

EAST AFR. PROT
40760

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40760
REC
REF 26 NOV 13

531
1913
29 Oct.
Previous Paper.

Registration of Documents.

Submit proposals for establishment of two offices only. Head Office at Nairobi with branch at Mombasa. Staff at Nairobi to be Principal Registrar £400-20-500. £100 duty. + Registrar £250-15-400. at Mombasa. Registrar £250-15-400. Letter in a new post to be filed from England.

Mr. Tappin
Mr. Reed. Mr. G. Fisher

I think this centralisation proposal should be approved. It must be inconvenient, + risky, to have originals of valuable documents kept at distant headquarters.

Expense Cost

	Mean
Instead of -	
1 Principal Registrar at £400.15.400 + £50	400
1 Registrar at £200. 10 200	250
1 Mombasa Clerk £100. 10 150	150
	<u>£ 800</u>
Plus waste	
1 Reg. Registrar at £400. £10. £400 + 100	490
1 Registrar at £250. £15. £600	650
1 Mombasa Clerk £100. 10 150	150
2 1/2	160
2 1/2	160

Subsequent Paper

0786

These is same = £610

What to left hand - is stands over? It is
a good name & the duties must be
heavy. Also to well previously - on
transfer to Mansie have to give up
the half allowance approved on
file 3509 in 10. We should make this
clear.

But in the Pallthorpe - what is the
value & how to distribute - & the
two Registrars. I rather don't think
they could have £250. £15. £400.
We are revising the scale in the
case of the Office Subordinate
to what class they presumably
belong.

? Above generally, & if
included in Est 5 for costs but say
that the S. Off. is not prepared
without further costs to give to
the £250 - £15 - £400 for the two
Registrars & suggest that the
scale - whether is finally decided
on - for Office Subordinate would
suffice.

[Notice that there seems to be
some prospect of progress in progress
with Govt buildings & the use
of Crown Lands Office]

Oct. 27/13

I agree, this centralization
seems desirable.

298
Oct. 28/13

H. J. K.
28/11/13

Alone M. 1. 12. 13

Provision for Principal Registrar
in Est 11/15 as above.

For 2 deputies £150 - 20 - 200
provisionally - in Pallthorpe
£250 in 11/15.

Accd
19/12/13

GOVERNMENT HOUSE,
~~ROBINSON~~ Nairobi,
 BRITISH EAST AFRICA.

EAST AFRICA PROTECTORATE.

October 29th 1913.

C. O.
 40760

REC'D
 26 NOV 13

No. 831

Sir,

I have the honour to inform you that the question of the removal of the Office of the Principal Registrar of Documents from Mombasa to Nairobi has been receiving my attention and I am now in a position to address you on the subject.

2. For sometime past it has been evident that the present system of the registration of deeds is unsatisfactory from every point of view. All the important deeds in the Protectorate are drawn up and executed either in Mombasa or Nairobi. These have then to be sent to the Registry of the District in which the property affected is situated and registered there. A considerable loss of time is entailed both by reason of the distance deeds have to travel and also because the officers in charge of the District Registries, having very little experience in registration matters and the application of the Indian Stamp Act, have constantly to refer to the head office for advice. There is also a great risk in forwarding valuable deeds to out-stations, especially when the mails are carried by runners.

3.

THE RIGHT HONOURABLE

LEWIS HARCOURT, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON, S.W.

3. In order to surmount these difficulties it is essential in my opinion that the work of the Department should be centralised and that there should be two registration offices only, one at Mombasa for the coast provinces and one at Nairobi for the up-country provinces. Under this system deeds referring to immovable property situated in out-districts would be presented and registered by experienced officers in Mombasa or Nairobi, and abstracts of such deeds forwarded to the District Commissioners concerned.

4. I am convinced that the public generally and the lawyers in particular would welcome such centralisation as expedition in registration would follow and incidentally the Administrative Staff would be relieved of a considerable amount of rather technical work.

5. I have, therefore, the honour to place before you the following proposals to bring the scheme into operation and I trust that you will be able to approve and authorize me to make the necessary provision in the Estimates for 1914-15:-

(a) That the Head Office of the Registration Department be moved to Nairobi as soon as practicable after the commencement of the new financial year.

(b) That the following increases of Staff and salaries be made, viz:

NAIROBI

Principal Registrar of Documents - £400 by £20 to £500 plus £40 duty allowance.

Captain Ward's present salary is £425 which includes

(3)

*File
3599/1*

includes £50 duty allowance as Registrar under the Land Titles Ordinance. This allowance would lapse and I recommend that he enter the new scale at £440. Increase £55.

Registrar of Documents. - £250 by £15 to £400.

*Approved
with file*

Mr. Pailthorpe is at present receiving a salary of £230 per annum. I recommend that he be raised to the minimum of the new scale. Increase £20.

MOMBASA.

Registrar of Documents - £250 by £15 to £400.

This is a new post and I recommend that it be filled from home by the appointment of a man with some knowledge of the Stamp Act and of the working of the Stamp Department at Somerset House. Increase £250.

Clerical Staff

The post of European Clerk at Nairobi will not be needed under the new scheme, which will result in a saving of £140 per annum. It will be necessary, however, to increase the Non-European clerical staff by the addition of one 3rd grade and two 4th grade clerks. Increase £38.

The total increase of personal emoluments would amount to £413. The revenue of the Department has been steadily increasing and it is expected that a further increase will result under the new system which will more than compensate for the extra expenditure. At any rate it is believed that there would not be that loss of revenue which has undoubtedly been the case under the old system owing to the imperfect knowledge of the Stamp Act.

Accommodation

(4)

Accommodation

It is important that if possible the new Registration Office in Nairobi should be conveniently close to the Land Office as the Department will take over the custody of all the duplicate deeds referring to Crown grants. It is hoped that it will be possible to arrange this when the new Provincial Offices are complete.

6. When the new Crown Lands Ordinance becomes law it will be necessary to introduce special legislation for registering documents relating to land which could only be made effective under the new system of centralisation proposed.

I have the honour to be,

Sir,

Your humble, obedient servant,

A. Bowring

*in the absence of and as
instructed by* GOVERNOR.

Gov. 40760/1913
Eas.

4

303

SE

DRAFT.

5 Decr 1913.

Eas.

No. 1037-

Gov. Belfield

2/12/13
Bottomly 4/1/13

The removal of the office of
the Principal Registrar of
Documents to which and

Sir,

I have the honour to
acknowledge the receipt of
your despatch, N^o 831,
of the 29th of October, and
to inform you that I
approve generally of
your proposals with
regard to ^{the} establishment
of offices at ~~Arusha~~
Darvohi and Mombasa
for the registration of
deeds, and of your
including ~~for~~ the
necessary provision
for

for consideration in the
draft Estimate for 1914-15.

2. I am not, however,
prepared without further
consultation to agree to the
scale of £250-15-000
for the two Registrars,
and I would suggest
that the scale which is
finally decided upon
for Office Superintendents
would be sufficient for
the two appointments.

I

SIR JOHN BRESKETT.