

EAST AFR. PROT.

DOMESTIC

23617

561

No. 23617

Recd
4 JUL 07



Individual

(Subject.)

Land

Application for Transfer of Land

1907

Furnishes information called for as to land at present held and work done.

previous Paper.

10003

(Minder)

Mr. Hunt

I think we may accept their statements as true

The report is that Lord Huntly & Lady Huntly hold jointly with Mr. & Mrs. Fergus 40,000 acres of land. He does not state how much is freehold & leasehold respectively, & I cannot identify the Fergus holdings in our returns, but we shall not be far wrong if we put down 7000 as freehold and 33,000 as leasehold (99 years). The statement does not include

22 July 1907
2 July 1907
2 July 1907

Other Out Paper

the application by the Syndicate, of
which Lord Woodlip & Mr. Faucon
are members, for 200,000 acres on
the Tona. That can be dealt
with separately on its merits.

The only question now before us
is whether ~~he shall~~ Lord H. shall
be allowed to retain the 5,000 acres
~~except~~ (4,000 leased & 1,000 freehold)
of which the transfer has not yet
been approved.

I think it may be allowed in view
of the fact that ^{he} he has spent
£13,400 on ~~the~~ ^{his} property (including
rent & purchase money.)

It will be remembered that Lord
Delamere was allowed to increase
his holding of land up to 161,000
acres on the ground that he had
spent £40,000 in the last 2½ years.

2 Telegram to Gov. approving
the transfer, and in informing
Lord H. inform him (as we

informed Lord Selkirk that
no further transfer of property
to him or to his partner Mr
Fergus can be allowed at least
for some considerable time.
I had sent copy recap to you
explaining the grounds of the
decision.

562

18th 4/4

So, I think the papers shall
go to the A.C.'s safe & never out of
it - 1849 25

H. J. R.
27

Lord Selkirk is doing
much more than most of the
settlers and deserves to be
encouraged. I do not think
that we need say anything
about not allowing further
transfers. He will understand
that his opinion will not be
found out easily.

Mr. Amable
Mr. Fergus

18th July 6.

J. H. 97

C O
23617

553

RECEIVED
JUL 4 1907Kindip Hall,
Worcester.

July 3rd, 1907.

Sir,

In reply to your letter of June 28th, and following my conversation this afternoon with Mr. Ancrebe, I beg to enclose the information asked for by Lord Eigan.

As I pointed out to Mr. Ancrebe, the Sotic or Kistum land under discussion has been occupied and worked by my employees for the last twelve months, and has more value to me than is apparent. It is at present isolated and will, I think, always be more or less so, owing to its being surrounded to a great extent by forest. Also it is 30 miles distant from Njoro through forest (Mau) and therefore, in case of an outbreak of disease, it would be possible for me to move stock from close to the railway, and possibly in an infected district, to this Sotic land without going on other persons' land. Also I consider that this land in question is at present useless to a small tiller, as it is too far off the railway and is not a commercial proposition except when, as at present, worked in conjunction with other properties. I enclose copies of two letters from my Solicitor in Nairobi which will show that I have paid him certain sums for payment to Government as long ago as April, 1906. At this time I was under the impression that Government was satisfied.

It may possibly be argued that 40,000 acres is a large area, but I will point out there are several persons interested. Eight whites are engaged at present, two more will probably be engaged shortly as we consider them to be necessary.

Again, the land is not all in one block, and for these reasons - coffee, for instance, grows in the Nairobi district but

THE UNDER SECRETARY OF STATE
Colonial Office,
London.

at Njoro, the same applies to sisal and other sub-tropical products. Njoro is, I consider, more suitable for cattle and pig raising, etc., and we do not wish to have all our eggs in one basket - that is the reason why we do not want all our land in one block. The portion of the 10,000 acres granted to me in 1904 is to some extent useless because of want of water, rocky ground, etc., but it is useful to me and I wish to have it and pay rent, because I do not want to run the risk of having anyone with diseased stock, so to speak, inside my area, or, possibly, a cantankerous person, who would possibly make himself objectionable in the hopes of being bought out at a profit.

