



EAST AFR. PROT.
33541

C. O.
35541
Recd
Feb 11 OCT 09

No.
1909
11 Oct.
Previous Paper
490148

Land order.

Do you adhere absolutely to terms of your
desp. N. 7 Jan? This in anticipation of
probable discussion - will not report until
January.

Sir J. Hopwood
Mr. Riddes.

Our despatch of the 7th of January 1909 ^{on 11/30/08} was con-
cerned with two points:

1. The revaluation of leaseholds at the end of the 33rd and 66th years of the full term of 99 years, and
2. The surtax on large holdings.

The attitude of His Majesty's Government on these two points was summed up in paragraphs 10 and 11 of the despatch, which read as follows:-

"10. His Majesty's Government adhere to the
"opinion that means must be found of securing to the
"Government, i.e., to the community, a share in the
"future increased value of the land, and that this need
"is not met by the possibility of a land tax the inci-
"dence of which cannot be regulated. They also hold
"that

"that excessive accumulations of land in the hands of individuals must be restrained by law so far as it is possible to do so.

"11. Subject to the maintenance of these two principles, His Majesty's Government are prepared to consider amendments in the details of the measure, and they trust that the points at issue will be argued out fully and freely in the Legislative Council, it being understood that the provisions of the Bill as founded on Lord Elgin's despatch stand until any particular provision is shown to need amendment".

The permission to suggest amendments implied in paragraph 11 was interpreted pretty liberally. In the ~~original~~ finally sent for our approval in the Governor's despatch of the 29th of April (17393), revaluation after the 33rd and 66th years was cut out, and leases of 99 years were granted, but rents were raised all round as a sort of make-weight on the other side. The surtax was done away with, and it was argued that accumulation of undeveloped land in the hands of individuals was prevented by the original grant of farms of moderate size and refusal of permission to transfer until development had taken place. These alterations have not been considered in detail, Sir Percy Girouard having requested that further consideration of the Ordinance should be suspended until he had been in the Protectorate for some months and had put his views before the Secretary of State. We are not, ~~therefore~~ I think, required to discuss these particular amendments, which are not specifically referred to in this telegram. We revert, therefore, to the position taken up in our despatch of the 7th of January last, and I think the answer to this telegram plainly is that the Secretary

A

Secretary of State adheres absolutely to the terms of that despatch, especially paragraphs 10 and 11.

I should add that the principles enunciated in par. 10 of the despatch are in accordance with views expressed by Sir P. Girouard in his dealings with the land question in Northern Nigeria. It is probable, therefore, that he is not in any way suggesting that we should depart from those principles, but is seeking a firm declaration of policy which will support him in dealing with local opinion.

JAB

Oct. 13.

P.P. 14

Draft please - I doubt whether we can ignore his particular amendment referred to at A...

Jfk
14.10
atms

I meant we are not required to discuss amendments to par. 11. Sir Percy Girouard does not want amendments of other which he got made himself to be sanctioned. The principles enunciated in par. 10 of the despatch

JAB

Oct. 15.

Then might we not refer the telegram as attached in red for consideration...

15.10
E.P.X. Jfk
15.10



33541
REC
OCT 11 1909

328

Telegram from the Governor of the West Africa Protectorate to the Secretary of State for the Colonies.

(Received, Colonial Office, 12.30 p.m. 11th October, 1909)

[Announced by No. 32541]

No. 139.

4/2
4+36 2/8

Do you adhere absolutely to the terms of your despatch 7th January No. 16 especially paragraph 10? This in anticipation of probable discussion will not report until January.

GIROUARD

444368



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33541

11 OCT 1899

RECORDED

10/11/99

The following TELEGRAM Received at

12:57 pm

From

Nairobi

via "Eastern."

Foreign No.

No. of Words

23

Dated

Time

12:57 pm

Chapelroad



139 Doctism adhere
 absolutely surmount to the
 terms of your des. 7 Jan
 16 especially up some ness
 10 stop this paragraph
 probable discussion in anti effecting
 to will not report
 tel january
 12 30 /

via Eastern

No inquiry respecting this telegram will be attended to without the production of this Copy



355741

For
sent 6.0 pm
18 Oct. 1890

[Handwritten signature/initials]

odiado

18 October

330

unstable

Your letter of 11 Oct

DRAFT.

Forward

Nairobi

MINUTE.

Mr. A. J. S. 15

Mr. Butler 15

Mr. Fiddes 15

Mr. Just

Mr. Cox

Sir G. Lucas

Mr F. Hopwood 15

Col. Sedy 15

15
2 10 X

for coupon
my further minute
H. J. S.

I adhere ~~absolutely~~ ^{intensely}
- ^{principles} involved in
Sumner ^{stipulated}
to the ^{terms of}
a ^{contract}

My despatch of 7 January

Sinica ^{paganism} especially paraphrase

En and slaves

~~substantive paragraph~~
no ^{the} paraphrase slaves
which should be of
with in discussion