

2. I have now received a petition dated the 14th of Nov., wh. I enclose, praying that Samuel Mwindi may be allowed to return to his home. I shall be obliged if it may be returned to ~~me~~ ~~that I may be furnished~~ ~~with your observations~~ ^{upon it} ~~on this~~ petition (including the statement in para 18 that "all educated people" are accompanied by askaris, whenever & wherever they move, in order to prevent the people from talking to each other"), and with your advice as to the ^{reply} that should be ^{made} ~~returned~~ to it. I also request that the attention of the petitioners may be drawn to the correct method of handling a petition.

2. I have now received a petition dated "the 3rd 11th" of Nov. 1911 which I enclose, praying that Samuel Mwindi may be allowed to return to his home. I shall be obliged if it may be returned to me ~~as soon as I can~~ ^{be forwarded} with ~~your~~ ^{observations} upon it. ~~petition~~ (including the statement in para 18 that "all educated people are accompanied by askaris, whenever & wherever they move, in order to prevent the people from talking to each other"), and with your advice as to the reply that should be ~~made~~ ^{made} to it. I also request that the attention of the petitioners may be drawn to the correct method of transmitting petitions.

The Hon. The Secretary of State for the Colonies,
The Colonial Office,
White-Hall,
L O N D O N.

NAIROBI
KENYA
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14.11.38

May it please your Excellency,

IN HIS MAJESTY'S SUPREME COURT OF KENYA
AT NAIROBI:
CRIMINAL CASE NO. 104 OF 1938.
REX.....VS.....SAMUEL MWINDI.

We, members of the Wakanba tribe, beg to lay
the following before you for your kind consideration:-

1. The accused in the abovementioned case Samuel
Mwindi came up for trial in His Majesty's Supreme Court of
Kenya at Nairobi under Section 2 of the Deportation
Ordinance of the revised Laws of Kenya, 1926. Section 2
reads as follows:-

"Where it is represented on oath or affidavit
to a judge of the Supreme Court sitting in chambers that any
person is conducting himself so as to be dangerous to peace
and good order, or is endeavouring to excite enmity between
any section of the people of the Colony and His Majesty, or
is intriguing against constituted power and authority in the
Colony, the said judge may order the arrest of such person
pending further proceedings under this Ordinance."

2. Samuel Mwindi was tried before His Majesty's
Justice Lucie Smith who deemed fit to make a recommendation
to His Excellency the Governor that he should be deported
from Kenya. His Excellency the Governor made an order
deporting Samuel Mwindi accordingly who was sent to India
on the 4th day of October, 1938.

3. We crave leave to place all the facts
in this case before your Excellency.

4. At the outset, we would point out that Samuel
Mwindi is also a member of the Wakanba tribe who, it would
not be wrong to state, came under the eye of the Administration
of this Colony in connection with the recent destocking campaign
undertaken by the Government of Kenya, the full details of which
we believe, are already known to you. The destocking campaign

unfortunately still continues in its original full ruthless vigour. 43

5. We believe that for a clear understanding of the position herein, it is necessary to go back as far as the month of July, 1938. On the 4/7/1938, the District Commissioner Machakos, held a baraza and informed his audience that they were given until the 7/7/1938 to bring in their cattle for branding as required by the Kenya Government's Notice No.950 of 1938.

6. It would appear that the Askaris refused to bring in their cattle for branding as directed by the District Commissioner at the aforementioned baraza as between the 7/7/1938 and the 8/7/1938, askaris (policemen) armed with rifles raided the homes of the people during the early hours of the morning and seized their cattle by force. We believe that on this date about 2500 heads of cattle were seized. Amongst the owners of these heads of cattle, Samuel Mwindi was also included.

7. On the 20th day of July, 1938, the owners of these cattle were prosecuted under the aforementioned government Notice No.950 and Samuel Mwindi's case was the first to be tried before the 2nd Class Magistrate's Court at Machakos. There were 21 heads of cattle belonging to Samuel Mwindi which had been seized and the Magistrate's finding was that inter alia Samuel Mwindi was to be allowed to have back only 2 heads of his cattle. This case was recorded as a first case and the matter came up for revision before His Majesty's Supreme Court of Kenya at Nairobi which confirmed the sentence passed by the Magistrate insofar as the same was related to the right of Samuel Mwindi to receive back his property. Nineteen heads of cattle out of twenty one were confiscated.

8. Then the Wakamba people marched to Nairobi in order to protect against the arbitrary methods which were

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being employed as against them. They came from all locations in the Wakamba Reserves; they came to protest peaceably to the Government; whilst in Nairobi, they begged His Excellency the Governor to grant an interview to enable them to put their grievances before him personally. The Wakamba people stayed at Nairobi for over three weeks without in any manner causing a breach of the peace or otherwise causing any inconvenience to the authorities concerned, in the hope that the Governor may be pleased to grant them an interview. Though the Governor refused to see them at Nairobi, it was announced that His Excellency would hold a baraza at Machakos on the 25th day of August, 1938, when the Wakamba could lay their grievances before him. No sooner the Wakambas heard about it they returned to their homes in a peaceful manner to await the baraza of the 25th August, 1938.

9. His Excellency the Governor came to Machakos on the 25th day of August, 1938. He was pleased to hold a baraza there when the Wakambas presented a petition to him wherein they set out their grievances. His Excellency was pleased to state that he would send a reply to the petition presented by us. We append hereto a copy of the petition which is marked "A" and we wish to draw your special attention to the tenor of this document. It is polite, it is loyal and it is also

10. When His Excellency's reply was delivered, it recognised that there were certain grievances and that as such they would receive attention. It also offered to try out the sale of cattle in the manner suggested in the petition which is annexed hereto and marked "A" as aforesaid.

11. It is clearly stated in our said petition that we are not opposed to the principle involved the destocking measures. We recognise that perhaps the country needs reduction of stock. We also recognise that the Government's destocking policy is perhaps in our interests. We object, however,

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to the indiscriminate, ruthless seizure of cattle in a brutal, arbitrary manner. People possessing only one head of cattle have been also deprived of their stock. Our cattle were seized even before the necessary quotas for individual owners were fixed. It was admitted by the District Commissioner while he was giving evidence in the above case that such a course was premature and inconsistent with the intentions of the Government. We would suggest respectfully that such methods hardly become an administration such as the British Government. It is clear that the destocking policy was then being carried out in a haphazard manner and without due regard to the right of private ownership of property.

12. Samuel Mwindi asked for a written copy of the Governor's reply to the Petition of the 25/8/38 above referred but did not receive one. He was arrested at a baraza called on by the District Commissioner, Machakos, the 4/9/38. Even at this Baraza he handed over to the District Commissioner a letter asking for a copy of His Excellency.

13. After his arrest on the 4/9/38, proceedings commenced against him under the Deportation Ordinance and an order was made for his deportation as we have already pointed out.

14. We annex hereto a full copy of the proceedings in the above case which is marked "B", except the reasons given by the learned judge which is not available.

15. It seems to us that Samuel Mwindi has been deported because he asked for the return of cattle which were his own property. Under the British rule, we have ~~never~~ always been given to understand, everyone has the right to possess property privately and also demand its return by certain recognised means if such he is deprived of such property without justification. In this case, the principle has been atrociously violated.

16. If Samuel Mwindi was guilty of any offence,

was guilty, we submit, of having violated the principle involved in the freedom of speech. But this is a principle which the British people have upheld in all parts of the world even at the risk of their lives. If any one acts within the limits set by this principle, we believe that he should be hardly considered as a person fit to be deported. Even if it were considered that Samuel Mwindi has overstepped the boundry and gone beyond exercising his right of free speech, the criminal law of the Colony makes ample provision to deal effectively with miscreants of all descriptions. In our opinion, the Government of Kenya was not justified in deporting Samuel Mwindi.

17. Samuel Mwindi has two wives and is the father of four children who would, in the circumstances of the case, be reduced to stringent poverty and made to suffer acute privations because their husband and father is asked for the return of his cattle. Samuel Mwindi himself is allowed 30 cents per day at Lamu which is equivalent to 3 pence in England. In our humble submission, such a case could never happen in England or in any other democratic country. It makes persecuting of Hitlerite Germany.

18. There is only one more thing which we would like to draw your attention to. After Samuel Mwindi's deportation, askaris have been posted at the doors of all educated people who are accompanied by them whenever and wherever they go and to prevent the people from talking to each other. There is peace in the land, but we are being treated as if living under a state martial law and the posting of askaris is tantamount to a siege. The Wakambas who a peaceful, loyal and law-abiding set of people are being treated like criminals worse than a murderer.

We trust that you will be pleased to review

this case favourable and take the necessary steps herein 47
so that Samuel Mwindi may be allowed to return his home
and his people.

We Have the honour to be,

Sir,

Your most obedient servants,

Eljiah Kabuku

c/o P.O. Box 59

NAIROBI

KENYA

1 mwandiku wa Kthano

2 Munguti wa mutula

3 Munguti wa Kathae

4 Kaloki wa Kileo

5 Joseph Gasimba

6 David Mwasya

7 Kithui

8

9 Malinda Wanjira

10 Jonah Kivama

11 Solomon Kasoka

12 Daniel Kivud

13 Timothy Nyungu

14 Jacob Mutiso

15 Daniel Kaswi

16 Muriuki " Muri

17 Wambua " Muanga

18 Jonathan Makau

19 Philip Kiso

²⁰ Peter Naini

21 Kiso, Kibaki

22 John Ngoka

23 Nahason Mlea

24 Kirama " Muthika

25 Amos Kamia

- 26 Gyuma ,, Adewa
- 27 Muindi ,, Mutyamuti
- 28 Jelemaal Kioke
- 29 David Muivandi
- 30 William Mhengea
- 31 Shem Muthoka
- 32 Kalinga ,, Wambua
- 33 Muryuwa King'ua
- 34 Kioko ,, Mbaa
- 35 Kilozo Muthengi
- 36 Matinya Kilozo
- 37 Matibo Suki
- 38 Kitenge Muryuwa

39 John Kilaku

40 John Kioko

41 Bejamen Maban

42 Bejamen Mutiya

43 Muryoki ,, Ndava

44 Jhama Mholo

45 Stephen Muryao

46 William Mutiya

47 Kalla ,, Mutua

48 Zakaria Mbiti

49 Ndolo ,, Mbinda

50 Simioni Munguti

51 Mungao " Kyalo

52 Joel " Muthike

53 " " Kwan

54 " " Nguiki

55 Kyuli " Ngeki

56 Makau " Mbenda

57 Mwangangi " Kabura

58 Mwendu " Muthika

59 Kiki " Ngau

60 Muluwa, manthi

61 Makau .. Kwanya

62 Muma .. Nthige

63 .. Tila

64 ..

65 Muryim .. Kitaa

66 Muthama .. Muanga

67 ..

68 ..

69 ..

70 Karina

71 ..

72 ..

75. 1. 11. 11

74. 1. 11. 11

73. 1. 11. 11

76. 5. 11. 11

77. 1. 11. 11

78. 1. 11. 11

79. 1. 11. 11

80. 1. 11. 11

61 Makau .. Kasanya

62 Mubwa .. Nthenge

63 Maithya .. Sila

64 Misisi .. Ti

65 Muzimbi .. Kitaa

66 Muthama .. Muanza

67

68

69 Doko Tibaya

70 Karima

71

72 Kibenge .. Mubwa

- 61 Makau , Kasanya
62 Makuwa , Nthiye
63 Maitiga , Sila
64 Makuwa ,

65 Musyini , Kitaa

66 Muthama , Muanga

67 Makuwa ,
Tosima

69 Soko , Mthani

70 Kamua , Mthani

71 Mthani , Mthani

72 Mthani , Mthani

73. Mithira Kalima

74. Kikoo Kithaki

75. Mutiso Muthome

76. Samut Fidaa

77. Kelano Fidaa

78. Juthuk Masu

79. Tito Mungira

80. Jotabo Kithaka

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Dka 96

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Mb ... 99

Nchule Kyato 100

Katoki wa ... 101

IN THE MATTER OF an application for deportation under
Cap.61 Sec. 2 of the Revised Laws of Kenya.

REX..... PROSECUTOR

V E R S U S

SAMUEL MWINDI S/O NDAMBUKI ACCUSED.

In Chambers.

Phillips for applicant (Crown).

Application for arrest, under Section 2 of Cap. 61, of
Samuel Mwindi S/o Ndambuki.

ALEXANDER NOEL BAILWARD- s.s. D.C. Machakos.

On 29.6.38 I held a baraza at which Samuel Mwindi was present. The baraza was ineffective and withdrew a short distance away within sight and earshot of myself and those with me. I saw Samuel haranguing the mob and gesticulating. Those who were with me were able to say that his remarks were of an inflammatory nature. A sub-headman Nzao told me this also my official interpreter Kiilo. Captain Grant was also present. The baraza was directed against the authority of the sub-headman Nzao. Samuel was inciting the people to disobey Nzao's orders. The baraza related to the subject of destocking. Samuel was one of the leaders of the Wakamba who came in to Nairobi recently. I saw him and spoke to him. Some time ago Wakamba came in and stayed for over a month. They had no authority to come into and stay in Nairobi. We did all we could to get them to leave. They were informed that their continued presence in Nairobi was illegal. There can be no doubt that Samuel brought them in and encouraged them to remain but I have no evidence of it.

A number of letters appeared in the papers on the subject of destocking.

Orders have been issued by Government that the Wakamba must reduce their stock. Samuel is inciting resistance to these orders. His Excellency held a baraza at Machakos on 25.8.38 and told the people that those rules must be obeyed. Samuel was at the Baraza and presented a petition to His Excellency.

On 22.8.38 Samuel held a meeting forbidden under Native Authorities Ordinance - some 2000 attended. Capt. [redacted] attended the meeting and informed me that Samuel was the central figure at the meeting and was generally acclaimed by the people as their leader. He called up eight men and proceeded with them as his assistants to curse eleven individuals - he cursed them their family their land their stock and everything else. It was a formal and ceremonial cursing - a recognised Akamba curse which includes the refusal of food, the sending to Coventry of people and a wish for their early demise. The audience acclaimed the cursings. The people cursed included two gazetted headmen, sub-headman Nzao, the soil conservation staff, a member of the local Council and a Government clerk. They were all connected with the destocking campaign. Samuel indulged in inflammatory speech and said a lot of untrue things.

On 14.9.38 a baraza was called by myself in Machakos at which I read the reply given by His Excellency to the petition presented by Samuel on 25.8.38. Samuel was not present at this baraza. To the best of my information Samuel is continuing to carry on intrigues against destocking. He spends a lot of time at office of Isher Dass. His campaign has been exceedingly effective and the authority of the local authorities of Machakos have been very seriously impaired.

This has been brought about by the cursings and the influence of Samuel. The result is that the natives are afraid to co-operate with Government. The local natives are terrified of these curses. Soil conservation is being held up by the influence of Samuel.

In my opinion Samuel is conducting himself in such a way as to be dangerous to peace and good order. He is undoubtedly intriguing against constituted power and authority in the Colony.

To Court: I have 18 years administrative experience in the Colony and have been in charge of Machakos since the beginning of the destocking policy. I have been in Machakos for 2 1/2 years.

ORDER:

It having been represented to me on oath that Samuel Mwindi s/o Ndambuki has been conducting himself so as to be dangerous to peace and good order and that he is intriguing against constituted power and authority in the Colony I hereby make an order for the arrest of the said Samuel Mwindi s/o Ndambuki pending further proceedings under Cap. 31 of Laws of Kenya.

Sd. J. Lucie Smith
16. 9. 38.

17. 9. 38. 1.35 p.m.

Samuel Mwindi appears before me (at his house) under arrest.

Mr. Gregory Smith acts as interpreter. Offered bail in 2000/-- refuses. Remanded in custody to 10 on 19.9.38.

NOTE: I have fully explained the charge to the man under arrest and told him that he may call any witnesses he wishes when the case comes on for

further hearing.

Sd. J. Lucie-Smith.

17.9.38.

In Chambers:

Phillips for Crown.

Accused in person in custody.

Fixed for hearing at 10.30 a.m. 20.9.38. Phillips
opposes bail.

Sd. J. Lucie-Smith.

19.9.38.

Phillips for Crown.

Messrs. Amin and Madan for accused present.

Amin asks for adjournment.

Asks for bail, - Phillips opposes.

Adjourned to 23.9.38 at 10 a.m.

Accused remanded in custody. Accused to be allowed
to visit his Advocate's office at any time and as
often as he wishes in custody of plain clothes escort.
Bail refused.

Sd. J. Lucie-Smith.

20.9.38.

Phillips for Crown.

Amin and Madan for accused present.

Phillips calls:

ALEXANDER NOEL BAILWARD ss. D.C. Machakos.

I have been there 2½ years. I have 18 years service in Kenya administration. The destocking policy is part of a larger scheme to preserve and restore the land in Machakos area. This undertaking was commenced at the beginning of this year from funds supplied by Colonial Development Fund. There has been preparation for this campaign over a number of years. There has been propaganda in favour of the campaign for some twenty years. £34000 has been obtained from the Development Fund and we hope to get more. Govt. of Kenya has gone to expense by increasing staff and in other ways. The Native District Councils have voted considerable sums for the campaign. When campaign was launched a policy was devised which included a survey parish by parish by European staff. By means of such survey an estimate was made of the amount of grazing which existed in each parish. Cattle were to be reduced to the number that each parish could carry from a grazing point of view. A cattle quota was allotted to each parish and that quota allocated to individuals by their own elders. Under strictest safeguards we could devise as to the honesty of the distribution. The cattle on the quota were then branded with some reluctance two locations agreed to the system and their cattle were duly banded. We then started on the Iveti Location and Nzao's sub location. Kalavoto is the Chief of the Iveti location. We encountered resistance in Nzao's sub location. Resistance took the form of refusal to have the allocation made or to have their

cattle branded. I attribute this resistance to dissatisfaction in the sub location. The admitted leader of this faction is Samuel Mwindi. I speak partly from personal knowledge and partly from reports I have received as D.C. Samuel Mwindi has never approached me in this matter. This faction led by Samuel is not representative of the people of Machakos. This faction is watched and followed by other members of the tribe as the destocking is unpopular. These measures have never been popular but were accepted by the people up to this point. In many cases the people were keen to co-operate in soil conservation measures. Recently owing to intimidation this co-operation has ceased to exist. Such ceasing is due to the unrest created by Samuel's faction.

