In a telegram sent in June, 1930, he approved of certain plots at Nyeri being disposed of by direct grant to retired officials; ^{on scheme C conditions} but he definitely ruled out any progress being made with Scheme C holdings or plots other than the Nyeri farms, without prior consultation with the Secretary of State and his approval.

no 6 on 16/14/30
Flag H
see also no: 7

The Secretary of State said that he attached great importance to this in the case of the Tigoni township plots, as it appeared that certain native rights were affected. The present despatch deals with this point. It also says that Scheme C as a whole is not to be proceeded with at present.

Meanwhile little progress has been made regarding the second of the two proposals made at 'X' above, namely that facilities should be given by means of advances from Colonial funds for the purchase and development of land by Civil Servants. Briefly, these proposals were that officers in the Kenya service who intended to retire on pension within five years and intended to take a reduced pension and gratuity on retirement, should be eligible for advances from Government up to certain limits to enable them to purchase and develop land prior to retirement, in order that it might be ready for their beneficial occupation immediately after retirement. The money so advanced was to bear a reasonable rate of interest, and if not previously repaid to be deducted out of the gratuity payable on retirement. Government was also to have a mortgage over the property.

see Flag H

State to modify his approval.)

In a telegram sent in June, 1930, he approved of certain plots at Nyeri being disposed of by direct grant to retired officials; ^(on Scheme C conditions) but he definitely ruled out any progress being made with Scheme C holdings or plots other than the Nyeri farms, without prior consultation with the Secretary of State and his approval.

The Secretary of State said that he attached great importance to this in the case of the Tigon township plots, as it appeared that certain native rights were affected. The present despatch deals with this point. It also says that Scheme C as a whole is not to be proceeded with at present.

Meanwhile little progress has been made regarding the second of the two proposals made at 'X' above, namely that facilities should be given by means of advances from Colonial funds for the purchase and development of land by Civil Servants. Briefly, these proposals were that officers in the Kenya service who intended to retire on pension within five years and intended to take a reduced pension and gratuity on retirement, should be eligible for advances from Government up to certain limits to enable them to purchase and develop land prior to retirement, in order that it might be ready for their beneficial occupation immediately after retirement. The money so advanced was to bear a reasonable rate of interest, and if not previously repaid to be deducted out of the gratuity payable on retirement. Government was also to have a mortgage over the property.

no 6 on 16/11/24
Hag H
see also no 7

see Hag H

H.C.'s despatch
of 16th Nov. '29
No. 186 - No. 181
on 15/6/29.
S. of S.'s despatch
No. 18 of 8th Feb.
1930 - No. 19 on
15/6/29.

property. A similar scheme was subsequently submitted by the High Commissioner for Transport ~~to the~~ ^{for} Railway officials, and generally approved by the Secretary of State.

The Governor has since stated that the scheme is not to be extended to non-pensionable Railway servants or to Asian Civil Servants, since there was no demand for it.

Apparently from the penultimate paragraph of this despatch the Governor now wants the Secretary of State's approval to this proposal for assistance to retiring European Civil servants quite independently of Scheme C.

13
9



KENYA

GOVERNMENT HOUSE,
NAIROBI,
KENYA.

No. 119

CONFIDENTIAL.

RECEIVED
20 SEP 1951
COL. OFFICE

25th August, 1951

My Lord,

I have the honour to refer to Your Lordship's Despatch "Confidential (2)" of the 5th June, 1950, on the subject of Closer Settlement, and to furnish the further information desired in regard to Scheme C of the Closer Settlement Scheme. In this connection I have addressed a separate Confidential Despatch to Your Lordship in regard to the "B" Scheme.

2. With reference to paragraph 2 of Your Lordship's Despatch, whilst it is the case that the whole area of which the Tigoni Township Reserve forms part projects into the Kikuyu Native Reserve, Tigoni itself is in the centre of this block of what are now highly developed European-owned farms. There is, at present, a certain amount of Native occupation on this land, but its situation as an island in the midst of a settled area renders it most unsuitable for the permanent accommodation of native population.

The natives themselves have for some time past expressed their willingness to vacate Tigoni in exchange for another area equally well suited for their purposes, and various alternative areas have been proposed and examined, but up to date agreement has not been achieved. A comprehensive scheme was submitted last year ...

THE RIGHT HONOURABLE LORD PASSFIELD, P.C.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S.W.1.

