

3309

KENYA

3309

CO 533/439

Sugarcane growing & installation of Jaggery plant by M. Maxwell

Previous

acc 14572/31

Subsequent

23249/34

By 241	25/1
Room 309	23
Th. Hood	25
Sir C. Bodinley	25
Sir S. Lilon	28/9
Th. Hood	28
Room 309	29
297	18/12
M. Maxwell	14
Th. Hood	14
Sir C. Bodinley	19/12
Last Payment	27/12
C.A. Dept	
297	

W. Stewart

15 Sept '33

States that he has been forbidden to erect a small jaggery plant in connection with encumbrance he is making on the growing of sugar cane fields against the application of the Sugar Duties to any European settled area.

Govt's action in presenting Mr. Stewart from putting up plant has nothing to do with the sugar "interim" proposals. The notice

(No 159 of 1933)  
copy attached

prohibiting the erection of sugar machinery is dated 11 March 33. The D.O. issued his order to Mr. Stewart 22nd Dec. 32.

However the Notice specifically excludes from its scope "machinery or plant used solely in connection with the manufacture of jaggery"

Govt's action must have been based solely on the Sugar Act of 1923. Prima facie, it looks as though Mr. St. had good reason to complain of harsh or arbitrary treatment; but no doubt there is another side to the story.

Copy to O.A. for show, in short disp. asking him to draw Mr. Stewart's attention to C.D.

More Kenya! If Mr. Maxwell is aggrieved he can complain to the Governor and he knows it.

This memorial is very largely clap net. The complainant that there is no appeal from the Senior Commissioner. Some one's decision must be final & the Commissioners are the people in a position to decide about the needs of the district & to know whether the applicant for a sugar license is likely to seek to the natives. Then all the talk about "discouraging the investor" is so much moonshine. The Home Govt. (top of page 3) does not govern Kenya.

He says the sugar Ordinance was introduced against the advice of a Committee in 1918. So it was but it was not brought forward till 1923 when the situation in the country had got worse. Mr. Maxwell does not say that a Committee in 1925 supported the Ordinance.

I am willing to lay a small wager that Mr. Maxwell - who is only 24 miles from the Reserve boundary wants to make a good thing out of selling the stuff to the local natives and is annoyed at being stopped.

However <sup>in view</sup> of copy to the O.A.G. and ask that Mr. Maxwell's attention be drawn to Col. Regs 199-201.

S. I. G. Flood  
25.9.33

Sir S. Wilson

The protest is addressed personally to the Sec. of State.

I agree that when shown has been proposed - he must not encourage settlers to side with the local Govt. until it has

3  
O.A.G.'s views I do not comment on the merits except that of the setting of jiffy to the home Govt. be considered the whole seems to tend to European supplies

668  
25.9.33

His proposal

S. I. G. Flood

28.9.

2 To Governor 790 (W/O) 2/1/34

3 Mr. Maxwell  
Draws attention to enclosed letters & his memo to factory position as regards his appeal against decision of the Home Govt. permit.

4. A/Governor Moore 654 14th November 33  
Takes Mr. Maxwell's representations regarding refusal to grant him a permit to manufacture sugar; states he has legal claim to compensation & Ordinance is quite clear on the point of appeal beyond the Home Govt. Commissioner.

Mr. Maxwell complained that, having been encouraged by Govt. to plant sugar, he was deterred by Govt. from utilizing it.

Govt.'s rejoinder is that, at the time when Mr. Maxwell started his sugar-plantation,

Walter Maxwell

he must (a shade) have known that a permit would be necessary before he could erect a sugar mill; that Th. N.

took no steps to assure himself that such a permit would be issued; and that the further restrictions (on importation & possession of sugar) subsequently imposed did nothing to worsen his position.

