

BRIEF

TO: Ag. ADMINISTRATOR GENERAL

FROM: STATE ATTORNEY

SUBJECT: NOTE-UP ON SR/13/663; KASIMBAZI DAUDI:.....:DECEASED

Kasimbazi Daudi died on 11-08-1959. His heir was Daudi Mukasa. The deceased owned property comprised in:

1. Vol. 152, Folio 12, measuring 183.88 acres at NTENDE, Wakiso.
2. Vol. 103 Folio 18, measuring 45.33 acres at NTENDE, Wakiso.
3. Vol. 305 Folio 25, measuring 35 acres land at Mayanja, Wakiso.

This property was distributed by the Kabaka's government on 30-September-1959. This was before the Administrator General got involved in this matter.

This was the distribution by the Kabaka's government:

183. 88 acres at Ntende, Vol. 152 Folio 12

was given

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| i. | Samwiri Mukasa Kityo Sekulya | 108.88 acres at Ntende, Wakiso |
| ii. | Eriyasafu Kanabo Kimanje | 65 acres at Ntende, Wakiso |
| iii. | For bibanja holders | <u>10 acres</u> at Ntende, Wakiso |
| | TOTAL | 183.88 acres |

45.33 acres at Ntende, Vol. 103 Folio 18

was given

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| i. | Daudi Mukasa | 25 acres at Ntende, Wakiso |
| ii. | Yowana Kabula | 5 acres at Ntende, Wakiso |
| iii. | For Butaka/Ancenstral Land
to be controlled by
Daudi Mukasa & Heads of
Ssiga, Kasolya & Mutuba | <u>15.33 acres</u> at Ntende, Wakiso |
| | TOTAL | 45.33 acres |

In brief, the deceased's property at Ntende was distributed to the above persons before these matters were brought to the Administrator General in 1995.

The deceased's daughter GERTRUDE NAKIYIMBA (then known as BULANINA NAKIIMBA) was not given any property at Ntende. SHE WAS GIVEN TWO ACRES at Mayanja, Wakiso.

In fact, there is a record of the further distribution of Daudi Mukasa's property by the Kabaka's government in SR/18/Part II/4522 because he also died on 11-March-1965. In this, it is indicated that Daudi Mukasa owned a total of 35 acres at Ntende. He left no children and his heir was his brother Eriyasafu Kanabo Kimanje.

It was the norm that the land given to the Butaka in Buganda custom also belonged to the heir. Daudi Mukasa was the heir of Kasimbazi Daudi. This explains why he had more land than the 25 acres that was directly given to him. It seems he even took the Butaka land.

The Administrator General never sold only land to any person. The beneficiaries of some of the deceased persons above approached out office and we executed transfers to persons who had bought from the beneficiaries.

Plots transferred by the Administrator General


1. Busiro Block 453 Plot 32, measuring 1.194 hectares to G.W. Ssamula t/a Samu Investments. This was sold to him by the children of the late Eriyasafu Kanaabo (transfer issued on 21st May 1997)
2. Busiro Block 435 Pot 9, measuring 6.07 hectares to G.W. Ssamula. He purchased from Muwonge Grace. (transfer issued on 15th April 2000)
3. Busiro Block 435 Pot 31, measuring 1.112 hectares to Benon Biraro. (transfer issued to purchaser on 21 May 1997)

In sum:

We are not at all culpable in this matter. All the three transactions that we did were on behalf of the beneficiaries. All other persons who are registered in respect of the property forming part of this estate should explain how they came to own the land in issue. Most transaction were undertaken before matters even came to this office.

Given the fact that this property was distributed more than 50 years ago, a lot of water has gone under the bridge, as it were, and you may find that most of the current registered proprietors are *bona fide* purchasers for value without notice.

As to the daughter of the deceased who has on several occasions appeared in print and broadcast media alleging fraud, she is not a beneficiary on the land at Ntende.


Robert Bogere

02nd / 07 / 2014