To see the full force of these arguments, these statements should be read in conjunction with the map. I would point out that we are still spending money freely, and when certain things occur, such as the Bacon Factory proposed by Mr. Goldmann and his friends, we are prepared to go in largely for hog raising for his factory. But I need hardly point out that we cannot go in heavily for this at present till we have an outlet, not only for lack of market, but also from a danger of swine fever.

It will be seen from our Accounts that something like 6/6 per acre has been already spent, while in granting grazing areas of 5,000 acres the grantee is only expected to possess 4/- an acre. I enclose a copy of the Balance Sheet up to December, 1906, and any further information which may be required I shall be happy to get.

Yours faithfully,

Richard Hann

It has been decided to purchase further land in the area £800 has been set aside for the purpose of £200

20/10
e o. 565
23617

Nairobi,

East Africa.

4 JUL 07
April 6th., 1906.

Dear Lord Hindlip,

Neilson's Land

There is now Rs. 1,047 due to the Land Officer for purchase money, stamp duty and registration fees on the thousand acres freehold.

There is also a sum of Rs. 289 due for rent, stamp duty, registration fees, &c. on the four thousand acres leasehold.

In addition to the above sums I will require about Rs. 80 for the expenses of transfer of this land to you after you leave East Africa.

Yours very faithfully,

(Sgd.) B.G. ALLEN.

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23617

565

Nairobi
East Africa
April 6th., 1906.

Dear Lord Hindlip,

Believe me yours to you.

I beg to acknowledge receipt of your cheque for
Rs. 1415 on account costs and expenses to be incurred in
above matter.

Yours very faithfully,

(Sgd.) B.G. ALLEN.

BALANCE SHEET, 31st. December, 1906.

Cash in Hand, British East Africa.....	9	2	8		
Cash at Bank do.....	153	18	8		
do. London.....	140	17	7	313	18 11
Sundry Debtors in British East Africa.....				222	6 8
Lord Hindlip.....				100	0 0
Live Stock.					
Kishoto.....	3,151	12	0		
Sotik.....	369	6	8	3,510	18 8
Dead Stock.					
Kishoto.....	1,837	1	4		
Sotik.....	161	13	4		
Nakura.....	50	0	0		
Ruera.....	50	0	0	2,098	14 8
Potatoes in British East Africa. Being purchase price with cost of free-holding, survey, general development and expenses to date added.					
Kishoto.....	4,965	7	11		
Sotik.....	279	3	9		
Nakura.....	404	4	2		
Ruera.....	100	16	2		
Nairobi.....	93	1	2		
Landeani.....	29	14	11		
Thika.....	59	9	10	5,951	17 9
Preliminary Expenses.....				165	0 0
Sundry Expenses paid in advance.....				87	10 0
Sundry Expenses to date in England.....				88	17 5
Sundry Expenses in British East Africa, say.....	233	0	0		
Less Sale of Produce.....	233	0	0		
				12,539	4 1

Copy.

Nairobi,

East Africa,

25, April, 1907.

Dear Lord Hindlip,

Edwards, Neilson and Mrs. Bartlett and You.

I enclose copy of a letter dated the 22nd. inst. which I have written to the Land Officer regarding the great delay in consenting to transfer the farm in above matter to you.

The letter sufficiently expresses itself, and I think you might perhaps communicate with the Colonial Office officials and endeavour to push them on a bit from your end.

Very faithfully yours,

(Sgd.) B.G. ALLEN.

Copy.

22nd. April, 1907.

Sir,

Messrs. Edwards, Neilson and Mrs. Bartlett to
Lord Hindlip.

I have the honour to acknowledge yours of the 17th. instant No. 1486, and I am greatly astonished at the lengthy further delay now proposed before giving the definite reply to my letter of the 3rd. November last requesting permission to transfer this land.

It is almost exactly 6 months since I first applied for consent to transfer. I have called repeatedly at your office with reference to the delay, but failed to obtain any satisfactory explanation thereon until my visit of the 20th. February, when you informed me that the delay was caused owing to the difficulty the Sub-Commissioner of Kisumu found in deputing any officer to make a report as to the development which had been effected by the Vendors on the land to be transferred.

