

1930

Kenya

No. 16114 / A

SUBJECT

C0533/398

Memorandum on Recent Policy as to

Land Alienation and Settlement

Previous

Main file

16078/30 (Alienation of land)

Subsequent

See 16333/30:K.

Natural Forests and Land

~~Mr Allen~~
~~Mr Parkinson~~

Copy on
16360/30
Aderahakuto
Kuperegong
Lasele

I have submitted a memorandum
on recent policy as to Land Allocation
& Settlement in Kenya. This is an
undisputed fact for
reference for use in connection with
the Commission of Enquiry
Economic Advisory Council before whom
Mr Parkinson is going in evidence.

C. Hartwood
18-12-30
H. W. Allen
18/12/30

See memo on X. 16360/30
All A
30.1.31

2
3

70 a. & remaining (no copy) on 16360/30
6 S.D.

SW

Copy to 18 in memo s.o. 12/2/31
on 16360/30.

It may be possible to take action on these

5575/29.

3.

Telegram from the Secretary of State for the Colonies to the Officer Administering the Government of Kenya.

Sent 8.30 p.m. 11th October 1929.

11th October. Your despatch of 26th June No.383. Proposals for closer settlement are dependent upon establishment of land bank as to which I will telegraph separately. If land bank is established I shall be prepared to agree generally to proposals provided that the number of small holdings under scheme A is limited at any rate in the first instance to twelve and on the understanding that the whole cost of training and where necessary maintenance is borne by Government of Kenya. I am sending by despatch for your consideration draft agreement prepared in Oversea Settlement Department which would provide for co-operation in respect of twelve holdings under scheme A and ten under scheme B for settlers from this country.

14/30.

APPENDIX VII

Telegram from the Secretary of State for the Colonies to the Officer Administering the Government of Kenya.

Sent 9.30 p.m. 2nd June 1930.

Confidential No. 71. Your telegram of 9th May No. 156. Closer Settlement. I consider that in existing circumstances any increase in settlement by small areas is to be deprecated, and I am definitely opposed to any endeavour being made at the present time to attract settlers from outside the Colony. In this connection see your telegram of 16th May No. 161. But the settlement of persons fully acquainted with local conditions is less open to objection, and subject to conditions mentioned in paragraphs 5 and 7 of your Confidential despatch of 15th March No. 43, I am willing to approve your proposals but only in so far as they relate to (one) Scheme B farms originally reserved for local applicants (two) Scheme C, Nyeri farms, and on the understanding that grants will be made only to persons who have been or are actually resident in the Colony and definitely without any prospect of financial assistance from Land Bank or other Government sources. Thus Scheme A holdings, Scheme B farms originally reserved for home applicants, and Scheme C holdings or plots, other than the Nyeri farms are definitely excluded, and no alienation of those areas should take place without prior consultation with and approval of the Secretary of State. I attach particular importance

importance to this in case of Tigon Township about which I am communicating with you by despatch. As regards provisional approval previously given for 12 state-aided settlers, I wish to make it clear that if that approval is confirmed after ^{re-}consideration on setting up of Land Bank, they will have to be provided for on Scheme A holdings or Scheme B farms originally reserved for home settlers, but I am very reluctant as matters now stand to contemplate any assisted settlement from this country for small holdings.

copy obtained from J.S.D.

(THIS DOCUMENT IS THE PROPERTY OF HIS BRITANNIC MAJESTY'S GOVERNMENT).

S E C R E T .

E.A.C. (E.M.) 26.

Copy No.

ECONOMIC ADVISORY COUNCIL.

COMMITTEE ON EMPIRE MIGRATION.

Memorandum on Settlement in Colonies not possessing
responsible Government.

(Reference E.A.C. (E.M.) 1st Meeting, conclusions
and 2(b)(ii).

The opportunities for the settlement of persons from this country in the Colonies not possessing responsible Government are for reasons of climate, the availability of native labour &c. as a general rule confined to settlers possessed of capital and to limited numbers of skilled workers. No schemes have up far been arranged under the Empire Settlement Act for assisted settlement in the Colonies although as will be seen below a scheme of this nature is now under consideration.

Kenya.

In 1919 the Government of the East Africa Protectorate (now Kenya Colony and Protectorate) afforded facilities for the settlement of ex-service men with capital upon farms in the Colony. The land was offered at the estimated market price and the holdings were allotted by ballot. There was no Government assistance in the form of loans, but the purchase price was payable in instalments.

Under this scheme about 1,000 farms were allotted, the majority ranging from 300 to 5,000 acres each; and the leases of these farms were sold to allottees at from 3/- to 50/- an acre, according to the class and situation of the land. Subsequently, however, it was decided that the purchase price should be completely remitted when certain prescribed developments had been carried out,

and/

and in most cases the settlers have taken advantage of this provision.

In 1928 a comprehensive scheme for closer settlement on available Crown land was submitted to and adopted by the Kenya Legislative Council which passed a resolution "in favour of the Government proceeding with the alienation of such areas of land in the settled areas as can be made available and such further areas as do not involve any question of native rights."

The scheme contemplates settlement on small holdings for settlers with little or no capital, and a mixed farming scheme for local residents or persons from this country who contemplate farming on a larger scale and are able to provide a substantial portion of the initial capital required.

The proposals are primarily dependent on the establishment of a Land and Agricultural Bank, a matter which is now engaging the consideration of the Secretary of State and the Kenya Government. Subject to the establishment of such a Bank, the question of co-operation under the Empire Settlement Act for assisting persons from this country to settle in Kenya under the Colonial Government's proposals will be further considered, but in any event the Secretary of State would not contemplate at present anything more than an experimental scheme for the assisted settlement of a very limited number of persons, say, 12 at the most. The Kenya Government propose to provide training and maintenance for settlers under the small holdings scheme, if this should be put into operation.

The following is an extract from the Report of the Kenya Agricultural Commission (dated October 1929):

"Closer Settlement and White Labour.

" 104. The Commission approves of the principle of Closer Settlement. At the same time the Commission considers that there is pressing need for the introduction of more British agricultural labour into the Colony. As the agriculture of the Colony progresses, and as mechanisation proceeds, there is an increasing need for a higher type of labour, skilled in the use of machinery and able to supply supervision.

105. It is thought that a considerable amount of good material can be drawn from Great Britain if better facilities for emigration are provided, and suitable prospects of employment and advancement can be held out. The Commission does not share the fears that have been expressed that thereby a "poor white" population may be created. Indeed, it considers that labour of this kind will eventually provide a valuable source of future settlers under a Closer Settlement Scheme. It is necessary, however, that some form of organisation should be set up both to focus the openings for employment on this side and to institute the necessary inquiries into the credentials of applicants at home. The Commission considers that the East African Dependencies Office in England can be equipped to deal with applicants for agricultural employment. The Commission recommends that Government should institute a specific inquiry into this subject."

