

1911

EAST AFR. PROT.  
11198

C/O  
11198  
REC'D  
APR 11 6

Salby  
Date  
1911  
Apr.  
previous Paper  
38533/10

Mining Order.

Suggest that order should contain proviso that oil  
leases shall be held only by British subjects or  
corporations British in character & control. Consider  
that term of leases should not exceed 25 years with  
option of renewal for a further term, & that leases should  
be placed on number of leases to be granted to one holder.  
Recommend adoption of certain classes of <sup>leases</sup> ~~leases~~.

Mr. J. M. Little

Perhaps you would kindly mention  
the first instance?

H. J. R.

6/IV

Dear Sir,

I understand that there is no oil, or no  
oil in payable quantities, yet discovered  
in the Protectorate, that the O.A.C.  
only deals with the oil by way of pre-emption  
of course if oil were found in payable  
quantities you would want to have leases  
held in the O.A.C. to be granted to companies  
etc etc, & many other things as to  
which you would have to be advised

subsequent Paper  
4/11/11



J.P. 18939/6075  
and address letter to  
The Secretary,  
Admiralty, Whitehall,  
London, S.W.

C O  
11193  
6 APR 11

Admiralty,  
April 1911.

Sir,

In reply to your letter of the 13th March, No. 50835/10, transmitting a copy of an Ordinance relating to mining, as passed by the Legislative Council of the East African Protectorate, but not yet assented to by the Governor, I am commanded by My Lords Commissioners of the Admiralty to acquaint you for the information of the Secretary of State that they observe that the provisions in Part III Division V of the Ordinance which have reference to oil leases include the proviso that leases shall be held only by British subjects or by Corporations British in character and control, and I am to suggest that the Ordinance should contain a stipulation to this effect as in the case of other Crown Colonies.

2. My Lords are further of opinion that the term of years over which leases may run (section 55 (2) p.9) should not exceed 21 years, with the option of renewal for a further term, and that a limit should be placed to the number of leases which may be granted to any one holder (section 57 p.10) or the paragraph deleted altogether.

3. My Lords are aware that when the promulgation of this ordinance was proposed in 1907 it was suggested that that drawn up for Southern Nigeria should be followed, but they regard part V of the Land Regulations of Trinidad dated 1st October 1910 as furnishing in some particulars a better model in the light of more recent experience.

Under Secretary of State,  
Colonial Office,

I am therefore to request that you will move Mr. Secretary Harcourt to consider whether clause 59, 60, 62 (paragraph 2), 63, and 64 of those Regulations could not with advantage be incorporated in the Ordinance now in question, in substitution where necessary of existing clauses.

I am,

177

Sir,

Your obedient Servant,

*C. Thomas*

Admty List  
1198

19 May 1900

Ans'd 8022/12

178

DRAFT.

P. no 266

Mr. P. Bernard

MINUTE.

- Mr. ~~13/5~~ 12/5
- Mr. ~~16/6~~ 16/6
- Mr. ~~16~~ 16
- Mr. ~~17~~ 17
- Mr. Fiddes. 17
- Mr. Just.
- Mr. Cox.
- Sir C. Lucas.
- Lord Lucas.
- ~~Mr. Stuby~~
- Mr. Harcourt.

I have the honour  
 to ack. the receipt of  
 his father's despatch no 707  
 of the 25<sup>th</sup> of Nov<sup>r</sup> last  
 transmitting copies of  
 "The Mining Ordinance  
 as passed by the Legislative  
 Council, and to transmit  
 to you, for your consideration,  
 the accompanying copy of  
 the same with the Admty.  
 on the subject.  
 As regards the  
 suggestion in para 1

13 hand  
 5 April  
 20 of his Court  
 1400 (Revenue Dept)  
 under Law Regd (1900)



of the Admiralty letter that  
there should be included  
in the ordinance a provision  
that houses shall be held  
only by British subjects or  
by corporations British in  
character and control  
I would suggest that  
the proposed clause  
should follow section 21  
of the Joint Coal Commission  
Order 14 of 1900 (Revised  
Edition), it being made  
clear that, notwithstanding  
any provision in the other  
legislation ~~relating to the coal~~  
industry, the last clause  
shall apply to a

DRAFT.

MINUTE.

Mr.  
Mr.  
Mr. Fiddes.  
Mr. Just.  
Mr. Cox.  
Sir C. Lucas.  
Lord Lucas.  
~~Col. Stoby.~~  
Mr. Harcourt.

prospecting license ~~and~~  
a mining license for oil  
to copy of the Statute of the 18th  
of 1854 ~~in~~ instead  
of the Statute referred to  
para 2 of the Admiralty letter  
I am of opinion that  
it is not necessary to alter  
the ~~alteration~~ ~~statute~~  
 ~~Statute~~  ~~Statute~~ 57 (b)  
of the Admiralty, and  
am advised that ~~the~~  
cannot be applied for by  
enterprises on a twenty  
one year basis.  
As regards section 57,  
I assume of the words  
"Any number of coal  
or oil houses" being  
added to "have been"

me. It does not  
~~clearly~~ appear possible  
 to prescribe any definite  
 limit until it is known  
 how far the oilfield extends.  
 The suggestion in  
 4 ~~is~~ ~~to~~ ~~be~~ ~~made~~ ~~in~~ ~~para~~  
 3 of the ~~last~~ ~~letter~~,  
 as to incorporating in  
 the ~~new~~ ~~provisions~~  
 of Part V of the  
 Land Regulation of Trinidad,  
 dated 1<sup>st</sup> Oct 1940, the  
 suggestion ~~is~~ ~~not~~ ~~if~~  
 Section 64 of the ~~Trinidad~~  
 Reg. is substituted  
 for Section 58 as at

present drafted. A copy  
 of the Trinidad Regs. is enclosed  
 for ~~reference~~ ~~of~~ ~~reference~~  
 5. It seems that

Section 21 of the ~~Trinidad~~  
 provides that a prospecting  
 license shall not be  
 transferred, but there  
 does not seem to be  
 any provision against  
 the transfer of mining  
 claims ~~as~~ ~~a~~ ~~license~~. It  
 would be <sup>in my opinion,</sup> better, ~~to~~ ~~insert~~  
 a clause in the act  
 providing that licenses,  
 claims, and leases  
 shall not be transferred  
 between the present ~~bound~~

in writing of the  
journal, as provided  
in Article 66 of the  
Incorporated Laws  
& further it would  
be desirable to include  
in the address a  
provision that no money  
for the purchase of a journal  
shall be expended  
without the consent of  
the journal

7. Subject to amendment as above  
proposed, I approve of your  
giving your assent  
to the address, after  
~~amendment as above~~  
proposed. J.