9551—17/12/26—1,000.

OFFICE OF THE GOVERNOR-GENERAL OF SOUTH AFRICA.

No. 22 / II9

(F1)

OFFICE OR INDIVIDUAL	SUBJECT
From Ministers No.28I.	TRISTAN DA CUNHA Question of settling certain Islanders in Union of S.A. : submit information in regard to Rev.Pooley's enquiry.
1927 12 April	

PREVIOUS PAPERS

22/II6

MINUTES

The minute has been returned to the Prime Minister's Office for amendment. Wait

13/4/27

25.4.27. Minute from Ministers No.297 in substitution for Minute No.28I.

I think this will do.
? Send copy of the Rev Pooley's first letter to us on minute to Ministers sending it on and above minute with enclosures to S. of S.

27/4/27

SUBSEQUENT PAPERS

22/133

I cannot think that his memorandum will be of much value to Mr. Pooley in his special circumstances of these islanders.

27/4/27.

27/4/27

No. 22/119

qualifications and experience of applicants desiring to be assisted under the Government land settlement scheme. While, for the reasons given above, it is difficult to lay down within narrow limits the amount of capital which a settler requires to engage in successful farming, it should be made clear that there is no scope for the farm labourer immigrant, or the man without means. It may, however, be accepted that for men possessing the necessary farming experience, provided they apply themselves energetically to their task and practise thrift, a capital of from £700 to £1,000 should ordinarily prove adequate to enable a reasonably good living to be made by the settler.

The Department has no detailed information as to the conditions under which land can be leased from private individuals.

Intending settlers should, on arrival, place themselves in touch with the Department of Lands, which has offices at Cape Town, Pretoria and Pietermaritzburg.

be situate; in other words, the individual prospective settlers though resident overseas would have to follow exactly the same procedure as is followed by South African applicants, vide pages 4-5 of this Memorandum, except that they would not have inspected the land personally but this would have been done for them by the accredited representatives of the group. Prospective settlers would furthermore require to satisfy the authorities that they are free from any such physical or mental defects as would preclude their being accepted as immigrants under the Union Immigration laws. The advantage of the system outlined above is that not only would it eliminate unnecessary expense on the part of the intending settler, but that it would give him on arrival the assurance of an allotment of land selected by the accredited agent as being suitable for his requirements. Furthermore he would have the benefit of neighbours whose language, customs and temperament are known to him thus facilitating co-operation in the matter of raising and marketing of produce which is so essential to the success of any land settlement scheme.

It is difficult to generalise on the subject of the price to be paid for land as this varies considerably in different parts of the country and is naturally dependent on soil and climatic conditions, proximity to railways and markets and a variety of causes. In the outlying parts good grazing land may be purchased for a few shillings a morgen which close to railways and markets would cost pounds and it is the same with arable and irrigable land.

The question of deciding the average capital which a settler should possess presents similar difficulties. It depends in the first place on the man himself, on the type of farming he wishes to pursue, as to whether the farm on which he commences farming operations is totally undeveloped, etc. Land Boards attach a great deal of importance to the farming

/qualifications.....

development of a farm holding.

As far as ordinary Crown Land is concerned there is generally speaking no such land available for allotment in the more favoured parts of the country. Most of the land which is still unalienated is situated either in the outlying parts of the country far removed from markets and railway communications or in parts of the country which are malarious. There is, however, a certain amount of irrigable land under the several Government Irrigation Schemes.

Intending immigrants in many instances possibly find it more advantageous to purchase land under the contributory purchase system which has the advantage of enabling a settler to select land which is suitable for his particular requirements. The expense and difficulties connected with the selection of land by individual newcomers and their successful settlement on the land are fully appreciated. The Union Government is, therefore, prepared to consider the purchase of land for groups of overseas settlers, and to allow the selection of such land on behalf of a group of settlers to be made in the first instance by a person authorised to act on behalf of the group and duly accredited as such in the case of the United Kingdom by the Secretary of State for Dominion affairs or in the case of other countries by the Government concerned through its Consular representatives. The members of the group would, however, individually have to satisfy the Land Board or other authority empowered to deal with applications for land under the Union Land Settlement legislation that they possess the necessary farming qualifications and capital. The law makes no provision for the selection from overseas of settlers under the contributory purchase scheme and each individual applicant would therefore have to submit written application on the prescribed form for submission and consideration by the Land Board for that area of the Union in which the land selected may

/be.....

payment, which includes capital and interest, is approximately £2:10:3¾ for every £100 of purchase price.

