

Keep aside
1923

KENYA

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FROM
O.A.G.
BOWRING

COMM
453

DATE
16TH AUGUST 1923

REC
RE 20 SEP 23
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CIRCULATION:-

SUBJECT

Mr.
Mr.
Mr.

SKEA

ALIENATION OF NATIVE LANDS

Reports Chief Native Commr is of opinion Return furnished is not an accurate statement of case and that necessary steps are being taken to collect reliable data for preparation of correct schedules. States reasons for inaccuracy and comments on C.O. remarks on details.

Dist. U.S. of S.
S. H. ...
2/12/23

Perm. U.S. of S.

Card U.S. of S.

Copy of State

Previous Paper

MINUTES

55863/23
55863/23
17 Dec '23
Wain

No action impossible, but it is desirable that you should see that we are to get a large showing than we got from Sir E. Northey.

As to the last para., this is part of the matter which Sir R. Corydon promised to get down to on the way out.

? Pathy

W.S.

Subsequent Paper

55863/

21.9.23
I write with concern what is said about the large excursions from the Kambura & Nandi Reserves. Wait for further details at once.

KENYA.

NO. 453.



46522

GOVERNMENT HOUSE.

NAIROBI,

KENYA.

16th August, 1923.

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CONFIDENTIAL.

My Lord Duke.

With reference to Your Grace's Confidential
 Memorandum of the 21st October last, transmitting a copy
 of the Return prepared for communication to the House
 of Commons in reply to questions raised by certain
 members in connection with the alienation of Native Lands,
 I beg to inform Your Grace that the Chief
 Native Commissioner has advised that this Return is
 an accurate statement of the facts, and steps are
 being taken to ensure that the same is correct in every
 particular. It is also to be noted that the
 Chief Native Commissioner has advised that the
 Chief Native Commissioner was on
 tour at the Coast and it appears that his staff at that
 time failed to scrutinise the Return with sufficient care.
 The Chief Native Commissioner has pointed out that the
 second column of the Schedule is misleading in that it
 relates only to reservations made under the Crown Lands
 Ordinance 1915, whereas, prior to the enactment of that
 Ordinance, sundry areas, from which considerable
 excisions

excisions have since been made, were set aside as Native Reserves under the Outlying Districts Ordinance 1902, which was the only means then available of making such reservations.

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3. With regard to the Colonial Office note against Schedule 3 No.4, I have to state that Schedule 3 No.6, of Sir Edward Northey's despatch No.1084 of the 8th August, 1922, was inaccurate in stating that the Lumbwa Reserve boundaries were definitely adjusted in 1919. The Notice which appears on page 810 of the Official Gazette of that year was provisional only. The boundaries had been previously defined by proclamation under the Outlying Districts Ordinance of 1902. This Proclamation was dated the 10th April, 1909, and appears on page 190 of the Official Gazette of that year. It would appear that the large excision which was made in 1919 in the Lumbwa Reserve by the direction of Sir Edward Northey was not reported to the Secretary of State. A separate despatch on this matter is in course of preparation in reply to paragraph 3 of Your Grace's Confidential despatch of October 31st last.

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4. In connection with the Colonial Office note against Schedule 3, No.5, I have to state that this correctly represents the case as reported in Sir Edward Northey's despatch No.679 of the 26th May last, but the Chief Native Commissioner points out, and the records here show, that his opposition to the excision of a large area from the Nandi Reserve was only withdrawn in view of a statement made to him personally by Sir E.Northey, which would appear to have been based upon misleading information supplied to Sir Edward.

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5. His Excellency Sir Robert Coryndon has with him the

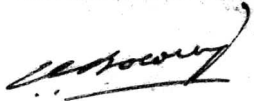
the files relative to the alienation of land in the
Mandi Reserve and has doubtless conferred with Your Grace
in the matter.

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I have the honour to be,

My Lord Duke,

Your Grace's most devoted
and most obedient servant,



ACTING GOVERNOR.