

AFRICAN PROTECTIVE SOCIETY  
 COLONIAL OFFICE  
 PRINTED FOR USE  
 BY THE  
 COLONIAL OFFICE  
 No. 998

EAST AFR. PROT  
 43559

43559  
 10 1913

Conf  
 163

1913  
 November

at previous Paper.  
 14195

APPLICATION FOR LAND

Copy of letter received from Dr Forbes with enclosed enclosures together with copy of letter from the Land Office and enclosures. Remains of a letter that no allotment should be made. Complaints of Dr Forbes' indignation that he was treated by him with disrespect or injustice. Would be glad if some reference is made to this in reply to memorial.

Letter to Dr Emerson

For Dr Forbes attaches great importance to Mr Randall's first land statement which he has now obtained. Mr Kelfield who is not recreationally inclined with Dr does not comment upon it. He dated May 30<sup>th</sup> and does not claim to be Dr's letter would be months before sending it in, but it is of interest as showing - of opinion - that the Land Office were closely concerned with the affair. He is dated that he said that Mr R. could get land in Kachipira after the measure had been passed after many & that he said tell his friends that they could get land there. He says R. saw the first opening upon & was surprised - so far as he himself was concerned with the matter - to have land for his stock as an interim measure.

Mr Kelfield

at Paper  
 14195

Comments on the statement had been obtained,  
especially as it appears that in January 1913  
he had expressed the view that the  
mistake had been due to Mr. Randall's  
contemptible & reprehensible bearing as a promoter.  
The Wright has himself appears to have been as  
sympathetic a listener as Mr. P. Girouard.

But in any case I see no evidence  
that a plea of official treatment was  
given. Mr. Randall held out for contiguous  
farms in Kentucky - he had been told that  
nothing could be done with that region pending  
the lease issue & mining & he, his friends  
must now work with other applicants  
under the auction system.

Regarding the two Governors, we know  
that Mr. Willfield has gone very carefully  
into allegations of verbal promises by Mr.  
P. Girouard & that when he has seen  
evidence of such a promise he has not  
hesitated to say that it would be carried out.  
We know, too, that the P. G. forged the  
facts to the point of land or timber or  
whatever in many cases, but only insofar  
as I have known, to their disadvantage  
never to one or other of the three men.

I do not say that Dr. Foster should  
be informed.  
(a) that the P. G. is satisfied that no  
promise was given which would justify  
Dr. Foster being allotted land, on other terms  
than those now in force for the  
Case of Government land.

Mr. G. says  
nothing

See 272/1/10

(b) that Mr. G. often to him, like other  
applicants, to bid at the Govt. auctions.  
(c) that the S. W. reports to note the tone  
of Dr. F.'s letter to the Gov. and his letter  
& is confident that at the interview in the  
May is no ground for the suggestion that  
at the interview in May the Gov. showed  
any lack of <sup>country</sup> regard ~~or~~ <sup>in</sup> used words  
reflecting on Mr. Randall's honour  
and that the Gov. for the land officers coming  
to Mr. Randall's statement, in order that  
it may be in full possession of the facts,  
any point not touched on  
I imagine there is a dispute between the  
land which Mr. Randall created & that  
on the same basis he had created - which  
he said he did not want.

Amk  
11/14

So far as I know of the facts  
as stated in the paper which I  
have tabbed on cannot help, perhaps  
being of  
at once  
H. J. R.  
1.1.14 4/14

p. 10

July 9, 1888

At Mr. Postlethwaite's request (see minutes on green paper) I saw Mr. A. J. West, secretary to Mr. Crozier, ~~at the~~ who is interested in Dr. Folger's case. He regarded Mr. Randall's statement as proving a promise but agreed that the evidence of Mr. S. Grouard & Mr. Barton Wright must be accepted. He urged that there had been a bona fide misunderstanding which had inflicted serious loss on Dr. F., that Dr. F. was a settler to be welcomed, both because of his experience & because of his medical qualification, and that the Govt might <sup>reasonably</sup> as an act of grace, reasonably find a middle course between granting the land on Chankipia alleged to have been promised and requiring him to bid at auction in accordance with the practice now in force. He asked whether it would not be possible to ~~buy~~ <sup>offer</sup> ~~at~~ <sup>an</sup> auction a farm in West Kenya - drawing attention to the fact that this alternative to Chankipia was stated by Mr. Randall to have been promised in Sept. 1874. The only alternative we have heard of from the Govt under the Grouard & Mrs. Plateau proposal mentioned by Mr. Barton Wright as having been ~~refused~~

113 Allen Street  
 Manhattan

refused by the Board. I do not believe  
exactly where this plateau lies, but it  
can hardly be the source of the West House  
alternative.

