

1938

38313

CO 533/499
KENYA

38313

ALIENATION OF CROWN LAND OUTSIDE TOWNSHIPS

Previous

H 342

1937

Subsequent

1939

R. 297

1/38

309

2/1

Mulundini

12/1

M. Dawa

14.1

Sir C. Bottonley 15.1

Sir W. Robinson 17.11.38

Sec. of State

18/1

Sir C. Parkinson

17/1

Mr Parkinson

19

309

—

R 297 9

24/1

297

27/1

309

27/1

ETESE

Submit list of apply for land grants & request to be advised as soon as possible whether S. of S. has any objection thereto. Urge S. of S. to waive objection to schemes outlined in (1) in 1937 file & to give authority for it to become operational - consult them.

This despatch falls into three parts.

Paragraphs 1-3 deal with a number of particular grants of land which the Government is to make. The Secretary of State's approval is requested promptly, as delays in occupying the plots in question have already been considerable. Approval, however, will depend upon a decision on the question of principle raised in the next part of the despatch.

Paragraphs 4-9 are an answer to No. 2 on the 1937 file in which reasons were given why the Secretary of State was unable to approve of the abandonment of auction as the principal method for the alienation of land.

* see § 3 of (1) in - 3)

Paragraph 4 repeats the argument used before against auction, namely that it tends to result in rich men buying land for speculation, new development and settlement not being increased at all by the sale.

* see § 4 of (2) in - 3)

Paragraph 5 answers the Secretary of State's argument that abandonment of auction would leave Government open to allegations of favouritism, which it would be difficult to disprove, by stating that every care will be taken to forestall such accusations by advertising applications and taking the advice of official bodies, and that such risk as there is must be run in the interest of improved development. (This in fact meets the Secretary of State's argument by admitting it, proposing palliatives, and saying the risk has got to be taken.)

* see § 4 of (2) in - 3)

Paragraph 6 answers the Secretary of State's point that, without auction, Government may be accused of disposing of land assets without obtaining the best value for the Colony as a whole, by saying that

the best value is in fostering development and not merely in cash return. (This subsidiary point would appear to carry conviction.)

Paragraph 7 answers the Secretary of State's argument^x that alienation of large tracts outside the Highlands may prejudice native interests, by saying that all land outside the Highlands in which native expansion could be regarded as practicable is being added to the reserves in accordance with the Land Commission Report. (Actually the "D" areas in the Land Commission Report are those in which rights are equal between all races - which implies the possibility of native interests therein. The point, which has already been conceded^x, is also repeated that most of the "D" land can only be exploited in large areas with the aid of large capital.

Paragraph 8 answers the Secretary of State's objection^x to alienating large tracts for sheep runs because they might be held for speculative purposes, by saying that the method of direct grant is less likely to lead to speculation than auction. (This, I think, must be conceded.)

Paragraph 9 concludes this part of the despatch by saying that other Dependencies encourage development by cheap or even free grants of land and that Kenya should do likewise. (The answer to this is ? that the other Dependencies have not got the three-cornered racial tangle and the troubles-cries of favouritism among them-resulting therefrom.)

Paragraphs

Paragraphs 10 and 11 give the first official account of the new Settlement Committee (see 38232/37 P.Q.). This Committee has already expressed itself in favour of direct grants and has said that present applications (i.e. those referred to in paragraphs 2 and 3 of the despatch) should not be held up.

Opinion in Kenya appears to be almost united in favour of the abandonment of auction. It would seem that there is more than a little to be said both against auction and against direct grants by Government. If a clash between opinion in Kenya and opinion here is to be avoided, it would seem that a way out might be found by the institution of a body, such that its impartiality would not be open to question, to control the alienation of land according to clearly defined principles.

Clothes white

12.1.38.

I am inclined to think that the Gov. has made out a good case. But as regards the underlying theme that what Kenya needs is more white settlement, it seems desirable to draw attention to the summary of recent discussions in this V. which is given in the minutes on 38232/37. The ^{unofficial} white community in Kenya, & the Governor, are confined optimists on this matter, while the E.A. Dept. on

see para 5 of (2) on 3)

see para 8 of (2) on 3)

para 6 of (2) on 3)

No. The answer is that the proposal of access for European farming is less practical than in Kenya.

118

The other hand has been inclined to the view that the case is not yet proven.

However, I do not think that this difference of opinion need affect the decision on the merits of the procedure for alienating crown land, which alone is under consideration. In particular I do not think that the acceptance of the Gov's proposals involves a greater degree of responsibility for possible failures than the system of auction involves.

On the whole therefore, having regard to the remarkable unanimity of both official & unofficial opinion in Kenya, on the desirability of adopting the proposed procedure, I think an S.G.P. may safely approve.

J.J. Pascoe
12/8

A. M. Awe
14.1

Sir Richardson

I agree that we should give weight on the question of auction, and I should like to confine the reply to that point.

The references to development, settlement &c. bring up the old question of what is all about to. Some new money - private capital, local bank advances, "unitances", but how much permanent return in payment for additional exports? That is the classic sphere.

W.L.S. 15.11.38

Sec of State

I am not entirely convinced. The Kenya Gov. is taking what seems to me an unnecessary risk in departing from the system of auction. But for all that feeling is so strong in favour of direct grant that I recommend that you accede to the view represented by the Governor. In agreeing to the principle agreement should also.

be given in respect of the particular
forms referred to in para.
2 & 3 of the Governor's despatch.

I agree with Sir C. Bottomley
that we should confine
the reply to the specific
point about auction & not
branch off into discussion
about settlement. It is
however for consideration
whether it would not be
wise, in authorising the
Governor now to proceed with
direct grants under the
safeguards indicated, to
say that S.G. would wish
to review the matter if at
any time circumstances
appear to call for
reconsideration. This
may not amount to much,
but one never knows and
there is no harm in
keeping doors ajar.

o.c.d.