It will be observed that no preliminary lease for five years is given to this class of settler, the option of purchasing the holding is exercised from the date of commencement of the lease, which is the date of transfer of the land into the name of the Government.

There is no reservation of rights to minerals, metals, mineral oils and precious stones to the Crown on the issue of Crown Grants to settlers holding land under the scheme outlined in the above paragraph, where such rights are included in the purchase of the land for the settlers.

The Department maintains Inspectors of Lands in those districts in which land settlement is proceeding rapidly and, in addition, maintains Resident Superintendents on the principal Closer Settlements. The settlers on closer settlements may form Committees of Management for the purpose of controlling or safeguarding the use and distribution of water, the depasturing of stock on, or the cultivation of the communal area, and generally of controlling any matters incidental to the development and improvement of the respective settlements.

The method of allotment of Crown Land holdings is selection of applicants by the Land Board. All holdings available for disposal are advertised widely and applications are invited during a period of six weeks. At the expiration of that period the Land Board makes its recommendation to the Minister as to the applicants to whom, in its opinion, the holdings should be allotted. Holdings may be allotted to any person, male or female, over the age of 18 years.

The provisions of the land settlement legislation explained in this memorandum would be available for any immigrants who, in the opinion of the Land Board, possess the necessary qualifications and capital for the working and

/development.....

option, accompanied by the application form prescribed by the Land Settlement Act, and if the land to be purchased forms a portion of a farm, a sketch shewing its approximate position together with a description of the property, must then be sent to the Minister for the consideration of the Land Board.appointed for the area in which the land is situate. Should the Board consider it necessary, an inspection of the land is made by one or more of its members. If the Board, as the result of the inspection, recommends to the Minister that the land should be acquired in terms of the option, and if the Minister approves, the settler is required to deposit with the Department not less than one-tenth of the purchase price and, where necessary, to cede his option to the Department. As soon as the applicant has complied with these requirements the option to purchase is exercised by the Minister, and transfer of the land in the name of the Government is obtained. The allotment to the settler takes place as from the date of transfer. The tenure given to the settler is a forty years' lease on conditional purchase terms. No payment is made by the settler during the first and second years, but in respect of these years interest at the rate of 4 per cent per annum on the purchase price payable by the settler is added to such purchase price. The purchase price payable by the settler is made up of -

(a) the price paid by the Minister, less the amount contributed by the settler;

(b) the costs of inspection by the Land Board;

(c) the costs of transfer of the property to the Government, and

(d) interest at the rate of 4 per cent per annum for the first and second years of the lease calculated on the total of items (a)(b) and (c).

The purchase price (excluding the contribution paid by the settler) is, with interest at 4 per cent per annum, payable over 38 years in 76 equal half-yearly payments, the first payment being due at the commencement of the third year. The half-yearly

/payment.....

power of the Minister to extend the period of repayment for a further five years.

In addition to the advances referred to in the preceding paragraph, the Minister may, on the recommendation of a Land Board, cause boring operations to be effected or improvements of a substantial and permanent nature to be erected or constructe on a holding. On completion of such operations or improvements the cost thereof is added to the purchase price of the holding and the rent and/or instalments of purchase price payable by the lessee in respect of the holding are increased accordingly.

Advances for boundary fencing and for the erection of dipping tanks are made to settlers by the Land and Agricultural Bank of the Union on favourable terms.