Immigration into Kenya in recent years has been as follows:-

	1926	1926	1927
Europeans	4,212	5,173	5,388
Others	10,956	11,132	12,126
Total	15,168	16,305	17,514

Swaziland.

There is very little Crown Land still unalienated in Swaziland. Just over one third of the country is occupied by native Reserves while almost all the remainder is owned by Europeans, principally by large land and mining companies. The possibilities of settlement in Swaziland are therefore dependent upon the attitude of the existing owners towards the alienation of their land.

The Swaziland Government have recently had under consideration proposals for furthering land settlement in the territory. A Land and Agricultural Loan Fund has been established for the purpose of providing advances to farmers, and a Land Settlement Committee is considering the steps to be taken to attract settlers from this country. It is considered that Swaziland offers

a suitable field for the land settlement of a limited number of British settlers with capital, provided that land at a reasonable price can be acquired. In this connexion it may be noted that the Land Settlement Committee has recently stated that some 60,000 acres can be found for immediate settlement.

Mr. Christopher Turner, who has recently returned from a visit to Swaziland, considers that from £1,200 to £1,500 is the capital required by a new settler but local authorities have placed this at a somewhat higher figure, viz. £2,000.

Northern Rhodesia.

The Protectorate Government have under consideration the desirability of encouraging further white settlement in Northern Rhodesia, but no active measures can be taken until preliminary surveys have been carried out. As a first step Mr. S. Milligan of the Empire Cotton Growing Corporation has been engaged to "consider and report upon the question of further European land settlement in Northern Rhodesia, including small holdings, and with special reference to available Crown Lands."

It is considered that the main policy of agricultural advancement must be based upon the supply of foodstuffs for the mining areas where there is a constant and growing demand. An estimate is therefore to be made of the requirements of the mining areas and other industries incidental thereto, and a survey is being conducted of the land available for alienation. Some time will elapse before their survey can be completed and it is not expected that Mr. Milligan will commence his enquiry before 1931.

It should be borne in mind, however, in connection with the possibility of further settlement from this country that it has not yet been definitely decided whether Northern Rhodesia is

suitable/

-5-

suitable for permanent white settlement, particularly for married men.

As regards the mining industry, the general policy of the mining companies is to employ natives as far as possible. Certain of the mining companies have however recently sent small parties of British miners to Northern Rhodesia with a view to testing their suitability for work in their mines. It is understood that the first parties have proved satisfactory and that further parties are to be sent out.

Mr. Christopher Turnor has recently visited Northern Rhodesia and he considers it questionable whether the climatic conditions, even if malaria is overcome, are suitable for white settlers. Women and children should be out of the country for the six weeks from October 1st; but a holiday of this length is as a rule beyond the means of the struggling agriculturist, and presumably also of the white miner. In his opinion there will probably be a large influx of white people into Northern Rhodesia during the next five years, and he estimates, so far as miners are concerned that from 1,000 to 1,500 men from this country might eventually be absorbed. These must, however, be single men, for as conditions are at present men with wives and families should, he considers, not be encouraged to settle in the country.

Tanganyika.

At the census of 1928 the population of Tanganyika comprised 4,740,000 natives and 5,778 whites, of whom 3,067 were of British or South African Dutch origin, and 1,333 German. There were in addition a considerable number of non-natives (some 15,000

of/

of whom were British Indians) other than Europeans.

This territory is held by Great Britain under mandate from the League of Nations, and until recently no attempt had been made to formulate with Government assistance any scheme for the settlement of British people on the land. In 1929, however, a Land Settlement Advisory Committee was appointed by the Governor of the Territory, to consider a scheme for providing financial assistance towards land settlement - bearing in mind that any scheme of settlement must apply to all races without discrimination, in view of the terms of the mandate.

In examining the possibilities for settlers without capital, the Committee stated that they were not aware that any State-aided immigration had hitherto been tried in tropical countries.

Among their recommendations were placed four categories of settlers:-

- (1) Single or married settlers with families, possessing capital of £1,500 and upwards.
- (2) Trained farmers with capital of £1,000 and upwards.
- (3) Persons producing satisfactory evidence of guaranteed employment.
- (4) Young men of 16 and upwards able to command £1,500 capital when they commenced farming.

For categories 1 and 4 the Committee recommended training on a Government farm and for category 2 supervision in the early stages of farming.

For all categories, financial assistance by a scheme of reduced passages was recommended. In the case of suitable British settlers, the Committee thought that financial assistance on the lines referred to in the Kenya proposals above might be considered by His Majesty's Government.

The only areas where climatic conditions make European settlement feasible are the two highland areas in the north east and south west. The former is already almost fully settled. The area available in the latter is small and the local Government point out that, until a railway is built, dairy farming and the cultivation of grain crops cannot pay, while the cultivation of tobacco, coffee, tea and other high-priced crops, as well as sheep farming, is at present entirely experimental. It is clear that on climatic grounds, the greater part of the territory must remain a purely native area.

As far as can be seen at present the field for white settlement will be restricted to persons with considerable capital, but the Government is prepared to consider proposals for settlement under the auspices of an unofficial organisation and to give such assistance as can properly be afforded. It has to be remembered that there are equal rights of trade and settlement for all nations under the mandatory system.

Under the Land Ordinances of 1923 to 1926, all lands other than those in which a previous interest had already been acquired, were defined as "public land." In regard to future alienations of public land, only leases for not longer than 99 years can be granted, and for not more than 5,000 acres to any concessionaire except with the express approval of the Secretary of State for the Colonies.

Other Colonies.

With regard to the Colonies generally, the Overseas Settlement Committee have from time to time submitted questionnaires to the Colonial Governments which have included questions relating to the prospects of openings for persons from the United Kingdom either in agriculture or in industry, etc.

In the great majority of cases, the answers to these questions indicate that the field for the settlement of British persons without considerable capital is extremely limited, and in most cases such openings as may be available are confined to employment under contract with firms already operating in the Colony concerned, and to occasional employment for artisans and professional men.

This situation is largely due no doubt to the fact that by far the greater number of the Colonies lie either in the tropical or sub-tropical zones, and also to the availability of local native labour. The ordinary British migrant without capital cannot therefore as a general rule hope to succeed in the Colonies, because he cannot compete with local native labour in the labour market, is subject to the variations and disabilities of the climatic conditions to a greater extent than the local inhabitants, and except in the case of clerical work is generally best suited for employment in some managerial capacity, or as an employer of local labour.

Make 3 copies
one of which is for 14
others to go in file of records
to me. [unclear]

MEMORANDUM ON RECENT POLICY REGARDING LAND

ALIENATION AND SETTLEMENT IN KENYA.

W.M.

