

EAST AFR. PROT.
ACCOUNTS
No. 18995

C. O.
18995
MAY 07

Draft
867

Order Individual

(Subject)

which has a

1907

is also

last previous Paper

Transfer of Land grant
of Messrs Edmunds, Neilson & Bartlett

Complaints of action of Land Office in
regard to

(Minutes)

A. Engelbach

This paper was brought before the committee
was sent to Nairobi on 27 May 1907 - the cost of which is
accountable from local funds - the latter amount
never was determined. The matter has already been charged
to Imperial funds. I shall not transfer to them now or when we
get the money.

H.B.

7/11/07

This ought to have come to
us at the time - and we should then have
charged the outland expenses of 27 to the
to Advance Col. Funds. As, however, we
ignorance we charged it to the Vote, we had
better now transfer the £1.8.6 to the credit
of the Vote, charging "Advance Col." in the

to be sent to the
And 28 June 1907
13 July 1907
to be sent to the
18/11/07

next subsequent Paper

19154

TELEPHONE
J. DROZDOWICZ

May 19th
RINDLER HALL
MUNICH

511
TELEGRAMS
FERNBERG-STRASSE

C. O.
18995

REC'D
R. 29 MAY 07

Dear Churchill,

I enclose two letters from
my solicitor at haidob. I
confess I do not understand
them, but I gather that
the land office does not
wish to transfer 5000 acres
of land from Edwards + Butler
to me.

It is a pity that if the
land office did not wish

to transfer that they did not refuse to do so at the time more than 12 months ago.

My solicitor's bill of costs contains among other entries the following.

Feb 13th 1906 Attending Land Office & Crown Advocate specially heading in our letter of this date with cheque for Rs 267-8 balance survey fees which they undertook to have been prepared immediately.

March 29th /06 Receiving letter

from Land Office with enclosed here for 1000 acres & remittance of 1000 acres for signature.

I have paid through my solicitor the sum to the Govt for this land.

I, in conjunction with Mr. Lawrie, have worked this land for 10 or 11 months.

As for the work done on our main property & money spent I shall be happy to give figures of recovery & other evidence.

TELEPHONE
7, DROITWICH.STABLEY HALL,
Worcester.TELEGRAMS,
FERNHILL-ROAD.

I should be extremely obliged if I could be informed whether the Govt. mean to try & refuse to transfer this land to me or not, as I wish to go abroad in July not to East Africa. But, if transfer is to be refused, I should have to change my plans, & go to Harlech to protect my interests. You will of course understand that after having worked land for nearly a year & paid government money for it, I cannot

afford to lose the land and the money expended upon it quietly. I had no idea that this matter had not been settled a year ago.

Yours very truly
Stabley

I am sending this direct to you as it has come as a surprise & I think I am entitled to ask for a decision.

Nairobi,

516

East Africa.

29th April

1907

Dear Lord Hindlip,

Edwards, Neilson & Mrs. Bartlett to You

I enclose copy of a letter dated the 22nd inst. which I have written to the Land Officer regarding the great delay in consenting to transfer the farm in above matter to you.

The letter sufficiently explains itself, and I think you might perhaps communicate with the Colonial Office Officials and endeavour to push them on a bit from your end.

Very faithfully yours,



9 Grosvenor Place,

London S.W.

B. G. ALLEN,
SOLICITOR

Nairobi,

517

East Africa.

22nd April 1907

by

Sir,

Messrs. Edwards, Neillson & Mrs. Bartlett
to Lord Rindia

I have the honour to acknowledge yours of the 17th inst. No. 1486, and I am greatly astonished at the lengthy further delay now proposed before giving a definite reply to my letter of the 3rd November last, requesting permission to transfer this land.

It is almost exactly 6 months since I first applied for consent to transfer. I have called repeatedly at your office with reference to the delay, but failed to obtain any satisfactory explanation thereof until my visit of the 20th Feb'y. when you informed me that the delay was caused owing to the necessity the Sub-Commissioner of Kisumu found in deputing any officer to make a report as to the development which had been effected by the Vendors on the land to be transferred.

I immediately informed you that I would admit that no development had been done other than the grazing of cattle on

Nairobi,
East Africa,

517

22nd April 1907

Sir,

Messrs. Edwards, Neilson & Mrs. Bartlett
to Lord Haldin

I have the honour to acknowledge yours of the 17th inst. No. 1486, and I am greatly astonished at the lengthy further delay now proposed before giving a definite reply to my letter of the 3rd November last requesting permission to transfer this land.