The Minister may, on the recommendation of the Land Board, assist settlers to acquire privately owned agricultural land for their personal occupation provided that the amount of the purchase price to be contributed by the Government does not exceed the sum of £1,500 and provided that the settlers are prepared to contribute not less than one-tenth of the purchase price. The contribution of one-tenth of the purchase price by the applicant is a minimum contribution and in cases where the Land Board considers that a larger contribution by the applicant is justified the applicant may be required to make such larger contribution as may be determined by the Minister on the advice of the Board. Applicants should, therefore, not assume that if the Government decides to purchase a holding for them they will only be required to contribute the minimum contribution prescribed in the Act. Briefly the procedure is -

The prospective settler obtains from the registered owner an option, for a period of not less than two months, over the land to be acquired, the amount of the purchase price to be paid for the land if the sale takes place, being negotiated between the prospective settler and the owner of the land. The

/option.....

date of the commencement of the lease, issue a Crown Grant to the lessee, if the valuation of the holding with the improvements of a permanent and substantial nature thereon exceeds by one-fourth (not being less, however, than £400) the total indebtedness of the lessee to the Government in respect of the purchase price of the holding and of any advances that may have been made. Simultaneously with the issue of the Crown Grant, the lessee is required to pass a Mortgage Bond in favour of the Government specially hypothecating to the Government the land granted, for the balance of the indebtedness due.

Restrictions are inserted in the Crown Grant when issued preventing the owner for a specified period of years from hypothecating, sub-dividing, or transferring the land without the consent of the Government. Such restriction operates for ten years from the date on which the option to purchase the holding was exercised.

Subject to what is stated hereunder with regard to the contributory purchase scheme of settlement, all rights to minerals, metals, mineral oils and precious stones are reserved to the Crown. The lessee's or grantee's rights to compensation in the event of the discovery and exploitation of minerals are prescribed in the Acts. The rights of heirs in deceased estates and of legal representatives in cases of lunacy as well as of Trustees in insolvencies are also defined in the Acts.

The limit of the advances that can be made to a settler for the purchase of stock and equipment is £500. Settlers are not entitled to receive advances which can only be granted on the recommendation of a Land Board. Every application is dealt with on its merits by the Land Board.

The terms of repayment vary according to the purpose for which the advance is granted. Loans carry interest at 4½% per annum. Advances may be granted for five years subject to the

/power.....

If the option of purchase is exercised during or at the expiration of the lease period, the purchase price becomes payable over forty years in equal halfyearly payments, interest on the purchase price being calculated at the rate of 4 per cent per annum.

Should no improvements exist on the holding at the date of allotment, the settler must, during the lease period, make improvements equal in value to 10 per cent of the purchase price. Special conditions e.g. tree planting etc., are inserted where these are considered advisable by the Land Board. Residence on the holding is required, though the Minister may, on the recommendation of the Land Board, grant exemption from the residential condition. In the case of holdings allotted under the contributory purchase system hereinafter referred to, the lessee is required to occupy his holding for eleven months in the year and in other cases the period of occupation is stated in the Gazette Notice inviting applications for particular holdings,.

The Minister may also, on the recommendation of the Land Board, offer holdings for allotment, subject to the condition that the successful applicants for such holdings shall pay on allotment, and as a condition thereof, an amount to be determined by the Minister not exceeding one-tenth of the purchase price fixed for each holding. In such cases the allottees shall be deemed to have exercised, as from the date of allotment, the right to purchase the land, and the balance of the purchase price is payable in seventy-six equal half-yearly instalments, the first of which becomes due and payable at the expiration of two years from the date of the commencement of the lease. Interest on the purchase price is calculated at four per cent per annum.

On the recommendation of the Land Board, the Minister may, provided not less than five years have expired from the

/date.....

The allotment of Crown Land in the Union to intending settlers takes place mainly under the provisions of the Land Settlement Act No.12 of 1912, as amended by the Land Settlement Act Amendment Act No.23 of 1917, the Land Settlement Acts Further Amendment Act No. 28 of 1920, and the Land Settlement Acts Further Amendment Act No.21 of 1922, and the Land Settlement Laws Further Amendment Act, 1925, (Act No.26 of 1925).