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I told W West that I would put  
his representations forward, & that he  
recognized that if Dr Forber's account  
of his loans was correct he had suffered  
Ostracism. But I pointed out

(1) that he himself had misgivings  
early in 1844, when apparently he had  
written further than selling his house,  
but that he had not contact to work for the  
result of his conference with the Board Office  
before going further.

(2) that it was not clear why, if he  
Roadell's statement <sup>of May 1842</sup> was conclusive,  
Dr J. had waited till Nov, before sending  
it in.

(3) that even if Mr R's statement were  
to be accepted, the promise would have  
been subject to the land being available  
which so far it has not been - & that  
I was not prepared to admit that the  
promise would have relieved Dr. Forber  
of his liability for £1000 at auction, as  
far as the 1842 one is really allotted, it is  
doubtful whether a promise would have  
been more than a promise to put his name  
on the list of applicants - i.e. conformity  
with the regular method of disposing of Crown  
land.

(4) that

copy  
1/37/41

(1)

(4) that the Resident & Mr. Jernister, who were  
on the same footing as Dr. Forbes, had no  
power he knew more to protest & were  
apparently prepared to renounce on their  
temporary form till they could bid  
for the land. They looked elsewhere, that  
it should be considered how far they  
too would have to be granted special  
treatment if any were given to Dr.  
Forbes, and that there might be many  
other cases in which people had incurred  
loss in the expectation of getting land earlier  
than was possible.

I told Mr. Burt that if the S. Off. decided  
before the question and the Gov. agreed  
to give special treatment by allotting a  
piece without auction he could not  
expect to get it without any premium,  
& that he would what price was R. 2 for  
an acre or £100 for a 3,000 acre farm.

We have already asked the Gov. to give  
us the Quarter 0.175's, committed on his  
Rundelinstaten & I should have  
preferred to commit reply before writing to  
him again. We might however tell him that  
representation has been made as to  
apparently  
Koffmann's recommendation, & the loss  
suffered by Dr. Forbes, rather than be under  
the impression of the fact that there are  
other

the costs being out of the same class &  
that there would be many other cases in  
which loss has been incurred though  
878  
it likely in allotting farms generally, it  
would be better to allot to Dr. Forbes  
at special price without auction, making  
it clear that if he still continues  
special treatment undesirable the  
S. Off. is not prepared to purchase him?

23/4/14  
I do not think that Dr. Forbes  
informs his case of the language in  
we propose to the Gov. and I  
agree with S. P. to the effect as Dr. Forbes  
amounting  
27.1.14

I agree that we should at least wait  
for the Laird's Officer's remarks. When we  
shall be able to judge - laid for the case  
of Dr. Forbes may be distinguished from  
others  
28.1.14

I agree with Sir J. Anderson  
6.29.1.14  
Best as proposed, but on present  
information I agree with S. P. of the  
Despatch  
8.30.1.14

Mr. Cohen's former secretary  
Chas. J. [unclear] 1916

get me as a memorial but had a  
copy of the petition about  
today morning, the petition about  
sent to the Dept, which is apparently  
the way to us through his former  
secretary, Mr. [unclear] at [unclear]

When have a brief statement of the  
to - Mr. Cohen is of interest  
of [unclear] as an old acquaintance, and  
of [unclear] to [unclear] report to

I have had but [unclear] had  
have not yet received the petition  
that he has thought not to

...of my ... about it as  
present. ... petition ...  
and you have ...  
could you ... for a ...  
... for ...

1775

Dr. O'Connell

... have been ...  
... I ...  
...  
...  
...  
...

...

Thanks. I am informed ...  
according. I cannot imagine ...  
...

Yr<sup>s</sup>

... I ...  
...  
...

The Petition enclosed in the Land Officer's letter No. L.3311 of the 24/25th January 1913, is the one dated 22nd January 1913 copy of which is enclosed in Dr Forbes' Petition dated 14th November, 1913.