Copy to [unclear] 18.12.30

Dec 30, 1931 & 31.1.31

2. 31.1.31

[unclear]

[unclear]

4/2/31

*Information from the
Agricultural Census 1930
p. 3*

*Copy to Mr. Moore, S.O.
12/2/31*

Memo to [unclear] 1/12/31

[unclear] 1931

[unclear]

[unclear]

[unclear]

[unclear]

[unclear]

[unclear]

I. The latest figures of the areas of Native Reserves and other lands in Kenya are as follows :-

(1) Native Reserves (including Masai Reserve and Northern Frontier Province, etc.)	Acres	105,669,120
(2) Forest reserves		2,561,760
(3) Land surveyed into farms and alienated		6,720,080
(4) Land surveyed into farms and available for alienation		952,320
(5) Government reserves (outspans, quarantine areas, etc.)		167,040
(6) Townships and township reserves		181,760
(7) Unclassified areas		24,453,760
	Total	142,745,840

The total acreage under occupation by Europeans as at 31st July 1929^{was} 5,000,648 acres as compared with 4,896,406 acres in the preceding year, an increase of 104,242 acres, or 2.13 per cent.

A comparative table of total areas under occupation, increased acreages, and percentage increases over a period of five years may be of interest:-

d. p. 5.

Year	Total area under occupation	Increased acreage	Percentage increase
	Acres	Acres	%
1929	5,000,648	104,242	2.13
1928	4,896,406	158,486	3.33
1927	4,737,920	150,103	3.27
1926	4,587,817	167,244	3.78
1925	4,420,573

Agricultural Census H-5-b

The number of occupiers rose from 1,971 in 1928 to 2,035 in 1929, an increase of 64, equivalent to 3.25 per cent. This was the lowest annual increase yet recorded. The percentage increases in the five previous years were: 3.68 per cent in 1928; 5.09 per cent in 1927; 6.73 per cent in 1926; 4.76 per cent in 1925 and 10.37 per cent in 1924.

It was calculated that sixty-nine occupiers died or left the Colony or their holdings during the year. The number of new occupiers was therefore 137.

The number of occupiers should not be interpreted to mean the number of holdings, nor to give an index of the European population on the land. A census of the Europeans employed on agricultural holdings gives the number of those so employed as 2,882. This figure is inclusive of the 2,035 occupiers shown above, and shows an increase of seventy-five as compared with the previous year.

The following figures give the ratio of the acreage under cultivation in 1929 to the total acreage :-

Total occupied area	Acres 5,000,648
Total cultivated	634,590
Total area under crops as at the 31st July 1929	570,171

Total area cultivated but not planted as at 31st July 1929	Acres	65,419
Percentage of cultivated land to occupied land as at 31st July 1929		11.40
Percentage of cropped land to cultivated land as at 31st July 1929		89.69
Percentage fallow at 31st July 1929		10.31

II. The following figures regarding settlers from this country are taken from the records of the East African Dependencies Trade and Information Office in London :-

1927.

155 Settlers and Pupils

The value of the capital of 39 of them was £172,450, as stated by them. The remainder did not disclose the amount of capital in their possession.

1928

47 Settlers
68 Dependents
102 Pupils
217

The value of the capital of 39 of them was £139,275, as stated by them. The remainder did not disclose their capital.

In addition to this, one settler stated that he was prepared to look at propositions up to £100,000. I heard, unofficially, afterwards that he actually bought an estate

for £25,000

1929

21 Settlers
49 Dependents
62 Pupils

132

The value of the capital of 21 of these was £79,350, as stated by them. The remainder did not disclose their capital.

1930 (Up to the 30th September)

15 Settlers
55 Dependents
36 Pupils

106

The capital of 13 of these is £32,000, as stated by them. The remainder did not disclose their capital.

III. The question of land alienation was considered when the Governor of Kenya was in England, and the Secretary of State approved the following memorandum which records a discussion on the 9th May 1927 between Sir Cecil Bottomley and Mr. H. T. Martin, Commissioner for Local Government, Lands and Settlement in Kenya.

"It appeared that proposals could be divided into two categories, in both of which the assurance is necessary that no possible native land rights or claims are involved:—

(1) The ordinary local demand independent of any Government assisted scheme, particularly for land still unalienated within areas already settled.

(2) Definite Government Settlement Schemes involving assistance from a Government Land Bank, or from such grants as might be obtainable from the Empire Marketing Board or some other source.

"The establishment of some Trustee body, or bodies, in charge of native lands was agreed to as a matter of urgency and

as a condition precedent to such new Government settlement schemes prepared by the Kenya Advisory Committee.

"The suggestion, therefore, is that immediate action should, so far as possible, be taken in two directions.

(1) The creation of the land trust, or trusts, already proposed by the Governor, and subject to this and to the assurance mentioned in the first paragraph,

(2) The disposal of lands in urgent demand, particularly for types of production not requiring exceptional demands for labour: these types are mixed farming including wheat and dairying, sheep farming and sisal planting, the last of which industries appears to be running steadily in the direction of labour economy. Considerable sheep or sisal alienations may entail alienation by a Board after consideration of tenders or applications; otherwise the usual system of auction should be followed.

"It is understood that the consideration of any further settlement dependent on official pecuniary assistance must await the results of the examination of Land Bank possibilities into which Mr. Herold has been invited to enquire, and also of such applications for subsidy as are submitted to the Empire Marketing Board, or other organisation connected with Empire Settlement. It is recognised that Land Bank proposals should be limited to new commitments and should not attempt to take over existing mortgages. So long, however, as requisite assistance is obtained such schemes should go forward, provided that no special difficulties in respect of labour need be anticipated as the result of this form of settlement.

"It was agreed that while the introduction of settlers in the form of farm pupils is desirable particular care should be taken to place pupils with selected farmers who would utilise their services without at least requiring any premium, and who would hold out the early opportunity of some wage.

"In summary, "Ordinary" alienations of Crown land and the declaration of the Native Land Trust should be proceeded with forthwith; state aided settlement schemes should proceed as and when they are found practicable, but should be considered

as yielding priority, as a matter of importance, to the declaration of the above trust.

Article 210a

IV. In November, 1928, the Colonial Government issued a statement of Land Alienation embodying a programme ^{for immediate execution} with which it was proposed to proceed at once, in order to give effect to a resolution passed by the Legislative Council ¹⁶⁴⁷ in the ¹⁹²⁸ previous August, "in favour of Government immediately proceeding with the alienation of such areas of land in the settled areas as can be made available, and such further areas as do not involve any question of native rights".

This programme included, *inter alia*, ~~three~~ ^{three}

- ~~A. Three schemes for closer settlement with State assistance.~~
- ~~B. The alienation by auction of surveyed farms in the Laikipia district comprising altogether about 250,000 acres.~~
- ~~C. The alienation by auction of some 30 farms comprising about 85,000 acres in various parts~~

1554/29

*Debits 1928
10. 1927*

of the Colony, these farms being remnants of the post-war Soldier Settlement Scheme.

D. The alienation of certain large areas for sisal cultivation.

E. A contract to grant large areas in the Serangetti Plains to anyone who ^{is prepared to} ~~is prepared to~~ ^{offer a bond for work} ~~offer a bond for work~~ ^{for a period of 10 years} ~~for a period of 10 years~~.