In terms of these Acts, the Minister of Lands is empowered, on a recommendation from the Land Board of the Province in which the land is situate, to allot Crown Lands and to purchase, from funds appropriated by Parliament for the purpose, privately owned land for sub-division into suitable holdings for agricultural and pastoral purposes. Advances may be made to allottees for the purpose of acquiring stock, equipment and other things necessary for the development of their holdings; permanent improvements may also be effected on holdings by the Government and the cost thereof added to the purchase price of the land.

The allotment of holdings and the making of advances to allottees are entrusted to a Land Board of five members appointed for the Province in which the land is situate, the Board acting in such matters subject to the approval of the Minister.

The tenure of holdings on Crown Lands is a lease for five years carrying an option of purchase at a price fixed on the recommendation of the Land Board when the lease is entered into. No rent is payable during the first year; 2 per cent per annum calculated on the purchase price is payable during the second and third years; and 3½ per cent per annum calculated on the purchase price is payable during the fourth and fifth years. The lease may, at the discretion of the Minister, be extended for a further period of five years, in which event rent at the rate of four per cent per annum calculated on the purchase price is payable.

/If.....

doubt that they will, under the Union laws, be regarded as being white.

I have the honour to be,

Sir,

Your Obedient Servant,

W. J. H. FARRELL

SECRETARY TO THE PRIME MINISTER.

vT/EvdW. P.M. 53/1.

CAPE TOWN.

23rd. April, 1927.

Sir,

With reference to your letter, written from Durban on the 4th. March, 1927, and addressed to His Excellency the Governor-General, regarding the islanders of Tristan da Cunha, I am directed by the Prime Minister to inform you that it would not be practicable for the Union Government to defray the expenses of the transportation of such of the islanders as desire to emigrate.

As regards your enquiry whether the Union Government will look after the islanders on arrival, and house them, free of cost, etc., I am directed to point out that, before an answer can be given to this question, it will be necessary to inform the Union Government of the approximate number of emigrants, and whether they would be amenable to the form of closer settlement contemplated by the Land Settlement Acts of the Union, which is fully explained in the Memorandum hereto annexed, and whether that number would be sufficiently large to warrant the Union Government's being requested to embark on a scheme, which would otherwise be a matter for private initiative.

With reference to your third enquiry as to whether the islanders would be considered as white or coloured, the Prime Minister has directed me to state that he has no

doubt.....

Rev. R. Pooley,

TRISTAN DA CUNHA.

Enclosure No. 3 in South Africa Despatch
No. 182 of 28 April 1927

P.M. 53/1.

Kantoor van die Eerste Minister.—Prime Minister's Office.

CAPE TOWN.

25th APRIL, 1927.

RECD. G.G.O.
26 APR 1927
22/119

MINUTE NO: 297

With reference to His Excellency the Governor-General's Minutes No 22/116 of the 10th and 21st. March, 1927, in regard to the islanders of Tristan da Cunha, MINISTERS have the honour to inform His Excellency that a reply to Rev. R. Pooley's questions is being despatched to Tristan da Cunha by S.S. "Franconia", leaving Cape Town towards the end of this month.

MINISTERS have the honour to forward herewith a copy of the reply, for His Excellency's information.

SOUTH AFRICA.

No. 182

D01/113652 500 2/27 S.A.E.P. Co. Ltd. D0297

GOVERNOR-GENERAL'S OFFICE,

CAPE TOWN,

28 April 1927.

Sir,

I have the honour to transmit to you herewith, with reference to previous correspondence, the document mentioned below, on the subject of the future of the inhabitants of Tristan da Cunha.

I have the honour to be,

Sir,

Your most obedient humble Servant,

The Right Honourable,

L. S. AMERY, M.P.,

etc., etc., etc.,

Dominions Office, LONDON.

(Signed) ATHLONE.

GOVERNOR-GENERAL.

DATE.	DESCRIPTION OF DOCUMENT.
4th March 1927	Letter from the Reverend R. Pooley, Durban.
10th " "	Minute to Ministers.
25th April "	Minute No. 297 from Ministers (with enclosures).

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