Th. Maxwell says, however that I was told by the local District Officer that, as a matter of formality, a permit [see ~~transcript~~] would, without doubt, be issued to me

para 4 p. 9 of No 1

It should be noted that the application to Th. Maxwell's district of the Ordinance, and (later) of section 4 & 5 thereof, was considered in by the local Committee - which minutes are appended, and there can be no question that Th. Maxwell's case has been impartially gone into by the Maori's feet. In a matter of purely local administration such as this, S.P.S.'s function may properly be limited to satisfying himself that the complainant has had a fair hearing locally.

? Act, well checks, say that in the light of the explanation afforded S.P.S. has no desire to interfere in Th. Maxwell's

behalf; a letter (the opportunity of sending copy of No 3.

J. P. ...

14/12

How did he get hold of the letter from D. S. Nairn to D. O. Thika?

? as proposed

Lore Plymouth

1. There is no doubt that Maxwell knew, or ought to have known, the time of planting, and that nothing will be done with his cases (including the

with § 6 - which covers the plant required to be used for the sugar juice

2. The permit was refused in the exercise of legal powers.

[Encl: in No 4] 3. His solicitor would be best to object, so he wrote to the S.P.S. (and to the local J.P.) alleging that he had been virtually promised a permit. The Gov. is not to be taken into account.

[No 1 - page 5 - (2)]

[Encl: in No 2] 4. He knows that the refusal rests to some extent on the fact that compensation would have to be paid to others more seriously affected in the same way. The letter in question shows that the local D.C. had been inclined to grant



grant the permit, & this to  
accommodate companies &  
Maxwell under (3).

It is too late now to consider whether  
the Sugar Ordinance could and have  
been framed, with equal purposes  
protection to the interests and  
greater fairness to the grower, so  
as to control the export trade  
more firmly to production,  
and I think we must refer to  
the Director, please.

[The Tobacco Board should see  
after action in case the  
matter is brought up when the  
5-46 is in Kenya]

W.S. 19.12.33

I agree  
G. C. M. P.  
22.12.23,

5  
M  
20 Kenya 976 (w/c 3)  
H. Anand

30 DEC 1933

3309/33

Kemp

29  
D 22 DEC 1933

30 DEC 1933

- Mr. [unclear] ref.
- Mr.
- Mr.
- Mr. Tomlinson.
- Sir C. Bottomley
- Sir J. Stuchburgh
- Sir G. Grindale.
- Permt. U.S. of S.
- Parly. U.S. of S.
- Secretary of State

DRAFT.

Kemp  
No. 976  
Jan.

~~26 Sep. (S)~~

I have to ack. with thanks, the recd. of Mr. Preece's despatch N<sup>o</sup> 654 of the 17<sup>th</sup> of November regarding a protest made by Mr. Maxwell against action taken under the Surge-Ordinance.

2. In the light of the explanations afforded, I have

no down E interview on Th. Nassau's behalf

3. I take the opportunity of writing

a copy of further communication which  
Th. Nassau has addressed to me direct.

(Sgd.) P. GUNNIFFE-LISTER

KENYA.

No. 654.



RECEIVED  
11 DEC 1933  
G. O. REGY

GOVERNMENT HOUSE  
NAIROBI  
KENYA

17/11 November 1933.

34

Sir,

No 2

Winnick (5)

I have the honour to refer to your despatch No. 770 of the 5th October, in which you ask for my observations on a copy of a letter addressed to you by Mr. M. Maxwell on the subject of the Sugar Ordinance Chapter 134 of the revised edition.

2. Similar representations were made by Maxwell's solicitors to this Government in July 1932 and I enclose for your information a copy of the reply returned to them by the Acting Chief Native Commissioner on the 4th August. Mr. Maxwell now protests in his letter to you against the exercise of the power vested in a district commissioner by section 4 (2) of the Ordinance, and requests an investigation into the circumstances in which an application made by him in November, 1932 to the District Officer, Ithika, for a permit under section 6 of the Ordinance to erect and use a mill for the manufacture of sugar was refused.