Copy - in Road again

681

10 February 1904

GP. P. W. West  
Dear Mr. West

I am sorry I have  
not written to you before,  
with regard to S. Porter's  
application for land in the  
East Africa Protectorate. I  
said before the committee,  
here a summary of our  
discussion, but the Secretary  
of State has decided that  
the question of Co. is a matter

to  
further with the Governor  
shall be held over until  
we have the further information  
for which the State court <sup>has</sup> had  
already passed.

Yours faithfully

W. S. Hamilton

43559  
EAST AFRICA PROTECTORATE

CONFIDENTIAL No. 168

882  
GOVERNMENT HOUSE,  
NAIROBI, MOMBASA,  
BRITISH EAST AFRICA.

28th November 1913.



Sir,

With reference to your despatch No. 831 of December 5th, 1912, and connected correspondence on the subject of a verbal promise alleged to have been made by Sir Percy Girouard to Dr Forbes of land in Laikipia, I regret to have again to trouble you in the matter, which I imagined had been finally closed.

2. I transmit for your consideration, by request of that gentleman, copy of a letter dated November 14th, 1913, addressed to myself, together with an original memorial and copies of correspondence which were received as enclosures thereto. I also forward copy of a letter from the Land Officer, dated January 24th, 1913, with the enclosures thereto. I have not thought it necessary to return the memorial to Dr Forbes for reproduction in triplicate, as I believe that the single copy forwarded will be sufficient to enable you to arrive at a decision regarding his complaint.

3. During the first week in May last Dr Forbes requested an interview with me on the subject

THE RIGHT HONOURABLE  
LEWIS HARCOURT, P.C., M.P.,  
SECRETARY OF STATE FOR THE COLONIES,  
DOWNING STREET, LONDON, S.W.

19783-20

subject of his application, and saw me at Government House on May 7th. Having heard his exposition of his case, which added no information to that already recorded in the correspondence, I explained to him in clear terms that I was not prepared to make or recommend any allotment of land on the strength of an alleged verbal promise by my predecessor, adding that the reply which I was making to him was the same as that which I have given to numerous other persons who had claimed allotment for a similar reason. In answer to his representation that his was a particularly hard case, I told him that I had had to refuse in other instances in which the applicants had presented equally forcible reasons, and that I must decline to treat his case as an exception. I pointed out to him that in his letter to the Land Officer of January 22nd he had admitted that Mr Randall had received no promise from the Governor, and that the allegation on which he based his claim could therefore no longer be supported.

4. I most strongly resent Dr Forbes' imputation that he was treated by me with discourtesy or injustice. During a comparatively long period of employment in official duties, this is the first time to my knowledge that such a charge has been made against me. I apprehend that I have little to learn from Dr Forbes as to the demeanour which I should preserve and the language which I should employ in discussing matters of business with the public, and I object to being compelled to refute groundless accusations made  
apparently

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apparently upon the old principle that if you have no sense the best thing to do is to abuse the plaintiff's attorney.

5. The statement that I told him that he had no right to ask for favours is inaccurate. I told him that I could give him no preferential treatment and that I must deal with his case similarly to others of the same description on which I had had to decide.

6. I cannot claim that after an interval of six months I can recollect with accuracy the words used in the course of our conversation, but I believe that I observed that he had been "misted" by Mr Randall. I think it unlikely that I said that he had been "let down", because that is a phrase that I am not personally accustomed to make use of, but, even if I so expressed my view, that formed no legitimate ground for sarcastic comment.

7. Dr. Forbes did not ask me to hear Mr Randall, nor did he say anything to lead me to suppose that that gentleman was at that time in the country. But under any circumstances he could not have said anything which would have altered the situation, as I should not have been prepared to take action on a verbal statement to the effect that a promise had been made to him.

8. Any concession made in respect of this application would entail the re-opening and recognition of numerous claims of a similar nature of which I have already disposed. No proof of any promise has been adduced, and I believe that no promise was given. I therefore remain of opinion

that

that no allotment should be made.

9. I shall be obliged if you can see your way to embody in your reply to the applicant such observation as you may see fit to make regarding his allegation of unfair and inconsiderate treatment by myself.

*etc*  
I have the honour to be,

Sir,

Your humble, obedient servant,

*Henry B. ...*

GOVERNOR.

McKinnon's Buildings,

Nairobi, E.E.A.

14th Nov. 1913.



INCLOSURE No 1  
In response to No. 28/11/1913

His Excellency the Governor  
of British East Africa.