17.1.38

W.C. 18.1.38

Kenya Stat. 24 JAN 1938

Gov. Kenya TEL. 5 27/1/38
Request applications to be recorded by
DELETED UNDER STATUTE
without prejudice to decision on general policy.

Despatch section says No 2 will arrive
about the 1st of Feb. Draft submitted
morning No 3. Clerkly while 27/1

(H. Tan

H. M. Dave
27.1

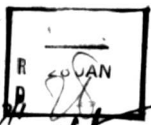
4 Tel to Gov. Kenya, No. 8 28/1/38

AT

38313/38

4 6

dated & sent
1:0 pm
28/1/38
WJG



G. O.

Mr. Cottey White 27/1
Mr. Dawe 27.1 Altme

- Sir H. Moore.
- Sir G. Tomlinson.
- Sir C. Bottomley.
- Sir J. Shuckburgh.
- Permt. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

No. 8 Land grants
 You tel no 50 ^
 Approval granted in
 Dispatch mailed 24th
 January.

DRAFT.

Governor
Nairson

Seen

Proposals
 submitted in
 your desk.
 No 774 ✓
 30th Dec.
 approved. See
 my desk. No 44
 mailed 24 Jan.

FURTHER ACTION.

C. O.

Mr. Collins 19/1
Mr. Parkin 19/1 P.

21 January 1938

- Mr.
- Sir C. Parkinson.
- Sir G. Tomlinson.
- Sir C. Bottomley.
- Sir J. Shuckburgh.
- Perms. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

54

DRAFT.

Kenya
No. 11
Gov.

Sir I have etc to ack. the receipt of

(1) You dep. No 77A of the 30th of December 1937 in the subject of the procedure to be followed in the alienation of Crown Land, and to inform you that ~~after careful consideration of the question~~ I agree I am prepared to agree to the proposal that the method of auction should be abandoned in favour of direct grants, subject to the safeguards as set out in para 6 of your dep. ~~If I should have been understood that I should wish to~~ ~~the matter~~ ~~decision~~ if at any time circumstances appear to require a review of the procedure for the alienation of land.

2. I agree to the grants ~~recommended~~ ~~of land in respect of the applications referred to in paras 2 & 3 of~~

FURTHER ACTION.

Your ship and set out in the
Schedule attached hereto.

I have etc.

(SIGNED) W. CHAMBERLAIN

AIR MAIL

KENYA

No. 774



GOVERNMENT HOUSE
NAIROBI
KENYA

RECEIVED
G. O. S.

30 December 1937.

Sir,

I have the honour to refer to your despatch No. 101 of the 20th July, 1937, on the subject of the procedure to be followed in the alienation of Crown Land for agricultural or residential purposes outside townships.

2. Before the arrival of your despatch several applications for land had been accepted for consideration and had reached the final stages - awaiting only a recommendation by the Advisory Land Board and a final decision by Executive Council. The Advisory Land Board submitted its recommendations and expressed the view that whatever might be the ultimate decision on the main question these applications should be approved, since they had been submitted and accepted on the assumption that the new policy, to which wide local publicity had been given, would be in operation. Many months have already elapsed since the applications were made, and the applicants are ready and eager to enter upon the land and commence development, and in some instances are being seriously inconvenienced by the long delay.

3. These applications, which are set out in the attached schedule, have been considered individually by my Executive Council and have all been approved subject to your concurrence. The Council endorsed the view of the Advisory Land Board that these applications should be approved without prejudice to your final decision on the general policy, and with this opinion I am in full agreement. I should be glad, therefore,

THE RIGHT HONOURABLE
W. CRMSBY GORE, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S.W. 1.

therefore, if you would advise me as soon as possible whether you have any objection to the particular grants of land proposed.

4. I must now refer to the major question of the policy outlined in Mr. Logan's despatch of the 2nd April last. One of the greatest needs of the Colony is an increase in land settlement and production. As you are aware, the available Crown Land farms are now comparatively few in number, widely scattered, and for the greater part poor in quality. If these farms were offered for sale by auction the more desirable of them would probably be purchased by wealthy landowners, with the object of adding them to their already large holdings and with the result of increasing production but little and new settlement not at all. There are in the Colony many men possessing local farming experience, stock and implements and a small amount of capital, sufficient to carry a small farm through its initial stages of development. These men are either sons of local farmers or are working as farm managers, and they are keen on obtaining and developing land on their own account. By the auction method of alienating land they tend to be frozen out by their more wealthy neighbours. This was one of the main reasons prompting the initiation of the policy of direct alienation as the normal method of disposing of Crown Land farms, a policy which was received with cordial approval not only in the Legislative Council but throughout the country, local District Councils and Committees readily promising their assistance in reporting upon farms in their districts and in examining and recommending upon applications.

It was, therefore, with regret and disappointment that your views on the subject were received. Both the Advisory Land Board and my Executive Council consider that your views must be based upon a misapprehension of the position and have advised that a fuller and more forcible statement of

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the case should be placed before you, in the hope that you will be able to withdraw your objections.

5. Your main objection is that on the direct alienation of land charges of favouritism would be difficult to disprove. This is a risk which I feel must be taken. It is proposed to exercise all possible care to forestall such charges by advertising applications accepted for consideration and by obtaining the views of District Councils/Committees, District Commissioners and Provincial Commissioners concerned, the recommendations of the Advisory Land Board and finally the decision of my Executive Council, which will have before it any objections raised to the applications. The safeguards against any allegations of favouritism appear to be entirely adequate. In any event, I feel that the importance of selecting the right man for the allotment of a particular farm far outweighs the risk of incurring charges of favouritism or undue influence.

