

438

EAST AFR. PROT
26153

C.O
26153
REC^d
REL 27 MAY 20

Gen. A. G.
BOWRING 413

TIMBER GRANTS

1920
26th APRIL

Trans memo from Conservator of Forests and states that there is an excellent local market and existing saw mills are unable to cope with the demand

Last previous Paper.

5/2571

Send duplicate of encl. ~~to~~ to
Mr. Southwell ~~say~~ that in sending
them before the 27th. I should be
wiser: 2 of duplicate.

Encl. also a copy of the
Gazette notice of 7 April [p. 36
of Gazette ~~insert~~] - it will be
convenient to have a spare copy to
across to the paper.]

done
G.B.

W.S. 28.5.20

copy sent to Mr. Gen. Bowring

Last previous Paper.

5/35672

PUBLIC RECORD OFFICE, LONDON

C.O
26153

REC'D
REC: 27 MAY 20

BRITISH PROTECTORATE

NO. 413

GOVERNMENT HOUSE,
NAIROBI,
BRITISH EAST AFRICA

439

26 April, 1920.

My Lord,

S/12571

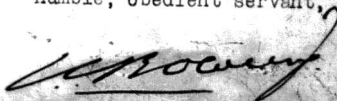
Conservator
Forests

4. 20
Enclosure

I have the honour to acknowledge the receipt of Your Lordship's despatch No. 375 of 15th March, regarding an enquiry on the subject of timber grants in this Protectorate, and to enclose a letter from the Conservator of Forests in reply.

2. I would add that there is an excellent local market and that existing Saw Mills are unable to cope with the demand for timber.

I have the honour to be,
Your Lordship's
humble, obedient servant,



ACTING GOVERNOR.

RIGHT HONOURABLE

VISCOUNT MILNER, P.C., G.C.B., G.C.M.G., &c. &c.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET,

LONDON, S.W.

ENCLOSURES

In Despatch No. 449 of 26/4/1920

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FOREST DEPARTMENT,

NAIROBI.

April, 1920. 1920.

No. 60/20

The Hon'ble

The AG. Chief Secretary,
Nairobi.

Re. Timber grants E. A. Protectorate.

Ref. Your Memo. No. E 21229/3 of 16th inst.

When any area is available for timber working the present practice is to invite applications for working it by publishing a notice in the Official Gazette and local papers, at present there is only one area of about 6,300 acres available and applications for this area have been invited by notice, see Official Gazette of 14th April 1920. General Notice No. 382 of 7th April 1920.

This area is about 20 miles from Londiani on the Eldoret Road and to the West of it and is called the Timberoa Forest.

Applications for this area will be accepted till the 15th July 1920. If there are more than one application of equal merit the Forest will either be put up to auction or tenders will be called for.

Owing to lack of Staff it is not possible to open out any fresh areas.

I attach a copy of the conditions of the letting of the Timberoa Forests.

W. J. ...

for Conservator of Forests.

CONDITIONS OF LICENCE FOR FELLING
TREES IN FOREST RESERVE.

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1. The holders of this licence shall commence work within six months from the date of the execution of the licence by the Conservator, and during the continuance of such licence shall not discontinue work for any period of more than twenty-four weeks in the whole of any year, or for any consecutive period of more than sixteen weeks provided that the licence shall not be liable to forfeiture, nor shall the holders thereof be liable to any penalty under these rules if such cessation from work has been, in the opinion of the Conservator, due to causes beyond the control of the holders of the licence, or if such cessation shall in his opinion have been desirable on any other grounds.

2. (1) The Forest Officer appointed for the District shall from time to time mark all trees which may be felled, such trees shall be marked on the stump and stem, and such Officer shall from time to time prepare a list of such trees describing:-
- (a) The number of the tree.
 - (b) The vernacular name.
 - (c) The girth of the tree at a point 5 feet 3 inches from the ground.
 - (d) The height of the tree from ground level to the commencement of the crown.
 - (e) The cubic contents of the timber in the tree.
 - (f) The amount of the Royalty to be paid in respect of the tree.

Such list shall be sent to the holders of the licence or their agents who shall then pay the Royalties on the trees marked to the Forest Officer.

On receipt of the amount payable as Royalty the Forest Officer shall endorse a copy of the list with a statement that permission is granted to fell the trees described in the list, and after signing his name and adding the date on which the statement is signed shall return such copy to the holders of the licence or their agent. Upon receipt of the copy of the list endorsed, with the statement aforesaid the holders of the licence may forthwith fell the trees described in such list.

- (2) The holders of a licence shall retain all lists aforesaid, and shall produce the same when required in order to show their authority for felling the trees.
- (3) No unmarked tree or trees in respect of which Royalty has not been paid shall be felled.

In the event of any such unmarked tree or trees in respect of which the Royalty has not been paid being felled the holders of the licence shall be liable to pay five times the value, the measurement being based on the stump.

- (4) All trees shall be felled to cause the least possible waste, stumps shall not be cut higher than 18 inches from the ground.
- (5) All tops shall be lopped (that is, the branches shall be cut off so as to allow the top to lie flat on the ground) and all brush shall be piled at a safe distance from living trees to avoid danger from fire.