The recent march on Nairobi by certain members of the Wakamba was due to this unrest. The nucleus of the march came from Mzao's sub location. I visited the camp in Nairobi and the undoubted leader at that time was Samuel. In company with P. I advanced arguments for their returning in Nairobi. The march was very well organised as regards food etc. and stayed in Nairobi for six weeks. Under the Native Authorities Ordinance there is a standing order prohibiting public meetings without the permission of the D.C. or Headman. Those orders were made under s.8 of the Ordinance and are well known in the district. Samuel cannot fail to know of these orders. He has never applied for or obtained permission to hold a meeting - not from me. His Excellency held a baraza at Machakos on 25.8.58 - Samuel was present at that baraza

and presented a petition to the Government. His Excellency asked Samuel if he would co-operate and give a lead to the people in carrying out the destocking policy. Samuel replied that he was unable to do so. I think he added "without the mandate of the people". His reply was not too clear. His Excellency promised to reply to the petition. The reply was sent through me. I held a baraza on 14.9.38 to read that reply. Usual notice was given of baraza. Samuel did not attend. Some 300 natives attended. I read His Excellency's reply. I suggested that cattle sales should take place as required by His Excellency but there was no enthusiasm. No reply was made to me. The authority of the chiefs and our own authority has been very seriously impaired. The destocking campaign has come to a complete stand still as it is no good giving any orders or trying to discuss agreement. They simply refuse to discuss the matter. I attribute this purely to the influence of the faction led by Samuel Mwindi.

In the petition to His Excellency they argued that destocking was necessary and they wanted cattle sales in the way they suggested. They have since refused to co-operate.

On 29.9.38 as a result of certain rumours regarding local attitude towards proposed destocking measures I held a baraza in Nzao's sub location. I explained the Government policy and the terms of the Livestock Rules 1937. I asked the meeting if they were prepared to co-operate in the same way as the other two locations had. The baraza declined to agree to co-operate and I warned them that if they did not co-operate and have their quota branded they would be

liable to punishment. The baraza achieved nothing and broke up. The baraza moved away a couple of hundred yards remaining within sight and earshot. I saw Samuel Mwindi exhorting the baraza and emphasising his points with a long staff. Interpreter Kilo and sub-chief Nzao were standing with me and told me what Samuel was saying. Nzao or Kilo said that Samuel was saying "Don't brand your cattle branded" "Don't agree to the allocation of the Elders".

Chief Kafavoto was present. Subsequently they were called upon to have their cattle branded. They failed to do so or to come in or to discuss it in any way. As a result of that I took steps to impound a number of cattle under the rules. Several persons were prosecuted to conviction. I consider that Nzao's sub location to be in a distinctly disturbed state and I attribute this to the activities of Mwindi and his faction. I consider he is dangerous to peace and good order. There was a breach of the peace in Matangula location indirectly caused by the situation in Nzao's. I sent Captain Grant out. I consider that Samuel Mwindi is without a doubt intriguing against lawful authority. I do not think we can return to normal conditions or authority restored while Samuel is about. If he is removed I hope normal conditions will return but things have gone pretty far. The police force has had to be reinforced owing to this situation.

Relation reserved by leave.

HUGH MURRAY GRANT ss.

D.O. Machakos since January this year. I have been actively in charge of survey and allocation under the destocking policy. I have dealt with two locations completely. The third has been surveyed but

has not been split up into parishes as people have refused to co-operate.

I know Samuel Iwindi and to some extent the part he has played in the business. I would say he is the prime mover and organiser. He is accorded respect by people which is unusual for a person of his years. I have been on safari in that area almost continuously since May. I have had opportunities of gauging public feeling and general state of affairs in the area. From my own observation I would say that in April and May destocking measures were going extremely well, there had been no really serious hitch until some time in June when practically the whole of Nzao's sub location had been surveyed. Trouble commenced when the people were called on to receive their allocations. Conditions got steadily worse and there has been almost complete non co-operation which has led to at least two very serious disturbances. I was present at second disturbance on 16.8.38 at Headman Josiah's village. Josiah is Government headman of Istanguu. The disturbance took the form of what amounted to riot. An angry crowd would have seriously injured if not killed the headman had I not been able to get him away in my car. I very nearly had to use firearms to save Josiah. A person has been convicted in respect of this riot. Certain others are standing trial now. On 16th five men arrested by me were forcibly rescued. I have since heard it stated in baraza that the riot was the result of non co-operation and agitation in Nzao's sub location. Samuel Iwindi lives in Nzao's sub location.

On 22.8.38 I was informed of a large illegal meeting which was to be held in Iveti location. I went to the meeting with some 15 askaris. I found about 2000 people there. I got there before meeting started. The crowd increased to 3000. A deputation of 3 men came to me from the meeting. I spoke to them and then went in to the centre of the circle the meeting had formed. Through my interpreter Ndambuki I explained that the meeting was illegal. I asked them if they had permission of D.C. or headman, but got no answer. I then explained that the time was very short for them to present the petition which they had been ordered by His Excellency to produce through the D.C. and that although the meeting was in effect illegal that if they wished to discuss the terms of that petition they could do so, but any other matter might not be discussed. I considered right to make this concession. I also informed them that I would leave my interpreter and 4 askaris at the meeting to report proceedings to me. I withdrew about 150 yards from the meeting. After about quarter of an hour the same deputation as before came to me and asked me to remove my interpreter and the 4 British Policemen from the meeting. I then explained to them that meeting only had leave to discuss the terms of the petition which was a matter for open discussion so I was unable to remove my people from the meeting. The deputation returned to the meeting. After that Samuel Mwindi walked into the centre of the circle haranguing the people. It was obvious that ~~xxx~~ he then took charge of the proceedings. On several occasions the meeting signified their approval of what Samuel was saying. After considerable exhortation of the people by accused

he called up certain other people from the audience. I could then see a number of people moving about inside the ring. After they had moved about for some time another speaker spoke and was also acclaimed. He then repeated certain words in the form of a sentence and the whole meeting repeated the same words after his lifting up their hands. This took place ~~many~~ several times. At the conclusion of meeting I took reports from Ndambal, the tribal policemen.

Xiation reserve by leave.

NDAMBUKI WA MATOLO s.s.

Government Interpreter at Machakos. I am serving under Capt. Grant. I used to be in the K.A.R. and served through the war. After that I was a Tribal Policeman in Machakos and rose to rank of Corporal. I was then appointed Interpreter. I was with Capt. Grant on 22.8.38. We went to a big meeting in Nzao's sub-location. I went into the middle of the meeting with Capt. Grant who asked them through me if meeting was known to the headman. They made no reply. Capt. Grant withdrew about 250 yards leaving myself and 3 Askaris in the meeting. After a short time Samuel Mwindi stood up and asked the crowd whether they wanted Kalavoto (the Headman) the crowd answered No. He then asked the crowd if they wanted Headman Josiah (Matangulu) they answered No. He asked the same question about Nzao - No - also as to Kimay (Nzao's Askari) No - Again as to Joseph Munyai (a clerk at Machakos) No - there were others mentioned. I was one of them. They said they did not like me as I had come to upset their meeting. Samuel said "Curses on them. May their huts be burnt and their food be spoilt and also their children and cattle". After doing this Mwindi called for an old man Lukuma but he was not at the meeting. Mwindi then asked for Kimotho who was there. Mwindi called eight people - two to represent Kengundo - two from Matangulu - 2 from Iveti and 2 from Mwala. Mwindi asked if they wanted the people he mentioned cursed. The reply was Yes. An Elder Molo wa Ndambo took a prominent part in this as well as Mwindi. Sticks were collected from the crowd - 8 sticks from each side. Each group of sticks were held by two people - there were 4 groups of people in all. Kimotho then uttered the curse against each of the people Mwindi had mentioned. Mwindi was standing with Mwalu supervising while Kimotho did the cursing. Mwindi then went and sat down and another old man stood up - Mwaka wa Mukoma - he is an ex-clerk of Machakos. The ~~the~~ crowd repeated

repeated the curses. Mwindi got up and said "This bwana who came to our meeting came to frighten you. I have been to Nairobi to H.E. the Governor and he (Capt. Grant) cannot go before the Governor. When I saw the Governor there were three other Europeans, the C.N.C. and two others. The C.N.C. was asked to take an oath as to whether he had authorised the D.C. Machakos to seize the cattle - the C.N.C. refused to take the oath. We are not willing for our cattle to be banded and our country divided. Do you know in the olden days when you used to fight the Masai on account of cattle. If a youth was killed by the Masai on account of cattle do you know the quantity of tembo he used to be given. It was given with the words "You died on account of cattle drink this". I reported to Capt. Grant. I know Ouku he is a soil conservation headman. He was present at the meeting and took off his badge and returned it to the Government because he was afraid of being cursed.

ADJOURNED TO 2.30, p.m.

RESUMED.

APPEARANCES AS BEFORE.

Witness continuing

At the meeting Mwindi said that the petition to H.E. would not go through the D.C. Machakos but would be carried through the air to H.E. Capt. Grant had told the meeting that the petition was to be sent through the D.C. Mwindi gave instructions that all the people were to sleep near the boma on the eve of the Governor's baraza and all march to the baraza the following day. Mwindi was the leader and governor of the meeting on 22.8.38. I belong to Iveti location and I know they all

consider Mwindi to be their leader. I know this because he said at the meeting that all the people employed by Government would be cursed as the others were cursed. The opposition to the destocking started in Nzao's sub-location at a place called Metaboli. I can't say who started the opposition. Before we left the meeting we were told that people who reported to the Government would be cursed as the others had been. The three T. were cursed. The people are very frightened of these curses. Formerly we used to call that curse "Kingole" it is a killing curse. Now some people have agreed to the Govt. orders which they used to disobey. That is since the seizure of cattle by Government. Some are now willing to abide by Govt. orders. I can't say if people are afraid to obey Govt. I am at present on two month' leave. XXation reserved by leave.

L.T.DUMIAN s.s. I am on soil conservation staff at Machakos. I have been working in the Matangulu location. I speak Kikamba like a native. I had a man named "Ouku" working under me - he was a soil conservation headman. I was present at a Baraza at Tala. After Baraza they came to my camp at Matangulu. There were some prisoners there and when they were being got to the lorries they were rescued by the crowd. Ouku has a shop at Tala. The day after the Tala meeting I heard something and the following day went to Ouku's shop and found thorns in front of his shop. Ouku had left us as he said he was very worried about the whole thing. He has since come back to us. When I started in August there were some thirty boys working willingly on their shambas. They practically melted away until no one came. I had a small baraza and they said they would come next day but did not. The "cursing" baraza was after my baraza. They would not

give any excuse for stopping work. Several old men told they would not turn out to work as they were only working for Europeans and would be kicked out of the area after they had finished terracing. I can't say how that idea started. I had not heard that story before.

XXd. I can't give the names of the old men who told me that.

Ouku did not give any reason for returning to work. He was absent for about a fortnight. He has been back at work for some 25 days. He gave me no reason for being worried. When he came back he said everything seemed to have quietened down. I am sure Capt. Grant had prisoners with him. I don't know how many - 2-5. I saw them sitting under a tree with T.P.s. I saw the T.P. being pushed away by the mob and the prisoners taken away. The 30 boys were working up to 30.8.38. They started getting fewer after 30.8.38. They had all stopped in the next 6-7 days. I have been at Matangulu about a month. I have been away but I am going back. I went away on 5.8.38.

I heard about the cursing baraza. I can't give name of my informant. I can't say when I was told. I have been in the service eighteen months. I have been in Machakos district for 15 years. I know the Wakamba well. I used to farm. I saw Mwindi at Governor's baraza - only that once. I have moved about in the Iveti area quite a lot.

Not REXd.

KALAVOTO WA BIKI, d.s.s.

Govt. Headman - Iveti location. In that location there is a standing order that public meetings are not to be held without permission of headman or D.C. That order was in force before I became headman. When I became Headman 2 1/2 years ago I repeated that order. Order is generally known in the location. I remind my 4 sub-headmen of this order at every baraza I hold. I know

Samuel Mwindi he resides in Nzao's sub-location. I was at a baraza at which were D.C. Capt. Grant and Mwindi. It was about destocking. The meeting would not listen to us and went off a certain distance. Mwindi had a long stick and waved it saying "Don't agree to what the D.C. tells us about burning our cattle - We should not agree to the division he has suggested." That was the division into parishes. Nowadays the people are not willing to obey my orders. That is since the destocking dispute. They say they don't want their cattle-branded. This disobedience campaign started at Galani. The trouble started when Sergt. Duba came from Nairobi. Mwindi is the leader of the disobedience movement. I say that because when I order a baraza nobody turns up but when he orders one everyone goes including women and children.

XXation reserved by leave.

KILO WA ANGINYA, d.a.s.

Interpreter to D.C. Machakos. I was at a baraza held by him on 29.6.38. in Taboni - Nzao's sub - location. Capt. Grant and Chief Kalavoto & Nzao were present. Mwindi was there. After the baraza the crowd went a little way off. They sat round in a circle and Mwindi stood up with his stick in the centre. He told the people not to agree to what they had been told by D.C. He also told them not to agree to the branding of cattle and division of plots. I interpreted this to D.C.

XXd. I would say destocking trouble became acute about 4.7.38. Before that there were barazas but no serious trouble. The baraza withdrew about 80 yards. Mwindi was shouting and I could hear what he said. This was after the D.C.'s baraza - D.C. finished this speech. Baraza was all over. The D.C. told them that Capt. Grant would take charge of Metaboni side and that every parish should produce six elders and one clerk. That the Bwana would

come and allot the parishes to the different people. The Elders were told to be responsible for knowing what grazing each person had. Mwindi's remarks were directed to the meeting generally not to any individual. He did not abuse anyone. He made no accusations.

REXd. It is not usual for people to go away after a baraza without replying. It is not usual for the people to hold a second baraza and be urged not to agree with what the 1st. baraza ordered or suggested. The D.C. said that Elders would swear not to oppress or favour any one.

To Court. D.C. asked for a reply and they did not do so. The D.C. was giving orders in his speech. They should have replied as to whether they would obey the orders.

ADJOURNED TO 10 a.m. ON 24.9.38.

ACCUSED REMAINED IN CUSTODY.

SAME ORDER AS TO VISITING ADVOCATE.

sgd. J. Lucie Smith

23.9.38.

RESUMED.

APPEARANCES AS BEFORE.

ACCUSED PRESENT.

PHILLIPS calls:

NZAO WA MALELE, d.a.s.

Sub-Headman under Chief Kalavoto. Before I became Sub-Headman I was a Police Askari for 22 years. I retired as Sgt. Major in C.I.D. I was selected as Sub-Headman before I resigned. The people in the Reserve chose me. I know Samuel Mwindi very well. He lives in my location. Since destocking started I have seen him at Barazas in my location. I have seen him four times making his own baraza. At these Barazas he teaches people not to agree to D.C.'s proposals. I have heard him telling people that. One day when D.C. had met a big Baraza at Metaboni - that was last month - the people refused to listen and left - they went about 150 yards away. When they got there Mwindi made them form a circle and he stood in the middle. He addressed them saying "There is no permission for any one to listen to what is said by the D.C. Don't listen to the division and the reduction of cattle or branding". He said "These orders do not come from Government but from Nzaio and the D.C. The D.C. has given Nzaio shillings. I will utter this statement loudly in front of that the D.C. should hear". I was with the D.C. and Mr. Grant at the time. Kilo and Kalavoto were also there. D.C. had given orders at the Baraza. Mwindi told the people not to listen to the D.C.'s words. There was another Baraza near Metaboni. It was Mwindi's Baraza - there were a great many people there. No permission was given for that Baraza. I went to the Baraza. I went into the centre and called Mwindi and

told him he had no right to hold the Baraza. He said he was going to hold a Baraza there and if the Govt. did anything he had sufficient money to employ a lawyer. I called the Government servants who were at the Baraza and five of them came and we six left.

When destocking started in my location orders were given to bring in cattle for branding. They were not brought in. My cattle and cattle of another Elder were branded by Mr. Grant. Other people's cattle were seized by Government next day. People were prosecuted over that business. That was before the march on Nairobi. In my Location some people are not obeying the orders of the D.C. and myself as there has been a curse. I have seen three people come to the D.C. to ask their cattle back. The D.C. told the people they should come and get their cattle back if they agreed to the branding and produce Elders to make their allocations. Only three people came forward. In my opinion the refusal of the people ~~to bring cattle for branding~~ to bring cattle for branding is this. I know this very well. Some people of other Locations do not want to resist the Government. People began sending cables to England and petitions. When Capt. Grant came to my Location he carried out his survey without any trouble. In my sub-location there are 8 sections. In some of those sections Grant told them to be ready as he was coming to allocate the cattle. These Elders collected themselves and each section took an oath to select persons who would give justice to all. Grant did not arrive on the day he was expected. He sent an Askari to say he could not come. I had made preparations for taking of oath. While they were waiting for the D.C. that day they were prepared to comply with D.C.'s orders but while waiting Mwindi got

them to change their minds. Mwindi was at the Baraza and made the people change their minds. I was not present when I was cursed but I heard of it. Everyone known of my being cursed. I have been cursed several times. Mwindi has cursed me at all four of his Barazas. My people are very afraid of these cursed. I know old custom of the Kingolo Curse. It is supposed to kill. I know of the Baraza held by the D.C. to give H.E.'s reply to a petition. I announced that Baraza at Metaboni market. Mwindi was there and heard the announcement. He did not attend the Baraza.

XX ation Reserved by leave.

NDAMBUKI WA NGIOKO d.a.s.

Tribal policeman at Machakos. I went with Capt. Grant to a big meeting at Metatoni. Grant's interpreter Ndambuki was with us. I was left at the meeting with two other T.P.s and the interpreter. Mwindi told the meeting that the petition would not go through the D.C. but through the air to the Governor. He told them that Grant could not appear before the Governor but Mwindi (Mwindi) had been before the Governor and presented a petition. Mwindi then mentioned Nzao, Kalavoto, Josiah and Kimai and others whose names I don't remember. He said they would be cursed. He then gave instructions for two elders to come from each side. Eight elders himself and Motwa Ndambo came together. The elders agreed that these people Mwindi had mentioned should be cursed. The cursing was duly carried out. All the people cursed are people of authority in the district. We three tribal policemen and the interpreter were threatened with the cursing if we reported matter to D.C.

XXd. I have been a T.P. since 1930. At Machakos all the time Mwindi has spoiled people's minds in the Reserve since this destocking shauri. Before such spoiling everyone listened to their headmen, but not now - now they listen to Mwindi. Now headman's barazas are not attended, Mwindi's are ~~etc.~~. I don't know if only destocking orders are disobeyed. I travel round with Capt. Grant.

I was at the cursing baraza. I was in the audience. T.P.s Ngumbi and Mwema were with me. I do not live in that location so cannot give the names of people taking part in the cursing. I know Mwindi as he

acted as sub headman of Metaboni location for some time. There was an elder named Nimotho at the cursing. Baraza lasted from 12.30 p.m. to 5 p.m. I went and left with Capt. Grant. When I was in the middle of the crowd Capt. Grant was some distance away and sat down with some other T.P.s. I cant' say if Capt. Grant had any food. I had no food. We were cursed if we should go and tell the government. I am not afraid of cursed as I am Government. A government servant cannot be afraid of a curse. The Wakanj will only listen to what Mwindi says. I was not present at His excellency's baraza. A curse can be removed by killing a bullock. All the persons cursed were government servants.

Re-xd.

Ordinary people are very afraid of these curses.

MGUMBI WA KISINGA d.a.s.

Tribal Policeman Mwachos. I went to a big baraza at Metaboni with Capt. Grant. Mwindi was conducting baraza. I was left at the baraza with two other T.P.s and an interpreter to watch what happened. Several people were cursed, Josiah, Nzao, Kelavoto, Kinai and Kilonzo. Mwindi pronounced the curses. He called on eight other people to assist.