No. 7 on 16/11/50

9. not received

year by the Provincial Commissioner and Chief Native Commissioner for the settlement of all outstanding native land claims in this Reserve, for rendering the Reserve more compact and in order to provide scope for expansion. The areas proposed were principally Forest Reserve.

5. This scheme has been carefully examined but the basic idea of a general settlement to provide for the surrender by natives concerned of any claims they may have to rights of occupation on European farms is impracticable not only because such a general settlement would involve the surrender of a larger area of valuable forest than Government could agree to, but also because the permanency or effectiveness of such a general settlement is very doubtful in view of the opposition to such a plan as must be anticipated from some individuals.

After full consideration, therefore, I instructed the Acting Chief Native Commissioner to arrange for a consultation between the Acting Provincial Commissioner, Kikuyu, the Conservator of Forests and himself with a view to finding - in the case of Tigoni - an area of Forest Reserve to which the natives concerned would be agreeable to move. This action is now being taken, but this question will be one of those on which the Commission of Enquiry, the subject of my Confidential Despatch No.109 of the 5th instant, will no doubt report.

4. It is not proposed to proceed further at present with Scheme C as a whole. As regards Kileleshwa, action on the lines of this scheme was deferred on the instruction of my predecessor until the possible further requirements of Government in this locality became more clearly ascertainable, more particularly with a view to locating therein the new K.A.R. Cantonment. This project has, however, now been abandoned after discussion with the Inspector General on the occasion of his last visit and the consideration of other -principally town planning -

aspects of such a location. Kileleshwa will form one of the most attractive suburbs of Nairobi, but at the present stage of development of the town, and in view of the amount of other available land at present undeveloped, the development of this Crown property need not be put in hand for some time, and the present is not an opportune time for throwing open a new area with consequent increased requirements in respect of road maintenance. The land is at present under short lease for grazing purposes.

There is no evidence of demand for the plots provisionally reserved at Kitale, and the settlement of the position in regard to Tigoni will clearly take some time.

A
no?
So far as retiring officials are concerned, Your Lordship's approval is awaited of the proposals for assisting European Civil Servants to acquire and develop land in Kenya prior to their retirement, vide Mr. Moore's Despatch No. 77 of the 5th February, 1931.

I do not anticipate any changes in principle in Scheme C when it is brought into operation, but the actual layout of areas and the size of plots will need careful detailed consideration, and the provisional reservations will probably have to be amended. I will furnish copies of the plans and definite proposals in this connection in due course, but it is unlikely that any action will require to be taken for some time. It is not, of course, intended that these areas should be wholly limited to applicants under Scheme C.

I have the honour to be,
My Lord,
Your Lordship's most obedient, humble
servant,

H. Z. Martin

GOVERNOR'S DEPUTY.

C. O.

7/16

X.17068/31 Kenya.

Mr. Allen

Mr.

Mr.

Mr. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Sir G. Grindle.

Parml. U.S. of S.

Parly. U.S. of S.

Secretary of State.

Downing Street,

8 June, 1931.

Sir,

I am etc. to refer to your

(4) letter of the 8th May (received in the

Colonial Office on the 16th May) in which

you enquired regarding schemes for closer

settlement in Kenya.

2. A scheme for state-aided

settlement from this country was prepared

sometime ago in Kenya, but at present

action is not being taken in the matter.

The area which you mention is not included

in the scheme.

3. In the event of the Government

of Kenya deciding to alienate land due

notice is given in the Official Gazette

of the Colony, generally three months in

advance; but I am to suggest that you might

obtain full information regarding the

terms on which land may be obtained in

the

DRAFT.

A.A. STANTON, ESQ.

Copy to Maj. Dal. s.o. = 8 JUN 1931

is should be carefully noted
I.E.A. so that it may easily
traced as a precedent, if
quired.

the Colony (without state-assistance) from

the Deputy Commissioner of the Eastern

African Dependencies Trade and Information

Office, Cockspur Street, London, S.W.1.

I am, etc.

(Sd) H.C.C. Parkinson



His Majesty's Eastern African Dependencies

CHD/WH.

KENYA, UGANDA,
TANGANYIKA, ZANZIBAR.

TELEPHONE: REGENT 8701/2.
ANY COMMUNICATION RESPECTING THIS
MATTER SHOULD BE ADDRESSED TO THE
SECRETARY. QUOTING
REF.

TRADE & INFORMATION OFFICE.

*Royal Mail Building,
Cockspur Street,
(ENTRANCE SPRING GARDENS)*

London, S.W.1.

NYABALAND,
NORTHERN RHODESIA.

