

EAST AFR. PROT
42052

42052
REC.
REC-2 4 SEP 16

Gov.
Belfield 472

1916

2nd August

Last previous Paper
M/24094

MR A.K.MACDONALD'S COMPLAINT

Reports. Does not consider he has any ground for complaints.

ansd Govt. 12 Sept 16

My friend
I agree with the Govt & would
~~have~~ reply that Mr Macdonald
should be informed (he is in
the pte) that the S. G. S. sees no
ground for intervening.

J.P.B

5.9.16

G.S. 5.9.16
at rest

Last subsequent Paper.

EAST AFRICA PROTECTORATE.
No. 472.

GOVERNMENT HOUSE,
NAIROBI,
BRITISH EAST AFRICA.

August 2nd, 1916.

42052

Sir,

REC'D
REC'D 4

ML
24084

I have the honour to acknowledge the receipt of your despatch No.371 of the 29th of May enclosing a copy of a letter from Mr. A. K. Macdonald in which he formulates certain complaints against the Protectorate Government.

2. This gentleman's farm, No.7 (1818) Trans Nzola, is held under licence which reserves an annual rent of Rs.332.61. The purchase price realised at auction was Rs.1,900, of which Rs.190 was paid at the time of auction, the balance being payable by nine annual instalments of Rs.190 on the first day of January in each year.

3. The following payments have been made:-

THE RIGHT HONOURABLE
ANDREW BONAR LAW, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S. W.

made:-

25th August 1912.

Rent 1-9-13 to 31-12-13	Rs.110.86
Cost of licence	5.00
1st instalment purchase price	190.00
Survey fees	565.00

28th August 1913.

Rent 1-1-14 to 31-12-14	332.61
2nd instalment purchase price	190.00

13th June 1916.

Rent 1-1-15 to 31-8-16	554.35
3rd and 4th instalments purchase price	380.00

4. The licence expires on the 31st of August 1916 and Mr. Macdonald is now entitled to his lease, in which provision will be made to secure the payment of the remaining instalments and the balance of rent for the current year.

5. On the 20th of December 1914 Mr. Macdonald asked that the rent and instalments might be remitted for the ensuing year and advanced as an excuse that his private income had been cut off owing to the war, that in September of that year he had been ordered to fall back upon Fideret for defensive purposes, his property being partially looted during

his

his absence, and lastly that isolated and unprotected families in the Trans Nzoia district deserved some special consideration inasmuch as by their confident and courageous bearing a serious rising amongst the Nandi was averted. I did not regard these arguments as sufficient ground for granting his application but I allowed the payments to be deferred for twelve months.

6. It is correctly stated that Mr. Macdonald on the 26th of February 1916 asked the Land Officer to post-date the annual instalments of the purchase money and to defer the question of rent until three months after the conclusion of local hostilities. In reply the Land Officer informed him on the 15th of March that he would grant him a further period of three months within which to pay all sums due, but that if he failed to do so action would then be taken for the recovery of the amount and the forfeiture of the property. I may say that I entirely agree with the action taken by the Land Officer.

7. Mr. Macdonald recently paid the amount due and expressed his thanks to the Land Officer for the additional period granted.

8. As regards the statement made in paragraph 1 of his letter to you of the 20th of March, it is true that at the outbreak of war there was for a short time a feeling of alarm among certain elements of the European population

population on the Uasin Gishu and Trans Nzoia owing mainly to a number of thefts of stock by the natives in the adjoining reserve. There was however at no time any ground for anticipating a rising and the disquiet soon ceased.

9. Mr. Macdonald's reference to compulsory service is misleading. I need not remind you that the Compulsory Service Ordinance 1915 has never been employed for the enlistment of Europeans or anyone else. The argument for cancelling his obligations based on compulsory service therefore falls to the ground. It is moreover not the fact that numbers of farms in this Protectorate are being ruined owing to the absence of their owners at the front; on the contrary, the care of farms belonging to persons who have patriotically volunteered for service has received the careful attention of my War Council.

10. Mr. Macdonald's allegation of special discrimination is unsupported by the facts. I am afraid that he is not so well known or such an important personage as he appears to think.

11. Every consideration has been shown to persons serving in East Africa or elsewhere, and although the usual notices of demand have been

been sent out no proceedings have been threatened or taken for the recovery of rent or instalments due. The case of persons in occupation of their farms is on a different footing, and although as in the present instance requests for lenient treatment have been sympathetically considered no real reason exists why the State should suffer by an indefinite prolongation of the time within which under the agreement or lease the sums due should be paid. I do not therefore consider that Mr. Macdonald has any ground for complaint.

I have the honour to be,

Sir,

Your humble, obedient servant,

A. Conway B. Esq.

GOVERNOR.

Gov. SPP
42052
SL

G. D.
8 SEP.
A

12 Sept. 1916

Sir,

I have the honour to acknowledge

the recd. of your despatch No 472 of the

2nd of Aug., and to request you to

cause Mr. A.K. Macdonald to be

informed ~~with~~ that I see no

ground for intervening in the

matters with regard to which he

complains.

DRAFT.

PP No 647

W. Belfrage

MINUTE.

Mr. Jewell 7/9/16

Mr. Butler J.S.

Mr. Grindle

Mr. Lambert

Mr. Read

Sir G. Fiddes

Mr. Steel-Maitland

Mr. Bonar Law