XXd.

Capt. Grant told Mwindi to tell the people to prepare what they were going to say to the Governor. Mwindi said he would do so but if they sent a petition it would not be through D.C. Grant had previously said it was to go through D.C. I was at Baraza all the time, 12 midday to 5 p.m. Grant went off about 80 yards. He stayed there till 5 p.m. I am not afraid of being cursed. Other people would be afraid of being cursed.

The people did not ~~talk~~ talk to us as ^{to} the terms of the petition. Mwindi conducted the ceremony of cursing. Nzao is not liked by the people. They have

started to hate him since the destocking began. I can't say how long that is. From about 9.8.38 perhaps. I say that because cattle were seized on 8th August. Many others were cursed. I was cursed.

Not re-xd.

MURIA WA NGUNGU d.a.s.

Tribal Policeman Machakos. I was at the big baraza with last two witnesses and the interpreter. Capt Grant left us there. People were cursed at the meeting. Kalavoto, Nzao, Josiah, Nimay, also we tribal policemen. we reported to D.C. then curse became operative. Mwindi was the leader at the meeting.

XXd. I say that because he was the one who always told the people not to agree about the cattle. Some other people also said the same thing, but Mwindi stood up three times. Mwindi actually pronounced the curse. The eight assistants were chosen from the meeting. One man was called but did not appear. I never lived in Nzao's location.

Not Re-xd.

Case adjourned to 10.30 a.m. on 26.9.38.
Accused remanded in custody - same order.

sd. J. Lucie-Smith

24.9.38.

RESUMED.

APPEARANCES AS BEFORE.

BURKE NOW ALSO APPEARS FOR ACCUSED.

ACCUSED PRESENT.

S.O. to 2.15 on application of Burke.

RESUMED.

H.M. GRANT Resworn.

XXd (To Burke)

On 22.8.38 I was informed of a meeting. I can't say who were the three people who came to me as a deputation. I think Mulwa Ndambo was one of them. Samuel was not one of them. They saw me just before I went into the circle. I first saw Samuel after the deputation came to me the second time. I can't say if there was a Baraza on 14.8.38. I was only present at the second of the two serious disturbances. Samuel was not there. The other disturbance was the day before. I can't say if there was a Baraza on 4.7.38. There was a seizure of cattle on I think the 8.7.38 - 21 of Samuel's cattle were seized. There was a prosecution. I think I had seen Samuel before that. I am not sure. I think he had also been pointed out to me at a Baraza before that. There was a case that went up for revision before Thacker J. on 22.7.38. Part of Matangulu adjoins Nzao's location for a distance of five miles. Josiah's village is 6-7 miles from Samuel's place. In the disturbance at Josiah's village there were people from at least three other locations including Nzao's. The conviction in respect of the that disturbance was at Machakes - the other prosecutions are before the Ag.R.M.Nairobi. I was given information as regards reason for disturbance at a Baraza at Matangulu quite recently. As far as I know Mwindi never acted as Sub-Headman. When Ndambuki says he did at p.21 of typescript I take it he meant Mulwa.

RKXd.

I was at a Baraza on 29.6.38 with D.C. at Metaboni. I saw Samuel at that Baraza. He addressed the crowd.

NZAO WA MALELE Resworn.

KXd (Burke) The Kingole oath is not like the Muma oath in Kikuyu. I know the "Kithito" curse. The Kingole is not the actual cursing it is the crowd authorising the curse. The curse by the Kingole causes harm because of the crowd taking part in it. I could not give dates. I know Sgt. Duba - he is in Kenya Police - Sgt. Major. He is of my location. Govt. seized his cattle - not all of it. I was not present at the seizure. At Baraza when I went away with five Govt. officials - those officials were attending the Baraza. I had a Baraza on the same day. Before my Baraza met I heard of Mwindi's Baraza. I went to Mwindi's Baraza about 11 a.m. I found one Josiah Nzia had been kept there by Mwindi to stop people going to my Baraza and to make them go ~~to~~ to Mwindi's. I saw this Josiah there myself. Kilonzo told me what he was there for. Kilonzo is not a Government man. I have been cursed several times (4) since this cattle shunt - never before. I have never been present at a cursing. I went with Capt. Grant to another baraza. Mwindi was not there. The people said Mwindi was coming to give them Nairobi news - that baraza was in my sub-location. The Wakanba had returned from Nairobi by then. There was another Baraza when Mwindi told the people that everyone must go to Nairobi - young and old. He said that if H.E. saw them in Nairobi everything would be settled. He said that anyone who stayed behind would be cursed and die. I did not report this to D.C. I told Capt. Grant. The first contingent to go to Nairobi were from my location. Mwindi sent messages throughout the District that he had won the case. I know Mwindi has held four barazas - two before the march on Nairobi and two after their return.

He held three Barazas before Governor came and one after. The last one was before the D.C.'s baraza giving H.E.'s reply.

Not Rexd.

KALAVOTO WA SEKI reaffirmed.

XXd (Burke)

Galani is in my location and Nzao's sub-location. Sgt. Major Duba comes from there. Duba came from Nairobi before the Baraza of 29.6.38. Duba incited people to oppose destocking. He started the opposition. Mwindi was in this business before his cattle were seized. The baraza of 29.6.38 was the third baraza about destocking. Cattle had not been seized by 29.6.38. When Duba came to us on leave everything had been arranged for destocking. When Duba left Machakos he left Mwindi to act in his place.

REXd. The first destocking baraza - at which Duba was present - I can't say who called it. Nzao called it with my permission. I was present and spoke to Duba myself. It was at the meeting that the people told me to go to D.C. and say they did not like the destocking proposals.

ADJOURNED TO 10.30 ON 27.9.38.

ACCUSED REMAINED IN CUSTODY.

ORDER AS TO VISITING ADVOCATES CANCELLED.

Sgt. J. Lucie-Smith,

26.9.38.

A. N. BALLWARD Resworn

XCD.

My first destocking baraza in Metaboni was on 22.6.38. Sgt. Duba appeared before me on 8.5.38. I think Daly & Figgis wrote to me on his behalf after that. Duba's complaint was that two of his cattle had been seized in his absence. I am responsible for carrying out the destocking policy. I wrote a memorandum that was published in the newspaper last month. It was published in the weekly edition of E.A. Standard dated Exh.A 26.8.38 (put in and marked Exh.A) Referring to the portion in heavy type in 2nd. column of the article "End of Kamba Camp" I had come to that conclusion long before Dec.1937. The policy was to allow so many head to each location. Allocation to various families was to be done by the Elders on the basis of grazing land held by individuals. There is a system of individual tenure in Akamba Reserve. I cannot say the average grazing holding in Nzao's sub location. Holdings vary in size. There could be leases of grazing ground. There are definitely tenants of grazing ground. In the Iveti location we never got to the stage of dividing up the grazing. The Rules published under Govt. Notice 950 of 1937. The quota given in the schedule is a maximum quota. Any reduction in the number of cattle in any location before the Elders had allocated would be purely guess work and might, subject to any checks or safeguards we could devise, press hardly on individual families but did not in fact do so as the numbers called for were inconsiderable in relation to the number of cattle. We asked for 1000 h/c and got one h/c from each home totalling 1500. These 1500 h/c were raised without any friction or complaint except from Duba who is a wealthy cattle owner. Maximum quotas under the Rules were fixed

before the survey which survey was to enable us to fix the actual quota for each location. We asked for the 1000 h/c and the people brought them in. I told the headman to bring in cattle and they brought in 1500 which I presumed were produced voluntarily.. Duba's complaint was that his cattle had been taken without his knowledge or authority. That was sometime in May or earlier. There has been no sale of Iveti cattle since 9.5.38. There have been sales from all other locations except Mbooni - Nyawi and Kaumoni. There could be no branding of cattle under Rule 3(1) until after allocation. There should have been no prosecution until they had had a chance of branding. If they refused to allocate then we still offer to brand. In Metaboni the survey was complete before 29.6.38 and we wanted the Elders appointed by the people to allocate the quota to the various parishes. In the Iveti location I have not told the people what cattle was allotted to each parish - we never got to that stage. We met the resistance when we were about to announce what the quota was and ask for its allocation to individuals. I don't think Nzao has any idea of what cattle has been allotted to each parish. The headman of Iveti has no idea of the quota fixed. The quota has only been allotted in Iveti location is in Nzao's sub location. As it is the only one where survey has been completed. I should think that in May there were 6-8000 h/c in Nzao's sub location. I don't know what the quota allotted was. Capt. Grant knows. The underlying idea of the oath administered to the Elders was that if they did not allocate fairly and justly they would die. That is the Kithitu oath. Iveti is not a pastoral location. There are five sub locations in Iveti location. Nzao's is very much the largest sub location. Nzao's sub location grazing land would be about a third of the whole

location. I had a baraza on 4.7.38 at Metaboni. By 8.7.38 we were seizing cattle under Rule 3. We seized 2500 h/c. I don't know if at that time we seized all Samuel's stock. Samuel was charged with depasturing 21 unbranded h/c. The allocation of 2 h/c to Samuel which appears in Cr.Rev. 87/38 is purely arbitrary. There have been other similar prosecutions in which accused pleaded guilty - five other I think. I did not see Samuel at baraza of 4.7.38. He was called. Total of cattle seized on 8th. July belonging to five persons who were prosecuted was I believe 110. The Wakamba came into Nairobi about the 28th. July and stayed till just before the 25.8.38. I was not in Nairobi the day they left. I accept that they left on 19.8.38. His Excellency's baraza was on 25.8.38. At that baraza a petition was presented. I have seen the petition. This looks like a copy of the petition (I produce the original) (marked 2 for

"B" identification) (copy put in and marked B) Petition was presented at end of His Excellency's speech. It was then His Excellency asked Samuel if he would give a lead to the destocking policy. Samuel spoke in Kikamba. Mwindi asked for particulars interpreter. His Excellency took the petition and said he would reply later to anything he had not already dealt with. Samuel has not had a copy of His Excellency's reply as he did not attend my baraza nor could he be found when I sent for him. Since his arrest I have communicated with the Supt. of prisons. I have a copy of the reply (marked Y for identification). On 5.9.38 Samuel wrote to Chief Native Commissioner asking for return of cattle. This is the reply sent to him (put in and marked C): ~~There~~ I gave notice of my baraza of 14.9.38 on 6.9.38 I think. Samuel must have been very dense if he did not understand the conditions attaching to the return of cattle. I don't

think he could have thought that cattle were to be handed back at once. Two letters of which these are copies were handed to me on 17.9.38 (put in and marked D & Ex E) That was at a baraza which I had called to explain conditions under which cattle would be returned. I distributed translations of His Excellency's reply at the baraza of the 14.9.38. I exhausted my supply but have got more and distributed all round the district. The native Authorities Ordinance provides a penalty for breach. Notice of a baraza is given by headmen's and sub headmen's retainers. His Excellency's reply does refer to cattle sales. There were no sales between 25.8.38 and 14.9.38. Between those dates I suggested a sale, in accordance with His Excellency's suggestion, in one location the people refused to cooperate. Samuel was arrested at my baraza of the 17.9.38. I don't know if he was specially called to that baraza. He was arrested before the baraza started.

ADJOURNED TO 3.15

RESUMED.

Re-xd. The baraza of the 14.9.38 was held at Machakos the one on the 17th was at Metaboni.

The smallness of the quota for Nzao's sub location is due to the condition of the land and the small amount of grazing. Government's policy is to allocate as high a quota as can be done considering the grazing available. The more cattle you can graze the better the manuring. The attitude of the natives at the barazas on the 29.6.38 and 4.7.38 was at the first defiant and at the second non co-operation. At the latter baraza no one appeared except a few elders. The object of the two barazas was to explain the law and tell them they must submit or take the consequences. It was on account of defiance that cattle were seized on the 8.7.38. They had been given till the 7th to start bringing in their cattle for branding. A person failing to attend a baraza when summoned is punishable under the Native Authorities Ordinance.

NDAMBUKI WA MATOLO re-sworn, Xld (Baraza)

I don't give notice of barazas. I was at only one meeting - the cursing one. I was at his Excellency's baraza as a spectator. I have now 144 cattle in Kalabito's location. I have given up two h/c. None of mine have been branded yet. I gave up the 2 h/c in May. I have not yet been told how many I shall have to give up.

Not re-xd.

I now inform Samuel Mwindi that he now has the opportunity of making any statement he wishes in his defence.

- 32 -

Samuel Mwindi is informed that if he gives evidence on oath he will be liable to cross examination and that he can if he wishes make a statement. Elects to give evidence on oath.

SAMUEL MWINDI ss.

I belong to Nzao's sub location. I remember D.C.s baraza on 29.6.38. I was there. I did not attend a baraza on 4.7.38. I did not know of it. Certain cattle of mine were seized. First of all one h/c was taken. I was away on safari but on hearing it had been taken by Government I kept quiet. On 8.7.38 Government seized 21 h/c leaving me with none. I am married (two wives) and four children. I am a Christian. My youngest child is 20 days old. After my cattle were seized there was a case against me. None of my cattle have been returned. In that case I was told I could take back 2 h/c but I refused to have them. My case was heard in revision. I was not present.

I live at Kamathanga. I came to Nairobi the day after the revision case was heard. I stayed here two days and then returned home. I found some people prepared to come to Nairobi. I joined them. Until I got back to Machakos I did not know there was any intention of coming in to Nairobi. The people left Machakos for Nairobi on 27.7.38 I left on 28th. I think more than 2000 came in. They came from various parts of the reserve. From 8.2.38 the people in Machakos selected me to act as speaker for the people when seeing D.C. This was in presence of Kalavoto and Nzao. On 10.2.38 I wrote a letter to the P.C. at Kalavoto's place. We were to hand the letter to the P.C. and C.N.C. on their arrival. The letter was

handed to the P.C. by an elder named Masau. I produce a copy of the letter (put in and marked F). When the crowd came in to Nairobi I still acted as supervisor. We came in to see H.E. The Governor - to see if he could give us more information. We were an orderly and well behaved crowd. We were eventually informed that H.E. would hold a baraza at Machakos. The D.C. Nairobi and P.C. told us. We cleaned up our camp and went back to Machakos to wait for the Governor. That was on 19.8.38 I think. H.E. held a baraza. I was present and handed in a petition after H.E.'s speech. I handed it to H.E. through D.C. Mr. Bailward.

H.E. said that all the cattle that were seized would be returned but there would be no compensation. Government would not charge for the cattle inoculated. H.E. said he would reply to our petition later on. After H.E. left cattle was not returned to us so I wrote to C.N.C. about it. I got a reply which was read to us by Simeon at Machakos. The letter was not the same as what H.E. told us at the Baraza. It stated conditions under which cattle would be returned. We wrote letters which I took to D.C. D and B are the letters. I delivered the letters at the baraza at Metaboni. I had heard of this baraza but not from Nzao or any of his retainers. I heard of it on 14.9.38 at 7 p.m. when I got home. I had been in Nairobi. I knew nothing of the baraza on the 14th. I knew of meeting of 17.9.38 and went to it. I knew nothing of my impending arrest. I was surprised to hear Nzao say that I had called four meetings without authority. I have never called any meeting as I am not a headman.

We Akamba want our cattle returned. We don't

want to be against the Government as Government have been good to us. We realise that our land is becoming a desert because there are too many cattle. We want the cattle sold little by little. We refuse totally to have the cattle branded and to have them sold by auction. I can't say if we had considered how many cattle should be sold from each family. Nzao never told me how many were to be sold. Cattle are the Wakanba's chief form of wealth. It was never suggested to us which type of cattle were to be sold. My 21 cattle comprised 10 oxen, 7 cows, 3 heifer calves and 1 bull calf. I never posted a man named Josiah Nzia or anyone else to stop people going to Nzao's baraza and divert them to mine. I heard Ndambuki's evidence as to the cursing baraza. I have never attended or seen a cursing ceremony. I have never used the Kithite curse against anyone. A man of my age cannot pronounce the curse or suggest the ceremony. Only very old people can do this. I do not know Kimotho wa Wakbua. I do not know Mvaka wa Mukoma. I know Nukuma - he is old enough to do the cursing ceremony. I know Mulwa Ndambo.

After the people returned from Nairobi and up to the time of H.E.s baraza there was one meeting I know of. It was held at Metaboni to prepare the people for attending H.E.s baraza. They were told to keep quiet and behave and also to prepare the petition. Capt. Grant was at that meeting. When I got to the meeting the 4 askaris and the interpreter were there. Capt. Grant was some distance away in his car. I was there when Grant addressed the meeting. He asked for the petition but it was not ready.

Adjourned to 10 a.m on 28.9.38.

Accused remanded in Custody.

sd. J. Lucie-Smith.
27.9.38.

RESUMED.

APPEARANCES AS BEFORE.

SAMUEL MWINDI continuing in chief.

I had nothing to do with the idea of the people coming into Nairobi. I did not have any interview with His Excellency when I was in Nairobi. I never told the people at the "Cursing" baraza that I had seen His Excellency. I never said that I could go before the Governor but Captain Grant could not. I never said I had seen the Governor with the Chief Native Commissioner and two other white people. I never said anything about Chief Native Commissioner being asked to take an oath. I did not tell them at the baraza that we were not willing that our cattle should be branded and our country divided. I used to work in Kenya Police for four years and finished as 3rd Grade askari. I never said anything about the petition being carried through the air.

XXd. I have always been willing to obey Govt. orders. I know that Mr. Bailward is representative of Government in my district. I was not told to bring my cattle in for branding. I heard that Govt. were trying to reduce stock. I was present at Metaboni on 29.6.38 when Bailward told us that Govt. had suggested that cattle should be reduced. I was prosecuted for depasturing. I was defended by Madan before Magistrate & Supreme Court. It was not only myself who refused to brand the cattle. No one's cattle has been branded not even the elders. I do not refuse to obey the orders of the Govt. His Excellency told the whole crowd at the meeting to co-operate and bring in their cattle. He did not speak to me personally. The interpreter used was asked for by all the Wakamba. I do not consider that I represent all the Wakamba. I signed the petition on behalf of the Wakamba. The petition was written for us by Mr. Madan. He explained it. Exh. F was

written with permission of Kalavoto. Letter was written by John Mulwa. I deny that I am the leader of the movement. to resist the destocking policy of Government. I only speak for the people when they ask me to. People have been helping me with funds for my defence. They do this as I am suffering for their sakes.

I am the person selected by the people as spokesman. I was not their leader when they came to Nairobi. Each person paid for himself. I can't say who was the leader of the march and camp. I do not agree that had I told the people to go back to Machakos they would have done so. We were ordered to leave Nairobi by the Chief Native

Commissioner, Provincial Commissioner and a District Commissioner. I did not encourage the people to disobey Government. I signed the letters which appeared in the press over my name at request of the people. Mr. Madan put the letters into

English. I have been to Madan on occasion but never alone.

I did not sign the letters because I was leader.

I have not been to see an Advocate often about this business. I can't say how often I have been.

