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'Mesopotamia: land policy. Draft notification'

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About this record

This file contains a draft notification by Lieutenant-Colonel Arnold Talbot Wilson dated 27 June 1919. The notification relates to land policy in Mesopotamia and seeks to provide 'conditions upon which permission to lease agricultural land in the occupied territories of Mesopotamia may be given to persons other than domiciled inhabitants of those territories'.

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B. 326.

Mesopotamia: Land Policy.

From Brevet Lieut.-Col. A. T. Wilson, C.S.I., C.M.G., C.I.E., D.S.O., Acting Civil Commissioner, Baghdad, to Secretary of State for India.

No. 19211/12/2. Office of the Civil Commissioner, Baghdad,
Sir, 27th June 1919.

With reference to my telegram No. 10460, dated the 29th November 1918, I have the honour to enclose herewith a draft Notification which, with the concurrence of the General Officer Commanding-in-Chief, I propose to issue, if its terms meet with the approval of His Majesty's Government.

2. During the course of the war a large number of applications to take up land in Mesopotamia have been received from officers and men of this Force, many of them of a class whose presence in the country could not be otherwise than desirable, and with every qualification, both as regards financial backing and training, for successful work.

3. There is at present plenty of room for such persons, and local landowners whom I have consulted are in favour of encouragement being given to selected applicants to settle here, in the belief that much useful experimental work would be done by them from which local landowners would benefit.

4. Several landowners have intimated their willingness to go into partnership with qualified Englishmen in the management of their own lands, and of other lands which may be leased to them.

5. The limitation of the period of lease to 25 years should sufficiently protect indigenous interests, and the terms of the lease are such as to retain in the hands of the Chief Civil Authority full discretion as to whether or not a lease is granted to any particular individual.

I understand that representatives of several land companies with experience in Egypt and elsewhere are likely to be visiting Mesopotamia during the coming cold weather, and I am anxious to be in a position to negotiate with them.

I have sent a copy of this despatch with enclosures to the Government of India.

I have, &c.

A. T. WILSON, Lieut.-Col., Indian Army,
Acting Civil Commissioner in Mesopotamia.

DRAFT NOTIFICATION.

Conditions upon which permission to lease Agricultural Land in the Occupied Territories of Mesopotamia may be given to persons other than domiciled inhabitants of those territories.

(1) No person other than a domiciled inhabitant of the Occupied Territories is permitted to purchase land without the special previous sanction of the Chief Civil Authority.

(2) Persons other than domiciled inhabitants of the Occupied Territories desirous of taking up tracts of state land in the Occupied Territories will be permitted to do so in approved cases on lease.

(3) The period of the lease will normally be for 25 years.

(4) If within that period the lease should be terminated for causes not within the control of the Civil Administration, the lessee shall have no claim against the

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Civil Administration, but every effort will be made to safeguard lessees in such an event.

(5) No leases will be given save to approved persons. The decision of the Chief Civil Authority as to whether or not any person is "approved" is final.

(6) A special agreement will be executed with each person to whom a lease is granted containing such conditions as the Civil Administration may consider proper.

(7) No lease will be given to any applicant who cannot prove himself to be in actual possession of sufficient capital to develop the land for which he applies. The amount will be determined by the Civil Administration and will in no case be less than 10*l.* per acre.

(8) No application will be entertained from any person who cannot give satisfactory references.

(9) Persons to whom leases are granted will be required to conform to the ordinary laws of the land, in particular to the following:—

- (i) the law regulating the formation of Companies, and
- (ii) the law regulating the payment of land revenue to the Government.

(10) Any person to whom a lease has been granted, failing to cultivate the land leased to him and to develop it in accordance with terms of his agreement with the Civil Administration, shall be considered as having forfeited his right.

(11) No person to whom a lease has been granted shall assign, sublet, or part with the possession of the lease or any part thereof without the previous consent of the Civil Administration.

(12) On the expiry of the period of the lease, if the lease be not renewed the lessee shall be entitled to compensation for buildings and works of the nature of improvements made by him and left on the land, such compensation to be settled by valuation or arbitration and to represent the cost of construction less depreciation.