

1924

KENYA

29

311

C.O. 49248
1d OCT 24

Coop 219

DATE 18th Sept, 1924

Land reservation for Indian agriculturalists

Submits proposals

(Letter from 20. 28/5/25 attached)

Previous Paper 29095

MINUTES

I attach a reminder from Mr. Walton of the India Office about this.

The scheme in 21449 proposed to reserve for Indian colonisation 100,000 acres on the south of the Tana River and 1,000,000 acres close to the Voi-Kahig Railway and the Tanganyika border. We have had reports on the former area ^{and} have communicated the India Office with maps relating to both areas. We are only concerned with the latter area, and it is unnecessary to recover the maps for this purpose.

The agricultural report shows that much of the 1,000,000 acres must be regarded as useless for the present, and that of the areas proposed to be devoted to the scheme there is ^{also} to be some difficulty over water. From the point of view of the Indian peasant who gets his water in plenty, I am afraid the area would not be attractive.

Received Coop (with copy) from Mr. Walton (No) 1 June 1925

Subsequent Paper 29095

C.O. 49248 311
P. 1000 REC'D 1924 OCT 24

As regards the native ^{question,} concession, ~~we~~ we are faced with the point which has given us so much trouble in regard to the Highlands during the present year. The attitude of those members of the late House of Commons, who were interested in the position of the natives of Kenya, was in effect that if an area of Crown Land, (i.e. having nothing to do with the native reserve) which was earmarked for alienation to a European contained any natives on it, the alienation should not proceed. At one stage I caused some trouble by including a draft reply to a Parliamentary question, the view that a whole area could not be ^{sanctioned} ~~sanctioned~~ by the presence of one or two natives. In reply to the various enquiries which we have had to make as to the exact position in certain individual cases, we have had statements very similar to that set in the present despatch, i.e. that the presence of natives was unauthorised, and no injustice would be done by moving them.

It is obvious that any consideration of the position of these native proprietors must apply equally in the case of an Indian as of a European area, but

but I trust that a freer line of action may be taken in both cases and that, where there is no regular native settlement in an area, the possibility of moving those who are there, and providing employment for their wants elsewhere, should be admitted once for all. This should not preclude natives from being allowed to remain on the land, if the new tenant desires to keep them.

If we can get this obstacle out of the way, there is no reason why we should not send a copy of the despatch with its enclosures to the India Office in continuation of the previous correspondence, and in particular draw attention to the fact that further work is now awaiting the report of the Commission of the Land on behalf of the Government of India, who are willing to delegate an officer to report on the plans offered without waiting for the views of the Congress, adding that it has been assumed in this Office as well as by the Governor of Kenya, that the cost of this Commission would be borne by Indian Funds.

I spread a note on the relation
of this question to the discussions
with the Indian Committee last summer.

10/11/24

Memorandum from the Native
Department and passed 7/11/24
There will be no development of
settlement.

J. G. 10/11/24

Mr. Amery.

The policy in this
matter has long been settled
(see page 17 of the Parliamentary
Paper "Indians in Kenya" laid
by the Duke of Devonshire) and
I agree generally in Mr.
Bottomley's proposals.

There is one matter
however on which I should like
to make a stipulation. When
we delimited the reserves in
Southern Rhodesia this involved
giving up certain land outside
the reserves as delimited and
natives were liable to be
removed from these areas. The
British South Africa Company
then agreed that if representa-
tions should be made by a Native
Commissioner showing that hard-
ship would be suffered by any
kraal or individual owing to
their removal the question of
assistance

(see 25596/21)

(see 35893/21)

assistance would be sympathetically
considered. The amount of money
involved was of course very small,
and the suggestion that the average
cost of removal of a family of five
would be £25 was described as
"fantastic."

I do not suppose that in
this case there will be any
considerable number of natives to
be removed, nor is there any reason
why if they have no title to the
land they should receive any
compensation: but I think that the
Native Department should have some
latitude of the kind indicated
above in dealing with hard cases.