Sir,

I have the honour to submit herewith a petition to the Rt. Hon. the Secretary of State for the Colonies, against your decision, in the matter of a grant of land to me and others; together with three copies of documents bearing on the case.

In your letter to me of the 16th May, you say "that having fully examined your case and heard all you had to say, he (Your Excellency) found no reason for recommending special treatment and was unable to consider the subject further.

My case rests on the evidence of Mr Randall whom you actually never examined at all and on that of Mr Barton Wright, the Land Officer, whom you refused to allow to be present at the interview you gave me. How you fully examined my case thus is not evident. You also impugned the honour of Mr Randall, without any evidence at all and without hearing his side of the question and for these reasons I am petitioning the Secretary of State. You could hardly expect that I should accept your ruling under the circumstances, based as it was, on such one sided evidence.

637  
I shall be glad to have a written  
acknowledgement of this petition with  
accompanying papers, and

I have the honour to be,

Sir,

Your Excellency's

most obedient humble servant,

Sd. (Dr) J. FORBES.



53  
Nairobi, E.E.A.

14<sup>th</sup> Nov 1913

The Right Hon. The Secretary of State

for the Colonies,

Colonial Office,

London.

SIR,

I have the honour to submit this Petition against the decision of His Excellency the Governor of British East Africa, concerning a grant of land to me. The particulars of my case are stated in my letter to the Land Officer, E.E.A., dated 22nd January, 1913, three copies of which are enclosed. I desire to modify this letter as regards line one, page three, where I say, "I have no legal claim." I meant by that that I had not sufficient written proof of my claim. I have since obtained from Mr. J.H. Randall, of West Kenia, P.O. Nyeri, E.E.A., who acted originally in the matter on my and his own behalf, a sworn statement about the verbal promise made to him by Sir P. Girouard.

I also wish to point out that in April, 1912, on my way home from South Africa, I came up to Nairobi to see about when the land would be available. It was at that time rumoured in Nairobi that the move of the Masai had begun, and I went to the Land Office and explained my position to a Mr. Dundas. After consultation with an official of the Survey Department, he told me I could take a six months holiday because, even if it were true that the Masai move had begun (which he could not say) it would take at least six months to survey the land in Laikipia. I respectfully submit, Sir, that if there was no intention to make me the grant that I should have been informed then, instead of

being

being allowed to go to England, thinking that all was well except as regards time.

The question now is, we (Mr. Randall, Mr. Forrester, and myself) claim that Sir P. Girouard gave us a verbal promise of land in Laikipia, and allowed us to bring up our stock, knowing all the time that it was for the land he promised us. We could have then got plenty of farms in other districts for the asking, but we wanted this district, as it is suitable for both cattle and sheep, and we wanted to farm, not to speculate. I wrote to you in the Autumn of 1912, and saw Mr. Read (I think this was the name) in the Colonial Office, and you informed me later by letter that you had instructed the present Governor, who was coming out here shortly after, to investigate my claim. This was done and as a result of an adverse report by the Land Officer here, His Excellency advised you that there was nothing to show that any actual promise of land on Laikipia was ever made (see your letter of 5th December, 1912, 37711/1010). In the same letter you said to me, "If you desired to apply for a grant in any other part of the Protectorate you should place yourself in communication with the Land Office in Nairobi." I supported my letter of 22nd January with this (see my further letter to the Land Officer, date 13th February, 1913) but His Excellency said it meant nothing. After I finished my term of contract in Zanibar I interviewed His Excellency and asked him to consider mine as a case for special treatment, power to do so being in force. He refused and told me I had no right to ask for favours. I resented this and told him I wanted no favours from him or any man. I wanted only rights. He said he was sorry for me, but he considered my agent, Mr. Randall, had "let me down." Thus it becomes a question as to whether Sir P. Girouard or Mr. Randall is

speaking the truth or was the better memory. This is a matter that it is rather hard for the Governor to decide. I remember distinctly the conversations repeated to me by Mr. Randall on both occasions when he returned to South Africa, which he had had with Sir P. Girouard, and this was at a time when there was absolutely no question of giving us land. Land, as I said before, was then to be had for the asking, as the Land Officer will bear out. Is it likely that Mr. Randall, Mr. Forrester, and myself should give up our homes and means of livelihood if we had had the faintest doubt about getting ground? And it is just as likely that Sir P. Girouard should forget his promise as it is that Mr. Randall should have invented the whole story. Mr. Randall, moreover, has put his statement on oath.

