

EAST AFR. PROT



G. O. 2086 78  
Recd 13 Oct 16

2096 <sup>15</sup>/<sub>16</sub>

for Kelfield 819

1915

27 Nov

Last previous Paper

L 13565 AS

15 Apr 57834 AS

Land. Acquisition & Finance

Sends desired memorandum.

Prints of enc to E.O. Longworth  
27 Jan 16

The Reak.

The first instance of para 5 of the notes is rather sweeping  
? add of one kind or another, provided that water is available

Print the notes referred for the Kelfield (which need not be printed at all?) and send, say, 50 copies to E. I. O. & Mr. Longworth.

\* Paper should return soon first with the earlier - Old <sup>440</sup> - paper now a circulation  
I am not sure that we have sent E. I. O. the Old <sup>15</sup>, which has been the subject of correspondence ever since we got it.

CRS. 15.1.16

at once  
K. J. H.  
17/1/16

Next subsequent Paper.

Two Receipts.

Sbt herewith.

G.C.S. 25.1.16

Mr Bottomley

We have very few copies  
of this print in loose form (it is  
printed as Enc to No 1 in African  
No 1042), & I understand there is  
likely to be a large demand for  
it.

I presume no alterations are  
to be made. How many copies  
should be struck off?

T.M.  
20/1/19

Mr. Macmillan

I think it is settled that  
it shall be printed as an Annex  
to the new Emigration Handbook.

But even so I would have  
500 ~~separate~~ separate copies printed

G.C.S.

Mr Goldsmith

20.1.19

That is not some modification to  
be made to meet the point raised  
by Lord Pakenwoody & C. 21.1.19.

Mr. Macmillan

In the Handbook containing, but I did not  
consider it so necessary in the loose leaflet.  
I have written out a note which  
will serve for both.

S.C.H.

G.C.S. 22.1.19

22.1.19

at once

Answers after Title

This Note, prepared after the enactment of  
 the Crown Lands Ordinance of 1915, ~~refers to~~ sets  
 the conditions on which Crown land will  
 continue to be alienated, subject to any temporary  
 modifications which may be decided upon  
~~in connection with the post-war settlement~~  
 in connection with the post-war settlement  
 of ex-Servicemen.

Colonial Office  
 January, 1918.

will be continued up to and including the

of

2 You should communicate with the Crown Agents as to the agreement which you are required to sign with regard to the cost of your passage.

3 You will receive a formal letter of appointment from the  
when you arrive in the

I am,

Sir,

Your obedient Servant,

GOVERNMENT HOUSE,  
NAIROBI.

BRITISH EAST AFRICA

EAST AFRICA PROTECTORATE.

No. 819.

November 27th, 1915.



Sir,

With reference to paragraph 2 of your predecessor's despatch No. 205 of the 30th of March, I have the honour to transmit herewith a brief summary on the acquisition and tenure of land in this Protectorate.

L  
13561  
SUMMARY

I have the honour to be,

Sir,

Your humble, obedient servant,

*H. Conway Beckett*

GOVERNOR.

THE RIGHT HONOURABLE

ANDREW BONAR LAW, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET,

LONDON, S. W.

6065-120

89 May 27 115

NOTE ON LAND IN EAST AFRICA PROTECTORATE.  
FOR INTENDING SETTLERS.

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Area and  
delimitation  
of E. A. P.

1. The East Africa Protectorate embraces an area of approximately 259,900 square miles, or about twice the size of the British Isles. It is bounded on the North by Italian possessions and Abyssinia, on the South by German East Africa, and on the East by the Indian Ocean (the coast line stretching from the Equator to 5 degrees South) and on the West by Uganda.

Land by Private  
Treaty. Roads.

2. The Country is now well known, thanks to the Uganda Railway, but practically all land immediately adjacent to the Railway has been alienated. Such land may be bought by private treaty at prices varying from 5/- to 28 per acre for undeveloped land according to the locality. Natives are not allowed to deal in land with Europeans. The highest prices obtain within 20 miles of Nairobi. Intending settlers must therefore be prepared to live a considerable distance from the railway if they wish to purchase leases of land direct from the Crown. The Protectorate roads are naturally in a somewhat primitive condition, but are gradually being improved, the great essential being the bridging of rivers. Bicycles can go nearly anywhere, and motor cycles are now being used all over the country.

Highlands  
and  
Lowlands.

3. The country by its natural formation resolves itself into two sections - the Highlands and the Lowlands. The Highlands comprise that portion of the

the

the country over 4,000 feet above sea level; the Lowlands having an altitude of less than 4,000 feet. The Lowlands can be roughly demarcated in two sections: (a) a line drawn through Sultan Hamud Station parallel to the Coast (b) a circle drawn through Fort Ternan Station, Mumbasa, Kisii and the Victoria Nyanza.

Carrying capacity of farms.

4. Practically all the land in the Highlands is suitable for cattle grazing but prospective purchasers should make careful enquiries respecting the Water supply, whether permanent or otherwise. One may roughly reckon the carrying capacity of a farm at one bullock to seven acres in addition to one sheep to one and half acres.

Water rights. ) 5.

Practically all land in the Protectorate is suitable for agriculture. A title to land does not confer any right to the water on the property, other than to such water as may be required for domestic purposes, and special permission must be obtained from the Land Officer Nairobi to take water from a stream. Such permission is not ordinarily refused, provided that the water taken out is returned unpolluted to the course, and that lower riparian owners are not unduly affected. The Irrigation Rules may be seen in the East African Official Gazette of June 1st 1909. These rules are at present under consideration and further rules will be issued in due course.

Size of farms.  
Leases sold by auction.  
Freehold.

