

1922-23

KENYA

425

C.O

1678

FROM
GOV'S DEPUTY
BORING

1652

DATE

6TH DECEMBER 1922

RE
9 JAN 23

FOR CIRCULATION :-

SUBJECT

LAND FOR UNITED METHODIST FREE CHURCH MISSION
IN NYIKA RESERVE &
DURUMA COUNTRY

Reports circumstances of application dating
from 1904 and recommends grant of 99 years lease
leases for whole area of about 520 acres on
terms stated.

23

- Mr.
- Mr.
- Mr.
- Mr. Grindle
- Sir H. Lambert
- Sir H. Read 24/1/23
- Sir J. Masterton Smith
- Mr. ~~Wheat~~ Rmsby Lane 24
- Mr. Churchett

Previous Paper

MINUTES

L.H. Read
The following

In view of the statement made
in para 10 & subject to the proviso
there indicated, I see no objection
to the grant - esp as it appears
from para 10 that the land
is already occupied and has
been a good deal of doubtment
in relation subject to the
proviso in para 10

Abund. 179 24 Jan 23

Subsequent Paper

Wheat

*We have no objection
in case of this kind
at all*

W.R.D.
Wed. 24.1.23
H. J. 24/1/23

plots encroached upon alienated farms, and Mr. Griffiths was informed in January, 1910, that as practically all the land applied for was covered by prior applications, the areas in question could not be granted. He was accordingly asked to make other selections.

5. At an interview in May 1910 Mr. Griffiths contended that all except one of the plots were in the Native Reserve and did not clash with other grants.

6. It was not until 1915 that it was found possible to depute a surveyor to investigate further and it was then definitely established that three of the plots encroached on private land.

7. Negotiations were opened by the Land Office with the owner of one of the farms encroached upon, with a view to an exchange, which was eventually effected thus removing the obstacle to the grant of that particular area applied for by the Mission.

8. Further action was suspended owing to the war, but the remaining farms where encroachment occurred have since reverted to the Crown and the obstacles which for so long delayed satisfaction of the Mission claims are now removed.

9. Two of the plots and a portion of a third are in the Duruma Native area and the remaining portion of the third and the other 2 are in the Nyika Native Reserve and were not excluded therefrom when the Reserve was gazetted in 1916.

10. The native authorities concerned have been consulted and have unanimously declared themselves in favour of the grant of the leases to the Mission subject, however, to a proviso that there shall be no transfer of the land by the lessees and that it shall not be used
for

for any purpose other than the furtherance of genuine mission work. I am satisfied as to the genuineness of their assent.

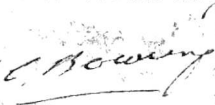
11. The grant of the leases is supported by the Chief Native Commissioner. The District Commissioner reports that all the plots are occupied by the Mission, apparently entirely for Mission purposes.

12. In view of the facts set out above it is clear that, but for the matter of encroachments, the Mission would long ago have been in possession of titles to the plots, all of which have been occupied for various periods and developed by cultivation and the building of chapels, schools, etc.

13. In the circumstances I consider that the claim of the Mission to the areas in question (about 520 acres in all) should be recognized by this Government, and I recommend that leases should be granted for a term of 99 years, subject to the provisions set out in paragraph 10 and to a nominal rent, which should be paid into the Natives' Trust Fund for the benefit of the natives concerned, as indicated in paragraph 3 (6) of Mr. Churchill's despatch No. 1315 of the 25th August, 1921.

14. I do not consider that it is necessary to add an equivalent area to the Native Reserve.

I have the honour to be,
My Lord Duke,
Your Grace's most devoted
and most obedient servant,


GOVERNOR'S DEPUTY.

For 1678/23 Kenya

429

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~~83~~

DRAFT.

30 Jun 1923.

Sir,

179
Mr Coryndon

MINUTE.

Brett Jun 27
Walter Bee

I have re. to ask the recd
of your desp No 1652 of
the 6th of Dec^r 21, and to
the two Cons following
inform you that happene

The issue of leases to
the United Methodist
Free Church Mission in
respect of six acres of

- Mr. Coryndon
- Mr. Brett
- Mr. Walter Bee
- Mr. Masterton Smith
- Mr. [unclear]
- Mr. [unclear]

land in the Nyika

Reserve and in the

Duruma country,

on the conditions stated
subject to the proviso

indicated in para 10.

of your despatch.

Jrc

(Signed) DEVONSHIRE