

12. With regard to the sylvan park, co

the grant of concessions whereby natives

are excluded from the gathering of natural

produce is forbidden by law, and if any

modification on this were allowed it would

only be to enable European vegetalists

plantations of aggregate size, compensation

being given for the necessary loss of the

rights of gathering wild fruits within

such areas.

12. As regards the scientific

development of the land, this is the task

of the Forestry and Agricultural Depart-

ments of Government, whose work lies

principally entirely among native owner-

and cultivators of the land.

(Signed) H. A. READ

Read  
Sir J. Masterton Smith  
Wood  
hill

SUBJECT

Emigration

Govt  
Dept

MINUTES

See writer

On the other hand we have  
been forced on the leading planter  
to pay a heavy fine for damage  
done by his slaves, & even if they are now  
here I am not sure of their  
return or return

ask M.R.S Office to give  
advice

last 11/12/00

Douglas  
Bentley  
field  
Cape Town  
L.F. prepared  
P.M. 11/12/00

ed to complete very

In Kenya, the principle of the sanctity of the reserves is well established, and by the law as it stands at present, no land can be alienated from a reserve for any purpose without the prior approval of the Secretary of State. The Secretary of State is now in communication with the Governor with a view to ascertain that native interests are fully protected in any alienations which it may be proposed to make. The general guiding principle is that it is sought to lay down in so far as possible the native derive direct benefit from the alienation in the shape of the establishment of a mill to which to take their produce, or some other direct advantage of which kind they should receive full compensation as is mentioned by you, and the question has

best to give effect to this proposal  
is now under careful consideration with  
the Governor.

Before the answer is given  
whether in Kenya any considerable  
reservation of neutral areas between  
reserves will be made, and if so, the  
size of such areas, and the reasons  
which may not be wanted. The question of  
other property by natives whether  
they remain in the reserves must remain  
open. The Secretary of State has  
received the Report of the Native  
Commission, and the Governor's Commis-

sion upon it.  
With regard to the proposal  
you have made to alienate parts of the  
Northern Provinces, I would like to say  
that the position in Nigeria is that the  
first proposal in your letter for the  
establishment of a land commission  
is unacceptable in the Northern Provinces.

ad to complete re

In Kenya, the principle of the sanctity of the reserves is well established, and by the law as it stands at present, no land can be alienated from a reserve for any purpose without the prior approval of the Secretary of State. The Secretary of State is now in communication with the Governor with a view to see that native interests are fully considered in any alienations which it may be proposed to make. The general question is, in which it is sought to lay claim to the fact that the natives derive direct benefit from the alienation in the shape of the establishment of a mill to which to take their produce, or some other direct advantage which they should receive full compensation for what is mentioned by you. As to the question how

best to give effect to this principle is now under careful consideration with

the Governor.

Whether in Kenya any considerable reservation of neutral areas can be made will depend upon the

Government's desire to have a large area of land available for the

may not be small. The question of

the ownership by natives would be governed by the reserves must remain open until the Secretary of State has received the Report of the Native Commission, and the Governor's recommendations.

(M) A last option is to return to the idea of a Native State in East Africa, (but a little more limited).

6. With regard to your African Commission, the position in Nigeria is that the first proposal in your letter for the establishment of a land commission is unacceptable in the Northern Province.

Native Reserves; in the case of Uganda the issue of a formal announcement has been approved, guaranteeing to the natives the setting aside of land sufficient for their requirements, present and future, and in Nyasaland recommendations have been formulated with a view to giving the native a feeling of security of tenure in the area on which he has chosen to settle.

5. Turning now to the four features to which, apart from the three general principles, your letter draws attention.

(1) In East Africa, the only

dependency in which there are native reserves is Kenya, and the Secretary of State is consequently urging on the Government the importance of settling the native reserves at the earliest possible date. The Governor has given his assurance that all steps will be taken to expedite the

to obtain a large majority from the  
native population in the colony  
of Kenya. It is to be expected  
that the native population will  
be fully represented.

other East African Dependencies

will be similarly constituted

with regard to representation

of the people mentioned in your letter

is not to be taken for granted that

the same principle will apply

in the case of the dependencies

which have been established

since the independence of Kenya.