In the operation of the scheme every approved applicant must first have satisfied the local authority and the Advisory Land Board as to his farming experience, development proposals and financial competency to purchase the farm and to carry out the development programme submitted. With the auction method none of these safeguards is possible.

Further, conditions would be imposed in respect of the smaller farming units requiring the personal occupation of the land for three years out of the first five and prohibiting the sale of the land during the first five years.

6. You also raise a further objection that accusations may be levelled against Government that land assets are being disposed of without taking care to obtain the best value for the colony as a whole in return. This view appears to rest upon the assumption that the best interests of the

colony/

Colony are served by obtaining for land grants the largest possible cash return. With the greatest respect I submit that this is not in fact the case. It is the unanimous view of my advisers, with which I concur, that the best interests of the Colony lie in obtaining a reasonable price for its land and in leaving the purchaser as much as possible of his initial capital to put into development, which enhances his prospect of prosperity and will bring a return to the Colony in a multitude of ways. Indeed, in my opinion there is much to be said for making free grants of land to settlers of the right type, subject to strict development and personal occupation conditions. This question does not, however, at present arise as the proposals now under consideration provide for payments of Stand Premium at a rate to be fixed by the Crown Land Valuation Board, which has the benefit of advice from the local authorities.

4. With reference to your third objection that future native requirements might be prejudiced by the granting of large blocks of land, particularly outside the highlands, I need not, I trust, assure you that the greatest care is and will be taken to avoid all risk of such a result. So far as land in the lowlands is concerned, the "D" areas outside the coast belt are almost entirely great stretches of arid country which could be developed only by large companies possessing great capital resources for expenditure on producing a water supply, "dry" extermination and cultivation.

All the land outside the highlands in which native expansion could be regarded as practicable is being added to the native reserves in accordance with the recommendations of the Land Commission. No fear, therefore, need be entertained that any proposed alienation will interfere in any way with probable native requirements.

8. As regards the alienation of land in large blocks for sheep runs I respectfully submit that the risk of such areas being held as a speculation is greater under the auction method of sale than under a system of direct grants to applicants whose bona fides has been thoroughly examined, who are prepared to occupy the land personally and are financially competent and willing to carry out sound development conditions within a reasonable period. One of the applications now submitted, that of Mr. Hinde, is precisely of this type. There is no other applicant for the land, since the aridity of the block renders it of no value whatever to anyone except an adjoining owner who can provide a water supply. Mr. Hinde has spent over £500 in a fruitless endeavour to find water on this land, but has now discovered a supply of 37,000 gallons a day on his own farm; unfortunately, however, this supply is in such a situation that it is useless for the development of his own farm and can only be brought into economic use by piping the water for several miles over a hill to the adjacent dry land, at a cost of about £1,000, thus opening up a new area for sheep farming. Without the water supply this land could never be farmed.

9. In concluding this part of my despatch I would draw attention to the fact that in the Crown Colonies and in most other Dependencies where land settlement is being encouraged direct grants of land are made to approved applicants subject either to no payment at all or to comparatively small payments by way of purchase price and that if this colony is to extend its European Settlement it must be in a position to offer no less favourable conditions to prospective applicants for land.

10. I must now refer to a recent development in connection with land settlement. In the Legislative Council on the 9th August Major Cavendish-Bentinck on behalf of

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the European elected members moved:

"That a Committee be appointed to consider to what extent further assistance to settlers with approved qualifications can or could reasonably be provided by the Land bank or by Government; and what provision could be made for imparting knowledge and experience of local conditions to newcomers, with a view to the establishment of a practical Settlement Scheme based on something tangible".

I authorised the acceptance by Government of this motion, which was warmly supported by all the European elected members and accepted by the representatives of native interests. The Indian members, as might have been expected, opposed the motion on principle. A copy of the "East African Standard's" report of the debate is attached. Much thought was given to the personnel of the committee and ultimately the appointment of the following was made:-

- Mr. A.B. Hosking, C.B.E., Chairman;
- Mr. G.J.L. Burton, M.C., Senr. Plant Breeder & Experimentalist.
- Mr. A. Daouney, C.B.E. Director of veterinary services;
- Major the Hon. S.W. Cavendish Bentinck, Chairman of Kenya Association (1932);
- Mr. J.A.A. Wolryche-Whitmore, Member of Land bank board;
- Capt. G.O.D. Wilson, C.M.G., D.S.O., Member of Land bank board and member of Advisory Land board;
- Mr. Will Evans } Farmers.
- Major Basil Hill, } (Mr. Rocks representing Dutch interests).
- Mr. J.L.L. Rocks, } Lands Secretary as Secretary.
- Mr. C.E. Mortimer, M.B.E.,

Since the committee has not yet advanced beyond the initial stages of its work, it is impossible to forecast what its recommendations will be. It is certain, however, that if a settlement scheme is ultimately a proved provision will be made for the alienation of the crown land farms included in its scope by direct grant to selected applicants.

11. The settlement committee was asked to consider whether the alienation of farm land should be held up pending the result of its deliberations and also to express its views on the relative merits of auction and direct grant as a method of disposing of crown land apart from

any/

any settlement scheme. On the first point the Committee considered that if suitable applicants were prepared to take up land and carry out development conditions without any special financial assistance, no obstacles should be placed in their way and there should be no avoidable delay in dealing with their applications.

On the general question they expressed the strongest convictions in favour of direct grants to approved applicants and requested Government to make further representations to you in support of the scheme now before you.

12. In view of the almost complete solidarity of local official and unofficial opinion on this subject, and of the support of Legislative and Executive Councils I trust you will feel able to waive your objections and give authority for the scheme to become operative.