I saw the report of the Governor's speech in the paper. It was read to me.

I went to the office of the Kikuyu Central Association last Saturday as I was going to Madan's office some people asked me to have food. I had an interview with Madan that day (Madan denies this and says he only saw him in office of Kikuyu Association). I had never been inside their office before last Saturday. My people asked if I could eat my food there. At baraza of 17.9.38 I arrived by car - my own car. The car was given me by Mr. Madan. I do not go often to Mr. Madan. I do

not pay him a lot of money. Madan only lent me the car so that I should not be late for District Commissioner's baraza. I am only selected to sign letters. The Elders selected me. I do not admit that any one is resisting the destocking policy. I have never incited people to disobey Government orders. I admit that all Mr. Bailward's orders are good. I remember D.C.'s baraza at Metaboni on 29.6.38. It is not true that we had a meeting after the baraza, and that I addressed it. I was surprised at Bailward saying that. Perhaps he has forgotten. Captain Grant also is mistaken in his evidence on this point.

Ndambuki - Kilo - Gumbi told me that as long as I am in the district they will get me into trouble. I heard the evidence about the cursing baraza on 22.8.38. I was present. There was no cursing that I saw. I did not address the people on that occasion. Captain Grant may have seen me there but I did not make a speech. It is untrue that I harangued the people. What I heard said at the meeting was this "People at His Excellency's baraza were to keep quiet. Women with babies were to suckle them/quiet. Everybody was to keep still as the Governor was coming with the big officers." I ~~can't~~ can't say who told them this. I was just one of the audience and took no part in the proceedings. I remained seated all the time. I did see and hear people replying yes when they were asked if they understood. The crowd were also told to be meek at the baraza - to make the Governor that we and the Machakos Authorities are friendly. I am friendly with Mr. Bailward.

Q. Why do you always try to go behind Bailward's back and write to G.N.C.?

A. Bailward is always there and we can always go to him. Bailward is a good officer.

Q. How do you account for para. 11 of Exh.F?

A. It was written with knowledge of Kalavoto and Nzao. I was indignant about that para. So were many others.

Capt. Grant told the baraza they were to present the petition through the D.C. I did not tell the people they were not to do so. At the Governor's baraza I did not try to present it direct to the Governor.

Rerd. The D.C. was the first person who pointed out that we had to do certain things before our cattle would be returned.

We wrote on 5.9.38 asking for cattle back and for the reply Exh. C.

I paid Madan for my defence in the Magistrate's Court. Since then I have only paid him for one other case.

Phillips applies to call evidence of something that occurred yesterday.

Ruling. As these proceedings are not a trial but an enquiry I allow the application.

A.N. BAILWARD s.s.

As none of the Galani people attended the baraza of 14th and as baraza of 17th dispersed I had a pamphlet in Kikamba prepared for distribution in the area from which we took the 2500 cattle. These pamphlets were sent out last Sunday for distribution by tribal police.

XXd.

They were not ready on 17th.

MUTUA WA MULWA d.a.s.

Tribal Policeman, Machakos. I was at Metaboni Market yesterday p.m. with another askari Agina. I was distributing notices. The notices came from D.C.'s boma. There were very many people at the market and I distributed many notices. A man named Senga came and told the people to destroy the notices. I heard him say that. He said they were to be destroyed because it came from the D.C. He said this both in Kimamba and Kiswahili. I don't know why he used Swahili. Agina understood what he said in Swahili. Senga said if the notices came from Mwindi they would receive them. All the people destroyed the pamphlets. I produce the pamphlet Senga crumpled up.

(put in and marked G)

YUSUF AGINA S/O BISHALA s.s.

1st grade P.C. Kenya Police stationed Machakos. I am from Uganda. I was with last witness at Metaboni. Mutua was distributing orders about cattle similar to Exh. G. People were taking the notices - many people. Another man came and said "We don't want these notices - if it was Mwindi's notice we would take it and read it". I spoke to this man in

Swahili and he answered. After this man spoke the people began tearing up the notices.

Not XXd.

Burke calls no witnesses.

PHILLIPS addresses:

Gone beyond airing of grievances.

Refusal to try out their own suggestions re sales.

Riots result of agitation.

Destruction of notices.

BURKE

replies:

Evidence means legal evidence. When accused has taken part in anything it has been done in a peaceful and orderly manner. Accused's influence - influence for good.

intriguing -

Discontent with method of execution of destocking policy.

Appeal of 10.2.38.

Sgt. Major Dube - objection to method.

Rules - ~~Ex~~ R.3.

Cr. Rev. Case -

March on Nairobi - quite constitutional -

R.3 cannot apply until quotas known and ~~the~~ number of families.

Inaccuracy between schedule to rules and memorandum in Exh. A as regards minimum figures.

Accused has had no copy of reply to petition.

Of: Rules of 1938. Govt. Notice 703 - 24.9.38.

G.A.V.

Accused remanded in custody.

Sd. J. Lucie-Smith.

Kenya Colony,

25th August, 1938.

To,

His Excellency The Governor
of the Colony & Protectorate of Kenya,
MACHAKOS.

May it please your Excellency,

We, the people of the Wakamba reserves, take this opportunity to express our felicitation at your Excellency's presence in our land. We feel proud to welcome your Excellency and we trust that your Excellency will accept our humble gratitude for paying us this visit.

1. We recall that recently the Hon. The Chief Native Commissioner made the statement in the Legislative Council that when your Excellency would pass through our reserves, we would be fortunate enough to be given an opportunity to place our point of view before your Excellency in regard to the Government's destocking policy. We also thank your Excellency for having come here kindly to listen to our grievances personally.

2. We would say at the outset that the Wakamba people have never opposed the principle involved in the destocking policy. We do not fail to realize that something should be done to combat soil erosion. No people would like to see their agricultural land turned into unproductive deserts. In this connexion, we feel constrained to mention that we do not consider we should be blamed to any large extent for this course of soil erosion. We even make ourselves bold to say that the Government must take the full responsibility for this sad state of affairs. We are an ignorant people. We feel that the Government should have started to give instructions to the people in such matters long ago. Now that things have gone from bad to worse, the Government wishes to carry out its measures at a pace which is both unsafe and accelerated far too much for the ordinary comprehension of

of our people. Between the Government's policy and the wishes of the people, it should be possible to find a via mediâ.

3. We would humbly suggest that all the cattle collected between the 7th and the 8th July last, these reach the figure of nearly 2500 heads of cattle, should be returned to their owners. It will be noted that even calves were seized.

4. We find that we are unable to accept the policy of branding cattle with letters derived from the names of the various locations.

5. We are most willing that our cattle should be branded with the brand "AM" which is the ordinary brand of the Veterinary Department. This was done before this sudden and unexpected policy of destocking our reserves was introduced by the Government.

6. Our cattle should not be sold by means of forced sales organised by the Government.

7. We should be allowed to sell cattle in our own markets at reasonable prices. It would be unjust to deprive the people of their right to bargain for and obtain the best price for their stock. We feel that the right to dispose of private property should be maintained intact.

8. It is a commonplace that when cattle are sold in our own markets, the buyers are mostly Indians, Kikuyus, Somalis and some Europeans. These buyers purchase cattle mostly for slaughter purposes. The result is that the stock leaves the reserves and this maintains the object of reducing the number of stock in the reserves.

9. There are also some Wakambas who purchase cattle in the sales which take place in our markets. But these people do so only for the purposes of re-sale to butchers outside. It will be seen that the principle of destocking is still maintained.

10. The Government gave sufficient publicity to the forced sales organised by it. We suggest that similar steps should be taken in the case of sales in our own markets. It should be possible to fix two days during every month when principally cattle should be sold in our markets.

11. We would agree to a quota for every prospective Wakamba buyer to be fixed. Out of all cattle brought to our markets for sale, only a limited number should remain in the reserves.
12. The cattle may be examined by a Veterinary Officer as usual before being allowed to leave the reserves.
13. We would welcome a Government clerk who should scrutinize these sales and also ensure that only a limited number are purchased by the Wakambas themselves.
14. It will be seen that we are not opposed to the destocking policy in itself; on the contrary we are only too willing to cooperate to see that our land is maintained in a healthy state of fertility. Our suggestions are, perhaps, crude but they require working out in detail. This is not, as we are aware, beyond the Government's officers.
15. We must mention that we are strongly opposed to the methods employed by the administrative officers to carry out the destocking policy. We cannot condemn such methods too strongly.
16. We strongly object to askaris armed with rifles raiding our homesteads to collect our cattle. We do not like to be treated as criminals. We are a loyal race and such methods make us feel indignant.
17. We strongly object to being arrested when we are innocent. We know the case of one Paulo S/o Wambua who has been ordered to report to the Machakos Police Station everyday for a long time. His only offence, as far as this unhappy man and also we are aware was that he went to Nairobi with the other Wakambas to protest against the Government's destocking policy. This being the reason it is regrettable that the Government deemed it fit to prosecute him. The subjects must always possess the right to raise their voice peacefully in protest against the policy of their Government if they consider that such policy is detrimental to their interest. Since our march to Nairobi others also have been arrested and put in cells without being given a trial.
18. It appears to us that the Government, before enforcing its destocking policy, did not take into consideration the sizes of the people's shembas and consequently their carrying capacity. Th

measures were applied against all without discrimination and everybody's cattle were seized irrespective of the number possessed by each person. We are under the impression that the Hon. Chief Native Commissioner stated that the destocking measures were not applied to people who possessed only four or less than four heads of cattle. We know it for a fact that even people who possessed only one head of cattle have been deprived of it.

19. We cannot understand how, if all our cattle are seized and held in pursuance of the Government's destocking policy, we shall be able to pay our taxes, especially if our oxen are seized. The Government's policy confirms our suspicion that it is intended that we should leave our reserves so that the European community can get more cheap labour.

20. If our oxen are sold, we shall all lose means of transport and whatever little part we can now take in trade will also be lost to us. We would add that we are willing to get rid of our oxen which are old and useless for transport purposes.

21. If our cows are sold, we fail to understand how we shall be able to maintain our women and children.

22. We cannot object too strongly to the present surveying which is being carried out by this Government. As far as we are concerned, our boundaries are well known to us and there is no need to undertake such survey. In accordance with our tribal custom, our boundaries shall remain inviolable. We regard land as our greatest wealth and tribal custom will not tolerate either violation or interference with the boundaries.

23. We venture to suggest that our District Commissioners and other Officers in the reserves are so overloaded with other administrative work that it is impossible for them to spare enough time to pay proper attention to the execution and details of the destocking measures. An independent officer attended by proper staff, should be appointed for this purpose and this work should be separated from other administrative work and the present District Commissioner and his assistants relieved of all their duties in this connexion.

24. We would also make mention of Mr. Smith who, some time ago, shot down cattle even before they were collected. Such

methods made us feel unsafe and also make us wonder whether the law in reality gives protection to the citizens. 107

25. We will make use of this opportunity to point out some of our Headmen are unfit to act as such any longer. They should be removed from their offices without any delay.

26. We refer to Headman Nzao, Chief Kaloboto and Chief Josiah Nzioka.

27. Headman Nzao is always making malicious reports to the administrative officers against us, especially that we intend to rise in rebellion against the Government. We believe that it will be admitted even by the Government that we are loyal and obedient. Such reports are most unhealthy and Nzao no longer enjoys the confidence of the people. It is necessary that he should vacate his office.

28. Chief Kaloboto informed the Government that we were willing to sell our cattle. He did so before consulting us. We cannot place much confidence in people of Kaloboto's type; therefore, he should be replaced.

29. As far as Chief Josiah Nzioka is concerned, at one time he arrested about twenty of our elders without any reason whatsoever. These elders were taken before Captain Grant when they were informed both by Captain Grant and Josiah Nzioka that if they and the people did not agree to sell their cattle, they would be shot down, besides the land being taken away from them. We will admit that they were only threatened, but hardly becomes a Chief to threaten people with death.

30. In connexion with another incident, Josiah Nzioka reported to the District Commissioner that on or about the 10th instant, the Wakambas had ~~risen~~ risen in arms against the Government and that fighting would break out. Askaris were despatched, but they returned having found the people going about their business in their usual, peaceful manner.

31. It must be agreed that we can hardly be expected to tolerate such state of affairs and the people who are responsible for it. Such chiefs and headmen are undesirable and they can be easily replaced by more efficient and reliable people.

32. We have a complaint to make in regard to our Local

Native Councils also. Without going into details, we have to state that the meetings of these Councils are a farce as far as effective representation by the people is concerned. It is always the Government's policy that is approved of. Our present members are such that they do not consider it advisable to oppose any measure, whether good or bad. In our opinion, this aspect of the matter also needs revision.

33. We beg to draw your Excellency's attention to the message which was published recently in London. The "East African Standard" stated that the message had been published on your Excellency's authority and it stated inter alia that only one location was represented by the Wakembas who marched to Nairobi to protest against the destocking measures. We are now present before your Excellency to see that all locations are represented and all are opposed to it.

34. In conclusion, we trust that your Excellency will be pleased to give consideration to our grievances and also to see that our interests are not ignored in the carrying-out of the Government's policy. To do so without taking into consideration the wishes of the people, would mean breaking up the integrity of our tribal and economic life. This will bring a terrible catastrophe to our humble homes and life.

I beg to remain,

Your Excellency,

Your most humble & obedient servant,

SAMUEL MWINDI

FOR THE WAKEMBAS.

AIR MAIL

KENYA

NO. 193

Origl regd on 38/149/28

104 69

CONFIDENTIAL

21 October, 1938.

Sir,

I have the honour to report, in accordance with the provisions of Section 10 of the Deportation Ordinance, Chapter 61 of the Revised Edition, that on the 4th October I made an order of deportation directing that Samuel Mwindi w/o Ndambuki, a Mamba of the Machakos district, be deported to Lamu. I enclose a copy of the recommendation made by a Judge of the Supreme Court under Section 3 of the Ordinance, showing the grounds for the order, and a copy of the proceedings in the Supreme Court. The deportee is the native referred to in my Confidential telegram No. 114 of the 2nd August.

2. I take this opportunity of reporting that, as indicated in my Confidential telegram No. 122 of the 19th August, I myself addressed a barasa at Machakos on the 25th August. On that occasion a petition was presented to me by Samuel Mwindi. My reply to this petition was sent to the District Commissioner, Machakos for communication to the petitioners on the 3rd September. I enclose for your information copies of my address, of the petition and of my reply, copies of all of which have been printed and distributed in a Kikamba translation.

3. The agitation conducted by Samuel Mwindi in opposition to his own tribal authorities, who were doing their best loyally to carry out a necessary but unpopular ...

THE RIGHT HONOURABLE
MALCOLM MACDONALD, M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S. W. 1.

unpopular policy, took a form that effectively deprived some headmen and elders of a large measure of their authority, namely, excommunication by what may be called 'community cursing'. In this movement he had no difficulty in finding support both from Akamba in the Machakos Reserve and from outside agencies such as the Kikuyu Central Association.

4. The present position is that a full trial is being given to the method of selling cattle at markets, which is advocated in paragraphs 7 - 14 of the petition. It is too early yet to predict whether disposal by this method will get rid of any appreciable number of cattle. The possibility of opening up various temporary relief areas is now being investigated.

I have the honour to be,

Sir,

Your most obedient, humble servant,

R. BROCKE-POPHAM

AIR CHIEF MARSHAL.

G O V E R N O R.

URGENT.

1st. October 8.

His Excellency The Governor,
Government House,
NAIROBI.

Your Excellency,

I have the honour to report as follows.

On the 16th. September 1958 I issued a warrant for the arrest of one Samuel Mwindi. Such warrant was issued on the sworn information of Mr. A.M. Bailward and under the provisions of Section 2 of Cap. 11 Laws of Kenya. On 17th. September 1958 at 1.35 p.m. Samuel Mwindi was brought to my house under arrest and I remanded him in custody until 19th. September 1958. On 19th. September 1958 Mwindi was brought before me in Chambers and remanded to 20th. September 1958 for the taking of evidence under the provisions of Section 3 of the Ordinance.

On 20th. September 1958 Mr. Phillips, Crown Counsel, appeared for the Crown while Accused was represented by Messrs Amin and Madan, Advocates of the Supreme Court. At the request of the defence the hearing was adjourned to the 23rd. September 1958. During the hearing Mr. Burke, another Advocate, joined Messrs Amin and Madan for the defence. Evidence was heard on the 23rd., 24th., 26th., 27th. and 28th. September. On the latter date I remanded Accused in custody pending my report and recommendation to Your Excellency.

From the evidence it is quite obvious that there is a great deal of unrest and dissatisfaction

1st. Oct. 1938

in the Machakos district owing to the procedure adopted for putting into effect Government's destocking policy. A definite campaign of passive resistance and non co-operation has been instituted and I am satisfied that Samuel Kwindi is one of the leaders if not the ringleader of this campaign.

The success so far of this campaign has undoubtedly undermined the authority of the Chiefs and Headmen vis a vis their people and I am inclined to think that the authority of the European officials in the district has also been affected. Had the evidence rested there I should have been very chary in finding that the campaign under Kwindi's leadership had gone beyond the law in the tactics adopted.

On the 22nd. August however a large illegal meeting was held in the Iveti location. According to Captain Grant, whose evidence I accept in toto, "Samuel Kwindi walked into the centre of the circle (at this meeting, haranguing the people. It was obvious that he (Kwindi, then took charge of the proceedings". It was at this meeting, according to Ndambuki wa Matolo, Ndambuki wa Ngikoko, Guabi wa Kisinga and Mwaema wa Ngunga, that various persons connected with Government were publicly cursed at the instigation and under the supervision of Samuel Kwindi while the four witnesses I have last mentioned were told that the curse would fall on them too should they report what had happened to their superiors as it was their duty to do.

These curses are undoubtedly taken very seriously by natives, and there is evidence that one Ouku, a soil conservation headman, took off his badge and returned it to Government because he was

1st. Oct. 1938.

afraid of being cursed, though I must add that he has since returned to work.

This overt act of public cursing coupled with the other evidence satisfies me that Samuel Mwindi has been conducting himself so as to be dangerous to peace and good order within the meaning of Section 2 of Cap. 61, and I therefore recommend the deportation of Samuel Mwindi.

I attach a copy of the proceedings.

I have the honour to be,

Your excellency's obedient servant

J. Lucie-Smith

J U D G E

H.M. SUPREME COURT

HIS EXCELLENCY'S ADDRESS AT A BARAZA HELD AT
MACHAKOS, 25th AUGUST, 1938.

I have taken the opportunity, whilst passing through Machakos to Kitui, of meeting you here today.

I held a baraza here over a year ago, on July 14th, and I informed you then that having seen part of your country, I was deeply concerned by its condition and the need for immediate steps to restore its fertility. I told you that results could not be achieved without sacrifice and effort on your part, and referred particularly to reduction in the number of cattle.

Why should your officers want to do this? It causes them much work and trouble; you are their children, and the last thing they want to do is to cause you hardship or to lose your friendship. But when your child has broken an arm or a leg you take him to the doctor. Do you think that the doctor is wrong because he hurts your child in putting the limb straight? No - you realise that it is for the child's good. It may cause him additional pain for a few minutes, but it will prevent him being maimed for life. And you know that the doctor is a good man, and although it is impossible to prevent causing some pain, yet he is as gentle with the child as he can be.

