

EAST AFR. PROT.
N^o. 1821

1821
Rec^d
RE: 17 JAN 08

No.
540
1907
Dec
Previous Paper.

(Subject)

Land Grants for Indians

To ensure by bonus of lands is obtained
See no reason against grant of small allotments
land to agricultural Indians on some proposed
is no insubstantial set out

PRINTED FOR PARLIAMENT
Cd. 4117 JUNE 1908

Mr. Anderson

Please have copies of
this 1821/07.8 made
available to the committee

M. J.

605
4

Previous Paper.

868/8

1/3 Copies 553

Governor's Office,

Nairobi, 1821

December 17th 1908

EAST AFRICA PROTECTORATE.

No. 549

(Incl. P)

PRINTED FOR PARLIAMENT
G. 1. 4117 JUNE 1908

My Lord,

I have the honour to submit copy of a Memorandum by the Commissioner of Lands, with enclosures, on the subject of the grant of lands to Indians.

Comm. of Lands
No. 520/110
Enclosures

2. There is a growing tendency amongst the white settlers in the Uplands to keep the Indian, not only out of the Uplands, but out of the country altogether. The spirit is akin to that prevailing in Natal and elsewhere, and is due to the fact that the white cannot compete in the East with the Indian shopkeeper for supplies of provisions and articles in daily use, or as a petty trader.

3. By all means let us keep the land in the Uplands, known as the white settlement area, for whites only. I can see no reason why we should not give small allotments of land to agricultural Indians - not to Indian traders who would not themselves cultivate - on the terms proposed by the Commissioner of Lands. I am instructing Colonel Montgomery accordingly. The legislation of Mr. Waller last year to

India

F.V. PRINCIPAL SECRETARY OF STATE

FOR THE COLONIES,

DOWNING STREET,

LONDON, S.W.

6940 538-11

India to arrange for the settlement of a limited number of Indian immigrants was a failure, and we need make no further move in this direction. But if we have to come to indentured labour from India then we should certainly arrange to settle down on the land Indian families who care to remain after their period of indenture is completed in the districts in which they are engaged. There should be the Coast line and the tracts north of Masindu where the fibre and rubber industries are being developed, and also perhaps in Kavirondo, west of Fort Ferman which should be a good cotton productive country.

4. The development of these tracts cannot take place by white settlement, and should be capable of being furthered by Indians, and so far from the Indian cultivator being harmful to the natives I consider that if settled amongst them, more especially if with his family, he will set an example of thrift and industry which the native will soon learn to follow when he realizes the advantages to be gained. As the Right Honourable Winston Churchill lately remarked in the course of his speech there is no land in this Protectorate for all and likely to be so for very many years to come.

I have the honour to be,
 With the highest respect,
 My Lord,
 Your Lordship's most obedient,
 humble servant,

Henry ...

Nairobi, 1821

REC'D
REGD 17 JAN 08

Your Excellency,

555

I lately had the honour of submitting notes on the questions respectively of Indian Immigration (dated 8th May 1907) and the Indian Settlement at Kibera (dated 21st August 1907). I also addressed Your Excellency on the subject of land grants to Indians. The note on the latter question I considered advisable to recast, and finally sent it in the accompanying form (dated 21st August 1907) to the Land Board for consideration.

2. The Board passed the resolution which is appended. It will be seen that in the opinion of the majority it is not advisable to give any land grants at all to Indians; while three members thought that, while discouraging any regular scheme of Indian settlement, there would be no objection to allowing Indian close settlement in limited areas in the lowlands.

3. The question is one of great importance and needs the declaration of a definite policy by the Government after due consideration of all the facts.

I have already expressed an opinion that we should discourage any regular scheme of immigration of Indians as much in the interests of themselves as of the country generally. But I see no reason why we should debar those Indians who have come here of their own accord from acquiring Crown land in limited quantities and in certain definite tracts.

4. Probably the majority of the members of the Land Board are hardly aware of the following facts:-

(a) Indians have been in the country (notably in the Sultan's dominions) for many generations, and came long before the Europeans.

(b) The Uganda Railway (the greatest factor in the development of the country), was made by Indian labour. But for such

labour it would never have been constructed at all.
 Most of the trading wealth of the country is in the
 hands of Indians.

Finally Indians are British subjects.

As a fact we do not yet know if this is going to be
 a white man's country. In that hope we are restricting
 grants of crown land in the highlands to Europeans, and
 remains to be seen whether they will be able to rear
 children and make the country their home. Certainly the
 land is by no means a white man's country, though
 surely this class can reside there in clusters, and
 exist with safety under precautions, one of these being
 medical visits by more temperate regions.

