

1923

KENYA

C O  
37562

FROM

Coyadon  
Sir R. H.

DATE

25th July, 1923

27 JUL '23

FOR CIRCULATION -

Mr.

Mr.

Mr.

Asst. U.S. of S.

+ *S. H. [Signature]*

30/7/23

Perm. U.S. of S.

Part. U.S. of S.

Secretary of State.

SUBJECT

Cranworth Coll  
Forest Concession

Submits new  
prop. as also

Previous Paper

6 Aug. 25  
34896

Copy paper. The land Cranworth was 3 Aug. 25  
6/4 and 11/58 16 Aug. 25 34896

Copy 6/4. 1st Aug. '23.

Subsequent Paper

39/32

MINUTES

I think that Sir R. Coyadon is right in supposing that the British would demand the crown say that the applicants' desire, after getting good forest and making what they could out of it, to have special concession for good forest is a play on the card of "picking the eyes of the land".

As to the alleged attempt to transfer to some Indian - what we were told (in para. 9 of 17103) was that "in 1918 an application from the Crown to

Transfer the lease to  
an Indian was  
concluded. We did

not pass this on to

Lord Cassworth, but I  
see no reason whatever  
to avoid enquiry. It  
is possible that the  
Governor's information  
was better than Lord  
Cassworth's.

? City of St. R. Corporation  
Letter to Lord Cassworth  
for his objection. Say that  
the condition as to  
payment of rents &  
royalties, will be  
essential: that acceptance  
of the arrangement must  
be regarded as acceptance  
of the demarcation  
Forest Office's ~~Division~~  
Division  
Debar is a 'reasonable  
quantity of workable  
forest timber' & that  
the S. & B. will accept

his judgment as to  
whether enquiry should be  
made on the grounds of  
the alleged desire to  
sell or not lease to a  
S. & B.

To S. & B. on 20.1.189  
that correspondence with  
L<sup>d</sup> Cassworth is still in  
progress  
1891/22.

at 10.15  
1.1.189  
1891/22

C O  
37562  
27 JUL 1923

3c

The Athenaeum,

Palmerston, S. W. I.

S. W. I.

25th July, 1923.

*Ag*

Sir,

I had a discussion some time ago with Lord Cranworth regarding the forest concession granted to him and Mr. Berkeley Cole on Mount Kenya.

Lord Cranworth's contentions were briefly that the Forest Department had delayed demarcation of the areas and a definite settlement for a number of years and that their interests had suffered thereby; that the area which Mr. Cole has worked for some years on the west side of the mountain was worked largely under another lease granted to certain five farms in the neighbourhood, and very little under the Cranworth-Cole concession; that when the area was granted in the first place the Forest Department did not know that side of the mountain, and neither they nor Cranworth-Cole realised that it was a poor timber area; that when in 1921 the area was demarcated by a Forest officer, the officer was satisfied that there was not sufficient workable timber in it to justify it being confirmed; that another concessionaire, Captain Barry, had been permitted lately to cut largely over the area granted to Cranworth and Cole; that Mr. Cole's cutting up to date has done no harm to the forests; and finally, that as having taken a real share for many years in the pioneer

The Under Secretary of State,  
The Colonial Office,  
S. W. I.

work of the Colony they are entitled to consideration. He suggested as a final settlement of the whole question that they should entirely abandon all claim to any area on the west side of Kenya, and that the 2,000 acres granted to them on the south side of the mountain, but hitherto unworked, should be increased to 6,000 acres as in full settlement of their claim; he added that he and Mr. Cole would be quite satisfied with any 6,000 acre area on the south slopes of the mountain in the neighbourhood of the 2,000 acre area already granted, which a qualified forest officer should demarcate and certify as containing a reasonable quantity of workable forest timber.

As Mr. Battiscombe is away in Canada I have not been able to consult him, but I expect he would rather demur at this proposal as being unduly generous. But I am inclined to approve, for it is not a large area in itself, it is at present remote from a railway, and I agree that proved pioneers should receive consideration.

As I have not been long in Kenya I would prefer that such an arrangement should receive approval from the Executive Council, and if the Secretary of State is in agreement, I will bring the question before the Council as soon as I return to Nairobi and obtain a final settlement.