*For information
of the
Director*

Schemes
~~mentioned in paragraphs C, D, and E, are alienation~~
~~of land outside its scope of this memorandum.~~

V. As regards (B) the alienation of farms in the Laikipia district, the auctions were delayed owing to the ^{for various} ~~reasons~~ ^{reasons} in some cases of re-surveying the areas, but 112,117 acres in the Laikipia district and ~~47,000~~ ^{47,400} acres in other parts of the Colony, were put up for sale on the 31st March last. With the exception of 14 small farms of some 160 acres ^{in all} the farms were in the highlands area and the bidding was restricted to Europeans. In accordance with the Crown Lands Ordinance grants were for 999 years, subject to the revision of the rent in 1945 and thereafter every 30 years. All the farms were surrounded by alienated farms and no possible native rights were involved. A few farms open to Indians fetched an average price of Shs.250/- (i.e. £12. 10. 0 an acre). There was, however, no great demand for the remainder of the farms, and 15 were withdrawn unsold. Altogether some 96,000 acres were sold.

16078/30

*Para. containing 490
was the last
16078/30*

VI. Gleser Settlement Schemes.

The area set aside for the Gleser Settlement Schemes ^{these schemes} amounted to approximately 72,000 acres, of which 28,000 acres were in the Trans-Nziza, and 44,000 acres in the Thompson's Falls, Laikipia and Nyeri districts, in addition to certain

small

*Appropriate information regarding the
will be found in vol. 16078/30*

small areas for residential and small-holding allotments in the neighbourhood of certain townships. The proposals included three separate schemes, namely :-

Scheme A. Small-Holding Scheme.

48 small holdings of approximately 200 acres were to be allotted alternatively to local settlers and applicants from Great Britain.

Scheme B. Mixed Farming Scheme.

30 farms of from 300 to 1200 acres were to be allotted to applicants from Great Britain, having some £1,500 in ready capital. 45 similar farms ^{in the Makeni and Tompons valleys} to be allotted to local applicants.

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

This scheme ^{for retired servants of the Government and other persons} was prepared with a special view to the requirements of retired civil servants of the East African group, and falls somewhat outside the scope of this memorandum.

As regards Schemes A and B, advances were to be given up to a maximum of £600. There was to be a system of deferred payments of purchase money and of interest on advances; no payments were required during the first three years. The Kenya Government and the Overseas Settlement Department were to give £10 towards ^{the} passages of the overseas settlers, so that they would not have to find more than £10 themselves. The settlers were to be trained on first arrival, and Scheme A settlers were to be given a corresponding allowance of £5 a month for 12 months. It was proposed to set up under Scheme A a model holding under the control of an experienced officer. ^{by also proposed} The ~~idea~~ was that the cost of maintenance, ~~and~~ training, and ~~at~~ the model holding should be shared equally between the Colonial Government and the Overseas Settlement Department.

Handwritten notes:
The idea of a settlement in the Makeni and Tompons valleys is to be promoted by the Kenya Government and the Overseas Settlement Dept.

Full details of the scheme will be found in the printed summary of which a copy is attached.

In accordance with the principles laid down in ^{Section} paragraph ~~III~~ ^{three} of this memorandum, the fulfilment of these schemes was dependent on the establishment of a Land Bank and of a Native Lands Trust, but in anticipation of this the Governor in forwarding them to the Secretary of State asked for his concurrence in the proposals, and for an assurance that the Overseas Settlement Department would be willing to contribute on the lines indicated.

No. 15/a
1897/18

VI. 111. Hilton-Young Commission Report.

Shortly after this statement was issued the Hilton-Young Commission Report became available. Their views as to land settlement were summarised by them as follows (pages 55 and 56 of their Report) :-

"Adequate areas of land should be reserved in perpetuity for native use. Such areas must ^{be} clearly demarcated In addition to the area set aside for native needs, the Government should reserve power to provide other areas of land in which natives who wish to settle outside native areas may acquire land by purchase.

"Subject to the above, land should be definitely assigned for alienation to immigrants; but (a) the rate at which "foreign" settlement is introduced should be carefully regulated so as not to create undue disturbance in economic conditions, and (b) the quality of the settlers should be maintained at a high level.

"Settlers once admitted should be given all the help which it is in the power of the Government to render to them.

"So far as possible settled areas and native areas should be arranged in continuous blocks of a sufficient size to make it possible to build up homogeneous native and non-native units for local Government Govern-

alienation of lands to immigrants and, in order to enable them to do so, careful enquiries are necessary :-

- (a) into the amount of land which can be alienated without violating the principles of native policy;
- (b) into the agricultural and other economic possibilities of such land;
- (c) into all the conditions affecting the native labour supply, so that the rate at which the new settlers are introduced may be regulated accordingly.

"The Government's programme for land alienation should be worked out in conjunction with its programme for railway construction."

The three schemes for closer settlement appeared to be in conformity with the principles laid down by the Hilton-Young Commission; they represented an attempt to work out the settlement policy for the next few years; they had been drawn up after careful consideration of the agricultural and other possibilities of the land and of the effect upon native labour supply, and ~~for the most part~~ the areas which it was proposed to use for further settlement were remote from native areas and surrounded alienated farms^x.

No. 6 an
1614/30

^x There was however one exception to this, namely certain plots near Tigon township which it was proposed to alienate under Scheme C; the Secretary of State has found it necessary to ask the Governor, having regard to the possibility of their being required for native use, to take no action in regard to these plots without specific reference to him.

VII

was on 15/1/29
with a 15/5/29
meeting

~~VIII~~ On the assumption that it would be possible to proceed with the proposals of the ^{Colonial} local Government the schemes were forwarded to the Overseas Settlement Department for their consideration. In ^{September} December 1929 that Department stated that they would be prepared to assist, so far as ~~the~~ 12 holdings under Scheme A and 10 holdings under Scheme B were concerned. If, after experience of the schemes in actual operation, it appeared that there was a demand for assistance under Scheme B, they would be prepared, subject to the concurrence of the Treasury, to consider the extension of their assistance. The assistance which they were prepared to give was that contemplated in the printed summary of the scheme, with the exception that they were unable to agree to share with the ^{Colonial} local Government the cost of maintaining and training settlers under Scheme A.

Briefly Their assistance ~~towards Schemes A and B~~ may be summarised as follows:-

Free grants in equal shares with the Colonial Government towards passages. ^{the unimproved value} Advances not exceeding £400 or in exceptional cases £600 to be shared equally with the Colonial Government. These advances to be repaid with interest at or about 6 per cent by equal half-yearly instalments spread over 20 years beginning one year after allotment of the land, no interest being charged for the first year.

Losses in respect of advances to be shared equally with the Colonial Government.

The advances to be secured by a first mortgage, having priority over all other re-payments.