This is the position of Government. Their sole object is to restore the fertility of the soil to this country, to prevent it becoming a desert, and to save you and your children from starving in years to come, as will inevitably happen unless action is taken now. Government is the doctor that is trying to save you from permanent loss and from being crippled for life. It is useless to spend money on providing a hospital if the people/

people do not listen to the doctor and think that they know more than he does. The money is wasted. Yet everybody knows that a hospital is necessary for sick people. When land is sick it has to be treated or rested in just the same way. This treatment can only be given with the help of the people who use the land, whose land it is.

And the results that Government want to bring about can only be fully obtained with your co-operation. Some of you are helping, but I want all to help in this work. It is not your officers, it is not I who will get any benefit from it; it is your children, and it is for them that we are working, and it is for them that you must work.

I have spent much time over this matter. I have travelled over more parts of your Reserve than most of you know - not to take your cattle, but solely in order to work out the best way of making your land more fertile and yourselves more prosperous. I am doing all in my power to help you and I expect you to help me in the measures I am taking for your good.

A year ago I pointed out the damage that goats were doing to the land. I asked you to think out ways of dealing with this problem. You haven't yet sent in any suggestion. Some way must be found and I would far prefer you to find it for yourselves rather than that you should sit back and leave it to Government.

I want to say a few words about land. Some of your land is carrying too heavy a load, and other land is carrying none at all. This other land is Makuani. I know there are tsetse fly there, but we are working out a plan by which this land can be used by men and goats, and later, if the fly is cleared out, by cattle./

cattle. By using this land you will be able to rest larger areas of your present country, which must have rest. It is another way of lightening the load which is too heavy.

I come now to cattle. I do not want you to think that I do not understand why men want cattle. "Have you not owned farms and cattle in England?" But no man can have more cattle than his land can feed. Your officers have explained to you many times what the Government is doing, but I will explain it again.

The land is being measured by "utuis" (or parishes) and each "Utui" is given a quota of cattle which the holders of grazing therein may possess. Six elders are chosen by the people for each "utui" and allocate the quota to individuals in the "utui". This allocation is made in accordance with the acreage of grazing held, and only those who have sufficient grazing to support stock are allowed by these elders. The names of such people and the amount of stock they may keep are entered in a book. The excess cattle are like the third pound of flour that will not go into a 2-lb. kibaba. If a man has more flour than he can store, he eats it or sells it.

Now it is not intended, nor is it possible, to remove excess cattle immediately. The process is likely to occupy from three to five years. In the meantime you are being encouraged to rest and improve your grazing, to plant fodder crops and to learn to stall-feed cattle with a view to obtaining more food for cattle and so more cattle than the present quotas allow. Government intends to give you every opportunity to plant these fodder crops for the maintenance of your necessary milk

cows and work oxen, and for such other cattle as your land may prove capable of carrying.

As to the question whether cattle have to be reduced or not, there is only one road to follow; and the Government does not intend to relax its efforts to bring numbers of cattle down to what the land can carry. This is not the policy of merely the District Commissioner or the Provincial Commissioner or of any individual Government officers; it is the policy of the whole of the Government and has the approval of the Secretary of State and of His Majesty's Government. But there are many ways in which this intention can be carried out. One other way the Government intends to try, because it has been told that now you do not want cattle to be sold at auctions but by the owners themselves in the markets, is a scheme which has been suggested to me for the selling of cattle by the owners at certain markets on certain days in sufficient numbers to have some effect as a cure for overstocking. I have given instructions that this method is now to be tried. It must, however, be clear that if insufficient cattle are sold under this method, the Government will have no alternative but to resort to other methods.

And remember that these sales will be attended by buyers from Liebigs who will buy from you cattle that you will be unable to sell to anyone else. They have bought cattle from Europeans, the Maasai and Samburu. I emphasize again that the object of de-stocking is to preserve your land from ruin; it is not to supply Liebigs with cattle. But if they were not here the price of cattle would fall to the disastrous level of four years ago.

Meantime the survey of all "utuis" must proceed.

proceed, and I look to you all to help in this matter. The Government does not wish to do this work by itself, because it knows that the only method of securing a fair division of cattle in an "utui" is to trust the elders who know all the men and all the cattle in the "utui".

At the beginning you co-operated in these measures, but I regret that in part of Sub-Headman Nzau's sub-location of Iveti a small body of agitators successfully incited others not to co-operate. These people were warned that failure to obey the orders of Government would have serious consequences, but this warning resulted in complete non-co-operation; they will not be allowed to continue in this defiant attitude with impunity.

I understand that many people dislike the branding of their cattle. Branding is necessary to ensure that only the right cattle and the right number of cattle are ultimately retained. It is not, however, necessary that cattle in all areas should be branded at once if you all assist in the work of reduction of the number of stock, and if I have proof that you are endeavouring to do so in your own way.

I have decided that where branding is found to be necessary unbranded cattle may be impounded, and if not claimed by their owners within reasonable time, they shall be sold and the proceeds of sale used as I may direct for the benefit of the Akamba.

There is I know a large number of your cattle, which has been impounded and is in Government hands. At the request of your officers I am quite ready that they shall be returned to you immediately, provided that you and your elders will first co-operate in the distribution

distribution of the quota to the individual owners and provided, in this case, that you will have that quota branded and submit to some reduction in the number unbranded as soon as required. There will be no compensation. These cattle have all been immunised to funderpest whilst in Government hands and that is more than compensation for the very small losses that they have sustained.

There is one matter to which I would refer. I take a great interest in your tribe and there is very little that happens in your reserve which I do not hear. Recently, some two thousand of the Akamba came into Nairobi wanting to see me. I have heard it said lately that I granted an interview to certain of them and told them things other than those which I have told you today. It is quite untrue; I spoke to none of your tribe in Nairobi.

Now if anyone has a complaint to make to the Governor, you all knew the proper way of doing it. You must put up the complaint or petition through your recognized headmen or your District Officers, and it is through them or in front of them that you will receive my replies. These people to whom I have referred came in without their headmen; they never put up any complaint or petition through their officers; in short, their action was quite irregular. It was for these reasons that I refused to see any of the Akamba who came to Nairobi, and I told the Chief Native Commissioner to inform them of this.

Finally, as perhaps some of you may know, on the first day I arrived in Kenya as Governor, on the 6th of April last year, I took an Oath in the presence of all the people; at the end of that Oath I said "I will

do right to all manner of people according to the laws and usages of the Colony of Kenya without fear or favour, affection or ill-will. It is the tradition of all Englishmen to keep to their spoken word, and to the words I spoke that day I shall remain true.

And you on your side have your traditions to remember - traditions of which I know you are proud. You have the reputation for loyalty and good behaviour, of being a people who are ready to co-operate, a people that make good police and good soldiers. You must maintain these traditions and not allow any section to depart from them or sully the good name of the whole tribe.

I have finished, but in accordance with the promise made by the Chief Native Commissioner in Legislative Council, I am still prepared to listen to any complaints or petitions so long as they are put up properly.

COPY

Machakos.

Kenya Colony,

25th August, 1953.

To,

His Excellency the Governor
of the Colony & Protectorate of Kenya,
MACHAKOS.

May it please your Excellency,

We, the people of the Makamba reserves, take this opportunity to express our felicitation at your Excellency's presence in our land. We feel proud to welcome your Excellency and we trust that your Excellency will accept our humble gratitude for paying us this visit.

1. We recall that recently the Hon. the Chief Native Commissioner made the statement in the Legislative Council that when your Excellency would pass through our reserve, we would be fortunate enough to be given an opportunity to place our point of view before your Excellency in regard to the Government's destocking policy. We also thank your Excellency for having come here kindly to listen to our grievances personally.

2. We would say at the outset that the Makamba people have never opposed the principle involved in the destocking policy. We do not fail to realize that something should be done to combat soil erosion. The people would like to see their agricultural land turned into unproductive deserts. In this connexion, we feel constrained to mention that we do not consider we could be blamed to any large extent for this curse of soil erosion. We even make ourselves bold to say that the Government must take the full responsibility for this sad state of affairs. We are an ignorant people. We feel that the Government should have started to give-

instructions/

instructions to the people in such matters long ago. Now that things have gone from bad to worse, the Government wishes to carry out its measures at a pace which is both unsafe and accelerated far too much for the ordinary comprehension of our people. Between the Government's policy and the wishes of the people it should be possible to find a via media.

3. We would humbly suggest that all the cattle collected between the 7th and the 8th July last, these reach the figure of nearly 2,500 heads of cattle, should be returned to their owners. It will be noted that even calves were seized.

4. We find that we are unable to accept the policy of branding cattle with letters derived from the names of the various locations.

5. We are most willing that our cattle should be branded with the brand "AM" which is the ordinary brand of the Veterinary Department. This was done before this sudden and unexpected policy of destocking our reserves was introduced by the Government.

6. Our cattle should not be sold by means of forced sales organized by the Government.

7. We should be allowed to sell cattle in our own markets at reasonable prices. It would be unjust to deprive the people of their right to bargain for and obtain the best price for their stock. We feel that the right to dispose of private property should be maintained intact.

8. It is a commonplace that when cattle are sold in our own markets, the buyers are mostly Indians, Fikuyas, Somalis and some Europeans. These buyers purchase cattle mostly for slaughter purposes. The result is that the stock leaves the reserves and this

maintains the object of reducing the number of stock in the reserves.

9. There are also some Wakambas who purchase cattle in the sales which take place in our markets. But these people do so only for the purposes of re-sale to butchers outside. It will be seen that the principle of destocking is still maintained.

10. The Government gave sufficient publicity to the forced sales organised by it. We suggest that similar steps should be taken in the case of sales in our own markets. It should be possible to fix eight days during every month when principally cattle should be sold in our markets.

11. We would agree to a quota for every prospective Wakamba buyer to be fixed. Out of all cattle brought to our markets for sale, only a limited number should remain in the reserves.

12. The cattle may be examined by a Veterinary Officer as usual before being allowed to leave the reserves.

13. We would welcome a Government clerk who should scrutinise these sales and also ensure that only a limited number are purchased by the Wakambas themselves.

14. It will be seen that we are not opposed to the destocking policy in itself; on the contrary we are only too willing to cooperate to see that our land is maintained in a healthy state of fertility. Our suggestions are, perhaps, crude but they require working out in detail. This is not, as we are aware, beyond the Government's officers.

15. We must mention that we are strongly opposed to the methods employed by the administrative officers to carry out the destocking policy. We cannot condemn such methods too strongly.

16. We strongly object to askaris armed with rifles raiding our homesteads to collect our cattle. We do not like to be treated as criminals. We are a loyal race and such methods make us feel indignant.

17. We strongly object to being arrested when we are innocent. We know the case of one Paulo M/O Wambua who has been ordered to report to the Machakos Police Station everyday for a long time. His only offence, as far as this unhappy man and also we are aware, was that he went to Nairobi with the other askarias to protest against the Government's destocking policy. This being the reason, it is regrettable that the Government deemed it fit to prosecute him. The subjects must always possess the right to raise their voice peacefully in protest against the policy of their Government if they consider that such policy is detrimental to their interests. Like our ward, to Nairobi others also have been arrested and put in cells without being given a trial.

18. It appears to us that the Government, before enforcing its destocking policy, did not take into consideration the sizes of the people's shambas and consequently their carrying capacity. The measures were applied against all without discrimination and everybody's cattle were seized irrespective of the number possessed by each person. We are under the impression that the New Chief Native Commissioner stated that the destocking measures were not applied to people who possessed only four or less than four heads of cattle. We know it for a fact that even people who possessed only one head of cattle have been deprived of it.

19. We cannot understand how, if all our cattle are seized,

seized and sold in pursuance of the Government's destocking policy, we shall be able to pay our taxes, especially if our oxen are seized. The Government's policy confirms our suspicion that it is intended that we should leave our reserves so that the European community can get more cheap labour.

20. If our oxen are sold, we shall all lose means of transport and whatever little part we can now take in trade will also be lost to us. We would add that we are willing to get rid of our oxen which are old and useless for transport purposes.

21. If our cows are sold, we fail to understand how we shall be able to maintain our women and children.

22. We cannot object too strongly to the present surveying work which is being carried out by the Government.

As far as we are concerned, our boundaries are well known to us and there is no need to undertake such a survey. In accordance with our tribal custom, our boundaries shall remain inviolable. We regard them as our greatest wealth and tribal custom will not tolerate either violation or interference with the boundaries.

23. We venture to suggest that our District Commissioner and other officers in the reserves are so overloaded with other administrative work that it is impossible for them to spare enough time to pay proper attention to the execution and details of the destocking measures. An independent officer attended by proper staff, should be appointed for this purpose and this work should be separated from other administrative work and the present District Commissioner and his assistants relieved of all their duties in this connexion.

24. We would also make mention of Mr. Smith, who, sometime ago, shot down cattle even before they were

collected/

collected. Such methods made us feel unsafe and also make us wonder whether the law in reality gives protection to the citizens.

25. We will make use of this opportunity to point out some of our Headmen are unfit to act as such any longer. They should be removed from their offices without any delay.

26. We refer to Headman Hzo, Chief Kalobete and Chief Josiah Nzioka.

27. Headman Hzo is always making malicious reports to the administrative officers against us, especially that we intend to rise in rebellion against the Government. We believe that it will be admitted even by the Government that we are loyal and obedient. Such reports are most unhealthy and Hzo no longer enjoys the confidence of the people. It is necessary that he should vacate his office.

28. Chief Kalobete informed the Government that we were willing to sell our cattle. We did so before consulting us. We cannot place such confidence in people of Kalobete's type; therefore, he should be replaced.

29. As far as Chief Josiah Nzioka is concerned, at one time he arrested about twenty of our elders without any reason whatsoever. These elders were taken before Captain Grant when they were informed both by Captain Grant and Josiah Nzioka that ^{if} they and the people did not agree to sell their cattle, they would be shot down, besides the land being taken away from them. We will admit that they were only threatened, but it hardly becomes a Chief to threaten people with death.

30. In connexion with another incident, Josiah Nzioka reported to the District Commissioner that on or about/

about the 16th instant, the akabas had risen in arms against the Government and that fighting would break out. Askaris were despatched, but they returned having found the people going about their business in their usual, peaceful manner.

31. It must be agreed that we can hardly be expected to tolerate such state of affairs and the people who are responsible for it. Such chiefs and headmen are undesirable and they can be easily replaced by more efficient and reliable people.

32. We have a complaint to make in regard to our local Native Councils also. Without going into details, we have to state that the meetings of these Councils are a farce as far as effective representation by the people is concerned. It is always the Government's policy that is approved of. Our present members are such that they do not consider it advisable to oppose any measure, whether good or bad. In our opinion, this aspect of the matter also needs revision.

33. We beg to draw your Excellency's attention to the message which was published recently in London. The "East African Standard" stated that the message had been published on your Excellency's authority and it stated inter alia that only one location was represented by the akabas who marched to Nairobi to protest against the destocking measure. We are now present before your Excellency to see that all locations are represented and all are opposed to it.

34. In conclusion, we trust that your Excellency will be pleased to give consideration to our grievances and also to see that our interests are not ignored in the carrying out of the Government's policy. To do so

without

without taking into consideration the wishes of the people, would mean breaking up the integrity of our tribal and economic life. This will bring a terrible catastrophe to our humble homes and life.

I beg to remain,

Your Excellency,

Your most humble & obedient servant,

DANIEL MWINGI

for the Wakasbas.

3rd September 1938.

The District Commissioner,
MACHAKOS
Through the Hon. Provincial Commissioner,
Central Province,
NYERI.

At my baraza at Machakos on the 25th August, a petition was presented to me on behalf of certain of the Akamba. I opened and read it at the time and answered a few of the points. In fulfilment of the promise I made then, I now send a written and fuller reply which I desire you to communicate to them.

2. In order to prevent misunderstandings I am arranging for copies of the Kikamba translation of my address at Machakos to be furnished to you. Copies of this letter and of a Kikamba translation of it should be given to the petitioners, and they should be given to understand that they can best serve the Government and their own people by explaining to others both what I said in my address and what I now say in my reply to the petition, and by setting an example in following the method which they themselves advocate.

3. I appreciate the welcome extended to me in the opening paragraph of the petition.

4. I am glad to know that the petitioners recognize the need for destocking and for action to combat soil erosion. I have never blamed the Akamba for the conditions now existing in the reserve and I said this as long ago as July 1937, when I held a baraza at Machakos.

5. At that same baraza over a year ago, I myself warned the people that a large reduction in the number of cattle would be necessary. The Government has told them for many years that the time was coming when something would have to be done to take off the land the surplus cattle which were destroying it. When the time came for action, the people were not ready. They were asked many times to help in showing the Government the way in which they would like action taken. But they said to the Government, "we do not see why we should sell our cattle; we leave it to you to carry out the destocking that you say is necessary." The Government had therefore no alternative but to carry out its policy, a policy to which according to paragraph 2 of the petition, the Akamba have never been opposed in principle, in its own way and in the way which seemed most likely to be just and fair to the people.

Paragraph 2 of the petition contains the following:-

"We would say at the outset that the Wakamba people have never opposed the principle involved in the destocking policy. We do not fail to realise that something should be done to combat soil erosion".

6. As I stated at the baraza on the 25th August, the cattle collected on 7th and 8th July shall be returned to their owners provided that they comply with three conditions:

(a) that they and their elders will first co-operate in the distribution of the quota to the individual owners;

(b) that they will have that quota branded;

(c) that they will submit to some reduction in the unbranded cattle as soon as required.

7. Now as to branding. The petition objects to the present method of branding and asks that the A.M. brand should be used. Destocking in the sense in which it has been adopted as the Government's policy means the reduction of cattle to the number which the land can carry. It would save a great deal of work and trouble if destocking meant simply getting rid of cattle haphazard and indiscriminately. But there must be a plan, and the plan depends upon measuring both the land and the cattle and upon fixing the number of cattle that the land can carry. This is admitted at the beginning of paragraph 18 of the petition, which suggests that "the Government, before enforcing its destocking policy, did not take into consideration the sizes of the people's shambas and consequently their carrying capacity". The branded cattle will remain, and the brand is their protection. Nevertheless, before the stage is reached at which only the legally permitted quota remains in a location there is much to be done and many cattle to be sold off, and the Government does not intend to hurry with the branding in the meantime. But there will come a time when a location brand will be valued by the owner as a sign of his right to keep the beast in the location, just as the A.M. brand is valued. But the A.M. brand cannot be used for this purpose, because it is a sign of something quite different, namely that it has been treated against disease.

8. The petition advocates another way of selling cattle. Instead of the auction sales which have been organized by the Government, it is claimed that the people should be allowed to sell cattle in their own markets at reasonable prices. This is precisely the method that I referred to in my address on the 25th August. I said then that I had given instructions for it to be tried, and it will be tried. Further the Government will assist in every way to make this method a success. Moreover, there will be no objection to a Shamba buying a limited number of cattle at these sales, provided that such buying is done for purposes of re-sale to butchers outside within a reasonable time. There will be many details to be settled which will be worked out by the Government Officers in the Reserve. There will be no necessity for the Government to take the stronger measure to which objection is taken in the petition, so long as all will co-operate in re-stocking and maintaining the fertility of the land.

