

DESPATCH

EAST AFR. PROT.
No. 13511



13511
APR 08

No. 134

(Subject.)

1908
Mar 24

Fibre Concession to Messrs Harrison & Langridge

previous Paper.
30092/1

Sends letter from Comtee of Heads stating terms on which concession shd. be granted. Submits advice & asks that the proposed concession, which is within a habitable reserve, may not be regarded as a precedent. Tel reply requested.

(Minutes.)

Mr. Read

The terms are the usual ones in grants of this nature & the only doubt is whether the fact that the area proposed to be leased is in a native reserve shd. be an obstacle to allowing the lease.

In view of possible Party questions I am inclined to telegraph asking the views of the reserve in question & the views of natives occupying it.

Subsequent Paper.
3006

H. de la Roche

Yes. I am very doubtful of the
desirability of making any part of a
natural reserve, would say so to the Gov^t. It
seems to me, to be a certain trouble. The
case of ~~the~~ ~~land~~ ~~was~~ before the
Commission.

H. de la Roche

22/4

Yes. It is for the Gov^t

At 25

at once

1351
Governor's Office,
Nairobi, 15 APR 08
March 24th 1908.

No. 134

(Encl. 1)

305

My Lord,

With reference to Your Lordship's telegram of the 20th of August last, I have the honour to inform Your Lordship that Messrs. Harrison's and Langridge's applications for fibre areas have now been considered, and I transmit herewith a copy of a letter from the Commissioner of Lands setting forth the terms on which this concession should be granted.

2. The delay which has occurred in arriving at this decision is due to the fact that the land applied for is in a Native Reserve and it was necessary to make very full inquiries before committing ourselves to any concession.

3. Inquiry has, however, elicited the fact that although the land is in the Mumbwa Reserve, it is not occupied, and the nearest village is distant some eight miles from the boundaries of the proposed concession.

Under these circumstances and as the concession involves no alienation of land, no objections need be raised on this score, but I would ask Your Lordship that the grant of this area within a native reserve may not be taken as a precedent for future concessions.

5.

H.M. PRINCIPAL SECRETARY OF STATE

FOR THE COLONIES,

DOWNING STREET,

LONDON, S.W.

Commr. of Lands
March 9th

no. 24528

5. It will probably be necessary for the lessees to provide some bridge, ferry or cableway to transport their produce across the river. I am of opinion that a clause should be inserted in the lease securing the free use of this bridge, ferry or cableway to the Government and the public; no question of toll should be allowed to arise and the right of crossing should, of course, also include a right of way through the concession to and from the wharf.

6. I would also invite Your Lordship's attention to the last paragraph of Colonel Montgomery's letter, asking that Your Lordship's instructions may be conveyed by telegram.

I have the honour to be,
With the highest respect,

My Lord,

Your Lordship's most obedient,
humble servant,

J. H. C. Buller

Office of the Commissioner of Lands,
Nairobi.

307

Your Excellency,

Last day Messrs. Laneridge and Harrison applied each for a grant of 50 square miles of fibre producing land near Makindu.

2. Most of the area sought is situated in what is still the ritual closed district, but local enquiries have shown that no natives are occupying it. Mr. Rowell of the Agricultural Department, who inspected the land, stated that he saw no natives on it: and the last report by Mr. Chamier, Assistant District Commissioner, states that the nearest native village is situated several miles from the limits of the area asked for. If then no natives are concerned it would appear that the land is available for allotment. The reports of local officers are for areas held by the Honourable the Secretary for Native Affairs may express opinion.

3. The land has also been inspected by an officer of the Agricultural Department, who

IN EXCELLENCY,

is

THE GOVERNOR,

B.E.A. PROTECTORATE

NAIROBI.

(through the Honourable the Secretary for Native Affairs).

His Excellency, 2.

is of opinion that under existing conditions the land is of a ~~very poor~~ it bears the wild ~~produce~~ in production. Mr. Powell's report is annexed.

4. I rather that the whole area is covered with thick bush, as is so much of the land in this part of the Protectorate; and there is no real forest at all.

Some time ago I requested the opinion of the Chief Conservator of Forests on the general policy to be followed in the grant of these large fibre areas. He has lately written to me on the subject, and I am addressing Your Excellency separately on it. In the present case as there is no real forest there would appear to be no good reason for departing from the usual conditions, which while reserving all forest produce, allow the lessee to obtain any wood growing on the land free for the purpose of his home fire business, provided it is cut in accordance with the directions of the Forest Officer.

5. My opinion is that the concessions sought on the present bases may be supported on the usual terms, which are as follows for each area of 50 square miles:-

- (a) The Government reserves all mines and minerals and all trees and seedlings, timber, rubber, gum.

His Excellency. 3.

and, bushes, plants, and all forest products.

- (b) The tenant to pay 25% royalty on all produce for the first two years, and 10% afterwards.
- (c) The tenant shall collect and cultivate fibre producing plants.
- (d) Work must be begun within 6 months of the date of the lease, and spend not less than £2500 on the business within 5 years.
- (e) The tenant to deposit £1000, which will be refunded when he has spent £2500 on the business.
- (f) The tenant may construct tramways and put up machinery, use the water of any river in the area leased, and fell trees for fuel and plant, provided that they are cut as directed by the Forest Dept.
- (g) The Government may reserve any land which does not produce *Casearia* fibre.
- (h) The lease to be for 25 years at a yearly rent of £50, that is at £1 per square mile.

6. The Agent on the applicants requests that the papers of the Colonial Office may be conveyed to this country by telegram, the cost of which he is prepared to defray.

I have the honour to be,

Your Excellency's
most obedient servant.

J. H. Guinness

Commissioner of Lands.



For 13571

211

310

Sent 3.45 pm

W.R.M.
24/4

Key

ansd 1906

Arbitary
24 April '08

DRAFT

Tolson
Sullivan
Kearney

MINUTE

Mr. ~~W.H.~~ 24/4

Mr. Reed 24

Mr. Just.

X Mr. Andrews 24 f.

Mr. Cox

Sir C. Lucas

Sir F. Hopwood

Mr. Churchill

The Earl of ...

for ...

Daypeape
referring to your des No

104

Soldier
what is

archducal reunion
area of

and of
affairs

localised
estimated numbers of
natives groundrents
in it

testimonial
it appears to me
desirable
undesirable to



for
1906

211

310

Sent 3.45 PM

W.B.M.
24/4

May

Arbitrage
24 April '08

DRAFT.

Tel.
Parker
Nairobi

ansd 1906

Daypeaps
referring to your despatch

MINUTE.

Mr. ~~W.B.M.~~
Mr. ~~Head~~ 24

104 Podden
what is

Mr. Just.

X Mr. Antrabus 24

Archducal renewal
area of

Mr. Cox.

and of of
of of

Sir C. Lucas.

Sir F. Hopwood.

Mr. Churchill.

The Earl of Elgin.

located
estimated numbers of
natives groundwater
in it

for exam

Antimonial
it appears to me
desirable
undesirable to.