14/11/24
12/11/11

Note.

(From SW
35140 Sec.)

In Mr. Thomas' letter of the 6th August, 1924, to Mr. Hope-Simpson, the Chairman of the India Committee, the following reference to the Lowlands was included:-

LOWLANDS.

"The Committee have made it plain, that the proposed reservation of an area in the Lowlands of Kenya for the use of agricultural Indians in no way affects their view of the principle of reservation of land in the Highlands for Europeans, and that they are averse from any reservation of land for any immigrant race. Subject to this, they have suggested that, before applications for land in the Lowlands are offered in India and Kenya, the opportunity should be taken of sending an officer experienced in Indian settlement and agricultural methods to report on the suitability of the proposed areas, and to advise the Colonial Government regarding the methods of settlement most likely to meet Indian requirements.

"At present, my consideration of this question of the Lowlands area is in suspense, pending the receipt from the Colony of reports and other material points of view on the subject. If and when a scheme takes definite shape, I can assure you that both I and the local Government will welcome any assistance which the Government of India can afford towards making the scheme a success."

Note.

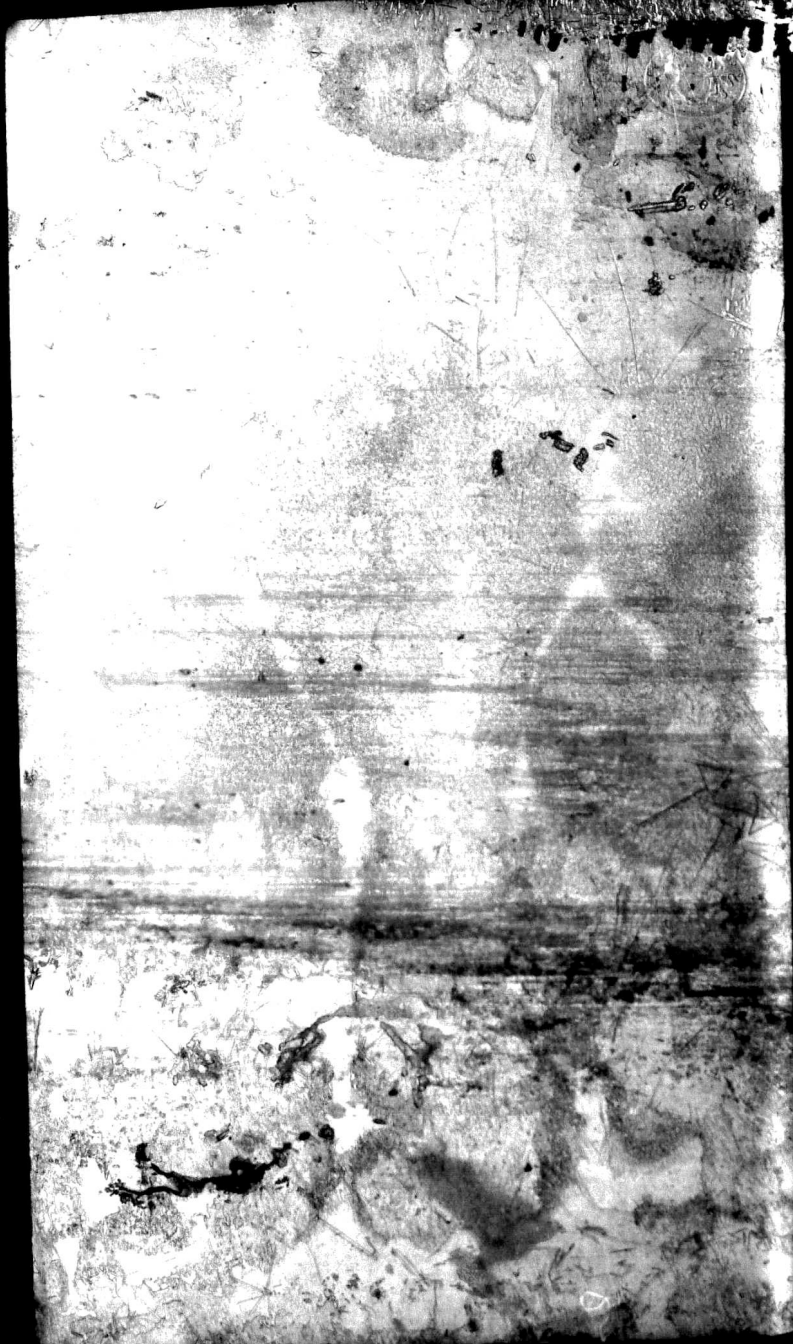
(From Gov
35740 Sec.)