I immediately informed you that I would admit that no development had been done other than the grazing of cattle on the land as permission to transfer was applied for almost immediately after the lease from Government had been obtained by my clients and it was therefore unnecessary to wait many months for the report from the Sub Commissioner of Kisumu. In order to facilitate matters I lent you the original lease to Messrs. Edwards Neilson and Mrs. Bartlett as the Government's counterpart was at Kisumu, and I certainly understood from you that as soon as you had perused the lease and satisfied yourself that the interval was very short between signature of the lease and application for consent that the consent would be granted.

Now after two months' delay you write me that it is first necessary to obtain a report on the amount of development effected by Lord Hindlip on the land at present held by him and then refer the matter to the Colonial Office. If this is necessary it is impossible to understand why you did not have it done 6 months ago.

I have to point out that from my own knowledge of the practice of your Department it is entirely a new departure to institute an inspection into the business of a proposed purchaser before allowing a transfer. Hitherto it has been thought sufficient to ascertain what development (if any could be insisted upon) had been effected by the Vendor of the land proposed to be transferred and whether the proposed purchaser had sufficient means to carry out the obligations of the lease.

You can have no reasonable doubt but that Lord Hindlip is possessed of £1,000, the amount which your Department requires the purchaser or lessee of 3,000 acres to own, and I have shown you at our personal interviews and in my letter of the 20th. February last that the Vendors could not be expected to have effected any development on the land to be transferred between the date of the lease and the application for consent to transfer. Why Lord Hindlip should be put to this enormous delay and annoyance is inconceivable to me.

Unless I learn that the consent has been granted within 48 hours, I shall consider it my duty to send a certified copy of the correspondence and a note of my various interviews(?) at your office to Lord Hindlip by the next mail in order that he may take such action as he thinks fit in the matter.

As everyone in the country is aware of the large amount of money expended by Lord Hindlip on his Njoro properties and the very considerable development already effected thereon, it is very difficult to believe that there is any necessity for a report as to the development effected on Lord Hindlip's properties, even if such development could legitimately be considered a feature in granting the consent asked for in the present case.

I must ask you to be good enough to return the original lease at once.

I have the honour to be, Sir,

Your obedient servant,

(Sgd). W.S. ALLEN.

July 3rd 1907

571

In 1904 I purchased from Messrs. Scooper and Buckley 6000 acres of land with improvements at Njoro.

In 1904 I was granted 10,000 acres adjoining.

In 1904 Lady Hindlip was granted 4,000 acres at Nakuru.

In 1906 Lady Hindlip was granted about 3,500 acres at Nakuru.

In 1906 I purchased from Mr. Neilsen, who had been resident on the property for some time, 5,000 acres on the edge of the Sotik country alluded to as Kisaumu in the Colonial Office letter of June 28th. 1907.

In 1906 Mr. and Mrs. Fawcus were granted 4,500 acres at Londiani, 5,000 acres at the Thika River and 1,000 acres adjoining Lord Hindlip at Njoro.

Mr. Fawcus also purchased 640 acres at Rawa from Mr. Tyssen, and half share in 1,013 acres near Nairobi jointly with Mr. Watkins from Mr. Rayne.

Subsequently in 1906 Mr. Fawcus and I agreed for greater efficiency and economy to work these properties jointly, and we accordingly registered a private company, in which we and our families hold all the issued shares; this company has worked the united properties since March 1906.

These comprise the whole of the land which I jointly own in British East Africa, viz., 39,506 acres of grazing land and 640 acres of agricultural or homestead land.

The enclosed statement of accounts shows the money which was expended upon the properties up to December 31st. 1906. Since this date approximately a further sum of £800 has been spent, making a total of £13,400.

The cultivation and development which has been carried out consists of inter alia:-

The importation of:-

- 4 English horses and mares.
- 2 English Stallions.
- Approximately 36 other horses from India and Somaliland.
- 4 English Bulls.
- 6 English Sheep.
- 8 English Rams.
- 4 Berkshire Boars.
- 6 Berkshire Sows.
- A quantity of turkeys, Geese and other English fowls.