The native population in close touch

with the European population

and the native and native and

European population in close touch

with each other has

been fully represented in the

legislative assembly in the

Kenya Colony in a satisfactory

manner. The same principle

will be applied in the case of the

dependencies which have been estab-

lished since the independence of Kenya.

The same principle will be applied

in the case of the dependencies which

have been established since the inde-

pendence of Kenya. The same principle

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since the independence of Kenya. The

~~SC~~

5527-44

DRAFT.

Wednesday

August 19, 1861

At the White House

MINUTE.

Mr.

Mr. Barber

Mr.

Mr. Lovell

Sir G. Ormsby

Sir P. Read.

Sir J. Madsen

Mr. Wood.

Mr. Churchill.

- 5 -  
will not be overlooked.

Deputy-Secy.

Secretary, Native Trust Fund Committee.

My Secretary,

Since the foregoing was given, and examined by our Committee, we have received a copy of the Report of the Land Tenure Committee of the Native Trust and Protection Board, and it is interesting to observe that one of their recommendations is the creation of a Native Land Trust. On page (2) the 1st paragraph of the recommendation reads:

"We consider, therefore, that a Native Land Fund should be established. This Fund should have considerable assets, and should administer most funds for the benefit of the Reserves. The position of this Fund is not a matter on which we wish to call upon H.D.C. to recommend. The Fund should have power to grant leases for land in Reserves to non-natives, without reference to the Secretary of State. The governing principle of such alienation should be direct benefit to the Native and the treatment of native produce, being designed to cover such purposes as posho mills and sugar factories."

On page (21) the Chief Native Commissioner says:-

"... or, however, in full agreement that a Native Land Fund should be established. The definition of Crown Lands should be altered to exclude native reserves, which should be added to this Fund. Revenue from leases and compensation should be paid into the Native Trust Fund already established by law, and the Land Trustees could be the Trustees of the Natives' Trust Fund."

T.S.

Differences. In the opinion of Mr. Collyer of  
the first importance and highly desirable that, what  
is credit for defending native should  
be administration. Moreover, the security of the  
State would without doubt be strengthened if  
politically unenfranchised could rely upon  
being defended by a properly constituted  
force at the instance of the Mother Country.

It would not be possible to adopt this suggestion im  
mediately forthwith, but we do suggest that some such  
arrangement in connection with all lands now earmarked  
for the creation of such a Trust might be along  
the lines of the Native Lands Act, where 42 areas of land, totalling  
over 1,000,000 acres, covering native locations are vested  
in the State. It would also seem advantageous,  
however, that the additional function of  
the development of such lands should be

to the State  
closely  
We regard  
West Afr  
as hithei  
large and  
such le

Advisedly we desire to draw attention  
to the fact that making suitable natives still more  
secure in the administration of their land.

We consider it of extreme importance that in British  
territory there should be a system based upon definite native land title  
which, we believe, hold very

strict control over the occupancy of

If those are right who

will provide increasingly for  
native land title it could not be other than

to be given with the Governor or

the Colonial Secretary both with

the Colonial

Government, the Secretary, &

be accepted as the right

provided with native land title

To

WILSON HUNTINGTON STATION  
20 JULY - 1922

... one of the first steps, when a  
native tribe comes into being,  
is other proposals, and to encourage  
land in native occupation.

The Committee readily admits that this suggests  
some kind of a new departure in dealing with land questions.  
We believe it to be possible, within the  
limits of the present law, that, notwithstanding the  
fact that the title of the nation has been rejected,  
and the termination of their status in  
the custom whereby the given to land

gathering wild fruits within such areas.

As regards the scientific development of the lands this is the task of the Forestry and Agricultural Departments of the Colonies whose work lies practically entirely among the native owners and cultivators of the land.

Such a result might be  
achieved by a co-operative  
scheme of the type of  
that of the U.S.A. to the  
effect that a central  
body would be set up to  
supervise and co-ordinate  
the work of the various  
colonial governments  
and the native  
cultivators.