In Mr. Thomas' letter of the 6th August, 1924, to Mr. Noel Simpson, the Chairman of the India Committee, the following reference to the Lowlands was included:-

LOWLANDS.

"The Committee have made it plain, that the proposed reservation of an area in the Lowlands of Kenya for the use of agricultural Indians in no way affects their view of the principle of reservation of land in the Highlands for Europeans, and that they are averse from any reservation of land for any immigrant race. Subject to this, they have suggested that, before applications for land in the Lowlands are offered in India and Kenya, the opportunity should be taken of sending an officer experienced in Indian settlement and agricultural methods to report on the suitability of the proposed areas, and advise the Colonial Government regarding the methods of settlement most likely to meet Indian requirements.

"At present, my consideration of this question of the Lowlands area is in suspense, pending the receipt of the Colony of reports, from the native and agricultural points of view on the areas proposed to be reserved, and if and when a scheme takes definite shape, I can assure you that both I and the local Government will welcome any assistance which the Government of India can afford towards making the scheme a success."



LONDON, S.W. 1.

28th May, 1925.

Dear E. Bottomley,

Would you refer to the Colonial Office letter of 20th November 1924, No.49248/24 and connected correspondence regarding the question of Indian colonisation in the lowlands of Kenya.

We asked the Government of India for their views on the question of deputing an officer to inspect the areas offered but have not yet heard from them on the subject. It would, I think, help them if they knew something of the present attitude of the East Africa Indian National Congress which intended to send out a party to inspect the land. Would it be possible to ascertain whether the Congress has yet undertaken its inspection of the areas?

Yours sincerely,

Walter

E. C. Bottomley Esq., C.M.G., O.B.E.
Colonial Office.

LONDON, S.W. 1.

28th May, 1925.

Dear S. Bottomley,

Would you refer to the Colonial Office letter of 20th November 1924, No.49248/24 and connected correspondence regarding the question of Indian colonisation in the lowlands of Kenya.

We asked the Government of India for their views on the question of deputing an officer to inspect the areas offered but have not yet heard from them on the subject. It would, I think, help them if they knew something of the present attitude of the East Africa Indian National Congress which intended to send out a party to inspect the land. Would it be possible to ascertain whether the Congress has yet undertaken its inspection of the areas?

Yours sincerely,

G. Malton

S. C. Bottomley Esq., C.M.S., C.S.E.,
Colonial Office,
S.W. 1.

Ans 8/11
"we have had them
for 3 weeks - will
be used on"
W.C.H.

INDIA OFFICE,

316

WHITEHALL, S.W.1.

7th November 1924.

Dear Bottomley,

Will you kindly refer to the penultimate sentence of Mr. Thomas' letter to Mr. Hope Simpson of 6th August.

In connection with the subject of the evidence to be given on behalf of the Government of India before the East Africa Committee and particularly in regard to the development of cotton growing, the question has been raised whether ~~they~~ should touch on the question of allotting an area in the lowlands for Indian colonisation.

Could you say roughly how soon the Colonial Office expects to receive the pending reports referred to in Mr. Thomas' letter on the areas proposed to be reserved.

Yours sincerely,

Watson

W.C.H. Esq., C.M.G., C.B.E.

Colonial Office

4317



49218
GOVERNMENT HOUSE
NAIROBI
KENYA

Kenya
No. 219.