On learning that this assistance ^{was proposed} was proposed a telegram ^{was contemplated}

*Draft Agreement with
in with a 15/5/29*

in the 11th Oct 1930

was sent to the Governor/informing him that if the Land Bank was established the Secretary of State would be prepared to agree generally to the proposals provided that the number of small holdings under Scheme A were limited, at any rate in the first instance, to 12, and on the understanding that the whole cost of training and, if it were necessary, maintenance, under this Scheme was borne by the Government of Kenya. ~~A copy of this telegram is attached.~~

VIII IX There ~~for the time being~~ the matter rested pending the ^{progress with} passage of the Native Lands Trust Bill and the Land Bank Bill, both of which were then being actively discussed. In January 1930 the Governor sent a despatch to the Secretary of State asking approval to the taking of certain preliminary steps such as the surveying of the farms. This approval was given, ~~at~~ ^{at this time} however,

~~the economic situation was becoming more serious and it was also considered~~ seemed desirable to limit the total number of settlers to 12 in all. Doubts had always been felt as to the adequacy of the holdings which it was proposed to give under Scheme A, since all previous state-assisted land settlement in Kenya had been on a larger scale and any scheme of small holdings would admittedly be experimental. In March of this year the Governor gave renewed expression to these doubts and said that in the circumstances he proposed ^{for the time being} to take no further action in regard to Scheme A.

The rapid fall in the prices of the main agricultural products ~~continued~~ during the early months of 1930, ~~and~~ was combined in Kenya with abnormal climatic conditions which delayed the delivery of local products to overseas markets. In May it became necessary for the Government of Kenya to institute special emergency credit facilities.

no. 21 on
15/10/29

no 22 a
20/1/30

On condition that if no was understood here was no understanding to proceed with the scheme that no reference was made.

no. 2 on
16/11/30
June 6

see no 5 on
16/11/30

facilities to assist farmers. Having regard to this situation the Secretary of State felt bound to inform the Governor that he considered that in existing circumstances any increase of settlement by small holders was to be deprecated, and that he was definitely opposed to any endeavour being made at the present time to attract settlers from outside the Colony. ~~(A copy of this telegram is attached.)~~ He approved, however, the alienation of certain of the lands reserved under Schemes B and C to local applicants without any Government assistance or any prospect of financial assistance from the Land Bank. ~~A copy of this telegram is attached.~~

*Use to be
left off*

IX. Summary of policy since the Hilton-Young Report.

In effect the recommendations of the Hilton-Young Commission did little more than amplify the policy already laid down in the note ^{quoted} summarised in Section III above. The policy since this date has been to accept in principle the clearer Settlement proposals of 1928 (as summarised in Section ^{Trust} VI above) subject to the passing of the Native Lands Ordinance and the Land Bank Ordinance. After many delays the former Ordinance was passed in the spring of this year, ¹⁹³⁰ and it is understood that ~~The Land Bank Ordinance was passed by the~~ Legislative Council during November. Assent will not be

But it has been reserved by the Acting Governor & this assent has not yet been given by the Legislative Council.

~~given to it until the Secretary of State has had an opportunity of examining it in its final form, and unless any unforeseen complications arise it should come into force in a short time.~~ It provides for the establishment of a Land Bank with capital of 2240,000 (to be raised from loan funds), out of which advances may be given to farmers, ^{within certain limitations, and} the advances being limited to ^{in the case of any one farmer} £2,500. ~~So soon as the Land Bank Ordinance comes into force there will be no impediment of principle to the schemes,~~ ^{but their adoption must now}

On the other hand, substantial difficulties of a practical nature have now arisen which make it extremely undesirable to proceed at the present moment. ^{in the opinion of the Secretary of State} It is definitely ^{in the interests of the Colony} considered

Appendix 4a

~~considered to be inexpedient at the present moment to give Government assistance to encourage settlers from overseas to go to Kenya. Moreover in view of the fact that the Treasury have limited the extent of their assistance to be given under Scheme 1 (Small Holdings Scheme), the Secretary of State would feel very reluctant, even if economic conditions were not what they are, to proceed with that scheme.~~

~~Apart from action as regards these three schemes, no steps have been taken to "work out in advance a programme for alienation of lands to immigrants" as recommended by the Hilton-Young Commission. Any long-range programme could hardly be worked out in detail until a decision has been taken regarding closer union.~~

Colonial Office

January 1931

Now to be conditioned by the fact that it is impossible to expect interest to encourage anyone by the grant of State assistance to settle in Kenya while commodity prices remain at their present level.

C.O.

Feb 1931

would involve the High Com. Govt in a response letter which the High Com. Govt. would feel justified in accepting.

Annex 28



COLONY AND PROTECTORATE OF KENYA

SUMMARY OF CLOSER SETTLEMENT PROPOSALS 1928

24/11/28
10/12/28

PRINTED BY THE GOVERNMENT PRINTER
1928

DUPPLICATE

SUMMARY OF CLOSER SETTLEMENT PROPOSALS - 1923

Considerable areas of Crown land available for settlement and suitable in most cases for mixed farming, and in some cases for highly intensive use, together with financial assistance promised by the Imperial Overseas Settlement Department and that to be provided by the proposed Land and Agricultural Bank constitute the resources available for the encouragement of closer settlement. These proposals aim at laying down a policy and establishing a process of settlement and contain recommendations for a comparatively small initial step in respect of some of the Crown lands available at present.

2. In respect of settlers from Great Britain the contribution expected from the Overseas Settlement Department may be summarised as follows:-

- (a) Half of an initial long term loan of £400 to each allottee and in certain cases half of a further loan of £200;
- (b) The grant of a contribution towards passage money such as will, with an equivalent grant from the Kenya Government, and a 16% rebate granted by the Conference Shipping Lines, reduce the cost of third class passages for new settlers and their families to £10 per head;
- (c) The grant of a maintenance allowance to each settler from Great Britain for the first six months of his residence in Kenya;
- (d) The grant of half of the cost of training such settlers, if required, whether in Kenya or in Great Britain; in this connection it is considered that selected applicants from overseas should be required to obtain local agricultural experience for periods at the discretion of the Selection Board before taking up their allotments;
- (e) The guarantee to the extent of 50% of bad debts to the Land Bank in respect of overseas settlers except in the case of interest losses.

The consent of the Overseas Settlement Department to make these contributions is, of course, subject to the submission of final claims for their inspection.

3. The administration of the scheme should be in the hands of a Central Land and Selection Board, which would arrange for the consideration of applications both in Kenya and in England. It is recommended that this Board should be composed mainly of members having wide practical experience in settlement and farming and it is suggested that the total membership should be five with a power of co-option for specific purposes.

4. The proposals fall into three parts as follows:-
- Scheme A. Small holding scheme.
 - Scheme B. Mixed farming scheme.
 - Scheme C. Scheme for pensioners and other persons in similar circumstances.

5. Except as hereinafter stated in respect of residential areas, the accompanying John of plans shows divisions of land determined on the ground and requiring completion only by the placing of permanent marks.