CABLES: EAMATTERS, LONDON.
TELEGRAMS: EAMATTERS, WESTWARD, LONDON.

BY HAND.

2nd June 1931.

4991/31

Dear Allen,

NO. 5

With regard to your letter of the 1st of June, Number 17068/31, enclosing me a copy of a letter from Mr. A.A. Stanton. If I had been replying to his letter altogether, I should have replied in the following terms :-

"Various schemes of Closer Settlement have been under consideration by the Government of Kenya, but none of them have yet been put into force at the time of writing, as they were dependent upon the Land Bank which is now only just starting. The areas of land, however, which these Schemes embraced did not include the Kericho district, and I have no knowledge that the Government of Kenya at present are considering throwing open any additional areas, such as the one you mention.

H. T. Allen Esq.,
Colonial Office,
Downing Street,
London. S.W.1.

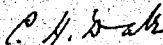
As you are no doubt aware, the alienation of land for settlement is purely one for the Government of Kenya to decide. Apart from the Closer Settlement Schemes, however, from time to time the Government does alienate additional areas of land, and when it is proposed to do this notification to that effect always appears in the Gazette, generally three months in advance. Should any of the land which is notified for alienation by auction (as set forth above) not sell, it is available for direct sale to approved applicants who are prepared to pay the upset prices and accept the other advertised conditions of sale.

If you wished to ascertain whether it is possible for you to obtain land in the particular area you mention, it would be necessary for you to address an application to :-

The Commissioner for Local Government
Land and Settlement,
Land Office,
Nairobi,
Kenya Colony. "

I cannot trace that we have had any direct application from Mr. Stanton.

Yours sincerely,



Deputy Commissioner.



Telephones & Telegrams:
17 Kegworth.

19 H
Midland Agricultural College,
Sutton Bonington,
Loughborough.

Number please

ACCD BY P.C.

May 5, 1931.

RECEIVED
18 MAY 1931
COL. OFFICE

The Secretary,
Colonial Office,
London.

LC
Sir,

I understand that there is now a close Settlement scheme in Kenya and would be glad to have particulars of it.

I was born on a farm in Kenya and know the country well and for the last two years I have been a student at the above Agricultural College.

In referring to certain maps of Kenya I note that in the Kericho district there is a piece of unalienated land shown on the plan of L.O. N^o 4431 and 3821/R. Presumably 2000 acres in all that I know of and in my opinion they are most excellently suitable for close settlement on account of:-

- 1) The fertility of the land and good rainfall in that district.
- 2) That it is passably watered.
- 3) That there is, in the district of Kericho there is a local market for farmers' produce.

Recd. - 8 JUN 1931
C. P. J. May 21st. 1931



Telephone & Telegrams:
17 Kegworth.

20
Midland Agricultural College,
Sutton Bonington,
Loughborough.

Should you contemplate marking this land for a closer settlement I most respectfully beg to make application for a 200 acre block. Or for the size of block into which you may decide to subdivide it.

Might I also be allowed to state that I know of three other people all of whom would like to apply for similar sized blocks.

I should be most obliged if you would let me know the terms on which this land might be obtained. And that if no definite scheme has at present been devised in respect to it might I enquire when one might expect a decision to be made.

Yours faithfully,

A. A. Stanton

X 17068 / 51 K 21 3

0.0

Mr. [unclear] 6/3
Mr. [unclear] 6/3
Mr. [unclear]

10/1/1948

C. D.
R 7-MAR
D 101

Mr. Tomlinson.
Sir C. Bottomley.
Sir J. Shuckburgh.
Sir G. Grindle.
Permt. U.S. of S.
Parly. U.S. of S.
Secretary of State.

~~Mr. [unclear]~~ Sir.

I have etc. to act.

①

re: Mr. [unclear]'s Compt. dep. no. 4
of the [unclear] & to inf. you
that I approve the proposal
Recommendations made
made in the final para. of the
encl. to Sir Edward [unclear]'s
Compt. dep. no. 53 of the

DRAFT.

Copy for Compt

(3 on 1598/28)

26 June 1948 (to which reference
was made also in para. 2 of the
encl. to the [unclear] Compt. dep. no. 53
describing the [unclear] that the [unclear]
privileges accorded by Reg. 155 of the
Kenya Code of Reg. regarding
the grant of passages overseas
to retired gov. officials)

~~has to be [unclear]~~ in the
case of officials participating
in "Scheme C" of the Close

Recie.

[unclear]

C.D.O.

