

475  
413



EAST AFR. PROT  
39508

39503  
15 11 13

Barclay H. G.

Land transaction

1913

15 hrs.

Requests interview in conn. with his claim to front of 100 acres of land in the Highlands of West Kenya in compensation for loss of certain land on the Coast through defective governmental title. Encloses memo by Lord Cranworth.

See also Sir G. Fiddes.

This is addressed to the "Secretary for the Colonies" - I don't know what the W. Barclay desires an interview with the S. G. S.

I am sure? Reby that W. H. will consult the Gov. & the matter & on the receipt of his ~~report~~ <sup>report</sup> will consider whether an interview would be likely to be useful - & copy of report to Gov. accordingly

W.D.S. 17/11/13

J.R.

17/11/13

Atome

10 11 13

27/11/13 copy forwarded 995 con. of 10/11/13  
forwarded to Edith for 3948/14

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Independent Papers

2048

2nd February 1913.

39508

LONDIANA FARM.

17 NOV 13

Sir,

As the Agent of Mr. Hugh Barclay of Colney, NORWICH, I have the honour to bring to your notice the circumstances which appear to me to constitute a certain claim for an Allotment of Land.

It must however, be thoroughly understood that both Mr. Barclay and myself are well aware that the claim to an allotment, though I venture to say that on moral grounds, his claim appears fairly strong.

In or about 1908 Mr. Barclay bought from the Estate of Kipingoni consisting of 640 Acres held under Government Title. Mr. Barclay engaged a Manager, Houses, Bridges, Machinery, and completely covered the Estate with Coara Rubber. Owing to the Rubber Boom 1909-10, Mr. Barclay could have sold the Estate at a profit, and would undoubtedly have done so, but the Government were forced to state that they were unable to substantiate their title. That they had granted their refusal was proved the following year when Paretti, of Light, an Italian agent of Mr. Barclay, was surprised about 100 Acres of his best land. The Government acknowledged their default by defending the action, but lost the suit. Mr. Barclay was unwilling to sue the Government, but at his request, I applied to His Excellency Sir P. Girouard for a grant of Land in compensation. His Excellency pointed out that he was still unable to guarantee any Coast Title, and suggested the granting of an Area in the Highlands. (I have, however, no documentary evidence of this, and in any case I refused the said offer).

Finally a certain Area adjoining Kipingoni was offered, but inspection proved that the Land was of poor quality and furthermore was claimed by a Greek, 2 Indians, and an Arab.

I accordingly applied for a further area across the line. This was the conditions of things when I left for England.

During my absence affairs at Kipingoni went very badly, and a careful inspection has convinced us that the only course to pursue is to close down the Estate.

The failure may be attributed to:-

- A. The fall in the price of Rubber.
- B. Shortage and dearness of labour.
- C. Loss of the only portion of the Area containing decent Soil.

In making a Claim for an Allotment in the Highlands on Mr. Barclay's behalf, I would lay special stress on the following points.

- A. That Mr. Barclay bought the land with a Title from Government, and on that Title had undoubtedly good grounds of action.
- B. That Mr. Barclay spent many thousands of pounds in development, and that Kipingoni formed the only Estate in the Country of which every single Acre was completely developed.
- C. That the whole of Mr. Barclay's time and money was lost through no fault or neglect of his own.
- D. That this large loss might have been, and in all probability would have been turned into a large profit had Mr. Barclay been able to show a good Title.

*etc*  
I have the honour to remain,

Yours faithfully,

(Sd.) CRANWORTH.

The Land Officer.

NAIROBI.