

in a legal form of existing facts,
that it might be twisted by
malicious people as to appear
as if of oppression

Oppress the government
yourself transfer to F.O.

LF
1902 1/2

252 1/2

1902 June 3
at once

123
1898

May 2nd 1898

EAST AFRICA PROTECTORATE

(CONFIDENTIAL)
(189123)

AGREEMENT

My Lord

In continuation of the correspondence ailing
with my Lord's Confidential of the 2nd date
regarding the position of the Sultan of Zanzibar
the Honour to inform your Lordship that the
aforesaid Sultan has agreed to negotiate with the
Governments of all public and not privately
owned lands in the Sultan's territories together with the mineral
rights in His Majesty's territories.

2. A copy of the instrument which has been
signed in duplicate by the Sultan in both English and
Swahili is enclosed. The purport and object of the
instrument was carefully explained to the Sultan on the
14th April, the day I reached Zanzibar, and a translation
in Swahili was given to His Highness and both texts
were readily signed on the following day by His
Highness who told me that he had quite anticipated an
agreement of the nature being arrived at.

I have the honour to be,
MY LORD,
Your most obedient
and humble servant,

Handwritten signature

FOR THE GOVERNOR

19723

Governor's Office

28 MAY 06

May 2nd 1909.

EAST AFRICA GOVERNORATE.

(CONFIDENTIAL (M))

(Incl. 2)

My Lords,

In continuation of the correspondence ending with my despatch confidentially to the Sultan regarding the cession of the Sultan of Swahili I have the honour to inform you that I have the pleasure to report that a treaty has been concluded between the Sultan of Swahili and the Government of East Africa for the cession to Government of all public and not privately owned lands in the Sultan's territories together with the mineral rights in His Highness' territories.

Agreement

A copy of the instrument which has been signed in duplicate by the Sultan in both English and Swahili is enclosed. The import and object of the instrument was carefully explained to the Sultan on the 24th April, the day I reached Zanzibar, and a translation in Swahili was given to His Highness and both texts were readily signed on the following day by His Highness who told me that he had quite anticipated an agreement of the nature being arrived at.

I have the honour to beg to remain, My Lords, with the highest respect,

My Lords,

Your Lordships' most obedient,
humble servants,

Handwritten signature

H. H. PRINCIPAL SECRETARY OF STATE
FOR THE COLONIES
C. W. ST. JOHN
LONDON, E.C. 4.

R.

INCLOSURE

APR 30 1907

CONCESSION.

Given by His Highness Omar bin Mahomed, Sultan of Witu
to the Government of the British East Africa Protectorate.

PREAMBLE.

WHEREAS HIS HIGHNESS THE SULTAN has power and authority to
dispose of all public lands in His Highness' territories
and all other land not privately owned in the aforesaid
territories AND WHEREAS His Highness the Sultan has subject
to the rights (if any) of His Majesty King Edward the
Seventh, the right to search for and work, or to regulate, lease
or assign in any part of His Highness' territories any mines
or deposits of lead, coal, iron, copper, tin, gold, silver,
precious stones or any metal or mineral or mineral oils
whatsoever.

AND WHEREAS His Highness the Sultan has agreed to grant and
convey to the Government of the East Africa Protectorate ALL
public lands and all other lands not privately owned in His
Highness' territories and all mines or deposits of lead, coal,
iron, copper, tin, gold, silver, precious stones or any metal or
mineral or mineral oils whatsoever in any part and every
part of His Highness' territories together with the exclusive
right to search for and work or to regulate, lease or assign
the same AND WHEREAS the Government of the East Africa
Protectorate has agreed to accept the aforesaid grant and
conveyance and has agreed to grant to His Highness the
Sultan in consideration thereof the sum of nine hundred
pounds sterling.

19723

476

INCLOSURE

30 MAR 1918

CONCESSION.

given by His Highness Omar bin Abdallah, Sultan of Witu
to the Government of the British East Africa Protectorate.

PREAMBLE.

WHEREAS HIS HIGHNESS THE SULTAN has power and authority to
dispose of all public land in His Highness' territories
and all other land not privately owned in the aforesaid
territories AND WHEREAS His Highness the Sultan has subject
to the rights (if any) of His Majesty King Edward the
Seventh, the right to search for and work, or to regulate, lease
or assign in any part of His Highness' territories any mines
or deposits of lead, coal, iron, copper, tin, gold, silver,
precious stones, or any metal or mineral or mineral oils
whatsoever.

AND WHEREAS His Highness the Sultan has agreed to grant and
convey to the Government of the East Africa Protectorate ALL
public lands and all other lands not privately owned in His
Highness' territories and all mines or deposits of lead, coal,
iron, copper, tin, gold, silver, precious stones, or any metal or
mineral or mineral oils whatsoever in any part and every
part of His Highness' territories together with the exclusive
right to search for and work as to regulate, lease or assign
the same AND WHEREAS the Government of the East Africa
Protectorate has agreed to accept the aforesaid GRANT and
CONVEYANCE and has agreed to grant to His Highness the
Sultan in consideration thereof the sum of nine hundred
pounds per annum.

ARTICLE I.

HIS HIGHNESS the SULTAN grants and conveys unto the Government of the British East Africa Protectorate ALL public lands and all other lands privately owned within the territories of His Highness the Sultan that the said Government may hold the same unto and to the use of the said Government and its successors for ever.

ARTICLE II.

HIS HIGHNESS the Sultan grants and conveys unto His Government of the East Africa Protectorate all mines or deposits of lead, coal, iron, copper, tin, gold, silver, precious stones or any metal or mineral or mineral oil whatsoever in any and every part of His Highness' territories together with the exclusive right to search for and work mines and to regulate, lease or assign the right to search for and work the same that the said Government may hold and enjoy the same unto and to the use of the said Government and its successors for ever.

ARTICLE III.

IN CONSIDERATION of the foregoing concessions the Government of the British East Africa Protectorate agree to pay to His Highness the Sultan during the life of His Highness the sum of nine hundred rupees a year such sum to be paid out of the revenue of the East Africa Protectorate in each year in twelve equal monthly instalments payable on the last day in each month.

IN WITNESS whereof His Highness the Sultan has set his hand and His Excellency his Lieutenant Colonel Sir James Mackenzie G.C.B. Governor of the East Africa Protectorate has affixed his seal and signature in behalf of the Government of the British East Africa Protectorate on the 1st day of August 1914.

seal of the ~~XXXX~~ Protectorate to be ~~XXXX~~ to this
concession he also set his hand at Lamu in the said
Protectorate on the 25th day of April one thousand nine
hundred and

Signed by His Highness
Omar bin Mahomed Sultan of ~~XXXX~~ / Omar bin Mahomed
with in the presence of

Signed and sealed by Lieutenant
Colonel Sir James Hayes Sadler / J. Hayes Sadler
in the presence of

Signed in the presence of / G. M. Crisford.

In
19723/05
EAR

6

DRAFT

Earl of
Gow
Sadler

10 June 18

Sir,

- MINUTE 3/6
- Mr. Noall 5/6
- Mr. Ellis 11/5/05
- Mr. Jus
- Mr. Antrobus
- Mr. Cox
- Sir M. Lucas
- Sir F. Hopwood
- Mr. Churchill
- The Earl of Elgin

I have the honour to
ack. the receipt of your confidential
letter of the 2nd of May & to inf
you that I approve the agreement
with the Sultan of Wite
providing for the conveyance
to the feet of the Sultan of
all public lands small
residual rights in the
Sultanate

By

19723/05