In consideration of these facts I think we should
 refuse lands to Indians in certain defined tracts, and
 limited quantities.

It is not necessary to give it in the Sultan's
 hands. Here Indians have already acquired and are
 acquiring considerable areas by private negotiation
 from the native proprietors. The area of crown land left
 is comparatively small and may well be kept for reserved
 purposes. But outside the coast strip in the lowlands
 we should not refuse grants of 50 acres, or even of 100
 to members of some fine agricultural tribes. The
 size of these grants may at first sight appear small. As
 in most parts of India a man who holds and cultivates
 50 acres is considered a substantial yeoman farmer.
 The main conditions of these grants will be personal
 and development expressed in terms of money
 value

value; and deeds of lease for 99 years will be given
when ^{some} more development has taken place.

I have the honour to be,

Sir,

Your most obedient,
humble servant,



Commissioner of Lands.

Respectfully the Governor

Ac., Ac., Ac., Ac.,

to Despatch No. ~~514~~ ^{20.2} Sec. 17. 07

C. O.

1821

Recd
REGD 17 JAN 08

LAND GRANTS TO INDIANS.

A short time ago I wrote a note on the question of Indian Immigration, and attach a copy of it.

I have reason to believe that any regular scheme of Indian Colonisation is most improvable. I have also recommended that the Indian Settlements at Tibos be in future treated as any other settlement of colonists, the tenants being left to run on their own resources, and not to be allowed to receive advances or other help from the Government.

Some 1000 acres are already occupied at Tibos by Indians, and I have set aside another 1000 acres for any additional grants that may be made to Indians in that locality.

Although I am against any Indian Immigration scheme, it seems to me that we should not refuse small grants to Indians of good character, and of the agricultural classes who are resident in the country.

The conditions to be observed are the following:-
1. Land only to be given in the lowlying parts of the Protectorate, i.e. in the south-east between Kila and the border of the Sultan's dominions; in the north-west below Port Moresby Station. All the highland between Kila and Port Moresby to be reserved for white settlement; Indians being allowed to hold only town lots and small plots within township limits for market gardening.

2. The area of each grant to be ordinarily 50 acres, but applicants of bona fide agricultural tribes, if possessed of sufficient means, may be given up to

- a maximum of 100 acres.
3. Rent to be 2 annas an acre, and development to be insisted on. The tenant to reside on the land and cultivate it personally. At least half the area to be put under cultivation. Beneficial occupation to be proved to the value of Rs. 100 on a 50 acre grant.
 4. When due development as above indicated has taken place a lease to be granted for 99 years.

I have suggested residence and personal cultivation as one of the conditions, because it has been found that a majority of Indians, even though farmers by birth, take to trading in this country. There is no objection to this; but applicants for land should understand that the grant is made subject to conditions of personal development.

I shall be much obliged if the Land Board will favour me with its advice on this question.

J. H. M. S. S.

Commissioner of Lands.

21-2-07.

COPY OF RESOLUTIONS OF LAND BOARD ONINDIAN LAND GRANTS.

The question of Indian settlement was then discussed at length. It was stated that a coolie labour supply might be very necessary for the development of the coast districts, and Major Leggett added that while he, at present, was not prepared to assert that the time was ripe for the introduction of coolie labour for the lower forms of manual work required on plantations, indentured skilled labour for the running mills &c. was an immediate necessity. Major Leggett further added that not only would the sub-leasing of small plots to such indentured labour be an inducement, but probably a necessary condition imposed by the Government of the country supplying such labour. It was further generally admitted, (Major Smith and Messrs. Hutchins and Barton Wright dissenting), that, owing to the advances in tropical medicine and other causes, it might be generally accepted that very few parts of this colony would be found to be unsuited to European settlement. It was agreed to, as a general fact that the intrusion of the Indian agriculturists meant the expulsion of the European element.

An opinion was expressed that Indian indentured labour might be employed, but the general feeling was that this labour should be repatriated on the completion of the term of indenture, this country being retained for Europeans and natives.

Resolution

Resolution. (Moved by Mr. Baillie and seconded by Mr. Clarke), "that Indian immigration be discouraged as much as possible for the purposes of settlement, and that no Government land be allotted to them".

Major Smith and Messrs. Barton Wright and Hutchins dissented in favour of a motion that "the definition of 'highlands' be extended, that Indian close settlement in limited areas should be allowed in the lowlands, but that Indian settlement should not be encouraged by Government".

9