

EAST AFR. PROT.

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Pro² 27 SEP 11

1911



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VERNOX 480

LORD GRANVILLE'S APPLICATION
FOR A CONCESSION ON WEST KENYA

Asks for opinion.

His. Road.

This application can be clearly differentiated from the large concession desired by Mr. Montagu Brown and Mr. Vaughan. The latter is smaller and manageable, and it would seem from the facts that the application is made with a view to meeting the local wants of settlers and that the area desired is contiguous to settled areas that there will be no need of a railway or tramway to develop the concession. No question of a special rate on the Uganda Railway arises, and there is no question of a special rate of royalty. The royalties proposed are the ordinary gasetted rates. These are, I presume, those shown in the second enclosure in Gov/17480/17. It will be seen that for trees outside the ten mile radius ^{from} of Nairobi they vary from 25 cents per cubic foot on cedar down to 5 cents per cubic foot on certain trees with native names.

o. rates

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Mr Butler

This matter was considered by the Concessionary Committee at the Twelfth Meeting held on the 10th Oct

An extract from the minutes is attached.

rates compare very favourably with the 1.30 rupees per 100 cubic feet which it is proposed (in very special circumstances, be it remembered) to allow to Captain Grogan, and the equally low royalty which Mr. Morton Frewen asks for, but will not get.

Lord Cranworth further has the advantage of being on the spot and of being interested both in large and commercial enterprises in the Province. In the course of his activities he runs a motor vehicle transport service on the air. For fuel he seems to be using the good fine oil which should be sampled without violation of the provisions of the comparatively small concession which is here proposed. The rent suggested, and the fact that a well will be erected within the limits of the lease, supply the necessary incentives for getting on. It would be a pity to let this valuable proposition with the large concession (the latter suggested in connection with the India Forest) and would urge that of the Gov. be satisfied either that to special transport arrangements be required for the working of the concession. Lord Cranworth is in a position to see that if necessary, the concession should be approved of.

7. Lay this despatch and its enclosure before the Concessions Committee with a copy of this minute.

I quite agree.
at once
B.J.R.
28/9

Handwritten notes and signatures, including "C. J. R." and "B. J. R." and "Committee".



McDowell for large areas on Mount Kenia amounting to 100,000 acres or so. In the case of such large areas a railway would have to be built for the transport of the timber, and the construction of such a railway would be made an essential condition of any lease of such magnitude. Such requirements necessarily complicate negotiations considerably: but, in the case of Lord Cranworth's application, the difficulty of transport was not expected to arise. The area asked for is small in comparison with those asked for by the large concessionaires and its proximity to land occupied by settlers, whom it is proposed to supply with timber. The Governor would, however, be asked to himself ^{himself} assure adequate arrangements would be made for such transport as may be necessary.

In reply to Mr. Ellis, Mr. Ellis further states that he gathered that the area in question was not included in the areas applied for by the large concessionaires. Mr. Clayton French had been applied for by ^{himself} Mr. McDowell's application related to East Kenia. The area asked for by Lord Cranworth is situated on West Kenia.

As regards the mention of the "ordinary gazetted rates of timber" in the memorandum of proposed conditions, Mr. Ellis enquired whether this indicated the existence of rights to enter the area and to cut the timber on payment of such rates. Mr. Butler said that

that the gazetted rates applied to the whole Protectorate, and he did not think that they had any special significance as regards Kenia Forest.

Mr. Stubbs referred to the timber working conditions according to which the rent would be constantly diminishing. Mr. Butler pointed out, however, that the rent was deducted from the royalties and was destined, not so much for purposes of revenue as to ensure the working of the concession.

Mr. Butler stated that it was not possible to make applications for very large areas on Kenia until further arrangements with the Government. A despatch was being sent to the Government on the subject. The present proposition is, however, of a moderate proportion, and he, therefore, considered that it afforded a good opportunity for getting the Forest sample.