CONFIDENTIAL:

18th September, 1924.

Sir,

With reference to paragraph 5 of Kenya despatch, Confidential, No. 87 of March 29th, relating to the temporary reservation for Indian Agriculturists of land in the lowlands of this Colony, and your telegram of August 6th, I have the honour to inform you that the area delineated on Map B enclosed with that despatch has now been inspected by the Acting Director of Agriculture.

I transmit a copy of his report with the relative plan
2. You will observe that the land which it is recommended should be made available for application lies in the southerly part of the entire area proposed for reservation and contains accommodation for 66 farms ranging in size from 800 to 8,000 acres. I forward a Schedule of valuations per acre and a plan showing the proposed scheme of sub-divisions, prepared by the Commissioner of Lands.

I annex further a copy of a report from the Chief Native Commissioner which shows that as far as he has been able to ascertain, no native interests are involved and that any isolated settlements, which may subsequently be found in the area, could be moved without injustice or the infliction of...

Director of Agriculture and
35140
and
India Office
In answer
Report by the
Chief Native
Commissioner:

RIGHT HONOURABLE

H. THOMAS, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON, S. W.,

(2)

infliction of hardship into the Native Reserve.

4. The offer of this area and of that on the Tana River, as I have already informed you, was communicated to the Eastern Africa Indian National Congress on January 8th. On May 16th a communication was received from the Congress expressing their regret for the delay in replying to that offer and intimating that they had made arrangements to send out a party to inspect the land, and adding that it was anticipated that some considerable time would elapse before their report was available.

5. I therefore, propose, and my Executive Council concurs, that the detailed survey and the publication of this provisional settlement scheme - referred to in paragraph 2 of the letter to the Congress dated January 8th, a copy of which accompanied my despatch under reference - should await your observations on the action taken generally in this matter of reservation of land in the lowlands and on the particular scheme now submitted. Any further communication from the Congress will be forwarded to you as soon as it is received.

6. I have no objection to the suggestion that an officer experienced in Indian settlements and agricultural methods should be appointed to receive and examine applications for land alienation. His duties in this connection, however, would not fall upon this Administration whose technical advisers have already inspected the land proposed for alienation as will be seen from the reports submitted.

7. In conclusion I have to refer to your despatch, Confidential, of the 18th July transmitting copies of correspondence with the Society for the Preservation of the Wild Fauna of the Empire, and to state that the areas under consideration

(3)

do not affect the Game Reserve.

I have the honour to be,

Sir,

Your most obedient, humble servant,

W. H. G. G. G.

G O V E R N O R .

o. A 12/2/1909

P.O. BOX 11, 320,
MADRAS, 5th MAY, 1904.

The Hon'ble The Colonial Secretary.

Report on Land for Indian Settlement
of area.

I have the honor to report that in company with Mr P. Booth of this Department I inspected the area from Masvo to Saveta shown on the attached plan.

Prior to my arrival Mr Masvo P. Booth had inspected the area on the north east side of the Mysore railway main line. That area is watered on the north east by the Kali River and the Masvo River cuts through it for six miles before it joins the Kali. The land is very heavily bushed, grass is sparse, there are no good open spaces and there is a considerable area of rocks. There is a good sharp (rich) red soil of great depth in parts suitable for sugar plantations but the distance of such areas from water supplies will deter capitalists from investing in ventures there for some considerable time particularly as the cost of clearing this land is very high. In addition to this area a considerable proportion of the area to the south and east of the main line is equally miserably useless and I would recommend that the land shaded with oblique lines on the plan be retained and not given out for settlement as the

I traversed the Masvo River taking prospect runs into the country to the north and east of the river and it was not until Masvo was reached that it was possible to say a feasible proposition was presented.

It is therefore that area lying to the east of the heavy blue line on the plan which should be considered for settlement at the present.

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O. A. 12/2/1909

G.O. HOUSE, 320,
HAIKUBI, 5th May, 1909.

The Hon'ble The Colonial Secretary.