SCHEME A.

A reservation is made on the outskirts of Kitale Township of 48 small holdings averaging approximately 200 acres, which should be allotted alternately to selected local applicants and to selected applicants from Great Britain.

An average of 200 acres is considered sufficient in this area to enable the allottees to be self-supporting, while any wages earned from outside employment would assist towards a more intensive form of farming. It is estimated that not less than 100 acres of the land in any holding is arable and that the range of production in this locality is such as to make this proportion of arable land amply sufficient for the purposes of the scheme.

Alternate allotment is recommended so as to ensure that the overseas settler shall benefit as far as possible from the experience of the local allottee. In this respect importance is attached to the proposal that a small demonstration farm to serve particularly but not exclusively these holdings should be established. Continued assistance and instruction would thus be made available from the start both by the example of a model holding and by the direct advice and supervision of an experienced officer. Later it might be found possible to sell up the farm and transfer its staff and activities to another newer settlement area. The costs of this farm are estimated as follows:—

<i>Capital</i>	
Construction of house and office	£ 700
Construction of sheds and stores	250
Incidentals	150
	£1,100
<i>Recurrent</i>	
1 European Officer	£ 550
Labour costs	400
Equipment	400
	£1,350

Provision for 1928 expenditure under this head has been made in the 1928 Estimates.

It is hoped that half the cost of this establishment, capital and recurrent, will be met by the Overseas Settlement Department as a direct grant. In that event this Government would be responsible for the other half.

It is recommended that the capital cost of extension of the Kitale water supply to these holdings should be incurred and distributed in the land account of the holdings, i.e., that the valuation of the farms should include this capital cost and the debt against the farmer should be proportionately increased. Delivery of water should be paid for direct by the allottee at the rate proposed for Kitale Township, at which rate it is estimated that an ample supply could be ensured to each farmer at a reasonable cost.

The land allotted should be valued at a specially low rate, viz. £5 per acre. This figure includes provision for group fencing and the erection of structures for occupation but excludes provision for the water scheme.

Financial assistance towards direct farming operations should be made available in the following manner:—

(a) No immediate payment for the land should be demanded, but an agreement to purchase should be entered into by the allottee with the Government whereby payment is deferred for three years and thereafter spread over a period of 17 years with interest at or as low as possible.

(b) Cash advances up to £400 cash should be available for capital improvements or purchase of stock, to be made on the same basis as in (a).

(c) Interest payments, whether on the land or the initial loan accounts, should be deferred until the expiry of three years from the date of commencement of occupation and should not commence until the fourth year.

(d) A further sum of £200 may in approved cases be made available for each allottee on the same rate of interest and for the same period.

(e) The Land Bank should retain discretion for making all further loans as occasion demands and permanent improvements qualify.

(f) All sums contributed by the Overseas Settlement Department should be paid over to and be entirely administered by the Land Bank.

(g) A 15% reduction of passage rates being procurable from the Conference Shipping Lines, a grant of about £20 would be necessary to reduce a third class passage from England to £10 per head. The Overseas Settlement Department being expected to pay half this grant, the following should be the approximate allocation of contribution for each settler's passage to Kenya and for that of each member of his family:—

	£
Overseas Settlement Department	10
Government of Kenya	10
The Settler himself	10

These contributions from the home and local Governments should be regarded as definite grants and not as recoverable.

(h) The Railway Council have agreed to grant a concession fare from Mombasa to the station of final destination.

(i) A grant has been made by Government for the maintenance and handling of settlers in transit from Mombasa to their farms.

(j) A maintenance allowance of £5 per imported settler per month for twelve months will, it is hoped, be contributed by the Overseas Settlement Department as a grant during a period of initial instruction and this should go far to ease the first year's living expenses for each allottee.

(k) It is not recommended that a complete dwelling-house be erected in advance on each holding. Some simple form of shed should be provided for immediate housing purposes and a concrete-block apparatus installed for the settler's use at the demonstration farm. The cost of these sheds should be included as already stated in the land purchase account, the cost of the concrete-block machine has been included in the estimate for the educational farm. It is possible, however, that at Kitale bricks may be available and sufficiently cheap to justify an alternative method. In the provision for the sheds might be included simple, essential and inexpensive furniture.

(l) A ring fence should be constructed in advance to protect the whole group and the main road of entry. It is most desirable that these new settlers should be enabled to keep cows for domestic supply even in the East Coast Fever area, and it is considered that this fencing provision, together with special facilities for dipping should afford adequate protection.

The Overseas Settlement Department has promised to assist in every practical manner possible the selection of the right type of applicant under this and other schemes. Final responsibility for choice can only rest with this Government itself or its agents in the Colony or in London. It is considered that the Land and Selection Board already referred to should

An average of 200 acres is considered sufficient in this area to enable the allottees to be self-supporting, while any wages earned from outside employment would assist towards a more intensive form of farming. It is estimated that not less than 100 acres of the land in any holding is arable and that the output of production in this locality is such as to make this proportion of arable land amply sufficient for the purposes of the scheme.

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Capital	
Construction of house and office	£ 700
Construction of sheds and stores	250
Incidentals	150
	£1,100
Recurrent	
1 European Officer	£ 550
Labour costs	400
Equipment	400
	£1,350

Provision for 1928 expenditure under this head has been made in the 1928 Estimates.

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It is recommended that the capital cost of extension of the Kitale water supply to these holdings should be incurred and distributed in the land account of the holdings, i.e. that the valuation of the farms should include this capital cost and the debt against the farmer should be proportionately increased. Delivery of water should be paid for direct by the allottee at the rate proposed for Kitale Township, at which rate it is estimated that an ample supply could be ensured to each farmer at a reasonable cost.

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- Loans of advances up to 1400 cash should be available for capital improvements or purchase of stock, to be made on the same basis as in (a).

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- A further sum of £200 may in approved cases be made available for each allottee on the same rate of interest and for the same period.
- The Land Bank should retain discretion for making still further loans as occasion demands and permanent improvements justify.
- All sums contributed by the Overseas Settlement Department should be paid over to and be entirely administered by the Land Bank.
- A 15% reduction of passage rates being procurable from the Conference Shipping Lines, a grant of about £20 would be necessary to reduce a third class passage from England to £10 per head. The Overseas Settlement Department being expected to pay half this grant, the following should be the approximate allocation of contribution for each settler's passage to Kenya and for that of each member of his family:—

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The Overseas Settlement Department has promised to assist in every practical manner possible the selection of the right type of applicant under this and other schemes. Final responsibility for choice can only rest with this Government itself or its agents in the Colony or in London. It is considered that the Land and Selection Board already referred to should

bear in mind the advantage to be obtained by including in their selection lists men trained to some skilled trade, who would be able to strengthen their position by casual labour, e.g., as experts on agricultural machinery or wheelwrights, and also provide a much needed service to the district concerned.