Sir, we have been treated grossly unfairly, and His Excellency has no right whatever to insinuate that Mr. Randall has "let me down," as he elegantly put it. Mr. Randall's reputation for honesty is well known in South Africa; I myself have known him for eleven years, and I was willing to trust to his judgment and honesty in arranging to get ground for me in British East Africa. I have been a Justice of the Peace for nine years in the Orange River Colony, Mayor of the town of Frankfort, and have served on the School Board there since Pease in 1902, and I was the delegate of the English section for our district which repudiated General Hertzog's Education Act. Hence, to be treated as I was by His Excellency here and to be told I was looking for preferential treatment, and that my agent had "let me down," was extremely disconcerting.

Sir, I am perfectly aware that it is difficult to accept the word of Mr. Randall before that of Sir P. Girouard,

but .....

but if you will order that some permanent official of standing here examine all the correspondence relating to this matter, Mr. Randall and myself, and report to you, I shall accept your decision loyally. The only thing I ask for is a moderate amount of fair play. This matter has cost me nearly eight hundred pounds, and for a man in my position that is a fairly large sum. But that does not worry me nearly so much as the sense of injustice with which I have been treated in the whole matter, and the want of sympathy which His Excellency Mr. Belfield has shown. He never tried to help, as he quite easily could have done. I write perhaps rather strongly, but you will understand that I feel very much being treated by Mr. Belfield as if I were trying to obtain land by a trick. I am sending copies of this correspondence to Mr. Cowan, M.P. for East Aberdeenshire, which includes Fyvie, my home. He knows about this case and would have brought it up in the House of Commons last year, but I asked him not to, as I could not then believe it possible that I should be treated as I have been. He knows that this application is genuine.

I would finally point out to you that there are three vacant farms in West Kenia at present, and that a grant of one of each of us, Mr. Randall, Mr. Forrester, and myself, would only be an act of ordinary honesty and justice.

etc.  
I have the honour to be,

Sir,

Your most obedient humble servant

(Att) A. Forbes

I wish my covering letter to His Excellency the Governor, the forwarded to you for your perusal

A. Forbes

Three copies original and  
two copies

1892  
Farm 1241

Nyeri

30<sup>th</sup> May 1913.

True

A Statement of a conversation  
between the late Governor Sir Percy  
Gorouard and myself, and the Land  
Officer Mr Barton Wright and  
myself. In October 1912 I left South  
Africa representing certain people with  
a view of taking up land in British  
East Africa, on my arrival in Nairobi  
I went and saw the Land Officer, and  
could get nothing satisfactory from him.  
I then got an interview with the  
Governor. The Governor said he would  
see the Land Officer, and what would  
see what could be done. He went  
into another room in Govt House,  
and saw the Land Officer. He then  
came out, and said the Land Officer  
would fix us up. The Land Officer came  
out asked me to come down to the  
Land Office and on my arrival there,  
he sent for an Surveyor, and asked the  
Surveyor to point out on the map

the land that I could go & look at I  
 asked the Land Officer, how much land  
 there was? he said  $\frac{1}{2}$  a million of  
 acres or more, I then got up a Safari  
 and travelled via Mairwahe, Nyeri and  
 to Rumroti and back to Gilgil and  
 on arriving in Nairobi I went to the  
 Land Officer again, I explained that I  
 was satisfied with the country, and if  
 we could get land there, the Land  
 Officer answer was Yes, as soon as  
 it is surveyed, I asked him what  
 I could tell the people I was representing  
 if they could get land? he said Yes.  
 I then asked how long it would  
 before the land is surveyed, he said  
 it is uncertain, probably six months or  
 a year, Masae's will have to be  
 moved first. I then saw the  
 Governor again as soon as he came  
 on. He asked me how I liked the  
 country, I said very much and I  
 then explained to the Governor that I  
 had hired a piece of land & was  
 sending Stock up until the land was  
 surveyed, the Governor answered I

was doing the right thing. Among  
 the people I was representing Dr. Forbes  
 Mr. Forester & myself spent stock up  
 at great expense on the promises  
 made to us. In September 1911 I  
 came up again to Nairobi I saw the  
 Governor again, the Governor promised  
 strongly to recommend us for three farms  
 in West Kenya, as soon as the Land  
 Board set, but some hitch in the Land  
 Law prevented these farms from being  
 allotted, but the Governor let us have  
 a grazing right on farm 1248 until  
 these farms could be allotted to Dr. Forbes  
 Mr. Forester & myself.