It is almost exactly a month since I first applied for consent to transfer. I have called repeatedly at your office with reference to the delay, but failed to obtain any satisfactory explanation thereof until my visit of the 20th Feb. when you informed me that the delay was caused owing to the necessity the Sub-Commissioner of Kinross found in deputing any officer to make a report as to the development which had been effected by the vendors on the land to be transferred.

I immediately informed you that I would admit that no development had been done other than the grazing of cattle on

(13)

the land, as permission to transfer was applied for almost immediately after the Lease from Government had been obtained by my clients, and it was therefore unnecessary to wait many months for a report from the Sub-Commissioner of Mines. In order to facilitate matters I lent you the original Lease to Messrs Edwards, Ballance and Mrs. Burdett as the Government's Counterpart was at Kisumu, and I certainly understood from you that as soon as you had perused the Lease and satisfied yourself that the interval was very short between signature of the Lease and application for consent, that the consent would be granted.

Now after two months delay you write me that it is first necessary to obtain a report on the amount of development effected by Lord Hindle on the lands at present held by him and then refer the matter to the Colonial Office.

If this was necessary it is impossible to understand why you did not have it done six months ago.

I have to point out that, from my own knowledge of the practice of your department, it is entirely a new departure

B. G. ALLEN,
SOLICITOR

Nairobi, 519
East Africa,

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(2)

to institute an injunction into the business of a proposed Purchaser before allowing transfer. Hitherto it has been thought sufficient to ascertain what development (if any could be insisted upon) had been effected by the Vendor on the land proposed to be transferred, and whether the proposed purchaser had sufficient means to carry out the obligations of the Lessee.

You can have no reasonable doubt but that Lord Hindle is possessed of £1000, the amount which your department requires the Purchaser or Lessee of 5000 acres to own, and I have shown you at our personal interviews and in my letter of the 20th February last, that the Vendor could not be expected to have effected any development on the land to be transferred between the sale of the lease and the application for consent to transfer. My Lord Hindle would be put to this enormous delay and annoyance is accountable to me.

Unless I learn that the consent is granted within 48 hours I shall consider it my duty to send a certified copy of the correspondence and a note of my various attendances at your

(4)

office to Lord Hindley by the next mail in order that he may take such action as he thinks fit in the matter.

As everyone in the country is aware of the large amount of money expended by Lord Hindley on his Kioro properties and the very considerable development already effected thereon, it is very difficult to believe that there is any necessity for a report as to the development effected on Lord Hindley's properties, even if such development could legitimately be considered a factor in granting consent asked for in the present case.

I must ask you to be good enough to return the original lease to me at once.

I have the honour to be,

Sir,

Your Obedient Servant,

(Sd) B. G. Allen

To/
The Land Officer,

Nairobi.

Yours truly

Knudsen

18995

REC'D
MAY 28 MA 07

521

Please to hand
 Thank you for your of the 26th
 which reached me here tonight.
 I quite understand that it is not
 a matter which you will be called
 about at present, but I
 should be extremely obliged if you
 should be able to send me this copy
 to which at my expense I think
 you will understand that it is implied
 for me to kindly what the intention
 of the Remington are in the
 matter. I shall be in constant



522

S. A. O. O.
18995
REC'D
REG 28 MAY 07

DRAFT

Telegram

and

Johnson
27 May

Sister
Maudie

MINUTE

- Mr. Lott
- Mr. Tins
- Mr. Judd
- Mr. Andrews
- Mr. Cox
- Mr. Lewis
- Mr. F. Hopwood
- Mr. Charakill
- The Earl of Elgin

looked
 Enquire state by telegraph
 alarm bell
 state of affairs
 proposed
 petition
 relative to transfer of
 farms
 land grant from

Edwards
 Neilson
 and Bartlett to
 Hindstep

What is the reason of

gone

WJ

delay

2nd - 9/1/07
H.R. 7/12/07

Elgin

McSaff. to note that
 list of this list + the reply
 to be returned from Lord Buller 10/1/07

The enclosed copy and
enclosed and I am to enclose

L. S. C.

a renewable order order which
that amount had to be paid to the
credit of the Colonial Office and
the Paymaster General, Whitehall.

R.O. No 60 of 11 Dec 1907

At the same time I
am to inform you that the cost
of the reply from East Africa

on the 20th of May amounted
to three pounds three shillings
and I am to request that you

[for 1915/16/17 East]

[3-3-0 - for -]

will pay the same to the Treasury
Agents

Agents for the Colonies, Whitehall
Gardiner, Esq. 525
Jan

(for) R. L. Arthur