No registered owner of an agricultural holding in Kenya will, of course, be eligible under the scheme. Generally speaking, all the advantages offered to home allottees should be enjoyed by the selected local applicants with the exception that sea-passage and maintenance grants appear unnecessary.

Persons who have arrived in Kenya from Great Britain subsequent to January 1st, 1928, should be treated as home applicants for the purposes of the Scheme.

The general conditions of this section should be taken as applying to subsequent Schemes B and C except where specific provision otherwise is made.

SCHEME B

30 farms in the Trans Nzoiia and 45 in the Ndaragua and Thomson's Falls area varying from three hundred to twelve hundred acres are proposed for alienation under this scheme.

It is felt that it would be an advantage to place "B" settlers from Great Britain approximately in the same locality as "A" newcomers so that reference to the demonstration farm and Agricultural Officer at Kitale might be possible. It is proposed therefore to set aside the Trans Nzoiia farms for home settlers and to reserve those in the Ndaragua and Thomson's Falls area for local applicants.

Trans Nzoiia.—With regard to the Trans Nzoiia farms, the allottees should have approximately £1,500 ready capital, which should give a sound chance of success in mixed farming operations on the land selected. With the exception of special maintenance support during the journey from Mombasa to the farm, which is considered unnecessary in this case, these allottees should receive precisely the same pecuniary assistance as those in the small holding class, including of course, the opportunity of drawing on the Land Bank when the small initial advances and their own capital is expended.

It appears desirable to adopt, or rather adapt the Southern Rhodesian policy in respect of the ready capital held by each approved candidate; that is, to demand a deposit of 75% of it with the Land Bank free of exchange charges between Great Britain and Kenya, and on actual allotment of a specific farm to credit 25% of this deposit to the allottee's land account and to refund the balance on his signature of an agreement to purchase entered into between himself and the Government. The conversion of this agreement into an agricultural lease from the Crown is provided for in Appendix I.

It will be observed in Appendix I that some provision is made for compulsory fencing, if the Land Board requires it. Fencing prior to occupation should not, therefore, be provided by Government and it is not proposed that any buildings should be erected in advance.

The general attention of all classes of applicants should be drawn to any new legislation in respect of fencing and cleansing of cattle.

Thomson's Falls and Ndaragua.—15 farms of a high quality for mixed farming with a sufficient water supply are available in this district and it is proposed to reserve these for local applicants with some means. The Kilgill-Thomson's Falls Railway will provide these farms with reasonably good communications.

Facilities and conditions should be the same as under Scheme "A" except that, whereas capital of approximately £1,500 is suggested as required of Scheme "B" applicants from home, such local or colonial experience as may be possessed by local Scheme "B" applicants should be taken into account when the financial qualifications of the candidate are considered.

Tangible proof as to the physical fitness, good character, farming experience and financial circumstances should be furnished to the Selection Board by both "A" and "B" applicants locally, as in the home allotment.

In this connection it should be mentioned with regard to the question of a special allotment for ex-soldiers who either did not apply for or who failed to be granted land in the 1919 allotments, that it does not appear desirable to limit any one of the schemes to this purpose but that the attention of the Selection Board should be directed to the qualification of war experience not as constituting an exclusive claim to land, but as carrying a weight not attaching to other candidates.

No registered owner of an agricultural holding in Kenya will be eligible under this class.

The same procedure in respect of choice of farms and balloting as was followed in the Soldier Settlement Scheme should be adopted. On actual allotment the successful applicant of either class will be required to enter into an agreement to purchase with the Government in respect of his farm and may be advanced sums as required up to £800, with such possibilities of continued assistance as are proposed in the scheme for settlers from Great Britain.

SCHEME C

In this scheme it is proposed to provide for retired servants of the Crown (of all branches of the service—military, naval or civil) and other persons in similar circumstances of retirement from a business or profession with special reference to the requirements of retiring 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."

For the purposes of this scheme, residential and small holding allotments can and, it is recommended, should be reserved in the environs of Nairobi, Kitale and Lamora. In the area known as Kileleshwa there is opportunity of providing for purely residential plots of township size—no detailed subdivision has here yet been made. In Tigon and on the outskirts of Kitale, subdivisional schemes are submitted as a working basis. In both of these two last-named cases it should be noted that while the small-holdings have been mapped on the ground, the residential plots have been, as in the case of Kileleshwa, given only a general allocation of area. It is felt that no large survey of residential plots can be made since such a survey involves the consideration of factors immediately connected with town planning or other such local schemes. Applications for residential sites should be entertained in the light of existing policy in urban or suburban areas, and it is expected that such applications will be both occasional and will come mainly from applicants already in the Colony.

Appendix II sets forth the terms of Scheme "C" as approved by Council, with an alteration in line 7 of paragraph (a) consequential on throwing open the scheme to persons other than retired servants of the Crown.

It is proposed that the areas above-mentioned should be definitely earmarked for the future development of this scheme.

The conditions of allotment will, in general, be those applicable to the "A" scheme with certain variations in the case of retiring East African Civil Servants as indicated in the scheme of land grants for retiring Civil Servants. The proposals for providing preliminary facilities such as housing do not apply to this scheme.

bear in mind the advantage to be obtained by including in their selection lists men trained to some skilled trade, who would be able to strengthen their position by casual labour, e.g., as experts on agricultural machinery or wheelwrights, and also provide a much needed service to the district concerned.

No registered owner of an agricultural holding in Kenya will, of course, be eligible under the scheme. Generally speaking, all the advantages offered to home allottees should be enjoyed by the selected local applicants with the stipulation that sea-passage and maintenance grants appear unnecessary.

Persons who have arrived in Kenya from Great Britain subsequent to January 1st, 1928, should be treated as home applicants for the purposes of the Scheme.

The general conditions of this section should be taken as applying to subsequent Schemes B and C, except where specific provision otherwise is made.

SCHEME B.

30 farms in the Trans Nzoiia and 45 in the Ndaragua and Thomson's Falls area varying from three hundred to twelve hundred acres are proposed for alienation under this scheme.

It is felt that it would be an advantage to place "B" settlers from Great Britain approximately in the same locality as "A" newcomers so that reference to the demonstration farm and Agricultural Officer at Kitale might be possible. It is proposed therefore to set aside the Trans Nzoiia farms for home settlers and to reserve those in the Ndaragua and Thomson's Falls area for local applicants.

Trans Nzoiia.—With regard to the Trans Nzoiia farms, the allottees should have approximately £1,500 ready capital, which should give a sound chance of success in mixed farming operations on the land selected. With the exception of special maintenance support during the journey from Mombasa to the farm, which is considered unnecessary in this case, these allottees should receive precisely the same pecuniary assistance as those in the small holding class, including of course, the opportunity of drawing on the Land Bank when the small initial advances and their own capital is expended.