I think, however, that an understanding should be arrived at to the effect that the concessionaires will pay any survey fees due on the demarcation of the 6,000 acres on the west side of the mountain, and any fees due for the

survey of the new 6,000 acre area proposed to be granted on the south side; and that they should undertake to instal the necessary machinery and to work the new area to the satisfaction of the Forest Department as soon as the new Thika-Nyeri branch railway reaches Fort Hall.

I assume further that they will pay the rents and royalties due according to Forest Department regulations from the date the new arrangement is confirmed.

I think it right to add that Lord Cranworth protested most strongly against the statement made in one of Mr. Battiscombe's letters that the original lease had been at one time offered for sale or sub-lease to an Indian; he stated that there was absolutely no truth in this allegation, and as the statement implied a reflection upon the political honesty of the concessionaires, Mr. Battiscombe should be asked to disclose the source of his information. I am glad to register Lord Cranworth's protest, but I hope he will be prepared to leave the matter where it now stands, as I feel that no good, but, on the other hand, much ill-feeling, will result from further contention upon this side issue.

I think it would be wise to send a copy of this letter to Lord Cranworth and to ask him if it is a substantially correct statement, and if he will be prepared to accept it for himself and Mr. Cole, subject to confirmation by the Executive Council in Nairobi.

I have the honour to be,

Sir,

Your obedient Servant,

R. J. Courman

C. 37562/23 Kenya

207

~~3c~~

Amnd  
29/13/23  
1 ind.

~~sc~~

3 August 1923

DRAFT.

My Lord,

in  
Lord Hanworth, etc.

I am to transmit to you

a copy of a letter from Sir

Robert Compton regarding the  
forest concession granted to you

& the Hon<sup>ble</sup> R. Berkeley

Cole on Mount Kenya, in  
which he recommends the

adoption of your proposal

that you and Mr Cole should

abandon all claim to any

MINUTE.

- Mr. Bress Aug 1.
- Mr. Bottomley 11/8/23
- Mr.
- Mr. Davis.
- Sir G. Grindle.
- Sir H. Road.
- Sir J. Masterton Smith.
- Mr. Ormaby-Gore.
- Duke of Devonshire.

C. 37562/23  
16 Aug 23  
11/8/23  
see

in R Compton 25 July  
37562

rdfo

area on the west side of  
Neaya & that the 2000  
acres granted to you & Mr  
Cote on the South side of  
the mountain but hitherto  
unworked, should be  
increased to 6000 acres  
in full settlement of some  
joint claim. <sup>to Robert</sup>

I am to write you  
some on the letter Compton  
further <sup>sets out</sup> ~~large~~ <sup>above</sup> the  
conditions ~~on~~ which ~~above~~  
he thinks should accompany  
an acceptance of the  
proposal.

2. I am to ~~invite~~ <sup>write</sup> you  
observes in the letter ~~and to~~  
~~write it down~~  
say that the condition (at  
the end of the paper of the letter)  
as to payment of rents <sup>and</sup>

DRAFT.

royalties ~~shall~~ <sup>could be</sup> ~~be~~ <sup>an</sup> ~~essential~~ <sup>condition</sup>  
~~of the arrangement,~~  
& that acceptance of the <sup>arrang.</sup>

MINUTE.

- Mr.
- Mr.
- Mr.
- Mr. Davis.
- Sir G. Grindle.
- Sir H. Read.
- Sir J. Masterton Smith.
- Mr. Ormsby-Gore.
- Duke of Devonshire.

ment must be regarded  
as acceptance of the  
demarcating <sup>Forest Officer's</sup>  
opinion of what is a  
"reasonable quantity of  
workable forest timber."

3. The Duke of Devonshire  
<sup>is prepared to</sup>  
~~will~~ accept your judgment

~~as to~~ whether enquiring  
should be made on  
the question of the  
alleged desire to sell  
or sub-lease to an  
Indian.

Jr

(Signed) H. J. READ

C.  
37562/23

Kenya

209

Code tel  
11.40 am 2.8.53

and

DRAFT. Code tel

C. D.
R - 2 AUG.
D 2

2 August

<sup>0</sup>  
Governor

Nairobi

Se

Your tel 11 July con ce

MINUTE.

Mr. Bell Aug 1.  
Mr. Bolton 1/8

Mr.

Mr. Davis.

Sir G. Grindle.

Sir H. Read.

Sir J. Masterton Smith.

Mr. Ormsby-Gore.

Duke of Devonshire.

with Cranworth still

in progress

SECRET

mfb