Report on Land for Indian Settlement
Vipi area.

I have the honour to report that in company with Mr P. Booth of this Department I inspected the area from Leavo to Taveta shown on the attached plan.

Prior to my arrival at Leavo Mr Booth had inspected the area on the north east side of the main railway main line. That area is watered on the north east by the Mbi River and the Leavo River cuts through it for six miles before it joins the Mbi. The land is very heavily bushed, grass is sparse, there are many open spaces and there is a considerable amount of rock. There is a good sharp grey red soil of great depth in parts suitable for agricultural plantations but the absence of such areas from water supplies will deter capitalists from investing in ventures there for some considerable time particularly as the cost of clearing this land is very high. In addition to this area a considerable proportion of the area to the south and east of the main line is equally absolutely useless and I would recommend that the land shaded with oblique lines on the plan be retained and not given out for settlement at the present time.

I traversed the Leavo River taking a track that runs into the country to the north and east of the river and it was not until Maima was reached that it was possible to say a feasible proposition was presented.

It is therefore that area lying to the east of the heavy blue line on the map which should be considered for settlement at the present time.

o. 12 8/1909

the honorable the Colonial Secretary.

Report on land for native settlement
of area.

I have the honor to report that in company with Mr. F. South of this department I inspected the area from save to level 3 on the attached plan.

Prior to my arrival at save I had inspected the area on the north east side of the main allway main line. That area is bordered on the north east by the Thi river and the save river cuts through it for six miles before it joins the Thi. The land is very heavily bushed, grass is sparse, some good patches of open spaces are there in a considerable area of bush. There is a good sharp rocky red soil of great value in parts suitable for animal plantations but the distance of such areas from water supplies will deter or rather prevent investment in such areas save for some considerable time particularly as the cost of clearing this land is very high. In addition to this area a considerable proportion of the area to the south and west of the main line is equally momentarily useless and I would recommend that the land shaded with oblique lines on the plan be retained and not given out for settlement at this time.

I traversed the save river taking prospect runs into the country to the north and east of the river and it was not until rain was reached that it was possible to say a feasible proposition was presented.

It is therefore that area lying to the west of the heavy blue line on the map which should be considered for settlement at the moment.

A description will now be given of the country proceeding from the Teave opposite Longalonga down the Teave, the Kombo, the Sainte and the Komboa rivers together with the land directly through Bossota contain to Salaita and 'Buyani. Advantage too was taken of the opportunity to traverse some of the land of the Estates north of Laveta, which I understand is to revert to Government.

The country falls into three main classes (1) rolling bush country, dry with few permanent grasses, but evidences of varying crops of a dual grass, bushed in zones and sowed with quarts and paradise watercress, the soil is of a clean red gritty and open nature, easy of cultivation but the rainfall is uncertain and the cost of clearing would be about 10 per acre.

This covers the land from Longalonga to on the valley line and of depth, shown on the plan in blue.

The area is waterless save where the land abuts on the Teave river the depression shown as a river on the plan is generally dry and the nature of the soil is such that dams are hardly feasible. The soil in the valley is excellent and water might be found. I would recommend that this be one large estate from 2,000 acres to 4,000 acres in extent. Naturally the smaller farms would abut on the Teave river. This land will grow sisal, wheat and cotton.

The area hatched in red (ii) is of a different description. Here the soil has more body and is more fertile. The land on the banks of the Kombo and Teave rivers is alluvial and heavily bushed, unfortunately the river flats are not wide until the Givane Swamp is approached. However some very excellent alluvial patches will be found at various points.

The higher land (iii) between the Kombo and Teave

presents peculiar characteristics. Here the bushing is not dense, the land lies in a series of small plateaux broken by outcrops of rock which culminate in small kopjes. Between these outcrops the lowest lying land is apparently sour and swampy, but does not produce plant forms which characterise such conditions. The most objectionable feature is the prevalence of small and large loose stones on these plateaux which however will not impede hand cultivation overmuch. As the Liwale swamp is approached these features disappear and the bush gives way to fine park-like country, wide glades of excellent grass being found.