3. The facts are that the Sugar Ordinance, the sole object of which was to prevent or diminish drunkenness among natives, particularly in the Ukamba Province, was applied in its entirety to the Machakos and Kitui Districts by Proclamation No. 13 of the 6th January, 1924. My Proclamation No. 14 of the same date section 3 of the Ordinance, prohibiting the sale of sugar ...

THE RIGHT HONOURABLE  
MAJOR SIR PHILIP CHIFFE-LISTER, P.C., G.B.E., M.C., M.P.,  
SECRETARY OF STATE FOR THE COLONIES,  
DOWNING STREET,  
LONDON, S. W. 1.



sugar juice to natives, was applied to the whole colony and Protectorate.

These measures did not, however, check the importation of sugar by Kamba natives from the Kikuyu Province, where an increasing number of mills, particularly in the Fort Hall District, continued to supply sugar juice illegally to natives and to sell sugar for conveyance into the Ukamba Province with a resulting recrudescence of drunkenness. Consequently, in February 1927, the Ordinance was applied with the exception of sections 4 and 5, to the Fort Hall District Reserve (Proclamation no. 11 of the 23rd February, 1927) by Proclamation No. 93 of the 1st June, 1927. The Ordinance, similarly excepting sections 4 and 5, was applied to the districts of Fort Hall, Kyamba, North Nyeri, South Nyeri, and the North Nyeri District. This latter Proclamation was issued with the strong support of the District Committee in the settled areas concerned, namely, Thika, Kyamba and North Nyeri.

4. The position, therefore, is that since the 1st June 1927, Mr. Maxwell would have been required to obtain a permit to manufacture sugar under section 6 of the Ordinance, had he wished to do so. According to his own statement he planted 20 acres of sugar cane in 1930, but it appears that he took no steps to assure himself that a permit to manufacture under section 6 of the Ordinance would be granted to him.

5. At this time sections 4 and 5, which provide that no person shall import or cause to be imported any sugar or sugar juice into any prohibited area without a permit in writing from the controller (section 4), and that no person shall possess any sugar or sugar juice in any prohibited area without a similar permit (section 5), had not been applied to any area in the

Kikuyu Province. In 1932, however, it transpired that the machakos Akamba, who in their own district are prohibited from possessing sugar without a permit, were evading the law by procuring sugar from shops situated on farms across the boundary of their district, and that this illicit trade was increasing. By Proclamation No. 52 of the 7th July 1932, sections 4 and 5 were accordingly applied, with the concurrence of the Machakos Committee of the Nairobi District Council, to an area embracing the ~~land in question~~, which includes Mr. Maxwell's estate. This Proclamation did not have any material effect on Mr. Maxwell's position as an intending producer of manufactured sugar, since he was already under the necessity of obtaining a permit to manufacture, which was refused in December, 1932, under section 7 (2) of the Ordinance and the 1927 Proclamation, and the Proclamation of the 7th July 1932 had no bearing on the refusal of the permit applied for, which could and would have been refused apart altogether from the question of the application of sections 4 and 5 of the Ordinance.

6. It is an undoubted fact that sugar manufactured in this area has in the past found its way into native hands and has led to drunkenness and the usual evil consequences. Such movement is extremely difficult to check, if manufacture is permitted, and in the prohibition of possession and production it is inevitable that the public interest should cause some hardship in individual cases. I am advised that in this case Mr. Maxwell has no legal claim to compensation. Any moral claim is discounted by the fact that the planting was carried out in 1930, or three years after the restriction on manufacture had been imposed.

7. As regards the complaint that there is no

appeal ...

appeal beyond the Provincial Commissioner, section 7 (2) of the Ordinance is quite clear on the point, and, no other representations having been made to me that the Ordinance should be amended in this respect, it is not proposed to take any action in the matter.

8. I have caused Mr. Maxwell's attention to be drawn to paragraphs 199-201 of Colonial Regulations.

I have the honour to be

Sir,

your most obedient, humble servant,

*Wm. M. ...*

ACTING GOVERNOR.

Aug. 23/2/1910.