I have the honour to be,
Sir,
Your most obedient,
humble servant,

P. Brinko-Boftim

AIR CHIEF MAGISTRAR

17/1/1948

SCHEDULE OF PROPOSED LAND GRANTS

<u>No.</u>	<u>Name</u>	<u>L.R.NO.</u>	<u>Locality</u>	<u>Area Acres</u>	<u>Valuation by Crown Land Valuation Board per acre</u> Shs.	<u>Special Conditions</u>	<u>Remarks.</u>
1	E.H.G. Augeraud	2642	Thomson's Falls.	1342	6/-	No transfer within 5 years. Personal occupation for 3 years out of first five. (The above are applicable to all these applications).	This farm has been reported upon by the Local District Commissioner and by an Agricultural Officer as being useless for independent development. The applicant is an adjoining owner whose land is fully developed.
2.	D. Spear and Son	772	Uasin Gishu	2093	12/-		Local residents at present working on leased land of the farm manager's.
3.	G.D. Mousley	701	"	1172	16/-		-do-
4.	J. Kinsey	2653/2	CI' Holosbat	1590	12/-	No timber to be cut and removed without special written consent.	-do-
5.	E. Holmboe	2985	Trans Nziia	1233	7/50		-do-
6.	Miss Meeres	1511	Machakos	500	7/50		-do+
7.	A.M. Gibb	2694	Iaikinia	84	6/-		The land is an ex-outspan Reserve surrounded on 3 sides by the applicant's land.
8.	R.W. Lambert.	X	Marmaret	128	12/50	No timber to be cut or clearing to be done within 50 yards of stream.	Is District Commissioner on pension.

No.	Name	L.R. No.	Locality	Area Acres	Valuation by Crown Land Valuation Board per acre Shs.	Special Conditions.	Remarks.
9.	H.V. Beckman.	XI	Marmaret	118	12/50	No timber to be cut or clearing to be done within 50 yards of stream.	Ex-Police inspector on pension.
10.	H.D. Hinde.		Ioldaika	20,000	To be valued.	Water to be piped to the area. Rent to be 5 cents per acre per annum until first revision period in 1945.	Applicant has spent much money in boring for water and has ob- tained 37,000 gallons a day on his own farm, a supply which can be economically used only by piping it at heavy expense to the dry land to the north, ly- ing between his bound- aries and the mukogodi Reserve. District Committee strongly recommends.
11.	Lady Eleanor Cole			Exchange of L.R. No. 5107 (2007 acres) Moya River for L.R. No. 1225/R (4502 acres) Naro Moru. Difference in area to be paid for by the applicant at 8/- per acre.			L.R. 1225/R is re- ported upon by an Agricultural Officer as being much inferior to L.R. 5107 for independent develop- ment, but as being more suitable for sheep for which the applicant desires it.

The Government of Kenya has agreed that an enquiry with the object of the "establishment of a practical Settlement Scheme based on something tangible," is desirable.

A motion by the Member for Nairobi North, Major F. W. Cavendish-Bentinck, on behalf of the European Elected Members, urging the appointment of a Committee to consider what financial help could be given by the Land Bank or Government to approved settlers and what provision could be made for imparting to them knowledge of agricultural conditions, was officially accepted.

Major Cavendish-Bentinck stressed the fact that since 1931 there had been a lag in settlement due to the absence of any definite policy and that the progress of earlier years had not been maintained. He said that the country, one of the best parts of the British Empire, must have something concrete to offer and must back up its efforts by proper publicity.

"For Heaven's sake let us get going now and not be content for another ten years with a European population of 18,000 in this country," he said.

An Indian Member opposed the motion saying that colonization was being forced and it had not yet been proved that Kenya was suitable for white settlement or for the small farmer.

The debate will be continued when Council resumes at 10 o'clock this morning.

Indian Opposition

In Legislative Council yesterday the acting Colonial Secretary, announced amid applause, that Government would accept a motion tabled by the Member for Nairobi North reading:

"That a Committee be appointed to consider to what extent further assistance to the settlers with had been done would in the future become better known, and more appreciated, if an effort were made by the three Territories to try and stimulate more interest on general lines. But that question hardly came within the range of the motion and he hoped to have another opportunity of dealing with public opinion in the Territories."

White Settlement Enquiry for Kenya

(Continued from page 1.)

White Man's Country

Another argument which might be put up was that it had not yet been established that these Territories were really a white man's country. But everything went to prove that the people who had been born here did not seem to go back either in intelligence or physique. A visit to any of their schools would prove that, and quite a number of these children were children of persons born in this country. And then there was the argument of the difficulties of living in these countries, education, entertainment and the amenities of life, etc. These could be easily refuted. A person of modest means could most certainly live in these countries at a far higher standard than they could in Europe. The educational facilities which had been provided were remarkable for the age of the country and as regards transport in a few months they would only be a few days from the Capital of the Empire.

Land Available

But there was the more serious argument that there was no land available. He could only refute that by quoting figures which would later appear in the agricultural census. There were: Native Reserves, 31,000,000 acres; Forest Reserves, 3,000,000 acres; Alienated Land, 6,000,000 acres; Land surveyed for alienation, 1,000,000 acres; Coastal Freehold, 179,000 acres; Government Reserves, 125,000 acres; Township Reserves, 200,000 acres; Northern Frontier, Turkana and other similar areas which they could place on one side 77,000,000, leaving 25,000,000 acres at present unclassified. He did not think, therefore, that there

was any difficulty of finding land for many more settlers, even with the land already alienated and surveyed for alienation.

Continuing, the speaker said he wished to stress that the whole question of land was very largely interwoven with the question of further settlement. They had passed the stage when it had been difficult to show people that they had no real purpose in agriculture and he maintained that now was the propitious moment to go forward.