One cannot describe the farms as excellent but there are some very nice ones practically all are naturally watered and the proportion of arable land varies from one tenth to six tenths.

The land in the neighbourhood of Liwale swamp will grow sugar cane in abundance. Bananas, yams, groundnuts, maize and other crops are feasible on all the farms and no doubt many other subtropical crops could be raised.

The most distant farms are not more than 30 miles

The rainfall in the area is deduced from the vegetation to be from 18 inches on the coast to 25 inches over the higher ground near Kilimanjaro.

The altitude at the junction of the Konde and Save rivers is 2,400 feet at Liwale swamp 2,000 ft. and the land rises up the Kilimanjaro foothills another 500 feet.

The appended map indicates in what manner I would recommend that the area be divided up. Farms varying from 500 acres to 4,000 acres are advised. There are practically no natives living in the area. There is abundant game between the Konde and Save rivers, rhinoceros being most frequently met with. There are large herds of giraffe. No lion were heard or seen but a pair was noticed. One cheetah

was encountered but little spoor of vermin was seen.

Along the rivers it was found possible to sleep without a net, there were but few mosquitoes. No crocodiles were seen in any rivers.

Tsetse Fly was abundant in the area Mabo-kima, but few were found after the confluence of the Kagine River and the Osavo.

Hogs and cattle were living and thriving near the Zivane swamp.

I recommend that survey and sub-division of the marked areas be carried out as indicated and the balance of the land not dealt with until conditions permit of cheaper clearing and the provision of water on the plains between Manda, Maktau and M'ingudi is made by boring.

W. A. STANLEY.

ADMINISTRATOR OF THE ZULULU DISTRICT

SCHEDULE:

J.

Valuation of Farms on the Rombo and Tsavo Rivers:
 Ref. Report by Ag. Director of Agriculture dated
 5/5/24 and plan in illustration.

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<u>Form No.</u>	<u>Approximate acreage:</u>	<u>Valuation in Shillings:</u>	<u>Remarks:</u>
	2,000	2/-	Included in application by Mangal Dass. Farms with frontage on Tsavo River. Rainfall uncertain and cost of clearing estimated by Ag. Director of Agriculture at £6 per acre.
	2,000	2/-	
	2,000	2/-	
	2,000	2/-	
	3,000	2/-	
	3,000	2/-	
	3,000	2/-	
	3,000	2/-	
	5,000	1/-	Waterless farms. Other conditions as described for farms 3-10.
	5,000	1/-	
	5,000	1/-	
	5,000	1/-	
	5,000	1/-	
	5,000	1/-	
	5,000	1/-	
	5,000	1/-	
	5,000	1/-	
	5,000	1/-	
	3,000	2/-	Frontage on Voi-Moschi railway line. Waterless. Suitable for maize and cotton. River frontage on Tsavo and Rombo Rivers.
	3,000	2/-	
	1,800	3/-	
	1,500	3/-	
	1,250	3/-	
	1,900	3/-	
	1,700	3/-	
	2,000	3/-	
	2,000	3/-	
	2,000	3/-	
	1,750	3/-	
	1,300	3/-	
	1,850	3/-	
	2,400	3/-	
	2,200	3/-	
	3,000	3/-	
	2,200	3/-	
	1,600	4/-	Country improves near Ziwani Swamp. See remarks for No. 35. Frontage on Ziwani Swamp. Suitable land for sugar growing.
	2,800	2/-	
	2,800	2/-	
	1,500	4/-	
	1,500	4/-	
	1,000	8/-	
	800	8/-	
	800	8/-	
	900	8/-	
	800	8/-	
	2,200	4/-	
	3,500	4/-	
	2,800	2/-	
	1,000	4/-	
	2,000	4/-	

