



EAST AFR. PROT.  
39556

C.O.  
39556  
REC'D  
Perf 14 DEC 12

TROTT 904  
Field  
Date  
912  
November  
Previous Paper  
29666  
36508

TOWNSHIP PLOTS

States views as to conditions relating to building, forfeiture or fine in lieu thereof, and as to the restriction of number of plots to be acquired by a single purchaser. Due provision will be incorporated in the draft Bill.

Mr. G. F. Fiddler  
I refer to the 2 plots prepared for township plots a limitation to 1 business & 1 residential plot in each case. I reply as suggested 1 business & 1 residential plot at any one sale, & it seems as if it had been thought that this should be self-evident.  
You however in previous to abolish even this limitation and to have the matter of accumulation to be decided (as proposed generally in the memo of 27.2.32) by the operation of the restrictions on tenure.

?? The evils of accumulation are of course greater in town than in country areas, but the plots proposed (5,000 sq ft. as a rule or less) & of memo. 27.2.32) are small & it may well be that for special purposes a man must often desire more contiguous plots - when he will almost certainly find that he has to pay a higher premium at auction for the second plot.

The price of £1 a day for non-development works at at over 1000 sq. ft. per sq. ft. & is therefore very much more than any rent likely to be paid. [I suppose 21 of Mr. Tamm's memo. in 29.5.34 it is shown that the rent for land has gone up in value to a rental value of 70

are in my opinion exactly applicable  
to a town plot.

111

I think we ought to draw his attention  
to this point, and say that if he  
agrees that leases of town plots must  
not be transferred till the building  
conditions are complied with the S.O. is  
prepared to concur in the views expressed  
in this despatch?

L.R.D.  
18/12

It is a question of fact. Possibly the  
Comr may be opposed to restriction on  
transfer of town plots as (para 3 of this  
despatch) he "looks by preference to the condition  
of tenure to defeat undue speculation".  
I think we had better ascertain his  
views before making a definite  
proposal.

S.R. 19/12

I don't favor Mr. Bollaender's suggestion. - These  
may be perfectly valid reasons, apart from  
speculation, for a transfer of an interest acquired  
& paid for; and the transfer is subject to the  
liability of the original purchaser.

I wd approve Mr. Belfield's proposal

Mr. Belfield has had very great experience  
in dealing with this question & has dealt with it  
successfully. approved. 20.12.12 P.T.O.

entirely  
U.

I agree also that under the conditions  
suggested we may approve

6 21.12

Very well

H 24.12.12

536



145

GOVERNMENT HOUSE,  
NAIROBI,  
BRITISH EAST AFRICA.

November 19th 1912.

EAST AFRICA PROTECTORATE

(No. 804)

C.O.  
39556  
REC'D  
DEC 12

Sir,

*Handwritten initials*

I have the honour to acknowledge the receipt of your despatch No. 631 of September 27th and to make the following observations in regard to the restrictions which it is suggested should be placed upon the acquisition of township plots for residential or business purposes.

2. I am entirely in favour of making it one of the conditions of sale in such cases that a building on a plan to be approved by the urban authority shall be erected within a period of two years and that in the event of non-compliance therewith the land shall revert to Government, unless the purchaser covenants in writing to pay a fine of £1 per diem from the date of the expiration of such period of two years up to that on which the urban authority certifies the completion of a building to its satisfaction.

3. I am not, however, convinced of the desirability of limiting individual purchasers to the acquisition of one business and one residential plot at any single sale. You are already in possession

THE RIGHT HONOURABLE

LEWIS HARCOURT, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON, S.W.

X. No. 27666

-14369-20

possession of my views on the general subject and will have gathered that I am opposed in principle to such special restrictions and that I look by preference to the conditions of tenure to defeat undue speculation. This object will, I consider, be achieved by insistence on the terms detailed in the preceding paragraph, a view in which the Land Officer concurs.

4. I recognise however that during the early stages of urban development it may in certain cases be necessary to take special precautions to prevent the undue accumulation of large areas in the hands of individuals, which would not be defensible at a later date, when purchases might reasonably be expected to be made only in satisfaction of legitimate requirements. I would therefore propose to treat each allotment of township plots on its merits and while adhering rigidly in every instance to the conditions relating to building, forfeiture or fine in lieu thereof I would only restrict the number of plots to be acquired by a single purchaser, when exceptional circumstances appeared to render such procedure desirable.

5. I have instructed the Land Officer accordingly and due provision will be incorporated in the Draft Bill.

6. I have addressed you in a separate despatch on the question of the grants to Messrs. Newland and McCall.

*etc*  
I have the honour to be,  
Sir,  
Your humble, obedient servant,

*Albany, Bexford*

GOVERNOR.

For  
39536  
DARO

28 DEC  
1912



31 Dec 1912

Sir,

I have the honor to acknowledge the receipt of your despatch no. 804 of the 19<sup>th</sup> of November, on the subject of the restrictions to be placed on the acquisition of town ship plots for residential or business purposes. I concur in your view that it is not necessary to impose any restriction on the number of plots which may be acquired by any purchaser either in the aggregate or at a single sale, except in special circumstances where <sup>there</sup> ~~some~~ some limitation is desirable, and that <sup>land in townships</sup> ~~the~~ acquisition <sup>should</sup> ~~be~~ be

DRAFT

S.A.P. (no. 906)

Belfield

MINUTE

- Mr. ... 27/11
- Mr. ... 28/11
- Sr G. Fisher
- Sr H. Just
- Sr J. Anderson
- Lord Emmott
- Mr. Harcourt

X No. 39536

14 368-20

be sufficiently present  
by strict adherence to  
the creation of course

of I have etc

---