Settlement proposals. It should be made clear that

the concessions cannot be commuted for a money payment.

2. I take this opportunity of asking Mr

Moss's letter no 77 of the 5-1-20 of writing out that I have as yet

(no. 77)

received no reply to my

Conf. Ref. no: 2 of the 5-1-20 in which I asked for further info regarding "Scheme C".

(no. 7 on 16112/134)

(Signed) PASSFIELD.

22
2

17068/37



KENYA.

GOVERNMENT HOUSE,
NAIROBI,
KENYA.

No. 77

RECEIVED
-2 MAR 1931
COL. OFFICE

5 February, 1931.

My Lord,

No. 20 on 15576/29

I have the honour to refer to Your Lordship's despatch No.127 of the 8th February, 1930, regarding the proposals for assisting European Civil Servants to acquire and develop land in Kenya on their retirement.

2. The scheme as approved by the Legislative Council and submitted for Your Lordship's approval applies to Europeans only.

3. In the debate in Legislative Council, to which reference is made, an extension of the scheme to cover non-pensionable Railway servants who contribute to a Provident Fund and non-pensionable Government servants who might enter subsequently a contributory pension scheme was contemplated. In so far as Railway servants are concerned, this extension was incorporated in the Railway scheme now approved but, pending the consideration of any contributory pension scheme for Government officers, it has not been thought necessary to proceed further in the matter.

The position as regards Asians is that no scheme for pensionable Asian Civil Servants, whether in Railway or Government service, at present exists. In principle I see no objection to the framing of a scheme on similar lines to that approved for Europeans, though no demand for such a scheme is evident nor have any / representations

THE RIGHT HONOURABLE LORD PASSFIELD, P.C.
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S.W.1.

22

7068/35

KENYA.



GOVERNMENT HOUSE,
NAIROBI,
KENYA.

No. 77

RECEIVED
-2 MAR 1931
COL. OFFICE

5 February, 1931.

My Lord,

No 20 on 15576/24

I have the honour to refer to Your Lordship's despatch No.127 of the 8th February, 1930, regarding the proposals for assisting European Civil Servants to acquire and develop land in Kenya on their retirement.

2. The scheme as approved by the Legislative Council and submitted for Your Lordship's approval applies to Europeans only.

3. In the debate in Legislative Council, to which reference is made, an extension of the scheme to cover non-pensionable Railway servants who contribute to a Provident Fund and non-pensionable Government servants who might enter subsequently a contributory pension scheme was contemplated. In so far as Railway servants are concerned, this extension was incorporated in the Railway scheme now approved but, pending the consideration of any contributory pension scheme for Government officers, it has not been thought necessary to proceed further in the matter.

The position as regards Asians is that no scheme for pensionable Asian Civil Servants, whether in Railway or Government service, at present exists. In principle I see no objection to the framing of a scheme on similar lines to that approved for Europeans, though no demand for such a scheme is evident nor have any / representations

THE RIGHT HONOURABLE LORD PASSFIELD, P.C.
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET
LONDON, S.W.1.

representations on the subject ever been made to Government from the Asian Civil Service Association. Such a scheme would, of course, require the approval of the Legislative Council, and I do not consider that at the present time there is any occasion for submitting proposals in this regard.

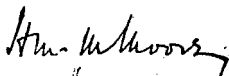
No. 19 on 15576/21

4. As regards paragraph 2 of Your Lordship's despatch to the High Commissioner for Transport, No. 18 of the 8th February, 1950, the position is that the former scheme of land grants for retiring Civil Servants was incorporated in Scheme "C" of the Closer Settlement proposals which were, however, not limited to Civil Servants. Thus the use of the word "person" in the Closer Settlement proposals is correct and at the same time the use of the word "official" is also correct in connection with the Government and Railway schemes in regard to their own servants.

I have the honour to be,

My Lord,

Your Lordship's most obedient, humble
servant,



ACTING GOVERNOR.

24
7

MEMORANDUM B.

