

1921

KENYA

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6 JUL 21

FROM
GOVERNOR
NORTHEY 749

DATE
30TH MAY 1921

FOR CIRCULATION :-

- Mr. *Parkinson*
- Mr. *Bottanley* 28
- Mr.
- Mr. Grindle
- Sir H. Lambert
- f* Sir H. Road *28/7/21*
- Sir G. Piddles
- Mr. Wood
- Mr. Churchhill

SUBJECT

MRC. W. ARNOLD

COMPENSATION FOR EXPLORE ON MIMI FARM

Reports signing of Special Warrants for £3,111 to provide funds for payment. States circumstances.

Previous Paper

a
599 B.

MINUTES

I am very sorry indeed that this should have occurred, and involved Kenya Govt. in expenditure which it can ill afford (though it will not come out of general revenue).

It is difficult at this distance to discover how it could have happened, but it is clear that the farm must have been included in the MS catalogue received from E.A. from which the catalogue used here was printed. I have looked up the printed catalogue which we received afterwards from Nairobi and find that this farm is there crossed out in

Ans 1210 3 August 21

Chubb

10/8

Subsequent Paper

Mr Wood and I took a great deal of trouble to compare the two printed versions of the catalogue, and it is unfortunate that the particular farm should have escaped our vigilance.

As we sent out lists of all the farms shown applicable here, it is amazing that the error was not discovered locally before the records proceeded to describe the farm.

There is, I think, as all the special warrants created in the District. The CR got some value as much as faults anyone there - in fact, because of the way they dealt with the catalogue.

recd
27/7/21

In the Head. 654

Farmer, and - after the war - I think it odd that a man entering on occupation should have been subject to a check but the production of his letter of allotment. One would have thought that for purposes of record each first occupation would have been ticked off in the Land Office catalogue.

We are given as details from which to judge of the security for the large compensation (in addition to the grant of a new farm) and there was another case in which the award was to us subsequent. But the thing is done, and it may be seen that in present financial crises they will be compelled to maintain of former claims that may arise.

at mee Oct. 28/21
H. J. A.
28/ VII/21

Colony & Protectorate of Kenya.

no. 749.

GOVERNMENT HOUSE,

NAIROBI.

BRITISH EAST AFRICA.

30th May 1921.

Sir,

I have the honour to report the issue of Special Warrants amounting to £3,111, for the payment of compensation to Mr C.W.Arnold under the following circumstances.

Mr Arnold was an allottee of a "B" farm under the Soldier Settlement Scheme, and in error was allotted by the London Selection Board Farm No.1040.B. Nyeri, which was in fact the subject of a previous grant to Mr H.Jowers.

2. Mr Arnold entered into occupation of the farm and proceeded to develop it, and it was only after he had already effected a considerable amount of development that the error was discovered.

3. It should be explained that it has been held that it is not legally necessary for an allottee to obtain an occupation permit

THE RIGHT HONOURABLE

WINSTON CHURCHILL, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET,

LONDON, S.W.,

2.

permit from the Commissioner of Lands before entering into occupation of his farm, the fact of the farm having been allotted being sufficient authority. It was not incumbent upon Mr Arnold to report prior to occupation, since the terms of the Discharged Soldiers Settlement Ordinance allowed an allottee to report at any time within three years of the date of allotment. Mr Arnold however did in fact report his arrival in person, taking out an occupation permit for Farm No.1056,B. which had been allotted to his sister, Miss E.M.Arnold.

4. It therefore became necessary to find an alternative farm for Mr Arnold and to compensate him for his expenditure on the Nyeri Farm. The matter was very fully discussed by myself with the Executive Council, and the amount of compensation decided upon, after consideration of a report submitted by the Senior Commissioner, Nyeri and the Director of Agriculture after inspection of the farm, was £3,111.

5. This amount has accordingly been paid to Mr Arnold on Special Warrant, two separate payments of £750 each having been made first as an advance, pending decision of the final assessment, and a third Special Warrant being issued for the balance when a decision was arrived at. Mr Arnold has selected an alternative

3.

alternative piece of land for a farm
in the area in the Nandi District referred
to in Viscount Milner's despatch No.161
of the 26th January.

Apr 20
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6. The monetary compensation paid in
this case is being charged against the
Stand Premia account, ~~and~~ since the
expenditure involved is the direct result
of a mistake in connection with the Ex-
Soldier Settlement Scheme, the revenue
derived from which will be credited to
Stand Premia.

I have the honour to be,

Sir,

Your humble, obedient servant,

Edward Norrey

GOVERNOR.

3
3 August 1921DRAFT.Kenya N^o 1210
oddsSir, I have the pleasure to acknowledge the receipt of
Sir Edw. Motters's despatch N^o 749MINUTE.

Mr. Clark 30/7/

Mr. Jeffries 30/7/

Mr. Parkinson 30/7/

Mr. Grindle.

Sir H. Lambert.

Sir H. Road.

Sir J. Pichie.

Mr. Wood.

Mr. Churchill.

of the 30th of May, and to inform
in the circumstances therein
you that, I ^{approve} ~~concur~~ theamounting to
issue of special warrants for

£ 3111 for the payment

of compensation to Mr C. W.

Arnold for his expenditure on

developing

the ~~land~~ farm N° 1043B.

allotted to him in error
under the Soldier Settlement
Scheme by the Selection
Board in London.

Printed by WILSON & CROFTON