

...the service is...  
...the vessels...  
...the ports...  
...the vessels...  
...the ports...  
...the vessels...  
...the ports...  
...the vessels...  
...the ports...

(Signed) R. L. ANTHONY.

77A  
L. O. FILE

DESPATCH.

EAST AFR. PROT.  
No. 40397

C. O. S. 459  
40337  
Recd 13 Nov 05

No. 562.  
1905  
Oct 16.  
post for Paper.

(Subject.)

Board of Leases of large Areas

calls attention to Sir D. Stewart's despatch No 77 in which he recommended that instead of granting leases of land to private persons to enable them to collect a single product, a clause should be inserted in agreement stipulating that lease has no right to the land, & that the collection of the product should be done by the Government.

Mr. Read  
Enclosed copy of the F.O. despatch of 16 Sept 04  
ref. to an order of 16 Sept 04  
says we prefer to say that the  
provisions of the lease which  
mentioned would appear to  
most of the conditions laid down  
in F.O. despatch of 21 Sept 1903  
were implied - viz that the  
land should be so leased as to  
ensure actual occupation in the  
lease area, & if any lease is  
granted strictly confined to  
workable limits as sufficient  
to enable nominal "occupation"  
of the land - & that we  
prefer to ask for details of the

subsequent Paper.

Having the bond already granted  
I send A.F.O. for a copy of the

1771

at one

43 R

1871

10397

40357

469

Rec<sup>d</sup>  
13 NOV 05

Commissioner's Office,

Mombasa,

October 16<sup>th</sup> 1905.



EAST AFRICA PROTECTORATE

No. 362

Sir,

I have the honour to invite your attention to Sir R. Stewart's despatch No. 77 of February 12th in which he recommended that instead of granting leases of large areas of land to syndicates and private persons in order to enable them to collect a single produce such as fibre or rubber, that such leases should be inserted in every agreement of this kind expressly stipulating that the lessee has no right to sub-let. In accordance with the instructions contained in the Secretary of State's despatch No. 170 of September 21st 1903, the large areas of country have already been alienated from the Crown, and leases of land granted to persons who will make no use of it, other than that of collecting thereon

Yours

Principal Secretary of State

for the Colonies,

Downing Street,

LONDON.

311. 247-15 No. 77. O. 388 + 7 O. No. 117 S.A.P.

some particular product. It is frequently the case that a considerable portion of the land so leased does not produce a crop in specie of producing the product which the lessee desires to collect, but is admirably suited for the growing of other products. Then

it appears that under the present system of granting leases of the land which might be profitably cultivated or in the hands of persons who do not require the land to make any profitable use of it. If on the other hand persons desiring to collect a particular product were granted the bare right of enterprise as a defined and limited area and of collecting the same for that product, the Crown could grant leases of the land within that area subject to the rights of such persons, or other persons, for activities or other purposes, and so land which under the present system is left fallow and unprofitable would be open to settlement and would be productive of revenue.

2) The question of whether or not the Crown would not hesitate to granting a "monopoly" or "favour" was dealt with in Sir D. Stewart's despatch and I would only add thereto

"my submission that the granting of the right to collect a particular product over a restricted area, there being other similar areas in respect of which the right to collect the same product has been granted or would be granted to other persons, could not be held the granting of a "monopoly" or "favour".

I have the honour to be,

Your most obedient,

humble servant,

*J. J. J. J.*

Acting Commissioner.

40397

Commonwealth of A.S.

40394

463

DRAFT

U.P.P.  
F.O.



*Leaves*

20<sup>th</sup> November 1905

MINUTE

17/11

- Mr. Adrobus.
- Mr. ...
- Mr. Lucas.
- Mr. Graham.
- Mr. H. Ommanney.
- The Duke of Marlborough.
- Mr. Lyttelton.

F.O. 388

See with reference to the letter from this dept. of the 18<sup>th</sup> Sept. I am directed by Mr. Pe... to transmit to you to be laid before the Managers of the... the accompanying... copy of a... further... from the Acting Comr. of the C.A.S. on the subject of the grant of... of large areas for the purpose of collecting single products such as fibre or rubber.

*Mr. Jackson to P.P. No 562/104*

*Vertical handwritten note*

248 15

F.O. No 388

40397

Mr. Lytton Jackson,  
of Lord Lansdowne  
concerns, to add to the  
draft of which a draft  
was sent to you in  
the letter of the 16<sup>th</sup>  
of Sept. an intimation  
that the objection  
which <sup>Mr. Jackson</sup> ~~Mr. Jackson~~ <sup>Mr. Jackson</sup> ~~Mr. Jackson~~ <sup>Mr. Jackson</sup> ~~Mr. Jackson~~  
the present system, that  
it tends to lock up  
large tracts of land  
the hands of persons  
who ~~are~~ are unable  
to make any profitable  
use of it, would be abolished  
if the conditions recom-  
mended in the F.O.  
draft of 21 Sept. 1903  
were enforced - viz  
that the land  
shd. be so leased

† No. 421824. F.O. Paper No. 119

"as to ensure actual occu-  
pation in its proper  
sense, and ... any  
been suggested  
sterility. Tired to  
workable its so as  
to prevent a merely  
nominal "occupation  
of the land."

Mr. Lytton does  
propose to ask for a  
list giving details  
of the leases of this land  
already granted, or  
now pending.

I am to request that  
an early reply may, if  
possible, be returned  
to this letter, & to  
the letter of the 10<sup>th</sup>

Sept. of 1903, cc.  
R. S. Anderson