"Come and See"

They should tell prospective settlers what they had to offer and help the people to come and see for themselves and also when they got here to put their heart and soul into the country. It was a responsibility that rested on this generation. It was not enough, and not fair, to say that the modern young man in London or elsewhere had lost all sense of initiative and if he had not, he would come out here. The modern young man had a sense of proportion and a great deal of common sense and the first question he asked was "What have you to offer?" And if all they could reply was that they had a certain amount of unalienated land, "its a good long way away; look it up in a book", etc. Or "There is some alienated land but of course you have got to go to the people to get them to sell it and it is difficult to know what they are going to ask". Or "It is possible the Kenya Association may be able to help in getting some farmers to take you on for training", etc. "There is a Land Bank where you can get a certain amount of assistance, but we don't know what". If these were the replies enquirers were going to get, then those people were not likely to come to this part of the world; they would go to South Africa or New Zealand which provided all information in a room in London.

In other words they had got to get a written policy and written methods on which to attract that class of person.

He recalled the history of the attempt to attract retired ex-officer settlers from India. How the gentlemen enquiring on their behalf had come to Kenya after a visit to Southern Rhodesia and had come to the conclusion that Kenya had more to offer. But Kenya had had no scheme, no policy.

"For Heaven's sake let us get going now," urged Major Cavendish-Bentick, "and not be content for another ten years with a European population of eighteen thousand people in this Colony. Get the Committee

experience at a very high price, experience which today, however, was available for newcomers. They could not expect that type of settlement to go on any longer although it was a magnificent thing to be able to record that the impetus of those early settlers, prior to and immediately after the War, had carried the colony right on to the present day and through the depression so that to-day their Railway was in a sound financial position and the Colony's finances had made a satisfactory recovery the moment the tide began to turn. They must provide some kind of co-ordination to follow up the early work. The whole economic structure of the country had been built up on white settlement and if white settlement was not followed up by organisation and development with Government assistance, then the economic structure built up would inevitably collapse.

The Hon. F. Cassell Long (Deputy member for Rift Valley) also supported. Before white settlement could go forward he said, they must have a definite policy and when they talked about white settlement they did not mean the exclusion of native interest—white settlement was essential to the African.

Opposition

The Hon. Dr. Karve opposed. It had come ten years too soon, they were going too fast and forcing colonization in a way which was bound to bring discredit to this country. Some years ago Government had tried the Soldier Settlers Scheme and he thought everybody would agree it had been a complete failure and resulted in the complete loss of capital by most of the participants.

Some of the statements made by the mover would not be accepted by many people. He did not agree that the country had been proved to be suitable for white settlement; it was a statement which had not been accepted by many eminent doctors. There also existed the opinion that the country was not suitable for small farmers, only for large companies, and until these points were cleared up by experience it would be premature to force development on the country and to introduce new settlers too rapidly.

The last speaker was followed by Major Grogan and the Acting Colonial Secretary, the latter announcing that Government accepted the motion. (These two speeches and that of Colonel Kirkwood which followed will appear to-morrow).

Get the Committee

the object of preparing a practical settlement

representatives of Native Interests intimated that did not intend to oppose the motion but Archon Burns reminded the House that the development of Kenya could not progress without the help of African and if the white man wanted the Native happy co-worker in the joint task, they must be in respect of the claims and needs of landless

Members made a strongly worded attack on the motion and one declared that the "tame acceptance" by Government of all proposals put forward by the European Members suggested that a return had been made to the principle of "Government by Agreement." In this they also declared that white settlement would not be that it was being prematurely boosted and that any scheme should be for all races. They have asked that the Indians should be represented on the Committee.

The most interesting features of the debate was a warning by Government that people holding up undeveloped lands in Kenya would be called upon to give an account of their stewardship. Elected Members fully agreed with that view and one suggested that the proper way forward was to introduce an Expropriation Bill.

It was reminded during the debate that they had not accepted the long-standing offer of coast lands for development by Indians.

Fairplay for Africans

is the continuation of the motion in the Legislative Council by the member North (Major Cayenne) proposing an end to the possibility of introducing a "practical settlement" based on something tangible.

Monday, Major Grogan before the acting Colonial Secretary intervened in the debate on the Government's acceptance of the motion dealt with the motion in a different aspect to that of the earlier speakers. Settlement had become a recent world happening and a dramatic change in world affairs. He said that this minor part of the Empire had become an

to the speech of the member (Indian Member) suggested that European Members were going too far in their constant reminder. Karve had followed recently happened at to some of his own people would realise that people were not treated in the same way as treated in Kenya. Karve to carry his mind back to the War as actually happened in Ababa to-day to the position of his people a different one in anybody else had situation.

wanted to emphasise point because it was not that there seemed to be a definite recognition of changes which had recently in the circumstances.

Colonists

Major Grogan declared that the emigration of the War had been a year before the last used to leave

Italy and of these an average of 500,000 used to return leaving a net emigration of 500,000. He had wandered in South America in those days, and South America (and in particular Argentina and the Southern States) must have realised that a large part of the dramatic development of those countries had been effected by Italian settlers. And one had only to go into the territories adjoining Kenya, as he had done a few years ago, to see Italians with families following the precedent established by Kenya's own Principal Medical Officer wandering about in the heat of the sun, doing effective agricultural work with no Native assistance.

That said Major Grogan (quoting instances), was the answer to the contention that it was impossible for a white man to work in African conditions. Admittedly there were differences in the response to these climatic conditions among the different peoples of Europe, whether they came from the North or South Europe, but he ventured to quote his own example as a specimen of the European who came from the North. He had had an opportunity of showing his black associates what he could do and what his conception of a manual task was. For four or five days he had worked from 8 a.m. until 4 p.m. with pick and shovel and after supper did four hours more in the moonlight and the natives, had come to the conclusion, as had many of his friends on the opposite side of the House, that he was a demented old gentleman! (Laughter). He had come to the conclusion (said Major Grogan amid renewed laughter) that his manual capacity in the tropics, at an age of 62, was equivalent to ten well set up Kavirondos.

