



Chause, the right to all minerals  
found in private estate belong to the  
owner of these estate subject to a  
10 per cent ad valorem duty, but in the  
land which private estate the minerals  
belong to the Uganda administration

I have not sufficient information  
as to the conditions of the private estate  
of Madamunder but I think the best policy  
the settlement arrived at in the Uganda  
Case could be fairly applied to the Uganda  
Case also - the only objection I think  
we could advance here is that of applying  
to the fact - but as to future  
prejudice of law I am afraid that  
the mineral rights of the estate  
should be reserved

The only other case that occurs to  
me of similar circumstances is that of the State  
which possesses is that of the State  
There is little to land, however, subject

rights only; and, as agricultural  
land may be mined except under  
special sanction (the section 10 of  
of the land land Enactment 1905),  
but according to the High Court  
of land time, all land belongs to  
the State and the private estate  
rights

Reply to you on this line,  
and kind wish of you to be well  
for long time and the best  
very love to you

MW 25/2

Mr. Bialer

A few days ago you asked me to have a look at  
this paper.  
The Foreign Office letter is rather curiously  
worded and is very vague. I gather that certain private  
land owners in the coast strip have objected to the  
Government of the East Africa Protectorate claiming the  
right

right to dispose of minerals ~~over~~ their lands, and that an attempt is being made to settle the question by reference to the rights in ~~each~~ minerals which may be presumed to have been transferred by the Sultan of Langibar to the Protectorate Government when the coast strip was handed over. The Foreign Office letter, however, appears to ask not what were the rights so transferred, but what mineral rights should now be claimed by the Sultan in Langibar and Pemba.

It is provided in the agreement between Great Britain and Langibar dated the 14th of December 1890 that officers appointed by His Majesty's Government (that is, officers of the Government of the East Africa Protectorate) shall regulate questions affecting lands and minerals in the coast strip. It is none the less necessary, of course, to enquire what rights of regulation the Sultan actually possessed and transferred to His Majesty's Government.

I am not certain what the Foreign Office mean by the words "in similar circumstances" in the last paragraph of their letter. In any case I am unable to suggest any precise or any useful parallel to the present situation in regard to Langibar and Pemba or in regard to the coast strip. I think, therefore, that it would be best simply to reply to the Foreign Office that it is the practice in the Protectorate in East Africa, controlled by this Office, when making grants of Crown land for other purposes than those connected with mining and minerals, to reserve ~~and~~ mineral and mining rights; and leave them to make of this reply what use they may find possible. Whatever attitude they may now decide to take with regard to the mineral rights of the Sultan in Langibar and Pemba, it would not appear that they are any nearer solving the problem what rights the Sultan actually possessed and

transferred

transferred in respect of lands in the coast strip now  
 owned by private owners. We might, at the same time,  
 send a copy of this correspondence to the Governor of  
 the East Africa Protectorate so that, if they wish, to  
 lay the case before us they may be able to state it in  
 some more lucid form.

21/3  
 20 March 20

Dear Sir,

The various copies of the 20 letter (puzzled me) but it is  
 clear that the question having been raised in the  
 context of ~~lands~~ as to the Sultan's right to minerals here  
 and west of it, is presumably transferred to  
 the Sultan. We will ask you to advise them with  
 regard to the same question as it affects Zanzibar  
 (as far as we know) and we will send a general  
 answer as he prefers (without any reference  
 to similar circumstances or any suggestion  
 of specific parallels).

21/3

H. J. R.

20/3

above 21/3

FOREIGN OFFICE,  
February 9 1911.



C O  
4250

Sir -

I am directed by Secretary Sir Edward Grey to state that His Majesty's Agent and Consul General at Zanzibar has been approached by the Deputy Governor of the East Africa Protectorate in regard to the question of whether the Sultan of Zanzibar claims rights over metals and minerals within His Highness' territories. Mr. Hobley states that this right has been challenged by the Mahomedan landowners in East Africa.

In referring this matter to Sir E. Grey, Mr. Clarke states that the question has never yet been raised in regard to Zanzibar and Pemba and that the Legal Member of Council in Zanzibar has no information which would enable him to advise.

Sir E. Grey is of opinion that in the event of land concessions or certificates of title being granted in Zanzibar and Pemba the mineral rights of the Sultan should

be

Under Secretary of State,  
Colonial Office.

(3263/11)



be reserved but before replying to Mr. Clarke in this sense he would be glad to learn what view has been taken by the Colonial Office in similar circumstances in other British possessions.

I am,

Sir,

Your most obedient,

humble Servant,

W. Langley



~~1876~~

27 March 1876

Dear Sir

I have the honor

to thank you for  
your information

~~concerning the~~

~~matter of the~~

the accompanying copy

of the letter of the 9<sup>th</sup>

relation to the question

of the rights of the

Sultan of Larabou

and his subjects

whom you have

kindly mentioned

I

at Camp

at the 1<sup>st</sup> Regiment

1876 3/3

to the 4<sup>th</sup>

~~1876~~  
~~27<sup>th</sup> March~~