9. I come now to certain misapprehensions appearing in the petition. As regards the case of Paulo s/o Wambua, who is stated to have been ordered to report to the Machakos Police Station every day for a long time, the facts are that this man pleaded guilty to unlawfully depasturing 6 head of cattle in Mitaboni. Sentence was suspended, and on the 26th July a summons was issued to him to appear for sentence on the 29th July. Having failed to appear when summoned, he was arrested on the 13th August and released on bail on the 16th August.

10. As I stated on the 25th August, the suspicion that Government's object is to force the people to leave

their Reserve so that the European community can get more cheap labour is mere foolishness; the sole object is to restore and preserve the fertility of the land for the Akamba and their children.

11. In paragraphs 20 and 21 of the petition, it is pointed out that oxen are necessary for transport and cows for the maintenance of women and children. The Government knows this and has repeatedly said that it has no wish whatever that people should sell their working oxen or milk cows so long as there is grass for them to eat. The provision of this grass rests with themselves. If they will get rid of the useless cattle and plant fodder grasses, then there will be grass for the useful cattle and the useful cattle will be better fed and so do more work and give more milk than they now can.

12. Paragraph 22 of the petition objects that surveys amount to violation of or interference with boundaries. There is no ground whatever for this suggestion, which is inconsistent with the complaint in paragraph 18 that the Government embarked on destocking without taking 'into consideration the sizes of the people's shambas and consequently their carrying capacity'. The Government intends to protect the land for the use and benefit of the people, since the land is, as is said in this paragraph of the petition, their greatest wealth.

13. Paragraph 23 suggests that a special officer and staff should be appointed to carry out destocking measures and be given no other administrative work.

The organisation of the staff charged with the land surveys and the marketing organization, in relation to the District Commissioner and his administrative staff, is receiving my consideration.

14. Paragraphs 25 and 32 make various allegations against certain Headmen and the Local Native Council. I am satisfied that these men have shown loyalty to the Government and readiness to work with the Government for the good of the people. In this they are setting an example which others may well follow.

(sgd) H. BROOKE-POPHAM.

AIR CHIEF MARSHAL,
GOVERNOR.

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LC - COLONIAL OFFICE LONDON

BEU BRING YOUR NOTICE 2000 HEADS OF CATTLE WILL BE SOLD BY
 FORCED AUCTION SALE ON 25TH INSTANT BEU YOU END SUGH
 ARBITRARY METHODS STOP ONE MKAMBA CALLED SAMUEL MUINDI
 DEPORTED IN CONNECTION DESTOCKING MESAURES ALL WAKAMBAS
 INDIGNANT IRREPARABLE DAMAGE BEING DONE PETITION FOLLOWS
 KENYA GOVERNMENT NOTIFIED

WAKAMBA TRIBE +

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orig. no. 46597/1/38LN

10 October, 1958.

I find that I have not replied to your letter of the 19th of August on your two problems of the Wakamba and the Ethiopian refugees; but you will have realised that, in the past few weeks, I have had other pre-occupations.

First as regards the Wakamba. It was helpful to have your explanation of your reasons for declining to see a deputation of the demonstrators who went to Nairobi. I fully appreciate your attitude, and I am glad to feel that your decision was justified by the results.

I hope that you have come to the end of your troubles on the destocking question and that you will now be able to go ahead with the constructive side of your reconditioning programme.

While I am on this subject, I think I ought to mention a letter from Kenyatta, and a

leading article, which appeared in the Manchester Guardian on the 1st of October, from which the man in the street might gather the impression that there has been a complete reversal of the destocking policy. When Parliament reassembles I am almost certain to be asked whether this is the case, so I should be glad if you would send me a despatch explaining what passed at your baraza and what is happening now.

(signed) Mr. Macdonald

THE EDITOR

FORCED SALE OF CATTLE

Wakamba Dispute Settled

To the Editor of *The Manchester Guardian*

AN Agreement has been reached in the dispute about the seizure of the Wakamba people's cattle and your readers who took an interest in it will no doubt be glad to hear the end of the story.

The 5,000 Wakamba who went to Nairobi to protest to the Governor against the forced sales of their cattle remained in the town, conducting an orderly sit-down strike, for three weeks. At the end of that time, though the Governor still refused them an audience in Nairobi, he yielded so far as to agree to visit them immediately in the Reserve if they would go home. The visit was duly paid at Machakos on August 25. He was welcomed by a mass demonstration of 10,000 Wakamba, representing every section of the people, who presented him with a memorandum of their grievances together with their own suggestions for dealing with the problem of overstocking. In his reply the Governor promised them that there would be no more forced sales, that their cattle might in future be sold in the regular way in open market, and that the 2,500 cattle which had been impounded by Government officials would be returned to their owners.

On behalf of the Kikuyu Central Association and the Wakamba people I must thank you for showing a readiness, in keeping with your traditions of fair play, to give publicity to the facts of the matter from the beginning. It is unquestionable that the attention they have received in the press has helped the Wakamba in checking the high-handedness of the Government and winning a success which by their spirited and well-judged action they fully deserved. Yours, &c.,

JOMO KENYATTA, General
Secretary Kikuyu Central
Association

15, Cranleigh House, Cranleigh
Street, London,
N.W. 1, September 26

A Question of Cattle

Authority is never more deserving of congratulation than when it admits a mistake and repairs it. That step has just been taken in curious circumstances by the Government of Kenya. The people of Nairobi lately witnessed the odd spectacle of 5,000 natives of the Wakamba tribe conducting a three weeks' sit-down strike of the capital as a protest against the compulsory sale of their cattle. The Wakamba reserves are insufficient for the 250,000 head of cattle now in Kenya and serious soil erosion is the result. The Government tried in vain to convince the natives that the number of cattle must be greatly reduced in the people's own interests and when that effort failed began to impound and sell the animals, not at the market price which runs from £2 10s to £3, but for less than £1 for each beast. Short of this course the natives of the African continent protested vigorously, arguing that the reserves allotted to them were adequate, there would be no question of erosion. Moreover, the doubts about the Government's motives were strengthened by the presence of a new beef-slaughtering factory on the edge of their land, for which their needs seemed to be supplying the raw material. The pigmages in Nairobi and the sit-down strike were the result. The Governor wisely promised to visit the reserves and consider the grievances if the demonstrators would go home. Now as a spokesman of the natives reveals in a letter which we publish to-day, forced sales have been abandoned and 2,500 cattle lately impounded will be returned to their owners. The decision is a tactful one and will be appreciated by other tribes than the Wakamba who feared for their herds. But it leaves the Government confronted with the uphill task of developing more economical grazing habits among peoples who before the white man limited their lands were accustomed to move freely over wide areas from pasture to pasture.

3. I don't want to go on worrying about that notice
to the Press - my letter of the 19th August and yours of
the 26th - and I quite see that we cannot force the Press
to reproduce verbatim messages that are given out under
normal conditions, but I would suggest that if when a
statement is made "It is officially reported that the
Governor has stated etc," the thing ^{ought} ~~is~~ to be verbatim.
I am at Mombasa and haven't got the newspaper cutting with
me, but it certainly was calculated to give the impression

that.

Extract from
letter for
[unclear]

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that it was a verbatim extract from my telegram, and Reuters ought to do one thing or the other - either to make it a verbatim report or to say that "information has been received to the effect that" or something of that sort. There is another point which I am sure you will realise: the telegram was actually sent by the Governor's Deputy during my temporary absence. I quite agree that vis-a-vis the Colonial Office I am responsible for all the acts of my subordinates and that one doesn't distinguish between the Governor and the Government, but the African native of course does. The Governor is a fair-haired individual who generally holds a baraza in a blue uniform with a peculiar sort of hat and to whom they look for protection when necessary against Government officials, and there is a very sharp distinction in their minds between Governor and Government.

Yours sincerely,

(Sgd.) R. Brooke-Popham.

MAJOR SIR A. G. C. PARKINSON, K.C.B., R.C.M.G., C.B.E.,
 COLONIAL OFFICE,
 DOWNING STREET, S.W.1.

59086/24/38.

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648
1st September, 1938.

Dear Syers,

Mr. MacDonald is aware that the Prime Minister has received a letter from a correspondent in Kenya in which the fear is expressed that, if the Government of Kenya and the Secretary of State should weaken in their determination to proceed with the de-stocking of the Ukamba Reserve, the land in this Reserve will be irretrievably ruined by soil erosion. Mr. MacDonald has authorized me to say that he has no objection to the Prime Minister's correspondent being informed that he is fully aware of the disastrous effects which would follow from a relaxation of this policy, which has been embarked upon with his full authority and support. From a letter from the Nairobi correspondent, which appeared in The Times of the 28th of August, it appears that the Governor has recently addressed a baraza of the tribesmen

C. G. L. SYERS, ESQ.

tribesmen at Machakos, and that as a result there ~~now~~ appears to be good ground to hope that the tribesmen will now cease from their policy of non-cooperation.

As regards the hope expressed in the letter that further assistance will be granted to Kenya from the Colonial Development Fund, it might be pointed out that large grants have already been made from the Fund for expenditure in the Native Reserves in Kenya and that, in any case, the initiative for the submission of applications for further assistance rests with the Government of Kenya.

Yours sincerely,

J. J. Pascoe

Kenya

CATTLE DESTOCKING POLICY

From Our Own Correspondent

NAIROBI, Sunday
The Governor Air Chief Marshal Sir
Robert Brooke-Popham, addressed a
gathering of 10,000 Wakamba natives at
Machakos, the old up-country capital of
British East Africa, and explained the
Government's reasons for cattle de-
stocking in the Wakamba reserve. Loud-
speakers were used at the gathering.

"The Government is a doctor trying
to save you from permanent loss and
from being crippled for life," said the
Governor. He announced that he was
willing to allow owners to try to sell
their cattle privately, instead of bringing
them to the Government.

New Zealand

GOVERNOR'S SPEECH TO KENYA TRIBES

FROM OUR CORRESPONDENT

NAIROBI, Aug. 28

In earnest and simple language the Governor, Air Chief Marshal Sir Robert Brooke-Popham, addressed a record *baraza* [open tribal assembly] at Machakos and explained why the Government's de-stocking programme must continue. He likened the Government to a doctor sometimes finding it necessary to hurt a patient severely in the course of curing him. "When land is sick, as yours is, it must be treated or rested," he said.

The natives seemed impressed and are likely to give greater cooperation as a result.

The Kenya Government have been compelled to order the reduction of the number of cattle in certain areas, including some tribal reserves, to help to check soil erosion. Some 2,000 members of the Wakamba tribe, not understanding the meaning of the de-stocking, demonstrated in Nairobi recently.

AUGUST 20, 1938

AT A



SIR R. BROOKE-POPHAM

KENYA

Negroes Trek Back

By Our Own Correspondent

NAIROBI, Kenya, Friday.

TWO THOUSAND tribesmen who marched here from the Wakamba reserve, some days ago, to protest against the forced sales of their cattle, began to trek home to-day.

The Governor, Sir R. Brooke-Popham, who had previously refused to see them, agreed to address them at a conference in their reserve next week.

Erosion of the land by the tribesmen's over-large herds was the Government's reason for its destocking policy.

Commonwealth and Foreign

THE WAKAMBA AND THEIR CATTLE

By GLELAND SCOTT

Nanyuki, Kenya.

THE protest of the Wakamba tribe, in Kenya, against the decree that the number of their cattle must be limited, because of the grave effects of the soil erosion which the excess of cattle causes, is being pursued with vigour if not with enlightenment. The conflict has odd features. For years the Kenya Government and the Colonial Office have been accused of doing nothing to help the white settler; it is, therefore, slightly ironical when both have attempted to assist the future of a black race that that particular tribe should object. It is this word "future" that has caused the bother. The average native is interested only in the present. He is quite intelligent enough to grasp that if he continues to breed more stock than his land can carry, then, presently, he will possess only a desert on which to graze them. But he is by nature an optimist and hopes, Micawber like, that something will turn up and obviate the necessity of getting rid of his surplus stock.

In this instance Government has not only meant well, but has begun, rather late in the day, to take action. The trouble is that the Wakamba natives have not understood, or rather will not understand, the urgency of the problem of soil erosion. It is always difficult to induce someone to do something that he dislikes, especially when the good will not be immediate. No one pretends that it was an easy position for Government, but evidently the firmness of its determination to de-stock the Ukamba reserve has not been fully realised.

In order to help to compensate the Wakamba for the destruction of economically valueless beasts, forced sales did not begin until Liebigs began to operate in Kenya. As can be imagined, agitators quickly seized their chance and said, "See, the *musungu* (white people) have begun another business; they want cheap cattle for this tanning factory, so the Government pretends you have too many cattle in order that the company can get plenty of cheap animals." A perfect example of a half-truth and a misrepresentation. Had not Liebigs been ready with a factory the price obtained would have been much lower than it has been; further, the de-stocking campaign was decided upon before Liebigs opened. Stock came in very slowly; Liebigs closed down; more pressure was brought to bear on the Wakamba and Liebigs opened again—further gratuitous ammunition for the agitators. Certain sections of the tribe refused to produce their quota; police patrols went out and got them—still more fuel to put on the smouldering fire. Result, two thousand Wakamba, half of them women and children, walked into Nairobi demanding to see the Governor, and insisting that the sales should cease.

One must remember that to the Wakamba cattle are currency—admittedly, in many cases fairly debased currency, but then have not many white countries devalued their currencies? A cow is a cow, however little milk it may give, and however undernourished may be its calf; wives are bought and sold for a certain number of head of cattle. Consequently it is evident to the Wakamba mind that Government is trying to upset their whole way of life.

The Wakamba are a good tribe, plucky, loyal, many of them inveterate poachers of game, but withal men. The rank and file of these two thousand are merely being worked on by agitators. Should you go and talk to the mass in Nairobi a young European-clothed man will soon see to it that you do not talk to the true peasant. Large numbers of the police and King's African Rifles are Wakamba, and they are remaining loyal throughout, a good enough tribute to police and military discipline, which can hardly be "brutal," or they too would revolt.

To a certain extent Pax Britannica must be held responsible

for the situation. It is certainly not due to white settlement as such, for the Wakamba reserve is substantially the same as the area occupied by the tribe long before any white man set foot in Kenya. Through the prevention of disease cattle have increased; rinderpest—to speak only of that—no longer wipes out thousands of head as it once did, thanks to the efforts of the veterinary services. This problem of erosion would have arisen in any case, it has merely been hastened. Had the British Government not annexed British East Africa, as it was called in the past, the various tribes would either have had their stock reduced willy-nilly or else gone and raided into some other part of Africa, and proceeded to do the same thing again, namely, overstock. Some of the Wakamba put difficult questions, asking, "If it is a case of getting rid of stocks why not take our goats. That we would not mind half as much." One wonders what truth there is in that question, knowing the part that the goat plays in ceremonial of all kinds and in the everyday life of the tribe. The real answer is that a goat in a tin is unseizable; admittedly he does eat shrubs, bushes, and young trees, and his feet cut into the soil even worse than those of cattle.

The only line to take is to refuse to parley with the 2,000 until they return to their reserve; then to explain, and go on explaining, that de-stocking is for the good of the whole tribe. If the cattle are not brought forward in sufficient numbers they must be commandeered. Any weakening would be fatal, for if the Wakamba are allowed to keep all their cattle, then every other tribe will follow suit by "demonstrating." Government will lose its authority, and never will anything be accomplished for the good of the African. The consequence of giving in and stopping the de-stocking campaign would be that even worse beasts would be bred, and in the next really dry season—it would not need an actual drought—far more would die. The ironical fact is that any Wakamba would lose half his herd from drought, and make no complaint, but he dislikes parting with, say, a tenth when this is done for his own good. As things are, he gets a fair price for the beasts that are slaughtered, whereas from the results of a drought he gets only the value of a few skins. He is no fool, and being a stockman he brings forward only his culls, or worst beasts, which *ipso facto* means a low price. In any case Government wants to weed out the inferior stock because a bad beast eats as much grass and tramps as much ground as a good one.

In the last drought the European stockman lost heavily and has learnt his lesson by ceasing to breed inferior animals or to breed more stock than his farm can carry; if his farm is overstocked he either has to ruin his animals or else sell his culls very cheaply. In the case of an outbreak of foot-and-mouth disease in England the owner suffers most; it is hard, but the slaughtering of his pedigree cows is carried out for the benefit of the farming community and it cannot be avoided. If we are trying to help the African, as we unquestionably are, we must be allowed to be drastic at times. The sympathy of many white people in Kenya is with these natives, but it is obvious that the present state of things cannot continue and non-co-operation is only going to hinder, and not help, progress. It is plainly better for the native to own ten good beasts than twenty bad ones, half of which are stunting the growth of the others, and in the end may cause the death of themselves and many good ones. In any case white civilisation, having got as far as it has in Africa, cannot now regress. Even if every white man left that continent tomorrow, we could never let the African revert to the state he was in before our arrival.

EXTRACT from a letter from Sir A. Brooker-Croft
to Mr. Malcolm MacDonald. Dated 19th August, 1934.

My position regarding the ...
is that those who came to ...
They were quite ...
that they have left their ...
you will ... it has been ...
to ...
...
A further ...
...
will be ... to blame.

...
refused to see a ...
...
...
... persons who had a grievance either ...
District Commissioner or their ...
they might get ...
enough people to go with them and ...
Government House or elsewhere. ...
that had I seen them, it would have ...
by the District Officers concerned ...
and Elders as support by the Governor ...
their authority; and that, especially ...
would I believe have been fatal. It would have been a very
... to take and I am quite prepared to
that, ...
...
...
...

there, and would merely have set the fashion for further and possibly larger demonstrations in the near future.

I think the main cause of their going was the fact that I announced two days ago that as I was passing through Machakos on my way by car to the Coast, I would take the opportunity of holding a baraza which all Chiefs and Headmen in the Machakos Reserve would attend, and that I would listen to any complaints that were put up in a regular manner, whether by the locations from which the demonstrators came or anywhere else. I am actually doing that on the 25th. I don't want you to think that the departure of the demonstrators from Nairobi has ended our de-stocking troubles, but anyway we have got over two or three of our fences, possibly with a slight peak but any rate without a fall.

Naturally, in all the action that I have taken I have consulted many people - not only the Chief Native Commissioner and the Provincial Commissioner concerned, but also the Member for Native Interests and one private individual who has lived in that area for a lifetime.

We ended rather a hectic Session of Legislative Council yesterday afternoon. There was quite a useful debate on agriculture and universal support for the Government policy of de-stocking, though some criticism of method. I think nearly everybody will own there have been mistakes which can be and are in process of correction. To the best of my belief, no other country has ever faced the problem before, so we didn't have much to guide us; also, by force of circumstances we had to start in the most difficult area, but I am absolutely convinced that we were right in making a start.