- (6) All merchantable timber down to a diameter of four inches shall be utilized.
- (7) In the event of any merchantable timber being left unutilized of a greater diameter than four inches such timber shall be paid for at double the Royalties.
- (8) The District Forest Officer shall keep proper records of all trees on which he has granted a certificate of rebate under 9.
3. The holders of this licence shall not allow any timber or other matter to fall or be thrown from the lands included in their licence into any road or waterway which passes through or along the boundaries of such lands so as to obstruct the traffic or waterway.
4. The holders of this licence may, with the sanction of the Conservator first obtained, on the land included in their licence, extend, dig and set up pits, stages and erections and make such roads and ways as are necessary for dressing and carrying away timber, and may erect such houses, offices, sheds and other buildings as are necessary for the residence and use of their agents, workmen and servants. The holders of this licence shall not damage or allow damage to be done to any trees, undergrowth or crops other than such damage as is incidental to and unavoidable in the exercise of the rights conferred by their licence, and shall not cultivate land or graze cattle in the Forest Area unless authorized by licence granted by the Conservator.
5. (1) The stump of every tree felled and the logs from every such tree shall be marked as soon as possible after the felling thereof with the hammer mark of the holders of the licence and with numbers. The stumps shall be marked consecutively and the logs from each tree shall bear (1) the stump number of such tree, and (2) log numbers running consecutively from one upwards.
- (2) The holders of this licence wishing to remove the stump of a tree shall apply for permission to the nearest European Forest Officer and such Officer may with or without an inspection of the stump by himself or some other Forest Officer grant the necessary permission.
6. The rights conferred by this licence shall not be transferred by the holders wholly or in part or for all or any part of the period for which they are granted or renewed except with the consent of the Conservator of Forests in writing.
7. If at any time the Conservator of Forests is satisfied that the holders of this licence are not working the timber on the lands included in the licence with sufficient diligence, he may cause the latter to be warned that they must work the timber in a more satisfactory manner, and if such at expiration of three months from the date of such warning no sufficient improvement is in the opinion of the Conservator of Forests made in the manner in which such timber is being worked the Conservator of Forests may cancel the licence and no compensation shall in such case be payable to the holders of the licence or to any one claiming directly or indirectly through them.
- In causing such warning to be given regard will be paid to the market prices, to the seasons, and to the manner in which timber on lands similar to those in the licence is being worked at the time of the warning.

Such warning shall be in writing, and shall specify the various reasons ~~which~~ which cause the Conservator of Forests to be dissatisfied with the manner in which the timber is being worked.

8. Upon breach of Rules 1, 2, 3, 4, 5, 6 or any special condition or clause in the license by the holders thereof or in default of payment by such holders of the Royalties within six weeks from the date fixed for the payment thereof, or if the holders of the license shall become bankrupt or their effects to be taken in execution, the Conservator of Forests may by notice in writing determine the license, and upon service of such notice by post or otherwise on the licensee or any manager or person appearing to be manager for the licensee the rights and privileges conferred by the license shall forthwith determine.

9. Holders of this license shall pay the following Royalties:-

Cedar (<i>Juniperus procera</i>)	cts. per c.ft.
Uneri (<i>Pygeum Africanum</i>)	" " "
Yellowwood (<i>Lodocarpus</i>	" " "
<i>thumbergii & gracillior</i>)	" " "
All other reserved trees	" " "
Unreserved trees	" " "

And provided that in the event of a tree felled proving to be unsound the licensee shall forthwith notify the fact to the nearest Forest Officer for the District who shall examine the tree or cause it to be examined, and if after such examination the tree proves to be unsound, the sound timber in it shall be measured and the latter shall grant a certificate to that effect, upon production of which the Conservator or the Forest Officer for the District shall grant to the licensee a rebate of the excess paid by him at the next time of paying the Royalty as provided in Rule 19. Provided that no rebate shall be granted in respect of any tree which has been removed from the place where it fell.

For 26/5/20 sent

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DRAFT.

P.C. Southwell En

1 June
May 1920

MINUTE.

(12571)

- Mr. Penning 29 May
- Mr. Parkson 29/5
- Mr.
- Mr. Grindle
- Sir H. Lambert
- Sir H. Road
- Sir G. Fiddes
- Col. Astory
- Lord Milner

19 April

(includes in 16153)

D

Final Notice 372 -

19 April 20
[unclear]

Sir,

with ref to the letter from
 this Dept. of the 15th of March
 last I am re to his to
 you the acc copy of a
 letter from the Conservator
 of Forests in the S.A.P.
 regarding an area
~~available~~ for timber
 working which is now
 available for disposal
 a copy of the notice

^{Two official}
in the local Gazette which is
referred to in that letter,
is also enclosed for your info

I am to add that in forwarding
these papers the Chief of the
E.S.P. observes that there is an
excellent local market & that
existing Saw Mills are unable
to cope with the demand for
timber

NOTICE.

Timber Cutting Rights, Timboroa Forest.

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APPLICATIONS are invited for the timber cutting rights in an area of the Tinderet Forest Reserve near Timboroa approximately 6300 acres in extent and bounded on the North by L.O.No.1858 on the East by L.O.No.1859 and on the South by L.O.No.1860.

2. The successful applicant will receive a licence the terms and conditions of which may be obtained from the undersigned.

3. In the event of there being two or more applications of equal merit the cutting rights may be put up to tender or auction, in which case the royalty to be paid per cubic foot on trees measured standing will be the basis of tender or auction.

4. Applications will be received up till the 15th July, 1920.

5. The undersigned does not bind himself to entertain any application.

Nairobi.

7th April, 1920.

E. BATTISCOMBE
Conservator of Forests.