23rd August 1910.

Messrs. Stanley, Schwartz & Barrett,  
Advocates and Solicitors,  
P. O. Box 205,  
Nairobi.

Gentlemen,

In reference to your letter dated 10th July last forwarding a statement of certain facts in connection with the planting of sugarcane by Mr. Maxwell, I would invite your attention to the fact that by Proclamation No. 20 dated 14th June 1907, the Ordinance with the exception of sections 4 and 5, was applied to the Fort Hill District, which then included within it the whole area, and therefore Mr. Maxwell's farm.

2. Under Section 5 of the ordinance it is laid down that no person shall "erect, process or use a mill or other apparatus in a prohibited area for the purpose of the production of sugar or sugar juice without a permit from the controller".

It would appear from paragraph 3 of your statement of claim that your client purchased the necessary implements and planted some 20 acres of sugarcane in 1900 without having previously ascertained himself that a permit under section 5 would be granted to him in the event of his wishing to erect, process or use a mill or other apparatus.

3. Mr. Maxwell therefore, when he took this step in 1900, or should have been aware that the erection or production of a sugar mill was subject to certain restrictions. Though these restrictions were introduced



by the application of Sections 4 and 5 of the Ordinance in the Proclamation of July 1938, it is clear that the effect of the latter was to make Mr. Maxwell's situation little worse than it was before and that he has no adequate grounds for the claim for compensation which you have made on his behalf.

4. For the above reasons the Acting Colonial Secretary, who has given full consideration to the matter, thinks that no useful purpose would be served by the grant of the interview requested in your letter. Should you, however, in the light of the above facts still desire an interview, you will no doubt arrange the same in due course.

Believe me, Sir,  
gentleman,

Your obedient servant,

ACT. CHIEF NATIVE COMMISSIONER

SHAF/SL.

RECEIVED  
9-OCT-1933  
C. . . . .

Nanga Estate  
P.O. Mitubiri  
Kenya Colony  
26th September, 1933

To  
The Right Honourable Sir P. Carliffe-Lister  
His Majesty's principal Secretary of State  
for the Colonies

Sir,

R

No 1

With reference to my letter to you of the 6th instant on the subject of the refusal of the local District Officer to allow me to erect a small plant for the manufacture of jaggery on my estate, in consequence of the application of the Sugar Ordinance to this district, I consider that attention should be drawn to certain letters of which I enclose copies as follows:-

1. District Commissioner, Nairobi, to District Officer, Thika, dated 20th Dec. 1932
2. District Officer, Thika, to myself dated 22nd Dec. 1932
3. Provincial Commissioner, Kikuyu, to myself dated 21st Jan. 1933

by which you will see that as a result of a reference by the District Commissioner, Nairobi, to the Senior Officer the Provincial Commissioner, Kikuyu, the former instructed the District Officer, Thika, that

" have discussed this matter with the Provincial  
" Commissioner and have come to the conclusion  
" that no permit should be granted to Mr. Maxwell "

and that, therefore, when I lodged my appeal with the Provincial Commissioner, Kikuyu, under section 7 (2) of the Sugar Ordinance, I was faced with a vicious circle by means of which the Senior Officer of the Kikuyu Province was both responsible primarily for the decision to refuse me a permit and was also the sole arbiter of my appeal against it - in other words, one and the same person exercised or influenced

Copy to Kenya (5)

the original power of discretion as to whether or not a settler should be allowed to manufacture sugar, and was the judge in the final court of appeal in regard to it.

You will see from the correspondence that no reason was given for the refusal to issue me a permit & there is, of course, no suggestion of incorrect conduct on my part, yet if the matter is regarded solely from the point of view of the Provincial Commissioner's responsibility for the proper administration of his district it is impossible to understand his behaviour, inasmuch as all natives in the Kikuyu Province are allowed free and unrestricted purchase of sugar, for the Sugar Ordinance has not been applied to them.