C. O.

Mr. Surridge. 25.8.38.

38086/24/38.

Mr. Dawe. 25.8

Mr.

Sir H. Moore.

For Sir C. Parkinson's signature.

Sir G. Tomlinson.

Sir C. Bottomley.

Downing Street.

Sir J. Shuckburgh.

26 August, 1938.

*Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

Dr. Brooke-Popham

DRAFT.

CONFIDENTIAL

AIR CHIEF MARSHAL

SIR ROBERT BROOKE-POPHAM,
G.C.V.O., K.C.B., C.M.G.,
D.S.O., A.F.C.

I was sorry to hear from your letter of the 19th August that you had been caused inconvenience by the notice that was sent to the Press on the receipt of your confidential telegram No. 120 of the 14th August. What happened was as follows.

(54)

Extract from The Times.

(56)
(left-hand side)

Our telegram No. 100

(50)

of the 12th August, was sent to you on the Secretary of State's oral instructions since, as was explained in the telegram, the demonstrations continued to form the subject of comment in the Press. When your reply (No. 120) was received, the

(54)

FURTHER ACTION.

Registered

personally

Secretary of State gave directions that a Press Notice on the matter should issue and the substance of your telegram was communicated by telephone by the Publicity Officer to the leading ~~daily papers~~ *daily papers* and the agencies. His message was correctly reported (except for a misprint of "200 head of cattle" for "2,000 head of cattle" in the last sentence) in The Times of the 17th August, the relevant extract from which is enclosed. Reuters unfortunately do not seem to have reported it correctly, and we can only assume that they connected up your message with one of their earlier telegrams (which mentioned a larger figure than 2,000) and therefore used the word "majority". This inaccuracy, if not excusable, is at least understandable since the numbers of demonstrators given in the Press varied between 2,000 and

5,000

C. O.

- Mr.
- Mr.
- Mr.
- Sir H. Moore.
- Sir G. Tomlinson. *(see under no. 45)*
- Sir C. Bottomley.
- Sir J. Shuckburgh.
- Permu. U.S. of S.
- Pavly. U.S. of S.
- Secretary of State.

DRAFT

But in any case we cannot force the Press to reproduce verbatim messages which are fine out.

It appeared to us to be only technically confidential because it was in reply to a confidential letter from this end.

FURTHER ACTION.

5,000, the Nairobi correspondent of the Yorkshire Post, for example, giving them as nearly 3,000.

As regards your comment that the telegram was confidential, I can only say that it never struck us that anything of a confidential nature was involved. We are always particularly careful about such matters and indeed, when later on it was decided to communicate also the substance of your telegram No. 122 to the Press, care was taken to avoid any possible embarrassment to you by omitting the part about your addressing a Baraza. That it was published in full in The Times of the 20th August was due to the fact that they had received ~~it~~ *it in full* from Nairobi.

There is not the slightest objection to your explaining exactly

what

what occurred, ~~it~~ It would probably
meet the case if you let it be known
that your message was correctly
reported (except for the ~~light~~
error regarding the number of
cattle mentioned above) in The Times

of the ¹⁷ 20th August, and that Reuters
use of the word "majority" was
presumably because the numbers of

was greatly exaggerated in some of the press headlines
~~the demonstrators~~
~~the figures~~
~~of the demonstrators~~

yes.

Acc Parkinson

(56)

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GOVERNMENT HOUSE,
NAIROBI,
KENYA.

19th August, 1938.

My dear Parkinson,

I am sorry to worry you ^{again} over newspaper cuttings, but here is one taken from the front page of the "East African Standard" of Thursday, August 18th. I have found out that this was a ^{normal} Press message transmitted by wireless from Reuter. I ^{also} enclose a copy of the telegram that was sent from Nairobi to the Colonial Office, which incidentally is marked "Confidential". This telegram was correct, but the statement by Reuter is greatly exaggerated: for instance, to say that the majority had returned to the Reserve, when the telegram merely says the number has diminished. Of course I can't hold the Colonial Office responsible for what the Press says in England, but it is a bit unfair on me when the thing starts "A message from the Governor of Kenya was published last night", which certainly implies that the ^{was as sent} message was published by authority. It has naturally already given rise to difficulty, and one agitator immediately seized on it in order to make a personal attack on me, through a letter to the papers. The "East African Standard" happily are playing the game and holding up the letter for the present, but it will probably appear in other papers. Of course I don't know what actually happened, but I can only presume that some message was sent to the Press from the Colonial Office as a result.....

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 GOVERNMENT HOUSE,
 NAIROBI,
 KENYA.

result of our telegram No. ¹²⁰ ~~1200~~.

2. At the present time nothing could be more unfortunate than for any cause to be given to the opponents of the de-stocking policy to make out that I am telling an untruth and generally not keeping faith with people, and this Reuter message gives them exactly what they were looking for. My hands are somewhat tied; I can't very well send a copy of the Confidential telegram to the Colonial Office to the Press so that they may know the truth, and all I can hope is that you will be able to stop such an unfortunate incident occurring again, and if possible send me some explanation which I can give out publicly if necessary.

Yours sincerely,

A. Brooke-Popham

If only cables & wireless & air mails were non-existent how much easier life would be.

MAJOR SIR A. C. C. PARKINSON, K.C.B., K.C.M.G., O.B.E.,
 COLONIAL OFFICE,
 DOWNING STREET, S.W.1.
 LONDON.

TRIBAL DEMONSTRATORS LEAVE NAIROBI

FROM OUR CORRESPONDENT

NAIROBI, AUG. 19

After learning officially that the Governor will hold a *baraza* in the Wakamba reserve next Thursday, all the Wakamba demonstrators left Nairobi to-day, the young men walking, the old men, women, and children going by omnibus.

* The tribesmen recently trekked to Nairobi — not with the support of their chiefs — to protest against the Kenya Government's order that the number of cattle on their reserves should be reduced to help in checking soil erosion.

COPY FOR REGISTRATION



Telegram from the Governor of Kenya to the Secretary of State for the Colonies.

Dated 19th August, 1938....Received 11.58 am 19th August, 1938.

No 122. Confidential.

21. ba My telegram No 120 confidential. Remaining Akam (? group omitted) demonstrators have left Nairobi today and returned Machakos. No untoward incident has occurred. I propose to address Baraza representing all Machakos Akamba at Machakos on 25th August when opportunity will be given for any grievances to be stated to me.

Cy. Kenya
3903922

5DAY, AUGUST 17, 1938

OUR LONDON CL

LONDON, T

NATIVE DEMONSTRATORS LEAVING NAIROBI

A large number of Wakamba (Kenya) tribesmen who, with their women and children, numbering some 2,000, trekked to Nairobi to protest to the Kenya Government against the obligatory reduction in the number of their cattle, have returned to their reserves. About 1,000 demonstrators remain, and are still quite orderly. The tribal authorities are not in sympathy with the demonstrators, who come mostly from one location. In other locations de-stocking operations continue without difficulty. At one sale this week 200 head of cattle were sold voluntarily direct to Liebigs.

Troubles of the Wakamba

The case of the Wakamba tribe of East Africa has been much before the public lately, and Mr. Jomo Kenyatta, general secretary of the Kenya Central Association, has written to the "Manchester Guardian" on the grievances of the tribe.

The Wakamba, it may be recalled, have had their stock of cattle compulsorily sold, as the Government says, confiscated, as Mr. Kenyatta prefers it, and some 200,000 and several thousand of the tribe trekked to Nairobi and squatted outside the Residency in the hope of seeing the Governor. The Government's case is that the cattle were sold at a price not at the best price, as part of the measures that are being taken to stop soil erosion. The Wakamba were told that their land would be ruined with anything like the existing herd of cattle and that the number must be severely reduced, hence the sale.

When the Wakamba went to Nairobi the Governor, on instructions from the Colonial Office, pressed them to return to their reserve, but they refused. A message from the Governor to-day announces that the number of the demonstrators in Nairobi is diminishing and that it is expected that soon all will have returned to their reserve.

It is maintained in Whitehall that nowhere else have the de-stocking operations encountered difficulties, and it is further claimed that the tribal authorities are not sympathetic to the action of the Wakamba. We shall no doubt hear the answer of the Wakamba to these claims.

Mr. Dennis has pointed out
that our figure should
be 2000. he does not
consider it worth while
drawing the Times' attention
to the misprint.

Cholly White 178

In London, the first Imperial Veterinary Conference has opened, and experts from all parts of the Empire are exchanging ideas on animal diseases.

The Secretary for Dominion Affairs, Lord Stanley, has left London for Canada. During his month there, he will open the Toronto Exhibition on the twenty-sixth of August.

The pick-a-back aircraft MERCURY's next big flight is to be along one of the Empire air routes, instead of across the Atlantic, as expected; but her ~~assisting~~ destination is not yet disclosed. She was due to fly the Atlantic again, some time this week.

SPORTS NEWS

NOTES ON LIVERPOOL COTTON MARKET.

The Governor of Kenya has reported that most of the Wakamba tribesmen, who came into Nairobi to protest against the Government's de-stocking scheme, have now gone home. Only about a thousand remained in Nairobi, and these were quiet and orderly. The tribal authorities had no sympathy with them. The Governor reports that most of the demonstrators came from one location. In other locations, the numbers of stock had been reduced without difficulty. At one sale, two thousand head of cattle were sold quite voluntarily.

The Kenya Government's scheme is designed to check the dangerous process of soil erosion, which has been caused by an excess of native owned stock in some regions.

The Second Reading of the New Zealand Government's ambitious Social Security Bill was moved by the Finance Minister in Parliament at Wellington to-day. As you may know, the Bill provides free medical service for all, among its other benefits; and the Finance Minister estimated that the first year's working of the measure would cost fifteen million pounds - rather less than the figure given by an adviser from London. Of this, about a third would come from revenue; and eight and a half million pounds from wages tax and registration fees, leaving one and a third million pounds to be found. Mr. Nash thought that increased taxation would be unnecessary, as the expansion of the national income would be adequate to provide the necessary funds.

Opposition speakers put it that the Government were going too far and too fast - they were not only imposing a burden by way of taxation, but were making investment perilous. The doctors of New Zealand also do not see eye to eye with the Government over this Bill, for in a secret ballot, only five per cent of them voted in favour of it; and the Doctors' Association has broken off discussions with the Cabinet.



With the Compliments
of
The British Broadcasting
Corporation

Mr. Costello

Mr. Dawg

C O P Y

p 6

EMPIRE NEWS - TRANSMISSION IVa.

TUESDAY, AUGUST 16th, 1938.

Further progress in Great Britain's air rearmament programme was revealed to-day, when the Secretary for Air announced that another aircraft factory, to cost one million pounds, is to be built by Messrs. A.V. Roe and Company, Limited, of Manchester. The latest types of military aircraft are to be made in the new factory, which will probably be established in the Manchester area. The present works employ some five thousand men, but it is expected that within a year this number will be doubled.

Earlier in the day, Sir Kingsley Wood had inspected the big aircraft factory at Speke, Liverpool, built by the Government in association with Messrs. Rootes, the motor concern. It is now practically completed, and stands on a site which eighteen months ago was a cabbage patch. Certain sections of the factory are already in operation, and the Secretary for Air saw the first machines which have already been produced. He also saw how Bristol Blenheim bombers will be built on a scheme of planned production, under which raw materials enter at one end of the factory, and the finished aircraft emerge at the other. The Speke factory was erected at a cost of a million pounds, and it has recently been announced that it will be increased in capacity by more than forty per cent, giving employment to another thousand workers.

Sir Kingsley Wood had flown to Liverpool from Northern Ireland, where he had inspected an R.A.F. station, another aircraft factory, and the civil air port at Belfast Harbour.

The Chief of the French Air Staff, General Vuillemin, flew to Berlin this afternoon. It is expected that he may see something of the German manoeuvres; and at any rate, that he will have talks with Field Marshal Goering and other high Air and Staff officers. He was invited by

Field Marshal Goering some time ago, in return for the recent visit to the French Air Force of General Milch, Secretary of State of the German Air Ministry.

General Vuillemin's visit follows that of Marshal Balbo, of Italy, who left on Sunday after seeing Herr Hitler; but it is not known whether he too will have a similar interview. The Chancellor returned to Berlin yesterday, after his visit to the manoeuvres, instead of going back to his country home. Visitors to the Chancellery included Field Marshal Goering; the Commander in Chief, General Brauchitsch; and the Chief of Staff, General Keitel. But it is not admitted that any formal conference was held.

The manoeuvres are to last for several weeks, and the full number of men taking part will not be reached for some time yet. This drain of men, and of the many thousands of others conscripted for fortification and other national work, are cramping German industry; and together with the shortage of raw materials, and several other factors, they are helping to depress industrial shares.

There was a further decline on the Berlin Bourse to-day. Yesterday, losses had averaged one to one and a half points on all kinds of shares; to-day, they average two or three points. Industrials showed some of the largest losses. There seems to be no inclination on the part of anybody to buy, and sellers are finding few offers.

The Reich Ministry of Economics blames this weakness to-day on "the general political tension", and also "the sensational reporting by the foreign Press." Yesterday, the slump had been attributed to troubles in the Far East, which have caused a big fall in German trade there. It is also admitted that the restrictions on the Jews have had something to do with the fall in share prices. Yet another reason, is the general lack of cash. The German Government itself has recently sought to increase its sources

of revenue; and one of its measures was a new system of State financing. When the Government buys goods from a manufacturer, he is now paid by "delivery bills", which cannot be discounted until the goods have been delivered. This has forced manufacturers to sell securities for ready cash. In addition, rumours of further tax increases have been strong enough to draw official denials.

Field Marshal Goering is to meet leaders of German industry next Wednesday. Possibly he will be able to reassure them; but it is feared that he may have to tell them of further restrictions on their essential raw materials.

To-day the Czechoslovak Supreme Defence Council held one of its usual meetings, which are held at irregular intervals. It is reported in Prague that the Council decided that no special measures were called for. But since the Prime Minister presided, instead of President Benes, who is out of town, it had been understood that only normal questions were dealt with.

A Prague correspondent who has just toured the Sudeten frontier regions found everything orderly and normal. The harvest was being gathered, and at one town a big country fair was being held. The Czechoslovak authorities have found no evidence to support rumours of abnormal activity in the Sudeten semi-military groups.

Belgium's military manoeuvres began to-day, in the hilly Ardennes country to the south-east. Military Attachés from Britain, France, Germany, and Italy, are among those watching the manoeuvres.

The Japanese nation has been placed on an emergency footing, both moral and material. This statement was issued after a Cabinet meeting in Tokyo this afternoon,

which took place, according to the Japanese News Agency, "on the eve of Japan's renewed drive against Hankow".

Hankow and two nearby towns were bombed early this afternoon by more than fifty Japanese aircraft. The Chinese estimate the casualties at eighty killed and over two hundred wounded. The raiders made an unsuccessful attempt to bomb the power plant and waterworks at Hankow.

While these incidents were taking place in the Lower Yangtze, Japan's drive on Hankow, many miles up-river, has been checked, according to the latest Chinese claims. On the north bank they are still held up by floods, and elsewhere, local Chinese forces holding out in the mountains are a source of great worry to the invaders.

Messages received from Peking in North China, again refer to the activity of Chinese irregular forces near the city.

In Shanghai, military patrols have been established in all parts of the International Settlement not occupied by the Japanese. These special precautions follow the incidents during the week-end, in which political agents of the Japanese Army were revealed to be inciting the Chinese population.

More than a hundred Chinese passengers are believed to have been drowned, when the German steamer HANSA sank in the river near Shanghai to-day, after colliding with the British steamer TUNGWO. Only the German skipper and thirteen Chinese were rescued.

In Spain, a success in the mountains near Ganceda is claimed by the Spanish Government General Staff. They say that after four days hard fighting, General Franco's

Fourth Navarre Division has been wiped out. This claim is not confirmed from other sources.

The whole of Madrid was shaken this morning by the explosion of a Government mine, under a building held by the insurgents in the University City. It is believed that the insurgent defenders suffered many casualties.

For many months there has been stalemate on this sector; for since the big insurgent drive on Madrid in the early days of the war, the troops of both sides have been facing each other across a narrow stretch of no-man's-land in the University City.

In Palestine, a land mine exploded under a lorry near Acre this morning. A British officer was killed; he was Second Lieutenant R.F.H. Griffiths, of the First Manchester Regiment.

A Jewish bus was ambushed at Mount Carmel, near Haifa, yesterday afternoon. Six Jewish passengers were killed, and two wounded. British troops were quickly brought up, and engaged the attackers, killing seven.

This morning an Arab was shot and seriously wounded in a street in Haifa. His assailants are believed to have been Arab terrorists.

The Emir Saud, Crown Prince of Saudi Arabia, and his younger brother the Emir Mohammed, arrived in London to-day with their retinue, for a visit of some weeks. Among those who welcomed them at Folkestone and London were the Saudi Arabian Minister, the Egyptian Chargé d'Affaires, the Afghan Minister, and a member of the Foreign Office Near Eastern Department.

I think something to this effect
should go out to the Press.

54
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M.M.

BC

Telegram from the Governor of Kenya to the Secretary of State for
the Colonies

Dated 13th August 1938 Received 12-45pm 13th August 1938

No. 120 Confidential

Your telegram No. 105 Confidential.

Number of demonstrators in Nairobi has diminished but
approximately 1,000 remain. Still quite orderly. Tribal
Authorities have no sympathy with demonstrators who may
shortly be expected to be ready to co-operate. Demonstrators
come mostly from one location. In the other locations
destocking operations continue without difficulty. At one sale
this week 2,000 head of cattle were sold voluntarily direct to
Liebig.

Copy Kenya
39-19/48

38086/24/38

52

C. O.

Mr. Dawe.

16.8

Mr.

Mr.

Sir H. Moore.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

X Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

Handwritten initials

DOWNING STREET.

August, 1938.

For Sir C. Parkinson's signature.

DRAFT.

(52)

H. R. TATE, ESQ.,
Church House,
Shillingstone,
Dorset.

.....
This is no more than an acknowledgment of your letter of the 14th about the troubles with the Wakamba. It was nice to hear from you again: and as you know the difficulties of this business so intimately, I was very glad that you wrote and let me know what you think about it.

The latest news which we have from the Governor in a telegram received last Saturday is that the number of demonstrators in Nairobi has diminished, though about one thousand still remain. The demonstrators come mostly from one location and have behaved in a quite

FURTHER ACTION.

orderly

orderly way throughout. In the other locations destocking is going on without difficulty; and at one sale this week two thousand head of cattle were sold voluntarily direct to Liebig's.

Actually there was ^{pretty} ~~fairly~~ intensive propaganda by Government before the destocking policy was started to bring home to the Wakamba the urgent need for it in their own interests.

But from the nature of things it is difficult to move them from their time-honoured ideas.

~~But~~ There is one thing, I think ^{which} everyone accepts in this controversial business, and that is that something must be done to combat the menace of erosion.

You say I never came to see you when I visit Dorset. But my visits to that part of English counties are very rare - generally for a few hours only, not even days. But you may rely upon me to come & look you up if ever I am at Shillingstone or elsewhere.