This is a true and honest  
 statement of facts.

J. H. Randall  
 24/5 1913

When it was made in my name  
 A. D. Wood  
 Assistant District Commissioner  
 24/5  
 24 May 1913

In L.D. File No. L. 3811.

Pemba

Zanzibar

19.2.18

Mr. Barton Wright,

Nairobi.

Dear Sir,

In reading over again the enclosed letter it struck me that it would be sufficient authority for the Governor to make me a grant if he did not feel able to do so on his own.

I therefore send it with certain parts underlined for what it is worth.

Yours faithfully,

SE/- J. Forbes.



37711/1912

Downing Street,

6th December, 1912.

Sir,

With reference to the letter from this office of the 3rd of September relating to your application for the grant of land in the East Africa Protectorate, I am directed by Mr. Secretary Harcourt to inform you that the Acting Governor of the Protectorate has reported that there is nothing to show that any actual purchase of land on Likipia was ever made. In these circumstances, Mr. Harcourt regrets he is unable to entertain your application for a grant in that district.

I am to add that, if you desire to apply for a grant in any other part of the Protectorate, you should place yourself in communication with the Land Office at Nairobi.

I am, &c., &c.,

Sd/- H. J. Head

For the Under Secretary of State

Dr. J. W. Forbes

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Nairobi,

22nd January, 1913.

The Land Officer,  
Nairobi.

Sir,

I have the honour to place the following matter before you for submission to His Excellency the Governor. In the year 1910, I, along with certain others in the Frankfort District, U.F.S. made application for land in B.E.A. We jointly sent a Mr. J.H. Mandall, who was also one of the party, to B.E.A. to find out about the land and to make application formally for us. He came here and saw the then Governor, Sir Percy Girouard, and as a result of his interviews, appeared to have formed the impression that Sir Percy had given him a definite promise of land. This he told me and others. As a result of this, and acting in good faith, I sent my family home in 1911, and remained in South Africa for another year to wind up my affairs. I sold my medical practice, house and all my other investments, retaining my stock and two farms which I leased out for four years, to give me something to go on with during the first few years of my developing my expected grant in B.E.A. retaining sufficient capital

to develop

This refers  
to Parkipia.

to develop such a grant. Knowing that there was trouble about the Masai, and not wishing to unduly press you to give me the land, I went home for a holiday, quite confident that it was only a matter of time when I should receive my grant. Not wishing to remain idle I accepted an appointment with the Zanzibar Government as Medical Officer, and while on my journey to the Foreign Office, I saw a report that Sir Percy Girouard had resigned. As we (a/c to Mr. Randall) had only Sir Percy's verbal assurance about our land, I immediately got alarmed and wrote at once to him pointing out the above, and asking for an assurance to present to the Land Officer here that he had promised the ground. To my dismay he replied that he had never promised land definitely. I appealed, as you know, to the Colonial Office, who asked His Excellency the Governor to report the facts to them, and I lately received a letter from the Secretary for the Colonies to say that it appeared no definite promise was given, hence he was sorry he could not make me a grant. Since coming to Nairobi on leave, by your courtesy I have seen the correspondence between your Office and Mr. Randall, and it is evident that no written promise of land was ever given or intended to be given. What happened at the interviews between Sir Percy Girouard, and Mr. Randall, it would be useless to discuss.

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I acknowledge at once I have no legal claim, but in view of the circumstances I feel that the Colonial Office might make mine a special case if you and His Excellency in your judgment consider that I have suffered a good deal.

Briefly:-

I. I have, believing that a verbal promise of a grant was given, sold out my means of livelihood in the O.F.S. and cannot return to it.

II. I have had the expenses of keeping up two establishments for nearly two years.

III. I have sent up stock to H.M.A., and incurred considerable expense thereby.

IV. The worst of all is that I have leased my farms in the O.F.S. for a term of years and cannot sell to raise sufficient capital for me to buy privately.

V. The South African banks on account of the drought are calling in many of their mortgages so that I cannot even raise money at present on my land. So I am blocked in every point, and the only thing left to me is to make an appeal to you to recommend to H.M. the Governor to give me a grant under the usual old conditions.