Such a scheme would  
be of great benefit to  
the native population  
and to the country as a  
whole.

recently been  
written to Mr. G. T.  
Mackay T.T.  
for his advice  
in this matter.

I have discussed this draft with Mr. Stansley X  
and made various amendments  
as regards to Africa.  
Such general letters  
~~are~~ trying to cover  
all British Africa are  
even more useless than  
communications from this  
Society used to do.

I think we had better  
leave them to some one else.

considering, making question, we can  
not object to this principle, but  
after careful consideration of  
the matter.

(The Governor has recently  
sent a quarter-acre scale (17522) to  
order of the Royal Society to which we are  
to add our signature. I think it is  
better to have more than our name  
as it is somewhat general  
and it is better not to be forced  
to say "we" than we should show all  
the influence to the Society.)

This seems a very doubtful  
prop. If, and I think that we should  
reject it at once. It appears to  
me both undesirable to lock up con-  
siderable areas of land in case they  
may be required later. It is necessary  
to have Reserves especially pro-  
p. ple for native residence. There  
can be no doubt that a native  
settler is as civilised as the present  
settlers. We will give place to  
any system of figures, but  
the natives become  
more and more difficult  
to deal with. Capitalism gives us  
a difficult situation. I am  
afraid in fact unless this is done  
the Reserve will be far too big and  
the land there will become derelict.

The System Propose. This is a  
matter which concerns West Africa,  
and the problem so far as I am aware  
has not arisen in East Africa.

So far as regards East Africa,  
I suggest that we should send a sympathetic  
reply on the lines of the above  
minute, but other parts of Tropical  
Africa are concerned, and Gold Coast,  
Nigeria, and Dominions (Rhodesia)  
Departments should be asked for their  
views.

*Received*

In view of the  
advice of the  
Committee of  
Management

On to-day, and this  
is now subject of our  
between the Society, the  
Baptistie & The (Baptist)  
duly refer to the same

letter to the Secretary  
of the Royal Society  
and a copy of the  
same is being sent  
over to the  
Committee of Management  
for their consideration.  
I have written  
to the Secretary  
of the Royal Society  
and a copy of the  
same is being sent  
over to the  
Committee of Management  
for their consideration.

To the Secretary  
of the Royal Society  
the 5-11. date of 1881  
being a big opportunity  
to do good  
advantage of the 5-11. date  
when it has been  
proposed to do  
a great deal of damage  
to the country by  
allowing a large area  
which may not be wanted, the  
organization of a national  
native institution. This  
is the best way to  
do good, and  
5 off the main the report  
on the basis former Committee

MINUTES

MINUTES NOT TO BE WRITTEN  
ON THIS SIDE

SECRET. In view of the fact that a considerable portion of the secret has been disclosed, it is considered that certain parts will be withheld, but that the situation shall be as represented for the natives, who may be permitted to ascertain as to what valuable facts are now available. It is proposed to allow the natives to follow the proceedings under the direction of the Commissioner of Information. It is proposed that the following alternative recommendations for the best reserves be referred to the Foreign Office. That in the first instance it is proposed to set up no native council for now.

The proposal of the Society of Friends is to be accepted as follows. As they are, the native areas, as they are, will raise the first world principle "to be preserved". It is proposed in almost all cases, to do this, but we have to take some care. It should be taken in connection with the lands which are not native areas, and those areas which are not native areas. This is to be done by instituting a native area commission. The commission is to be appointed and you will be given full details of the native areas. The Kenyan Commission, which is not yet appointed, shows a general opinion that native areas in fact are areas where there is no native area, and so if the native areas are to be established there will be little difficulty in applying such a principle. The Rhodesian Commission, under this proposal, is to be appointed and not likely to be appointed until after the end of the year. It has been decided that private landholders are probably to be allowed, with compensation, to withdraw from their lands, should be given for their withdrawal. The Rhodesian Commission is of the opinion that a large number of native areas will be established and not likely to be established. As to the second principle, the Native Board would be responsible. In doing so, it is to be taken as a consequence that the native areas will be closely associated with the native areas. We have

Not forwarded to Law Com  
6/6

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