6. > Land in the Protectorate available for sale is surveyed and divided into farms not usually exceeding 5,000 acres. The shape of each farm varies according to the topography of the country, and is not necessarily rectangular. The average size is from 2,000 to 3,000 acres. All leases are disposed

disposal of by public auction held in the Protectorate, and no freehold can now be obtained from the Crown. When land is available for alienation, at least three months' notice is given in the Official Gazette, and particulars of each sale may be seen at the Colonial Office and at the Emigrants Information Office, London.

Bidding at Sales.

7. It is of course not possible to give prices of land. At each sale an upset price is fixed (i.e. the price at which the bidding commences). The bidding is invariably for the whole farm, and not per acre, and usually rises by amounts of Rs.10/-.

Payments at Sales.

8. At the time of the sale, a purchaser has the option of paying the purchase money down, or only a tenth part, paying off the balance in nine further annual instalments. No interest is charged in the latter case, and no discount allowed in the former. The auctioneer will take payment by cheque on a local bank, but the leases will not be issued until the cheque has been honoured by the bank. One tenth of the purchase price must be paid on the fall of the hammer; if not so paid the farm may be again offered for sale.

Subsequent Payments.

9. A purchaser must pay before the first of the month next following the sale the following:-  
(a) The proportionate annual rent from the first of the month next following the sale to the 31st December of that year.  
(b) The fees for the preparation of the lease, and for the registration and Stamp duty in respect of the lease.

(c)



- (c) The survey fees (see Schedule "A" attached).
- (d) If desirous, the balance of the purchase money.

Leases.

10. On payment of these monies a lease will be granted for a term of 999 years. The term is divided into periods, the first expiring on the 31st December 1945, the 2nd on the 31st December 1975, the 3rd on the 31st December 2005, and succeeding periods on the termination of every 30th year until the conclusion of the term.

Rents.

11. The rates of annual rent are payable as follows:-
- (a) For the first period, 10 cents per acre.
  - (b) For the 2nd period at the rate of 1% on the unimproved value of the land in the year 1945.
  - (c) For the 3rd period at the rate of 2% on the unimproved value of the land in the year 1975.
  - (d) For each subsequent period of thirty years at the rate of 3% on the unimproved value of the land assessed every 30 years.

Valuation for rent.

12. The land is valued at the end of each period, and in the periodical augmentation of such assessment no consideration is taken of the value of improvements effected by the owner.

Development Subdivision.

13. Special conditions governing the sale of land are embodied in the lease, and purchasers are also advised to make themselves familiar with the terms of the Crown Lands Ordinance 1915. Farms must be developed in accordance with Schedule "B" attached, and no non-European Manager must be placed on any holding without

the consent of the Governor-in-Council.  
Subdivision of properties is not allowed without  
special sanction of the Governor-in-Council, and  
is then governed by special rules

1497  
Miscellaneous. 14.  
Information.

Information concerning the products and  
rainfall of the country can be obtained on  
reference to the Honourable Director of  
Agriculture, Nairobi.

SCHEDULE "A"

180

The following schedule sets out the usual survey fees in the Highlands per thousand acres up to 5,000 acres. In the Coast lands, slightly higher fees obtain, and in land very difficult to survey (such as dense bush and forest land) special fees are added to cover the extra cost of line clearing &c.

SURVEY FEES.

1,000 acres.....	Rs. 338.00.
2,000 acres .....	Rs. 445.00.
3,000 acres .....	Rs. 538.00
4,000 acres .....	Rs. 618.00.
5,000 acres .....	Rs. 685.00.

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SCHEDULE "B".

101

Nature and value of improvements to be affected  
and maintained on land leased for agricultural purposes.

Area of farm.	Minimum value of improvements to be effected within first 5 years of the lease.	Nature of Improvement.	Value of additional improvement to be effected within first 5 years of the lease.	Nature of additional improvements.
300 acres or under.	10 rupees per acre subject to a minimum of 300 rupees.	Permanent.	5 rupees per acre subject to a minimum of 150 rupees.	Permanent
Over 300 acres.	Rs. 3,000. and in addition Rs. 2/- per acre in respect of every acre over 300 acres.	Permanent  Permanent and or Non-permanent.	Rs. 1,500.  and in addition Rs. 1/- per acre in respect of every acre over 300 acres.	Permanent  Permanent and or Non-permanent.

R U L E S .

For the purpose of this schedule the term "Permanent Improvement" shall mean:-

- Farm buildings of all descriptions.
- Fencing.
- Water furrows.
- Planting trees or live hedges.
- Walls.
- Wells.
- Draining of land or reclamation of Swamps.
- Road making.
- Bridges.

Clearing

- Clearing of land for agricultural purposes.
- Laying out and cultivating gardens and nurseries.
- Water boring.
- Water races.
- Sheep or cattle dips.
- Embankments or protective works, of any kind.
- Planting of long lived crops.
- Water tanks.
- Irrigation works.
- Fixed machinery.
- Reservoirs.
- Dams of a permanent nature.

Provided that in estimating the value of improvements there shall be excluded the value of any dwelling house which is not occupied by the lessee or by some person employed by the lessee in connection with his operations on the land leased.

2. For the purpose of this schedule the term "Non-Permanent Improvement" shall mean:-

- Live Stock.
- Agricultural implements and machinery, and all apparatus and plant used in farming operations on the land leased.
- Dairy appliances.

Provided that:-

- (1) The stock, implements, or other article or thing above mentioned is the property of the lessee.
- (2) The lessee or his Manager or Agent shall, if so required by the Land Officer or a Land Manager, make and sign a declaration that such stock, implement, or other article or thing is the property of the lessee.



to do.

2. It will be understood  
that there is no possibility  
of sales of leases of  
Crown Land being  
held in present circumstances.

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late