I am a married man with five children, and my intention is to come here and make this my permanent home. I understand stock, and I have farmed them successfully for years.

As a medical man in a country district, I should

should endeavour to be useful to my fellow colonists and I think I could be useful in connection with diseases of cattle which interest me greatly.

I am fully aware that this application may embarrass His Excellency, as there may be others in a similar position, so I beg respectfully to ask, if my application could be submitted to the Colonial Office, with recommendations from H.E. if, in his judgment, he thinks I have a case.

I have etc. etc.

Sd/- Dr. J. Forbes.

Local Government  
Nairobi,  
British East Africa

24/5th January 1913

Sir,

*ital*  
Re Dr. J. Forbes application for land  
Lakivia.

I have the honour to forward a petition  
received from Dr. Forbes, dated the 2nd  
instant hereto, for the consideration of  
His Excellency.

2. It will be recalled that there  
has been recent correspondence between this  
gentleman and the Colonial Office, of which  
I was asked to report. I reported somewhat  
harshly & I felt I could not lightly pass  
over the imputations made for breach of  
faith by the late Governor, His Excellency  
Sir Percy Warrand.

Dr. Forbes, however, called on me  
recently, under the impression I reported  
a note on said subject, which I attach, as  
I felt that with the other facts which I  
had put forward, it was in fairness to his  
my duty to advise you that, in my opinion, he  
had been misled, not by Government, but by  
Mr. Randall.

I told Dr. Forbes that at the time

The Honourable Chief Secretary,  
Nairobi.

Mr. Randall

\* Sub enclosed in volume 1  
20

Mr. Randall came to the country there were still many farms available, and open for application on the Gueso Nyero Plateau, but Mr. Randall would not apply, stating he required all the farms in one block, the farms on the Gueso Nyero being scattered.

5. Dr. Forbes expressed great regret on learning this, as he would gladly have taken such a farm had he had the chance.

6. Having seen and discussed the case with Dr. Forbes, I would say I consider the enclosed letter as a true statement of facts.

I have etc. etc.

27- N. W. Wright.

Area Officer.

Note on interview with Dr Forbes.

I have to-day seen Dr Forbes, and am inclined to withdraw the somewhat harsh remarks I made about him. I am of opinion he was, undoubtedly, led to believe by Mr Randall that he would get land on Laikipia; Mr Randall giving such information as a result of an interview with His Excellency Sir Percy Girouard. I am equally convinced in my own mind, Sir Percy gave no such undertaking; but Mr Randall would appear to have interpreted a sympathetic hearing into a promise, not the only case of the wish being father to the thoughts.

Ed. R.W.

10.1.12.



Gov  
43559/13

EAP

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7<sup>th</sup> January 1914

X 535 2/13

DRAFT

EAP Conf  
Gov  
Selfield

MINUTE

- Mr. [unclear] 24/1/14
- Mr. Reid 3
- Mr. G. Edden
- Sir H. J. [unclear]
- Sir J. Anderson
- Lord [unclear]
- Mr. Harcourt

Sir,

I have the honour to  
ack the recd of your  
Conf dispatch no 168 of  
the 28<sup>th</sup> of November,  
enclosed a copy of further  
information relating  
to the verbal promise  
(alleged) to have been made  
by Sir P. Girouard to  
Mr Forbes of land in  
Larkspine.

\* No 43559

24/1/14 No 998

I shall be glad if  
you will cause Mr  
Forbes to be informed  
that Gov Selfield  
that no promise was  
given which would  
justify his being  
admitted

admitted land, whether  
in California or elsewhere,  
or after the time, that  
those order only be  
force at the present  
time for the lease  
of Crown land, but  
that it is open to him,  
like other applicants to  
bid for land at the  
Government's auctions  
I do not think it is  
that I have acted with  
rigid the love of my  
duty to you and the  
nation and that I  
am confident that  
there is no ground for  
the suggestion that at  
the interview which you  
granted him in May  
last we showed any  
lack of courtesy or  
sympathy toward him.

It is not clear from  
your dated letter  
you have obtained the  
comments  
of the land 705  
Office on Mr. Randall's  
memorandum of the  
30th of May as it  
is possible that Mr.  
Dartton Wright may  
desire in some respects  
to amplify his previous  
reports in the light of  
this new statement. I  
shall be glad to be  
furnished with any  
statements which he may  
be able to offer.

(Signed) L. HARCOURT