A scheme for land grants to retiring Public Servants (European and pensionable) was sent home by the Governor in a despatch dated 26th June, 1928, - see in No.3 in 15198/28. As these proposals formed Scheme C of the Closer Settlement proposals the matter was held up pending consideration of those general proposals - see minutes on 15198/28. The Acting Governor sent a reminder on the 13th December, 1928, but no answer was sent for the same reason. The Acting Governor again reminded in his despatch of 26th June, 1929, but on the 11th October, 1929 the Secretary of State informed the Governor that if the Land Bank were established he would be prepared to agree generally to the closer settlement proposals and subject to certain limitations which, however, did not affect Scheme C. This telegram was confirmed by the Secretary of State's despatch of the 17th October, 1929. On the 16th November, 1929, the High Commissioner for Transport submitted a scheme similar to the Kenya scheme, for application to the ^{European} officials of the Kenya and Uganda Railways and Harbours. In a despatch of the 8th February, 1930, the Secretary of State informed the High Commissioner that in general he saw no objection to these proposals, but pointed out that as they formed part of the general scheme of closer settlement effect could not be given to them until arrangements for a Land and Agricultural Bank had been approved. A copy of that despatch was sent to the Governor of Kenya on the 8th of February, 1930, and the Secretary of State took the opportunity of enquiring when the Governor expected to be in a position

* *Ch. Lagged up*
15576/29. "A"

(No.4 in
15198/28)

(No.8 on
15576/29)

(No.12 on
15576/29)

(No.14 on
15576/29)

(No.18 on
15576/29)

(No.19 on
15576/29)

(No.20 on
15576/29)

position to submit a scheme, as foreshadowed in the proceedings of the Legislative Council of the 9th May 1928, which would include officers, whether European or Asian, who are not on the same pensionable basis as those covered by the existing schemes. No reply has yet been received to that despatch. In paragraph 7 of his despatch of the 15th March, 1930, the Governor said:"

X

(No.2 on 16114/30)

"As Your Lordship is aware a few farms were reserved near Nyeri for the "C" scheme although this scheme contemplated more particularly residential suburban allotments. If it be that these farms are desired by ex-officials who do not require State assistance to develop them, I see no reason why their entry should be further postponed pending the establishment of a Land Bank. The attraction of such men to become permanent residents in the Colony is a matter of generally agreed importance and I propose therefore to offer these farms for alienation on the same terms and conditions as those detailed in paragraph 5 of this despatch."

The terms and conditions refer to the proposals in regard to scheme B farms for direct grants under ordinary conditions and without State bank assistance and the inclusion of a special clause requiring personal occupation for three out of the first five years of the grant. The Secretary of State in his telegram of the 2nd June, 1930, agreed these proposals, but ^{as regards scheme C} strictly limiting them to the Nyeri Farm and in a confirming despatch of the 5th June, the Secretary of State asked for further information with regard to Scheme C,

No.6 on 16114/30)

(No.7 on 16114/30)

particularly

particularly:

(i) as to the possible need of the Tigon Township area as a reserve for future native requirements: and

(ii) as to whether any further changes are contemplated in the scheme beyond its extension to the reservation of the Nyeri farms which has already been referred to. The despatch also asks for a statement showing exactly what is contemplated under scheme C in the event of its being ultimately proceeded with.

Y

No reply has yet been received on any of these points.

20
particularly:

(i) as to the possible need of the Tigon Townsh
area as a reserve for future native requirements: and

(ii) as to whether any further changes are con-
templated in the scheme beyond its extension to the
reservation of the Nyeri farms which has already been
referred to. The despatch also asks for a statement
showing exactly what is contemplated under scheme C
in the event of its being ultimately proceeded with.

Y
No reply has yet been received on any of these points.

27/1
MEMORANDUM - A.

15198/28
Classed A

Paragraph 7 of the Governor's despatch of the 26th June, 1928, dealt with a recommendation in the final paragraph of the Scheme for encouraging the settlement in Kenya of European retiring Civil Servants, that Section 155 of the Code of Regulations should be altered in order to provide for an extension of the period during which a retired officer may claim a passage overseas at the expense of Government. This recommendation was referred to in the note which forms 3A. in file 15198/28, but it would seem convenient to set the position out again here.

The pertinent part of regulation 155 runs as follows:-

"When, however, the officer is not returning to his duties at the end of his leave a free passage to England will only be provided within 6 months of the cessation of his duties and the time spent on the voyage will not be allowed to count as additional leave unless he avails himself of the passage within two months from the date on which he ceases to do duty unless it is otherwise laid down in the terms of his agreement"

The recommendation in the scheme is as follows:-

"It is recommended that the privilege accorded by Section 155 of the Code of Regulations be extended to a period of two years from the date of cessation of duty and that a period equivalent to the length of the voyage be granted as additional leave on full pay irrespective of whether the passage be claimed within two months as at present in force under this Section."

In



In his covering despatch the Governor endorsed this recommendation, but said that it should in his opinion, be made clear that the leave and passage concessions cannot be commuted for a money payment.