I feel strongly that the application of the Sugar Ordinance at all to a European settled area is a mistake in policy, that so much discretionary power vested in a provincial or district officer is a source of serious commercial danger & that, so far, the outcome has been a great deal of unnecessary loss to myself and other settlers, inclusive of Indian merchants who, according to the recent report of the Sugar Enquiry Committee, have sustained losses up to 40 percent of cash and 50 per cent of barter trades, verified by the Agricultural Economist for the Government of Kenya - this interference with trade serves no valuable purpose and is far reaching in its prejudicial effects on the welfare of the Colony.

I am, Sir,

Your obedient Servant

M. Maxwell

December 20th, 1932.

Ref. TR/3/32.

District Officer,

Thika.

Sugar Ordinance.

Ref. your No. 2514 of 12th December.

I have discussed this matter with the Provincial Commissioner and have come to the conclusion that no permit should be granted to Mr. Maxwell.

Vide your para. 2 of letter No. 2851 there would be no means of limiting the period for the permit in as much as the ratoons come up every year and actually, I believe, come up more strongly after each cutting. It is further the case vide the correspondence in regard to Major Delap and Mr. Bunbury that no such concession was given to these gentlemen who were far more deeply involved in the sugar business than is Mr. Maxwell and who suffered far more severely than he would do.

These two persons would have very real, and in my view justifiable cause for complaint if concessions were now given to Mr. Maxwell which were denied to them.

(Sgd.) R.W. Lambert  
District Commissioner.

Copy to P.C. Kikuyu.



Ref.No. 2571/L. & O. 17/7/4

Office of the District Officer L/3  
Thika.

22nd December, 1952

M. Maxwell Esq.,  
Manga Estate,  
P.O. Mtsabiri.

Dear Sir,

Application under Sugar Ordinance

I beg to inform you that your application has received full consideration, but it is regretted that the permission desired by you cannot be given.

Yours faithfully,

(Sgt.) ? Sutcliffe  
District Officer L/3

AWS/JWM.

Provincial Commissioner's Office

Nyeri, January 21st, 1955.

Ref. Leg.14/5/6.

H. Maxwell Esq.,  
Nanga Estate,  
P.O. Mitubiri.

Dear Sir,

With reference to your letter of the 16th instant I have to inform you that the Nairobi District embraces the settled areas of Thika and Mambou, and consequently the District Officer i/c Thika is directly under the District Commissioner Nairobi.

2. I have already informed you that I agree with the decision of the District Commissioner Nairobi and under section 7 (2) of the Sugar Ordinance your appeal lies to the Provincial Commissioner, whose decision shall be final.

5. I can see no reason to alter my decision.

Yours faithfully,

(Sgd.) E.B. Horne.

Provincial Commissioner.

Kikuyu.

G. O.

Mr. Davies. 29/9

Mr. ~~Green~~ 29/9

Mr.

Bottomley.

Sir J. Shuckburgh.

Sir G. Grindle.

Permt. U.S. of S.

Partly U.S. of S.

Secretary of State.

REC  
23 SEP  
3 00 PM

Answered by No 4

Downing Street,

5 October  
September, 1933.

Sir,

I have etc. to forward a copy

**DRAFT.**

of a letter addressed to Mr. M. Maxwell

KENYA.

a settler in the Fort Hall district of

NO. 770

Kenya, regarding his failure to obtain a

O.A.G.

permit to manufacture jaggery, and to

~~Fr. Mr. Maxwell 6/9  
(1)~~

request you to furnish me with your

observations upon his representations

2. In the meantime I should be glad

if Mr. Maxwell's attention could be drawn

to Colonial Regulations 199 to 201,

relative

relative to the proper channels of  
communication between persons in a Colony  
and the Secretary of State.

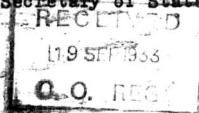
I have, etc.

(Sgd.) P. CUNLIFFE-LISTER.