Farm No.	<u>Approx:</u> <u>acreage</u>	<u>Valuation in Shillings.</u>	<u>Remarks:</u>
	3,000	2/-	All with permanent water, but land is much cut up with out-crops of rock, and there is also much loose stone on surface. Probably cultivation only possible by hand. Possible crops are maize and cotton.
	1,400	2/-	
	2,000	2/-	
	3,900	2/-	
	3,600	2/-	
	2,000	2/-	
	2,100	2/-	
	1,800	2/-	
	3,300	2/-	
	2,000	2/-	
2,500	3,300	2/-	
	3,300	2/-	
	3,700	2/-	
	3,300	2/-	

<u>Farm No.</u>	<u>Approx: acreage.</u>	<u>Valuation in Shillings:</u>	<u>Remarks:</u>
3.	3,000	2/-	All with permanent water, but land is much cut up with out-crops of rock, and there is also much loose stone on surface. Probably cultivation only possible by hand. Possible crops are maize and cotton.
4.	1,400	2/-	
5.	2,000	2/-	
6.	3,900	2/-	
7.	3,600	2/-	
8.	2,000	2/-	
9.	2,100	2/-	
10.	1,800	2/-	
11.	3,300	2/-	
12.	2,000	2/-	
13.	2,500	2/-	
	3,300	2/-	
	3,300	2/-	
	3,700	2/-	
	3,300	2/-	

Part No.

Approx:
acreage.

Valuation in Shillings:

Remarks:

3,000	2/-	per acre.
1,400	2/-	
2,000	2/-	
3,900	2/-	
3,600	2/-	
2,000	2/-	
2,100	2/-	
1,800	2/-	
3,300	2/-	
2,000	2/-	
100	2/-	
<u>2,200</u>	2/-	
3,300	2/-	
3,700	2/-	
3,300	2/-	

All with permanent water, but land is much cut up with out-crops of rock, and there is also much loose stone on surface. Probably cultivation only possible by hand. Possible crops are maize and cotton.

Area No.

Approx:
acreage.

Valuation in Shillings:

Remarks:

3,000	2/-	per acre.
1,400	2/-	
2,000	2/-	
3,900	2/-	
3,600	2/-	
2,000	2/-	
2,100	2/-	
1,800	2/-	
3,300	2/-	
2,000	2/-	
1,500	2/-	
3,300	2/-	
3,300	2/-	
3,700	2/-	
3,300	2/-	

All with permanent water, but land is much cut up with out-crops of rock, and there is also much loose stone on surface. Probably cultivation only possible by hand. Possible crops are maize and cotton.

10/1a/1/34:

Native Affairs Department,
Nairobi, Sept. 3rd, 1924.

32

The Honourable,
The Colonial Secretary,
N a i r o b i .

Land Grants to Indians - Voi Area:

With reference to your S.21935/134 of 7th ultimo, I am directed by the Hon. Chief Native Commissioner to say that this land may be alienated to Indians without interference with native rights.

2. The area is so large (1,000,000) acres, and the nature of the country is such that a complete inspection is difficult: one or two native settlements might be found in isolated parts at a later date, but they are unauthorized and in the opinion of the Hon. Senior Commissioner, Ukamba, no injustice would be done to the inhabitants of such settlements by moving them into the Native Reserve.

3. It appears that an Ex-Police Sergeant (named Markis Msinghi) has cultivated a small piece of land near Ziwani, which is included in the proposed reservation, but his occupation has never been legalized and there will be no difficulty in making satisfactory arrangements for him if he has to move.

Sd. A. Wade.

49248/24 Kenya.

327

DOWNING STREET,
20 November, 1924.

*Recd
57184*

Sir,

With ref. to the letter from this Dept. of the 29th of May (21479/24), I am etc. to transmit you, to be laid before The Earl of Birkenhead, the accg. copy of a despatch from the Government of Kenya, with its enclosures, on the subject of the proposed reservation of areas in the lowlands of Kenya for native settlement.

It will be observed that further progress is now being made in the report on the proposals on behalf of the East Africa Federal National Congress, but the Govt. of India may be willing, without waiting for the views of the Congress, to delegate an officer to report on the areas offered.

