

1921 *4*

KENYA

45106

From
MARTINEAU & REID
MESSRS

DATE
7TH SEPTEMBER 1921

No. 8 EP

FOR CIRCULATION:—

SUBJECT
BRITISH COLONIAL PROVISIONS COY
LEASE OF LAND AT LIMURU

- Mr.
- Mr.
- Mr.
- Mr. Grindle
- Sir H. Lambert
- Sir H. Road
- Sir G. Fidler
- Mr. Wood
- Mr. Churchill

States Govt has approved of open Lease for 999 years. Coy want to avoid payment of ad valorem duty twice over. Suggests how this may be done and trusts it will be agreed to. Requests return of original papers enclosed.

Previous Report

MINUTES

Mr. Battersby

In your absence please

W.D. 10. 11. 21

Mr. Battersby

This strikes me (subject to further information) as a scheme to avoid paying stamp duty which are properly due to the Colony. As the Commissioner and I suppose he to the C.A. I suggest asking them for their views on the proposal.

At. 13/9.

Mr. Battersby

City of Limuru re: to C.A.

60

4254x/1919

Copy 3 dupl. encls. to C.A. 20 Sept 21

Ann. 10 - 20 Sept 21

City comes for 16th. 27 Oct 21 50351

27 Oct 21 C.A. 50353

27 Oct 21 C.A. 50353

27 Oct 21 C.A. 50353

27 Oct 21 C.A. 50353

27 Oct 21 C.A. 50353

27 Oct 21 C.A. 50353

Reimbursement Paper

CA
60563

MINUTES

MINUTES NOT TO BE WRITTEN
ON THIS SIDE

for this claim after

42572

And has returned

all remaining parts

has

Feb 16. 18. 21

16. 9. 21

am

TELEPHONE
CHANCERY 7568
ELECTRIC ADDRESS
MARTINEAU HOLD. LONDON
MARTINEAU & REID
R. M. MARTINEAU
S. F. DENT
L. G. MUGGERIDGE

2c
2. Raymond Buildings
15108
W.C. 1

Encs.

7th September 1921.

Sir,

East Africa Protectorate.
Lease of Land at Limuru.

By an Indenture of Lease for 99 years dated 31st May, 1915, the Crown Agents demised to our Clients, The East African Estates Limited, about 2,000. acres of land at Limuru for the purpose of a bacon factory and raising of pigs, etc.

On the 4th June, 1919, this Lease was assigned by The East African Estates Limited to The British Colonial Provisions Company Limited which was formed for the purpose of carrying on this bacon industry.

His Excellency the Governor of The East Africa Protectorate has now approved the grant of an open Lease for 999 years direct to The British Colonial Provisions Company Limited. If the matter is carried out in the Protectorate it will be necessary to have the existing Title stamped and registered in that country and this will mean a payment of ad valorem duty of 2 per cent on the consideration mentioned in the Assignment of the 4th June, 1919. It has, therefore, been suggested that the Lease of the 31st May, 1915, should be surrendered in this country, and on advice from the Colonial Office that the surrender has been completed, the Land The Under Secretary of State for the Colonies,

Department will issue a new Lease under the Registration of Titles Ordinance 1919. We enclose two Letters from the Principal Registrar of Crown Lands, dated the 23rd October, 1920, and the 26th May, 1921, together with duplicates for your use, which confirm this. We shall be much obliged if you will let us have the originals back in due course. We would point out that the Assignment of the 4th June, 1919, already bears ad valorem stamp of £66. The consideration of the Assignment of Lease inserted in the Deed being £6583. 19s. 3d. Our Clients naturally want to save having to pay ad valorem stamp duty twice over if the surrender takes place in the Protectorate and in view of the fact that they have already paid ad valorem duty we trust that the Colonial Office will agree to the matter being carried out in the way suggested.

The documents of Title can be sent down for perusal if desired.

We are, Sir,

Your obedient servants,


The Under Secretary of State for the Colonies,
 Whitehall.

S.W.1.

P. O. Box No. 139.,
Department of Lands,
Crown Lands Registry,
Nairobi,
23rd October, 20.

Sir,

In Re 2000 Acres Limuru District.