It was then Resolved that:

The Committee recommend that the Concession should be approved on the conditions proposed in the proposal by the Conservator of Forests, subject to the following conditions: that no special transport arrangements will be required; that the Conservator is in a position to arrange for such transport as may be necessary.

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Rent.

One coupe per acre per annum of unworked forests; the amount paid as rent in any one year to be deducted from the Royalties paid in respect of that year.

Period.

10 years. If a further area of 2,000 acres be taken up the period to be extended to 20 years.

Royalties.

The ordinary gazetted rates of timber to be paid.

A saw mill capable of cutting 4,000 superficial feet per diem to be erected within the first year of the lease.

The area to be divided into 200 acre coupes.

Felling to be conducted in one coupe at a time.

After all the exploitable timber has been removed from a coupe, that coupe shall revert to the Forest Department and no rent shall be paid in respect of it.

Only marked trees to be felled.

The trees will be marked on a basis of a 30 year rotation.

As a general rule no sound tree under 12 inches in diameter at 5' 3" from the ground will be marked.

Payment.

All trees to be paid for when they are marked; all trees will be measured from the base at ground level.

Allowance will be made for taper, buttresses and hollowness.

In the event of the lessee not being satisfied with the accuracy of the measurement of any tree, he shall be at liberty to fall it - having previously paid for it - and when felled the tree may be re-measured and if necessary the account adjusted at the time of the next payment for marked trees.

In no case can any complaint as to the inaccuracy of the measurement of any tree be entertained once it has been removed from the place where

measured. In the event of any dispute between the lessee and the Government as to any tree cut under the terms of this lease, the decision shall be based on the stump.

ARTICLE 11

The Government hereby grants that of full and entire title to the lessee.

The Government shall have the right at all times to fell any tree or to remove any tree which may be required for public purposes.

The Government reserves the right to have the trees on the lease measured and to have the same marked at all times and to exercise any and all powers conferred upon it by law.

WITNESSED BY ME, the Governor, at Nairobi, this 9th day of August 1911.

Nairobi,

August 9th 1911.

GOVT. 31349 E. A. Protectorate.



Downing Street,

20 October, 1921

DRAFT

AFRICA PROTECTORATE No. *100*

Governor

Colonial Office, Downing Street

K.O.M.G., F.R.S., R.W.

MINUTE.

Sir,

Mr. Butler, October 1921.

Mr.

Mr. Fiddes

Mr. H. Just

Mr. J. C. ...

Mr. ...

Mr. ...

I have the honour to acknowledge the receipt of your despatch No. 480 of the 26th of August, and to inform you that I approve of your proposal for the ... Lord Cranworth has ... the terms which you recommend provided that no special transport arrangements will be required for the working of the concession, or that Lord Cranworth is in a position to arrange for such transport as may be necessary.

I have, &c.
(Signed) L. HARCOURT.

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REC'D
27 SEP 11

GOVERNMENT HOUSE,
NAIROBI,

BRITISH EAST AFRICA

August 28th 1911.

EAST AFRICA PROTECTORATE.

No. 480

(Auc 1-1)



SIR,

1. I have the honour to inform you that Lord ... forest concession on ...

2. He suggests that the concession should cover a period of 21 years, and that the area should be one of 2,000 acres, with a two years option on an adjoining 2,000 acres, at a rate of Re.1/- per acre.

3. This project is quite different to that embracing the general development of the forests, and the application is made with a view to meeting the local wants of certain ... The area proposed is small compared with those asked for by large concessionaires and is situated near the ... reserve.

4. I enclose a copy of the conditions proposed by the Conservator of Forests. I am in accord with them, but in view of the fact that questions concerning larger concessions have been laid before you,

THE RIGHT HONOURABLE,

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

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET,

LONDON, S.W.

you, I have thought it advisable to seek your
opinion in this matter also.

I have the honour to be,

Sir,

Your humble, obedient servant,

GOVERNOR