118  
Nanga Estate  
P.O. Mitubiri  
Kenya Colony  
6th September, 1933

R  
To  
The Right Honourable Sir P. Cunliffe-Lister  
His Majesty's principal Secretary of State  
for the Colonies



Sir,

I beg to inform you that I am both a settler and the owner of an estate, in the district of Fort Hall in this Colony, in which I have invested a considerable amount of capital and developed a plantation of 400 acres of coffee, an area of wood-oil or Tung trees and about twenty acres of sugar cane, which latter is the principal subject of this communication to you. I conducted various experiments and accepted an offer made to planters through the local press in June 1931 by the Agricultural Department of varieties of sugar cane in order to ascertain which kind was most suitable to my estate and district with due regard to type of soil, altitude & climate which, as you know, varies considerably in different parts of Kenya.

My intention was to instal a small Jaggery plant and endeavour to supply local need - especially the requirements of the Kenya & Uganda Railway & several Government departments all of whom purchase jaggery up to an aggregate of many tons monthly for natives employed by them.

To the best of my knowledge (and I am informed reliably that) there is no manufacturer of jaggery who is in such a favourable position geographically as myself, inasmuch as the Government's requirements are taken in Nairobi, while jaggery is made mostly in the lowlands some two hundred miles from Nairobi, whereas my estate is in the highlands and only 39 miles from Nairobi.

copy to Kenya

You may imagine my surprise that after the afore - explained encouragement & inducement given to the public by one of the most important of the Government departments - a department which should mean more to settlers than almost any other department - I was notified officially by a comparatively unimportant District Officer on 22nd December 1932 that he could not allow me to erect the small plant essential for the manufacture of jaggery because my district had been placed, in July 1932, completely under the Sugar Ordinance of 1923 (amended in 1930), which contains three principal provisions which for the purpose of this communication I explain as follows

- a. Sugar juice may not be sold at all to a Native
- b. Sugar may not be sold to anyone without a permit in a district to which the Sugar Ordinance has been applied by Proclamation
- c. Sugar machinery may not be erected or possessed by anyone without a permit in a district to which the Sugar Ordinance has been applied by Proclamation.

The permits are issued by local District Officers who work under the control & direction of Senior Commissioners and in the event of any dissatisfaction on the part of a settler (or any other person) in regard to the discretion exercised by the District Officer on the issue of permits there is no appeal other than to the Senior Commissioner whose decision is final under (2) of Section 7 of the Sugar Ordinance.

My main point is that I, as a capitalist with a large estate in the colony, am placed at the mercy of a District Officer who carries out his duties under the direction of a Senior Commissioner - that is to say, in practice, one and the same person possesses the original power of discretion in regard to the issue of permits and there is no appeal beyond him.

I submit that such a state of things is not the intention of the Home Government, that it was never the purpose of the Ordinance that settlers should be penalised in this way and that if intending investors came to know of such untrustworthy administration they would become afraid to risk their money in Kenya.

To assist you in your consideration of this matter I should perhaps add :-

1. The Sugar Ordinance was introduced into this country contrary to the unanimous recommendation of a Special Committee of the Legislative Council in 1918, which consisted of the present Chief Justice and the then Chief Native Commissioner as well as of others, all of whom insisted that it would be a mistake to restrict the sale of sugar to natives in the manner subsequently made law by the Sugar Ordinance.
2. The provision which relates to the erection or possession of sugar machinery was intended merely to give Government an ordinarily judicious control over sugar manufacturers all of whom hold permits and prior to July 1932. I was told by the local District Officer that as a matter of formality a permit would without doubt be issued to me.
3. The Government's published record of the proceedings of the Legislative Council - 1923 - gives a statement of the Hon. Chief Native Commissioner on his introduction of the Sugar Bill as follows:-

" The main object of the enactment is to control the  
 " making of sugar in the country and particularly its  
 " introduction in the form of sugar juice into the  
 " native reserves "

and he describes the enactment further as a

" means to check or control or even prevent the  
 " importation of sugar & sugar juice into certain  
 " areas which can be prescribed by Proclamations "

with an express assurance that

" Ordinance itself not one of general application "

You will recognise (and you can satisfy yourself readily) that the Sugar Ordinance was passed in the sole interests of the natives in the Ukamba Reserves and that there was no intention whatsoever to applying it to any European settled area - yet it has been put into force in my own district which is about 24 miles from the nearest boundary of the Ukamba Native Reserves .