DRAFT.

7 not

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copy to En Comf 20 NOV 1924

MEMBER SEC. OF STATE,

INDIA OFFICE.

MINUTE.

Secretary - 17 11.24

- Mr. ...
- Mr. ...
- Mr. ...
- Mr. ...
- Mr. ...
- Mr. ...
- Mr. ...
- Mr. ...

~~19 from Kenya 18 Sept '24 (49248)~~

in reply for return

DOWNING STREET,

20 November, 1924.

Sir,

I have etc. to ack. the
recpt. of your Confidential despatch
No. 219 of the 18th of Sept., and to
transmit to you the accg. copies of
letters which have been sent to the
India Office on the subject of the
proposed reservation of land in the
Lowlands of Kenya for Indian settle-
ment.

2. The report of the Native

Affairs Department as Area "B"

raises the question of the

of natives on Crown lands which

proposed to allocate to non-natives

As you are aware, this question has

already arisen in the case of land

in the Highlands, and it is

desirable, in my opinion, that some

definite policy should be laid down

in the matter.

2 not

[Handwritten signature]

DRAFT.

CONFIDENTIAL.

FOR COPYHOLDING.

MINUTE.

Attorney - 11 11.24.

[Handwritten mark]

India

Trade

Food

Master of Ships

Trade

Comms.

[Handwritten signature]

NOV. '24
(draft herewith)

3. In the Crown Lands

Ordinances of 1902 and 1915 provision is made empowering the Governor to grant leases on areas of land containing native villages or settlements without specifically excluding such villages or settlements, on the understanding that the natives will remain in occupation of the land which, if they ceased to occupy it, would then form part of the area leased. I am not aware to what extent this power has in recent years been used in granting leases of Crown land. In many cases it is so used appropriate and desirable, in the interests of the lessees as well as of the natives concerned, but in a case of the present kind it would probably be undesirable to make use of the power.

When the power
and where it is not used. I consider that in cases of actual permanent occupation by natives, even if it is not

not legally authorised, the Chief
Native Commissioner should be 32
empowered to award such compensation
as he considers is merited by the
degree of hardship involved in the
particular case.

4.5 This principle was adopted
in Southern Rhodesia when reserves
were delimited and natives became
liable to be removed from areas
outside the reserves which they then
occupied, and the British South
Africa Company agreed that, if
representations were made by the
Native Commissioner showing hardship
suffered by any kraal or individual
owing to their removal, the
of their assistance would be
sympathetically considered.

5.6 The amount of financial
assistance would, in any case, be
small, and would depend not only on
the degree of cultivation, building
etc., which had been carried out

but also on the ease which the natives
concerned would find in re-establishing
themselves elsewhere. No hard and fast
rule can be laid down, but I consider
that it is essential that where natives
are removed for the convenience of
others the possibility of compensation
should always be taken into considera-
tion. It is, of course, ^{essential} essential in
all these cases that suitable land
should be available for the natives to
go to, but the provision of such land
would not by itself, discharge the
responsibility of the Government
towards them.

Signed

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responsibility of the Government
towards them.

Sgd L. L. L. L.

50/49248 per Kemp

330

30.5 f

W

Shuckburgh

Masterion Smith

2/10

-1 JUN 1926

102

FT.

with 2/10

Dear Sir
 your letter of 29th
 the telegram has been
 sent to Kemp & asking
 how matters stand
 with regard to the
 liquidation of the Lowland
 area by the East African
 Developmental Congress.
 We

We will let you know the
result.

Yours sincerely

Signed W. C. BOTTOMLEY.

331

⁴⁰
Responsible 30.5
4/29 2018 / pg 11.

Handwritten mark

C. D.
130 MAY
D 12/0

Handwritten notes:
G...
C...
1.587
30/0/12

AFT. *Handwritten*

30 May

Your letter of 20/5/18
214
Confidential ~~copy~~ please

Telegraph (letter) Express
has been inspected and

and if it will be
sent on 11/12/18
The inspection will be