In Abyssinia

The question before them he continued, was an intensely important matter. There was not the slightest doubt that Italy was

the suggestion that the whole position of these territories had changed to a considerable extent in the last two or three years. Kenya, with its capacity for carrying a considerable population capable of producing a wide range of foodstuffs and raw materials, had become one of the essential bases of the whole scheme of Imperial Defence.

During the Depression

The Hon. Member went on to refer to the lack of assistance given to white settlement during the past financial crisis. While other countries had adopted all kinds of remedies and reliefs to face a position distorted by a monetary factor over which it had no concern, nothing had been done in Kenya. He instanced the turning down of the Bond scheme put forward by unofficial representatives and added that not so long ago a confidential document had been circulated among members, emanating from experts from the Colonial Office, pointing out that the products of the country could not be produced at a profit, and were never likely again to be produced at a profit, and so on. Yet before the ink was dry on that document the markets had changed and everything could be produced at a profit. The Colonial Office mind, he contended, always functioned in terms of minor Black States; they never had an idea on constructive colonisation, and it was up to the settlers in Kenya to remedy that deficiency by keeping on hammering away at the subject now before them. But settlement must be on a thoroughly comprehensive scale and they must take into consideration every conceivable type of man, whether black white or blue, who could conceivably be identified with the interests of the British people and not be a potential enemy.

Jews

There was another amazing happening in Europe—the eviction on a colossal scale of an enormous number of Jews. These Jews were being organised and trained by their fellow-countrymen. He had been informed that one Jew alone had made himself responsible for over 90,000 Jews, to see them trained and definitely re-adjusted somewhere, and during the past few days he himself had found employment for three of these Jews, sent out to this country by the organisation to which he had referred. And they all knew what was happening in Palestine; the fact that settlement there had limited possibilities because of political difficulties, leaving a surplus that could be absorbed somewhere. Why should they, in Kenya, not look around, said Major Grogan, and see what sort of facilities this country offered for these people? Politically the Jews were going to be the people upon whom they could rely in the future, which was an important thing in the settlement of this country.

Land Available

The idea that this country could not absorb a large number of Europeans was ridiculous. He did not believe there was any land in Kenya which could be wiped clean off, from a settlement point of view. If they excluded certain large areas in

(Continued on Page 3)

Settlement Scheme Proposal Adopted.

(Continued from page 1).

the Northern Frontier, all the other territory was all capable of being put to some use. It was his firm belief after a large amount of practical experience, that the three Territories combined—and they must look upon them collectively—were capable of absorbing millions of European people without any sacrifice on the part of or menace to the indigenous population.

GOVERNMENT ACCEPTS

The Development of Settlement Policy

Intervening in the debate, the Acting Colonial Secretary reviewed the settlement position of the Colony over the past few years.

As a country developed and as communications improved, he said, as farming knowledge extended and as new markets came into being, the size of an economic farm unit tended to decrease and whereas under pioneer conditions units from two thousand to three thousand acres were thought to be essential in Kenya, smaller units of up to one thousand acres become practical.

In his opinion, in parts of the Colony they had come to that stage at the present time and he had no doubt that during the next few years as the present difficulties in regard to water, fencing, dipping, etc., tended to disappear the economic mixed farming units would become still smaller.

Land Assets

Ten years ago Government had taken stock of the country's land assets in relation to the possibilities of closer settlement and generally smaller farming purposes, and had found that it had not got a very great deal of land to offer. In 1926 a scheme for closer settlement was propounded which was divided into three parts. Under the "A" scheme 48 farms centred on Kitale were envisaged, each farm consisting of 200 acres in extent and each farm so equipped with water and fencing facilities that individual large capital expenditure might be avoided and the cost recovered by way of annual payments. The partial introduction of that scheme had been approved by the Secretary of State but it had presupposed the existence of a Land Bank, and by the time Land Bank legislation had been enacted and funds provided for that Bank, a bleak change had come over the situation, depression had set in, prices dropped and it became evident that for the time the economic foundation of that scheme had been destroyed. Under the second part of the Scheme, which did not postulate either Land Bank or State assistance, the Schedule had originally comprised 75 farms ranging from 750 to 1,500

figures quoted by the hon. mover could be accepted at their face value.

Causes of the 'Lag'

The mover, continued the acting Colonial Secretary, had rather charged Government with lack of drive and lack of policy during the last six years and based his attack on the fact that during that period the European population had not materially increased. During those years they had been assured in Council time after time that farmers were on the brink of ruin and that it was impossible to make farming pay under the then ruling prices and it was evident that Government could not take direct action towards encouraging new settlers to come to Kenya with a view to making a living on the land. They therefore turned their attention to residential settlement and to the best of their ability, and not without some success, endeavoured to advance the attractions of the country from the point of view of residential settlement and to put those attractions before the type of person they thought would make the best residential settlers. While residential settlement had its place, the Colony must increase its output and now that farming prospects were brighter what was wanted was more producers and the problem was one of peopling the empty spaces with more farmers.

The Landowner

Very frequently in the past he had stressed his opinion, the Acting Colonial Secretary continued, that the future of white settlement in this country lay particularly in the hands of land owners. And as it was right and proper that a spokesman on behalf of Government should be required to give an account of Government's stewardship, so an onus lay on most of those people to whom land had been alienated on the promise of development to give an account from time to time of their stewardship. Apart from freehold grants made in the early days without development provisions, land was alienated in this country under 99 or 999 year leases. Under the 99 year leases there was a covenant to develop the land and to carry out improvements in a prudent and a businesslike manner. Under 999 year leases there were specific covenants to instal and maintain improvements to certain values set out in schedules.

Up to the end of 1926, 6,853,198 acres of Crown land had been alienated. During the bleak days of the last four or five years a good deal of land perforce went out of cultivation and if to-day it was usual in

would do so in a particularly able and efficient manner," added the speaker.