Enclosed is a report on the sugar portion of my estate by Major F. Turney , O.B.E. , M.Inst.M.E. , Managing Director of the Ramisi Sugar Estates Ltd, near Mombasa , and President of the East African Sugar Manufacturers Association , affiliated with the Sugar Federation of the British Empire .

You will appreciate the heavy loss which I have suffered in consequence of the District Officer's refusal to issue me a permit for the erection of sugar machinery - a loss not limited to the information contained in Major Turney's report inasmuch as the results of expenditure on special implements and a long period of experimental work are also lost to me .

I beg that you will be so good as to cause an investigation to be made into this extremely serious matter from the point of view of myself, and of traders in my district (Thika) who have suffered considerable loss of trade, directly and indirectly, in consequence of the application of the Ordinance to them - also from an angle which is even more important: what may prospective investors feel as to the safety of their capital if they bring it into Kenya?

I have the honour to be

Sir

Your Obedient Servant

*H. Maxwell*

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13

RAMISI SUGAR ESTATES, LIMITED  
Estates & Factory i- Ramisi River, Digo District  
Kenya Protectorate

Board of Directors :-  
Major Fred. Turley, O.B.E., M.I.Mech.E.  
(Managing Director)  
Andre Salais  
L.E. Rouillard, B.Sc.  
(Estate Manager)  
Dr. A. Lesur,  
J.S. Standish, A.C.A., A.S.A.A.  
(Secretary)

registered Office  
TREASURY SQUARE  
P.O. Box 25, Mombasa.  
Cable & Telegraphic Address "Sucrose" Mombasa  
Telephone No. 156  
Mombasa

25

I have this day, in the presence of Mr. Maxwell and Mr. C.L. Challenger, inspected at Nanga Estate, Pangani District, four blocks of sugar cane of a total estimated area of 20 acres.

I had previously carefully looked over this cane on 22 April 1951 owing to its being the first plantation of sugar cane in this area on a commercial scale; it was then five months old and a promising young plantation of Uba cane in good condition.

In the preceding two years it has twice been severely damaged by locusts and the effects of this are noticeable on the older growth. A heavy new growth has filled up the fields however except on the edges in certain parts where the damaged cane has failed to recover sufficiently to overpower the weeds.

Making the heavy allowance of 25% for these areas 15 acres of normal Uba cane remain. This is not only ready for cutting but should have been cut in December/January to give best results both in sugar and ratoons. The damage due to delay is already very serious and a further delay in cutting it will result in a large part of the value of the plantation being lost as the cane is both deteriorating and will not ratoon and the plantation will die out.

An estimate of the value of a plantation of Uba cane on freehold land in this country must take into account the crop from the original plant and five subsequent ratoons crops, the price of sugar and cane here and the position of the plantation both in relation to the proximity of the market and the conditions governing the rapidity of growth.

Taking these factors into consideration along with the cost of cultivation I estimate the value of this plantation at £750 after deducting the loss caused by the locust damage.

I am informed by the owner that the weeding and cultivation of the five acres which I have deducted has only been abandoned since December when permission to crush his cane was refused.

As President of the East African Sugar Association I regard as a grave matter any attempt to restrict the plantation of cane in this area which is capable of supplying cane to the sugar factory at Sukari where a heavy capital is immobilized owing to inability to get sufficient cane.

An initial plantation in a new area has always to overcome many difficulties and when successfully established has great value for propagating additional area but no money allowance has been made for this in the above estimate.

Signed **MAJOR TURNERY**