Referring to your letter of 15th ult. herein, I have to advise you that His Excellency has approved the grant of an open lease for 999 years under the Crown Lands Ordinance, 1915, which, as no doubt you are aware, provides for a rent of 10 cents per acre.

2. It will be necessary to execute a surrender of the existing title, which, I may mention, does not appear to have been stamped and registered in this country.

3. I shall be glad to know if your Company will accept the new grant under the Registration of Titles Ordinance, 1919 (Torrens).

I have the honour to be, Sir,

Your obedient servant,

Leslie Lea (Sgd)

Ag. Principal Register of
Crown Lands.

The General Manager,
East African Estates Limited,
P.O. Box No. 494,
Nairobi.

Land Departments,
 Crown Lands Registry,
 P.O. Box No. 139.,
 Nairobi,
 26th May, 1921.

reply please quote
 No. R. 7188 & date.

Sir,

In Re Conversion of Title.

With reference to your letter of 22nd inst., I have no objection to the course proposed, provided it is understood that the new title cannot be issued until I am advised by the Colonial Office that the surrender has been completed, and that this Department cannot accept any responsibility for consequent delay.

2. The only alternative is to produce the documents of title for surrender locally, in which case, however, I should be compelled to collect stamp duty on the lease and subsequent assignment since, as already pointed out in my 7188 of 23rd October last, these documents do not appear to have been stamped and registered in this country.

3. Beyond this no advantage appears to be offered by the course suggested, though you are in a better position to judge from the amount of stamp duty that would be payable if the deeds are produced. And in this connection I would mention that the duty on the lease would be negligible while on the assignment it would amount to approximately 2% on the consideration expressed in the deed.

4. I shall be glad to hear further at your convenience.

as to the course you propose to adopt.

I am, Sir,

Your obedient servant,

Leslie Lea (Sgd).

Ag. Principal Registrar of Crown Lands:

The General Manager,
The British Colonial Provision Co. Ltd.,
Uplands.

M Kenya
45706

[Handwritten mark]

[Handwritten mark]

DRAFT.

ST 19
Gentlemen,

20 Sept 1941

Agents

with ref to your letter

MINUTE.

and 50353

See
EAP 26 B

of the 18th of July 1941

Mr. Jewell 18.9.41
Mr. [Name]

- Mr. [Name]
- Mr. Gendle
- Mr. H. Lambert
- Mr. H. Read
- Mr. O. Fiddes
- Mr. Wood
- Mr. Churchill

[Handwritten initials]

City 16/14-27 Oct 41

I enclose to you for your

documentation the over copy of a letter
with enclosure
from Messrs Martinson Reid

regarding the lease of land at
Lemura, Kenya, to the

[Handwritten scribbles]

2 drafts

in Kenya
45706

[Handwritten mark]

20

DRAFT.

Sept 19
Gentlemen,

20 Sept 1921

Agents

with ref to your letter

MINUTE.

Mr. Powell 18.9.21

Mr. Blackman

Mr.

Mr. Grindle

Mr. H. Lambert

Mr. H. Reid

Mr. G. Fiddes

Mr. Wood

Mr. Churchill

Sept 1921

[Handwritten scribbles]

2 drafts

Am. a 50353

CP 16/14-27 Oct 21

See
EAP 26 B

of the 18th of July 1921

I enclose to transmit to you for your

documentation the enc copy of a letter
with enclosure

from Messrs Martinson Reid

regarding the lease of land at
Lemmon, Kenya to the

East African Estates Limited
assigned by that company to the British
Colonial Commission
being

(SIGNED) G. GRINDLEY

to Kenya
4516
27

20 Sept 1924

DRAFT.

Dear Sir,

Mr. Martin at head In re to with the rest of

MINUTE.

- Mr. Jewell 16.9.24
- Mr. Parkinson 17/8
- Mr. Griffin
- Sir H. Lambert
- Mr. H. Road
- Sir G. Fiddes
- Mr. Wood
- Mr. Churchill

part of the 7th of Sept. with
reference, regarding the leasing of land
at Limuru, Kenya to the

East African Estates Limited,

is assigned by that company
to the British Colonial Commission

Col. H. Martin at head with

Drafts

Subject will be sent to
in due course.

STANDARD BOOKS