It appears desirable to adopt, or rather adapt the Southern Rhodesian policy in respect of the ready capital held by each approved candidate; that is, to demand a deposit of 75% of it with the Land Bank free of exchange charges between Great Britain and Kenya, and on actual allotment of a specific farm to credit 25% of this deposit to the allottee's land account and to refund the balance on his signature of an agreement to purchase entered into between himself and the Government. The conversion of this agreement into an agricultural lease from the Crown is provided for in Appendix I.

It will be observed in Appendix I that some provision is made for compulsory fencing, if the Land Board requires it. Fencing prior to occupation should not, therefore, be provided by Government and it is not proposed that any buildings should be erected.

The general attention of applicants should be drawn to any new legislation in respect of fencing and title.

Thomson's Falls and Ndaragua.—Outcrops of a high quality for mixed farming with a sufficient water supply are available in this district and it is proposed to reserve these for local applicants with some means. The Gilgil-Thomson's Falls Railway will provide these farms with reasonably good communications.

Facilities and conditions should be the same as under Scheme "A" except that, whereas capital of approximately £1,500 is suggested as required of Scheme "B" applicants from home, such local or colonial experience as may be possessed by local Scheme "B" applicants should be taken into account when the financial qualifications of the candidate are considered.

Reliable proof as to the physical fitness, good character, farming experience and financial circumstances should be furnished to the Selection Board by both "A" and "B" applicants locally, as in the home allotment.

In this connection it should be mentioned with regard to the question of a special allotment for ex-soldiers who either did not apply for or who failed to be granted land in the 1919 allotments, that it does not appear desirable to limit any one of the schemes to this purpose but that the attention of the Selection Board should be directed to the qualification of war experience not as constituting an exclusive claim to land, but as carrying a weight not attaching to other candidates.

No registered owner of an agricultural holding in Kenya will be eligible under this class.

The same procedure in respect of choice of farms and balloting as was followed in the Soldier Settlement Scheme should be adopted. On actual allotment the successful applicant of either class will be required to enter into an agreement to purchase with the Government in respect of his farm and may be advanced sums as required up to £600, with such possibilities of continued assistance as are proposed in the scheme for settlers from Great Britain.

SCHEME C.

In this scheme it is proposed to provide for retired servants of the Crown (of all branches of the service—military, naval or civil) and other persons in similar circumstances of retirement from a business or profession with special reference to the requirements of retiring 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."

For the purposes of this scheme, residential and small-holding allotments can and, it is recommended, should be reserved in the environs of Nairobi, Kitale and Lamou. In the area known as Kileleshwa there is opportunity of providing for purely residential plots of township size—no detailed subdivision has here yet been made. In Tigoni and on the outskirts of Kitale, subdivisional schemes are submitted as a working basis. In both of these two last-named cases it should be noted that while the small-holdings have been mapped on the ground, the residential plots have been, as in the case of Kileleshwa, given only a general allocation of area. It is felt that no rigid survey of residential plots can be made since such a survey involves the consideration of factors immediately connected with town planning or other such local schemes. Applications for residential sites should be entertained in the light of existing policy in urban or suburban areas, and it is expected that such applications will be both occasional and will come mainly from applicants already in the Colony.

Appendix II sets forth the terms of Scheme "C" as approved by Council with an alteration in line 7 of paragraph (c) consequential on throwing open the scheme to persons other than retired servants of the Crown.

It is proposed that the areas above-mentioned should be definitely earmarked for the future development of this scheme.

The conditions of allotment will, in general, be those applicable to the "A" scheme with certain variations in the case of retiring East African Civil Servants as indicated in the scheme of land grants for retiring Civil Servants. The proposals for providing preliminary facilities such as housing do not apply to this scheme.

Nothing in this section shall debar Civil Servants and others mentioned above from being granted land under Schemes "A" or "B" if eligible.

Special conditions attaching to Scheme "C" are contained in Appendix II. So far as is possible, taking into account the particular circumstances of applicants eligible under this scheme, conditions are in line with those of Schemes "A" and "B".

APPENDIX I

SPECIAL CONDITIONS FOR TITLES

Under Schemes "A" and "B"

1. In the case of "B" allottees no transfer shall be valid without the written permission of the Land Board for a period of 7 years from the date of allotment, and until all the development advances from the Land Bank have been repaid.

2. In the case of "A" allottees similarly no transfer shall be valid until 75% of the advance in respect of the money due for the farm and the whole of the development advances have been repaid.

3. Development conditions shall be in respect of permanent improvements only and at not less than the following rate:

£2 per acre to be spent within 3 years.

£3 per acre to be spent within 5 years.

4. Personal occupation for seven years will be required; subject to absences approved by the Land Board.

5. In the case of the class "B" scheme, the allottee shall, if called upon, completely fence his farm within a period to be laid down by the Land Board taking into account the circumstances of each allotment, and *ad hoc* legislation in this regard which may be put into operation.

6. In the case of the class "A" scheme a ring and-road fence should be constructed by Government in advance for each group, and the cost included in the valuation of the land; and the title shall in the first instance include an obligation binding all members of the group to maintain this fence. Should, at a later stage, subdivisional fencing be imposed, the incidence of contribution may have to be reconsidered.

7. The attention of all applicants under these schemes should be drawn to any legislation in respect of compulsory fencing or cattle cleansing which may later be introduced.

APPENDIX II

GENERAL CONDITIONS UNDER SCHEME "C"

(a) The land shall be granted under the Crown Lands Ordinance, 1915, or any subsequent modifications thereof.

Term.
(b) The term of the grant shall be in the case of agricultural land 99 years and in the case of small plots under township title 99 years.

Rent.
(c) Rent to be payable for agricultural land and for township plots as the principal land laws provide.

Purchase Price.
(d) No part of the purchase price to be demanded until 3 years from the date of allotment after which the purchase price to be payable by 17 equal annual instalments on the 1st January in each year.

Development.
(e) Development conditions to be imposed in the grant as provided in the Crown Lands Ordinance, 1915.

Occupation

(1) The land allotted must be personally occupied by the allottee for a period aggregating 3 years within the first 5 years from the date of retirement. Any occupation completed prior to retirement not to count for the purpose of this condition.

Transfer

(2) No transfer to be permitted until the occupation condition has been complied with, except in the case of death of or another retiring officer who may be equally eligible for participation in the scheme. Transfer at any subsequent time except in the case of death or to any person other than a person eligible to participate in this scheme to be permitted only on payment of the full outstanding balance of purchase price. In the case of transfer on the death of the allottee or to an official eligible to participate, the transferee shall take over all outstanding obligations.

Fees and Charges

(h) The allottee will be required to pay on the issue of title, the usual fees due under the Ordinance, e.g., survey fees, cost of deed, registration fee and stamp duty.

Titles

(i) Titles must be completed within 12 months of the date of allotment.

6. It is recognised that in individual cases special circumstances may arise which would make the strict enforcement of some of the above conditions a hardship, in such cases the general authority vested in His Excellency the Governor under section 5 (2) of the Crown Lands Ordinance, 1915, to waive or vary conditions of leases may be invoked.