New Settlers

In regard to new settlers and assistance for them; the Land Bank already made certain specific provision and if any assistance over and above what the Land Bank is legally empowered to offer should be offered then that could only be done by the guarantee of Government and the extent to which Government might ask the Secretary of State to agree to subsidise settlement was a question which had been raised and should be considered, and that would form a profitable line of enquiry by the proposed Committee.

And it was not only for new settlers that provision was required for imparting knowledge of agricultural conditions. They had a great number of young people growing up in the Colony who appeared to be cut out for farming and they were the sort of young people who ought to form the nucleus of the future working farmer population of Kenya. It was vital for all these young people to expect that they could all be given grants of land and it would be a sensible plan to examine the question of the training of these young men to take up positions of trust and responsibility on farms as employees. He agreed that for the new settler, instruction, particularly as regards mixed farming, was highly desirable. Facilities had been offered in this respect to new settlers in the ex-Soldier Settlement Scheme and the Kitale Settlement Scheme to which he had already alluded. He thought there were better facilities now and agreed that these might well be developed.

He believed an enquiry along the lines suggested in the motion would serve a valuable purpose and he had His Excellency's authority for saying that Government would accept the motion before Council (Applause).

Health and Holidays

The last speaker on the motion before Council adjourned on Monday was Lieut.-Col. the Hon. J. G. Kirkwood (Trans-Nzoia) who strongly supported it. Replying to Indian criticism, he denied that the Soldier Settlement Scheme had been a failure in the way alleged. He had been a soldier settler and he did not admit he had been a failure. In 1920 Kitale was 110 miles from rail head, and other parts 130 to 140 miles. Notwithstanding the difficulties, within ten years the area had been producing half a million bags of maize annually, apart from other products. As an

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The areas already surveyed had been divided up a number of years ago on the basis of 3,000 acre units and in order to find whether the farms could be reduced in size for closer settlement a comprehensive examination was entailed.

He had hoped that not including the Kitale Settlement scheme they would find available for closer settlement something in the region of 60 or 70 "A" farms.

So far, he had dealt with farms of a size suitable for closer settlement, said Mr. Logan. But settlement was not necessarily confined to that and the occupation of larger areas meant the employment of European managers and sub-managers and this feature of European settlement they could not afford to lose account of.

During the last seven years they had disposed of close on 400,000 acres of land for agricultural purposes, principally in large blocks suitable for large scale farming, sheep and cattle runs and for plantation development. They still had several hundred thousands of acres of land available for these purposes; but he did not think the

Government could not take direct action towards encouraging new settlers to come to Kenya with a view to making a living on the land. They therefore turned their attention to residential settlement and to the best of their ability, and not without some success, endeavoured to advance the attractions of the country from the point of view of residential settlement and to put those attractions before the type of person they thought would make the best residential settlers. While residential settlement had its place, the Colony must increase its output and now that farming prospects were brighter what was wanted was more producers and the problem was one of peopling the empty spaces with more farmers.

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Up to the end of 1926, 6,853,198 acres of Crown land had been alienated. During the bleak days of the last four or five years a good deal of land perforce went out of cultivation and if to-day it was usual in many parts of the country to look across the countryside and see on every side signs of crop life abundant and strong, yet it could not be denied that there were many large tracts of land which showed no signs of cultivation or development.

The Empty Acres

While the depression was on, it was clearly inopportune to require from owners of these undeveloped tracts an account of their stewardship; but now that the clouds of depression had evaporated, he thought it necessary to say that such owners must be expected and required to give an account of their stewardship and to do something about the position. Government would give sympathetic consideration to any difficulties but there must be the will to develop. It was not only important that unused land should be brought into use, but that farmers who had developed their lands up to their financial capacity, and still had a surplus which they could subdivide and sell, should do so and if they, in turn, had difficulties in their way government could think of no body more competent to discuss the position with them than the Kenya Association. "I think it

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He refuted the suggestion that the country was not suitable for white settlement; they had only got to look at their school children to challenge that. They were really going to have a fine type of man in the years to come. He emphatically denied that it was necessary for a European to go out of the country every three years. Speaking for himself he had not been out of the country since 1927 and had no urge to do so and he felt none the worse for that.

He also denied that the K. U. R. and H. was primarily to foster the interests of the European farmer; on the contrary it had appeared for a time that it was the Railway's policy to drive the European out of the Colony.

(Continued on page 6).

Settlement Scheme Proposal Adopted

(Continued from page 5.)

Expropriation

Turning to the question of undeveloped alienated lands, undeveloped owing to the depression, this problem, he suggested, could be overcome by an Expropriation Bill. Colonel Kirkwood congratulated Government on its acceptance of the motion.

NATIVE INTERESTS

No Opposition to the Motion

When the debate was resumed on Tuesday the first two speakers were the members representing the interests of the Native Community. Both supported the motion.

Archdeacon Burns said his memory went back thirty-five years and he wanted to say that the wonderful progress that had been made would never have been achieved by the white man alone, a view to which the Members for Rift Valley had been good enough to give expression. He urged that in considering any scheme they should not overlook native land needs, particularly the claims of resident labourers and their families without land or homes of their own, and the possibilities of land required for Wakikuyu removed from the Masai Reserve where they had settled for years by consent. He believed this was a white man's country. He had lived here for 39 years and instead of going back to England or to Australia, from where he came, he had decided to make this his home as long as he was allowed to remain on this earth. (Applause). But the white man must make provision for the African as his co-worker in developing this country. The African must have a fair deal. He did not think it was the intention of white settlers to do anything else, but unless provision was made for the landless African and they were made happy and contented, the European community would not be carrying out their duty as trustees. (Applause).