There are also on the property approximately:-

- 350 Cows and Calves.
- 100 Bulls and Bullocks.
- 300 Native Sheep and Goats.
- 20 Donkeys.
- 100 Pigs.

A large quantity of Roofing, Cement, Piping, Timber and other building materials and agricultural and other implements, fencing, Dairy Machinery, Seeds, Saddlery, Harness, Carts and Wagons, etc. have also been imported.

There are at present on the various properties, 7 dwelling houses for Europeans, numerous huts for natives, 3 dairies, one fitted with a complete cheese-making plant, 4 large cattle bomas, 2 sheep bomas, 2 pig houses, 2 large stables, workshop, and numerous subsidiary buildings.

A considerable area, approximately 1,750 acres, has been fenced, of which approximately 250 acres are under general cultivation, including Coffee, Sisal, Potatoes, Indian Corn, etc.; 300 acres are planted with Black

Wattle; upwards of 1,000 fruit trees have been imported from England and Cape Colony, and two orchards have been formed, two more being in the course of formation.

Kitchen and Ornamental Gardens have also been formed and a number of ornamental trees and shrubs have been imported from England and South Africa for the general improvement of the properties; approximately 6 miles of roads have been cut.

There are an average of 10 white men and 1 white woman (dairymaid) employed on the properties; this number is at the moment temporarily reduced to 8, but will shortly be increased.

From the above statement it appears that we have already expended in development about 75% above the amount fixed by the grazing land regulations on the area which we have, including the piece under discussion.

I should also point out that it is more than a year since I bought this Setik or Kisumu land and commenced to work it, since which time a considerable sum has been expended in buildings and other developments. There are at present two white men working on the property.

Handwritten signature

DRAET.

Handograph
" July 07

Telom to Padher
Nairobi

had
Padher

referring to yr telom

MINUTE.

- Mr. Whe 11/4
- Mr. Read "
- Mr. Just.
- Mr. Antrobus.
- Mr. Co.e.
- Mr. Lucas.
- Mr. F. Hopwood.
- Mr. Churchill.
- The Earl of Elgin.

14154

85 Handgraph

sent with
11/7/07
17/15/07

transfer sanctioned

Whe

Telom 4 2 Pfts

(Pl. to write Bureau after
disputed League)

29614

A.P.

578

Telegraph
11 July 07

DRAFT.

Tel. to Pather
Nairobi

Ind
Pathos

referring to yr tel
85 Handwritten

MINUTE

Mr. Whe 11/7 14154
Mr. Read " "

Mr. Just

Mr. Antrobus

Mr. Cor

Mr. Lucas

Sr. P. Hopwood

Mr. Churchill

The Earl of Elgin

sent with
11/7/07
11:15pm

transfer sanctions

Whe

Tel. y 2 Pft

Pf to Ant's Branch after
(disputed lineage)

C.D.
"12"

12 July 07

Received



The Lord Hindley

My Lord

I am directed by the East of Africa Office and the receipt of your letter of the 3rd of July and to inform you that in view of the considerations which you put forward A.L. has telegraphed to the Govt of the S.A.P. affirming of the transfer to you of the 5000 acres of land in the Polish country which you have purchased from Messrs. Edwards Wilson & Birchall

L.P.O.

S.A.P. No 387

Your Col. Pether

MBC 11/4

W.S.P. 11/4

C.O. 19 May

~~Land Hindley to P.P.~~

~~C.O. to Land Hindley 10 June~~

~~Land Hindley to P.P. 5 July~~

~~P.P. to Land Hindley~~

~~C.O. to Land Hindley~~

575

12 July 07

Received

Since then the same has transmitted to you in confirmation of my letter of the 11th inst the accompanying copies of newspaper with Land Hindley on the subject of the transfer to him of 5000 acres of land in Polish.

In view of the fact that Land Hindley has spent a large sum of money on the starting of development of his land I ultimately

decided, soon Lord Selkirk
-mizes case, that the
transfer might be
allowed: but I feel
afraid of your action
in removing the question
for my decision

R