Colonel T. O. Fitzgerald (Native Interests) agreed, having seen the country grow up and develop almost from its infancy, that the development which had taken place would not have been possible without white settlement aided by the inhabitants of the country and it seemed to him, therefore, that they should encourage further white settlement. They were told there was vast areas of land undeveloped in the country, and when one realised the number of people at Home who would only be too pleased to come out to a country of this nature provided reasonable facilities were given for making good, surely it was their bounden duty to do something for those people even at the risk of the country not being "a white man's country," as suggested by the Hon. Dr. Karve. If, however, there was any fear of the interests of the Natives being jeopardised by increased settlement,

changed his views on colonisation. At one time he had been in favour of Indians being given their full share in the colonisation but the last few years had shown to the world that what was considered in the past centuries to be colonisation was nothing but an intention to take other people's lands. Mr. Shamsud Deen thought the day was not very far off when the Indians in Kenya would have no claim whatsoever to rights or consideration in any of the Colonies, and that would be the day when India gained its independence. "And then," declared the speaker, "I for one shall have no objection to clearing out of the Colonies."

Referring to the question of the settlement of Jews here, he said he had no personal objection but he wanted to remind the member for the Coast that as far back in 1807 a delegation of Jews had come to examine the land and had not cared much for it and at that time the hon. and gallant member, associated with the late Lord Delamere had made the strongest protest against Jewish Settlement.

Major Grogan: On a point of explanation, I did not, I acted as guide for that particular expedition; and that expedition was to investigate one specific area of land; not the general possibilities. They found it unacceptable because the elephants had arrived there!

The Coast

Continuing, the Hon. Shamsud Deen said he had expected the member for the Coast to say something about the Coast and to say something about the development of areas at Lamu. This vast area of land was crying out for settlement but the Government had done nothing. The slaves who had been set free were like animals liberated from custody with nobody to look after them. If Government had given to these areas a fraction of the attention they gave to the Highlands the problem of the liberated slaves, of the Arabs and incidentally of the Indian community would have been settled to a very great extent.

He was not opposed to white settlement; he believed a very large number of British settlers had rendered great service to the country. But if Government were to compile a list of the financial failures it would provide an interesting study for those who advocated increased white settlement. But if they had increased settlement, it

whether members wished to take part in a debate—and when it appeared that every member who wished to speak had done so, he had intervened.

Continuing, Dr. de Souza quoted extracts from an English journal by a man he considered to be an authority commenting on white settlement in East Africa and the comment of the Secretary of State in which he had admitted that it was Government's duty to the wards to adhere to the principle that the interest of the indigenous races of East Africa must come first. The motion before them, primarily in the interests of the European, he said would have had some justification had it included primarily the African, secondly the Arab, thirdly the Indian.

"Tameily Accepted"

The Government's attitude he saw a return to "Government by Agreement." He agreed that every suggestion coming from the European Unofficial Members was being "tameily accepted" by Government. He knew that increased white settlement was going to be a failure and he was not concerned with the prospect of hundreds of thousands of Europeans coming here during the next five, ten or fifty years, but his fear was that on some pretext or other innocent people would be brought in and useless land offered to them and, secondly, that as a result of the scheme they would have increased budgetary expenditure—grants here and grants there. Land Banks, agricultural advances and a return to the era of unbalanced budgets.

He protested against the unnecessary references made to Indians by the Hon. and Gallant Member for the Coast. He had reminded them what they had suffered in the past under the Germans and what they might suffer under Italians, but he would be surprised to know if the speaker told him, what Indians had suffered in the past under Major Grogan's own countrymen in India. He reminded Government that there was a solid body of opinion in Europe against further white settlements and that this country should be administered primarily in the interests of the Native. Notwithstanding the support for the motion which had been forthcoming from the native representatives, he contended that Government's attitude would engender strong feeling among the Africans. What he wanted was that the Europeans should take their ordinary share of the profits and losses of the country, not that white settlement should be boosted at the expense of the other communities.

"Battered and Ashamed"

The Hon. F. A. Bemister (Mombasa)

proposed committee would contribute largely to the development of the country. Repeating to Dr. Karve's criticism, he said that if they had faith they had got to go ahead and he would like to refute the statement alleged to have been made by him (the speaker) that he had claimed that everything that had been done had been done by the settler. Anyone who looked back on the early days would realise that it was only an idiot who would make such a statement. Referring to the remarks of the member for the Coast, the speaker said, he had asked the Kenya Government a question on the experiments going on in Abyssinia and Government had replied (as he had expected) that it was not in a position to reply. But he suggested that the Point raised was of some importance and he hoped the experiment was being watched by those responsible in the Home country.

The Colonial Secretary's reply, the speaker continued, had been a clear statement and one provocative of a good deal of thought, and he thanked him for it. He had pointed out that there were a good many questions which had to be considered, such as the questions of the sub-divisions of land and what was being done with the land which had been alienated. Speaking personally, he agreed that the time had come when they had got to make people give an account of their stewardship of large tracts of land (Applause). It was not in the interests of the country to allow land to remain undeveloped. But it was a complicated subject. Regarding another point raised by the Colonial Secretary, he had not overlooked the question of providing not only for new people but for people in the country when framing the motion. And with regard to the imparting of knowledge to new settlers, he was grateful to his honourable friend for pointing out that this problem was also one that had to be taken into careful consideration in regard to present settlers.

Kenya Association

Regarding the work of the Kenya Association and appreciating the kind things said of it, there was a limit to what the Association could do; it was not the job of an unofficial association of that kind to initiate a policy or to initiate a settlement scheme, that was the task of Government with the help of the unofficial community and that was why the motion had been put forward. Regarding Native interests, a word had been said in the debate by his colleagues to suggest that they did not realise that Native Interests had not to be taken care of. Every member who had spoken had alluded to that