G. O.

Mr. Collyer 1978

Mr. Sumner 1976

Mr. Durr

Sir H. Moore.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Perm. U.S. of S.

Parly. U.S. of S.

Secretary of State.

DRAFT. Common

HR Tale By

Church House

Shillingstone

Dorset

FURTHER ACTION.

32086/24/38
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see alternative Sir C. Parkinson's signature
U.S. 16.5 August 1938

(52) Thank you for your letter of the 4th of August about the Wakamba and the culling of surplus cattle. I will deal with the points you have quoted from Tyssens letter separately.

We heard from the Government on the 13th of August that originally of the 2000 warblers who camped in Nairobi only 1000 were remained, and these were expected shortly to be ready to abandon their ~~documents~~ ^{and to} operate ^{with} the measure being taken by Govt.

It is difficult to believe that the British is well-founded and the demands made have not been properly informed of the intricacies and policy of Govt. A

lengthy propaganda campaign
was conducted in the spring
prior to the inception of the
policy of enforced culling, and
the native authorities concerned
have without exception been
convinced of the wisdom of the
Govt's policy and have cooperated
with it.

The marchers came
mainly from one sublocation, & in
doing so acted against their
own tribal authorities. For in
the rest of the Mwachoko Reserve
~~operations~~ operations have
proceeded without difficulty.

As regards the alleged failure
of the Administrative Officers
concerned to have been frugal
in the pulse of the Native Reserve,
it is clear from what is said
above that, on the contrary,
Govt was acting with the
support of all but a small
minority of the natives
concerned.

The Governor's refusal to
grant an interview with the
demonstrators was due to

C. O.

Mr.

Mr.

Mr.

Sir H. Moore.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Perms. U.S. of S.

Parly. U.S. of S.

Secretary of State.

DRAFT.

FURTHER ACTION.

160
their having acted against
their own tribal authorities.
~~But~~ ^{Mr} Govt did, however, give
an interview to Isher
Dass, one of the
Indian elected members
of the Legislative
Council, who had
intervened himself on
behalf of the demonstrators.

The wisdom of the
policy of destocking is,
as of course you are
aware, unquestionable,
and there is no doubt
whatever that every
possible precaution has
been taken by Govt, with
little success, to make
this action unpalatable
necessity acceptable to
the natives. It is to
be hoped that the
March to Nairobi
will not be followed
by any further
demonstration.

demonstrations of the same kind.

The letter to the "East African
Standard" from H.M. Harris is, again,
a lamentable affair. Luckily,
we do not get very many like
it.

52¹⁶¹

In the interests of Kenya
talk it over later.

CHURCH HOUSE,
SHILLINGSTONE,
DORSET.

You never come to see
us when you visit Dorset.

My wife

sends

salutations

Yours

Sincerely

J.R. Dale

Aug 14th 1935.

Dear Parkinson

and ⁵³

I don't often trouble

your office or you self but my last letter
from Kenya rather disturbs me. It is from
an ex-Commissioner of Police, one Tyssen,
an Australian who has retired and lives
in Nairobi. Before joining the Police he
was a writer & so was not really
anti-European or pro-native but more
-ly a retired Officer watching events
among non-official spectators

with no thought of his words going further
he writes: "You will have heard about
the Akamba marching into town to see
H.C. over the cattle business. I am very
sorry for them as I like them; they are
still camped outside near the market
(Aug. 8th) but their numbers are dwindling;
I hope disease may not break out among
them but it is very cold and pneumonia
might easily attack them. Two babies were
born in their camp. My opinion is that
they have not been properly informed
of what is on & why, & that the A.S. do
not know their people like they used to
in some days: they fly over & they dash

about in cars ² & miss a great deal
of what is going on. In this case if they
had had their finger on the pulse of the
Native Reserve such a march into town
would have been stopped at the source.
Now the Akamba cannot be moved unless
a degree of force is used. If that were done
it would be difficult to say what would
happen"; (probably a repetition of the Harro
Thaker affair. H.R.T.) "if they just stay then
H.C. gradually drift away spreading
discontent as they go".

I don't like the statement in Damaged's
letter (enclosed) that H.C. refused to see
them. If half a hundred white men had

asked H.E. for an interview, ¹⁵ I
have got it ^{at once}, but it bears out what I
hear from an other source that the
Governor is on the Settlers' side and
is without administrative experience
as regards native reactions to white laws.
Of course I am well aware of the necessity
of stopping erosion in the Reserves & that both
Kikuyu & Machakos Districts are heavily
overstocked. I have been D.C. of both districts.
The letter from Tom. Starnes is pointless.
The writing on it is Tyssens'. I hope the C.O.
realise that this brand of settler - instruction -
-mon - will be satisfied with nothing short
of self-govt.!

Engineer's trade but I am still much concerned

DE-STOCKING A RESERVE

8/8/38 164

To the Editor, "E. A. Standard."

Sir—The invasion of Nairobi by the Wa-kamba has caused thinking people to wonder where it will all end. For such a number of otherwise peaceful people to march into Nairobi from a considerable distance to interview the Governor of Kenya and to be refused an audience is surely a cause for regret. These people came to lay their grievances and were certainly entitled to an audience. If the King is the source of all equity then his representative in Kenya is surely the source of all equity here.

The present situation here has arisen from what would appear to be the ~~disbusiness~~ of the Government in forming a policy and pursuing it ~~wisely~~ and with ~~purpose~~. The present ~~method~~ of handling it seems to be worse than the disease itself. To build a large Liebeg's factory right in the heart of a native reserve and force a ~~primitive~~ people to part with their most treasured possessions with or without their consent is doubtless a difficult task. ~~Tact~~ in this case might have been used and care taken to avoid if possible all suspicion of ~~unholy~~ motives. Reason for such a policy should have been carefully explained in the language of the ~~houses~~ and by persons well known and respected by the people affected before the orders were given. The methods of taking the cattle have not been happy ones.

It is a matter of regret that the loyalty of a peaceful and always friendly tribe should suddenly be destroyed by the crude measures taken to enforce an otherwise excellent policy.

Yours etc.

DISMAYED

Nairobi.

August 6, 1938.

is. Awarded

12

Yorkshire	19	13
Middlesex	15	10
Lancashire	19	12
Surrey	18	10
Warwickshire	14	6
Derbyshire	17	6
Somerset	18	7
Leicestershire	14	4
Essex	18	6
Hampshire	21	8
Kent	19	5
Sussex	20	6
Worcestershire	22	7
Nottinghamshire	17	4
Glamorgan	15	3
Gloucestershire	19	3
Northamptonshire	17	0

Includes two points for the

BANK HOLIDAY SPORT IN BRITAIN

Wooderson's Fine
Running

["STANDARD" CORRESPONDENT]
London, August 3.

Just four branches of Bank Holiday sport—speedway, greyhound racing, the athletics at the White City (London), and first-class cricket—attracted nearly 500,000 of the millions who watched sport throughout Britain yesterday. London's "share" of the 500,000 is estimated at 250,000. Speedway racing proved to be the most popular sport in the country, there being an aggregate attendance of 170,000. But

Too many of the White Settlement makes one despair

To the Editor, "E. A. Standard".
Sir—Since your leading article "Land of Bado Kidogo" of June 2 there have been several letters and Mr. Tyson's letter "Bado Kidogo" of August, all messing about on the fringe of what a large and growing number of us believe. Why not go to the heart of it? That is, that we white settlers in a portion of Kenya now unofficially known as the White Highlands are not wanted in Kenya by the Colonial Office and are to be ejected out gradually.

In the earliest days we white settlers were invited in by the British Government in order to save the expense of a large military occupation, then when the authorities saw this was no longer a necessary crude attempt, were made to bundle us out. They failed. Now a more cunning and long range scheme has been adopted, i.e. to make things impossible for us to remain, gently but surely to push us out so that in

165
twenty or thirty years our money and energy having been used to develop the country, we shall leave or have left already, reluctantly perhaps, but of our own free will. It having been made economically impossible for us to stay on. That deals with the individual home making settler. His lands revert to the Crown and are used for extra land for the natives to destroy and for a few big companies working tea, sisal, sugar and possibly a few big also coffee, and possibly a few big graziers with incomes independent of Kenya will remain. These companies will employ managers, etc., who will serve their time and clear out. There will be no resident European question, to deal with. Everything the Government does points this way, and for a conclusive proof see what will happen when the conditions of our land leases are brought to the notice of the Government in order to give us better security. *How dear such piffle.*

The Colonial Office is out to make what they now call the "White Experiment" a failure, and it is up to us to get busy about it. We have two ways of protecting ourselves either by getting ourselves a number of European settlers that the scheme becomes unworkable or to get ourselves taken over by the Union of South Africa who will see that the country does not get properly settled up and that eviction is not carried out. Ejecting the above shall be ejected—not as violently as possessed as Germany is treating her Jewish population, but all the same ejected, and at the same time all compensation evaded.

Yours, etc.
H. M. HARRIS.

Njoro:
August 3, 1948

COPY FOR REGISTRATION

Telegram from the Governor of Kenya to the Secretary of State for
the Colonies

Dated 13th August 1938

Received 12-45pm 13 th August 1938

No. 120 Confidential

Your telegram No. 105 Confidential

Number of demonstrators in Nairobi has diminished but
approximately 1,000 remain. Still quite orderly. Tribal
authorities have no sympathy with demonstrators & may
shortly be expected to be ready to co-operate. Demonstrators
come mostly from one location. In the other locations
destocking operations continue without difficulty. At one sale
this week 2,000 head of cattle were sold voluntarily direct to

Mabige

C. P. Kenya
34 - 37/100

36086/24/38

Telegram from the Secretary of State for the Colonies
to the Governor of Kenya.

Sent 11 p.m., 12th August, 1938.

No. 105. Confidential.

My telegram No.96. Demonstration by tribe mentioned
continues to form subject of comment in Press. I should
accordingly be glad to be informed by telegram whether
demonstrators have returned to reserve, and to receive
report of present position.

G.O.

38086/24/38

168

Mr. Passin 2/8

Ans'd 51

at once

	C.D.	
R	3/2/38	
D	5	

105 Coded and

No. ~~105~~ Conf.

11/18/88

Mr.

Mr.

Sir H. Moore.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Perms. U.S. of S.

Parly. U.S. of S.

Secretary of State.

(47)

my tel. No 960 Demonstration

by tribe mentioned

continues to form

subject of comment

Passin I should accordingly be informed by tel. be good to ~~send~~ further

demonstrations have

returned to receive

to receive report

present position.

DRAFT. Tel.

Gov

Kenya

[Sent on oral instructions of S.G.S.]

Copy forwarded 39-39/44

FURTHER ACTION.

Passin to Mr. Shuckburgh to consider No. 49.

R GUARDIAN, FRIDAY

LETTERS TO

KENYA NATIVES

Their Claim to the Yatta Plains

To the Editor of the Manchester Guardian

Sir.—The recent reports of the forced sale of Wakamba cattle and the march to Nairobi of some 2,000 of the tribes men and women to protest must cause concern. Much controversy has gathered round the claim of the Wakamba to the area known as the Yatta. The Wakamba claimed that this was their land. It comprised some 946 square miles. The report of the Kenya Land Commission disputes the claim of the Wakamba, but recommends that about 450 square miles, in resisting the claim for the whole of the Yatta the Commissioners wrote in paragraph 133: "On the evidence before us, it appears that little use was made of the Yatta by the Kamba prior to the advent of government. . . . After quoting evidence of some officials and others as to conditions in their time, the country was first occupied (1874-1905), they say: "We have, unfortunately, no further material evidence concerning conditions on the Yatta Plateau. . . . They have not a complete claim of right to it on grounds of ancient occupation."

The Commissioners, who elsewhere quote from Thomson's "Through Masai Land," published 1886, apparently overlooked a reference to the Yatta on page 6. Thomson wrote: "Two years later, in 1851, we find Krapf once more on his way to U-Kambani, this time with the express purpose of founding a mission station in the district of Yatta." (The old way of spelling was with one 't' only.) In rereading Thomson's book recently I came across this reference, and followed it up by applying to the library of the Church Missionary Society, in London, for permission to see their reports for the years round 1851. The report for 1850-1 quotes Dr. Krapf, having reached the Yatta, ". . . standing on the plain of Yatta. . . I could not but with deep sorrow look upon the many countries which were presented to my eyes, and which are inhabited by myriads of immortal beings sitting in darkness and in the shadow of death."

Krapf decided to establish a mission station on the Yatta plains, and the report of the C.M.S. for 1851-2 tells of Krapf's plans: "I intend, at first, to stay at Yata, on the border of U-Kambani . . ." and ". . . they reached Yata, in the Kikuyu country. The people received him in a friendly manner. Dr. Krapf writes: 'I explained that I was a teacher of the Word of God. . . . They all decreed unanimously that I should stay with them.' . . . Leaving Yatta and travelling farther through the Kamba country, misfortunes fell on him, health gave way, and, returning to his base at Yatta, he decided to return to the coast. He writes: "When I told of my intention of leaving them to the chiefs of Yata they were not much pleased with it. . . . They wished me to stay longer."

There can be no doubt that the population of the Yatta plains in Krapf's time was so thick as to decide him to choose it as a mission centre. This evidence, which was not available for the Commissioners, would seem to support the persistent claim of the tribes that they had rights to it. The librarian most kindly exhibited to me and allowed me to handle the original reports in Krapf's writing, brought up from the strong-room for the purpose. The writing is cramped and faded, and it will require some patient decipherer, but, as it is almost certain to amplify the extracts culled from it and published in the E.M.S. reports, I hope to attempt the task.

But even on the extracts I have given it would seem wise to give more credence to the claims of the Wakamba than the Commissioners felt, on the evidence then before them, they could give. If at this time of forced sales of cattle, the necessity for which the Governor regrets, we were to grant them the remaining land (about 450 square miles) it would go far to convince them that we want to give them a fair deal.

I cannot understand how the Commissioners came to overlook Thomson's reference to Krapf's intention to open a mission station on the Yatta, for they quote him in reference to the Kikuyu, a neighbouring tribe.—Yours, &c.,

W. E. OWEN.

Tonbridge, August 9.

[This letter is referred to in our leader columns.—Ed. "GUARD."]

Unrest in Kenya

The sense of grievance that has led 5,000 Kenya natives to march to Nairobi and there practise a sit-down strike of sorts as a protest against the slaughter of their cattle may seem unreasonable to those acquainted only with European agriculture, but it is none the less serious. Most of the African tribes have been prodigal pastoralists. When they have exhausted one tract of land they have moved to another. With the delimitation of the reserves that is no longer possible. . . . When the Carter Land Commission finished its hearings in Kenya a few years ago 11,000 white settlers were given exclusive rights in 16,700 square miles of land and some three million natives were penned in 53,000 square miles. That was to be a "final settlement" of native claims. Evidence before the Commission made it clear that the Government was well aware that the resulting congestion of stock in the reserves would inevitably lead to soil erosion and a decline of the cattle unless the native could be persuaded to alter his methods. He has not been persuaded, but he is now being taught what is deemed a salutary lesson. One hundred thousand of his cattle have been forcibly seized and sold for slaughter at a quarter of the price they would normally fetch. . . . When one recalls the outcry made at one time by British farmers when a herd had to be slaughtered with reasonable compensation, for foot-and-mouth disease the bewilderment of the Kenya native is intelligible. Some less than one means the loss of "du lang" him, but he would have been tried, even if it were a slow process. In a letter published to-day, moreover, Archdeacon Owen advances strong reasons, based on fresh evidence, for suggesting that the Kenya tribe affected were not justly deprived by the Carter Commission of a much land as was taken from them. If the Kenya authorities cannot be persuaded to take a more patient and generous view of the native unrest it is time the Colonial Office used its powers as a mediator.

KENYA NATIVES AND THEIR CATTLE

The Destocking Sales

To the Editor of the Manchester Guardian

Sir,—Allow me again to draw attention to the plight of the Wakamba and appeal to the British people on their behalf. Since my last communication to you on the subject over 5,000 Wakamba tribesmen, accompanied by their women and children, have trekked to Nairobi to protest to the Kenya Government against the confiscation of their cattle by armed force. They have begged repeatedly to be given an opportunity to place their case before the Governor, but their requests were refused. The people have therefore decided to continue their sit-down protest until they receive proper consideration from the authorities. Without cattle their situation grows while becomes more and more desperate, especially for the children and aged, who are deprived of their milk and, sheep, indispensable staples in their diet.

Although the Government claims to be acting in the best interests of the Wakamba in reducing their stock, no effort has been made either to provide them with additional pasturage or veterinary and agricultural advice

for purposes of improving their cattle and land. Instead it has encouraged a European concern to erect a meat factory near the Athi river, in the vicinity of the Wakamba Reserve. I am informed that the company was assured the Government would see to it that it would receive a regular supply of cattle to the tune of 100,000 head per annum. In order to fulfil this promise, the Wakamba were informed that the Government had decided to sell their animals to the company at 12s per head. The usual market price for cattle is between 50s. and 100s. The people naturally protested against the benevolence of the Government, and demanded the right to dispose of their property in the wonted fashion.

Deprived of their land, and now forcibly compelled to give up their cattle, the natives of Kenya have completely lost faith in the local administration. In a letter dated July 30 to the "East African Standard," Nairobi, the Wakamba have voiced their distrust:

For centuries (they write) we have regarded cattle as the most valuable form of wealth, and now it is a little difficult for us to agree with the sudden and unexpected policy of the Government that destocking sales are in our own interests. More so when we remember that the best part of our land has landed in the laps of foreigners who have their farms adjoining the Reserves. Incidentally it appears that the owners of all such farms are infatigable, and no forest measures are regarded as necessary to combat soil erosion on their farms, despite the fact

that their farms start off from the points where the Reserves end. It is a sad commentary on the British rule that soil erosion is taking place in the land. We seek an interview with his Excellency the Governor, as it is our experience that District Commissioners, Provincial Commissioners, and the Chief Native Commissioner pay scant heed to our earnest request.

How disturbed, then, they must be by the attitude of Mr. Malcolm MacDonald, who, in reply to their telegram asking that they be allowed an opportunity to state their grievances to the Colonial Office, has instructed the Governor to order the Wakamba back to the Reserve, as he was assured that the Kenya Government's action was in their best interests. This attitude is not consistent with the doctrine of the "paramountcy of native interests," which the Imperial Government has so often enunciated as its guiding principle in determining the rights of the Africans when they are in conflict with vested interests.

At this time when Europe is threatened with another war and the forces of reaction are becoming more and more assertive, even the National Government cannot afford to continue using these semi-Fascist dictatorial methods in dealing with the legitimate grievances of colonial peoples and expect them to be enthusiastic in support of democracy. The British people cannot with honour or with safety turn a deaf ear to our plea to be heard.—Yours, &c.

JOMO KENYATTA, General Secretary of the Kikuyu Central Association.

15, Cranleigh House, Cranleigh Street London, N.W. 1.
August 8.

C. O.

38086/24/38

47

Mr. Parni 2/8

Mr. Dawn 2.8

Mr.

Sir H. Moore.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

X Perm. U.S. of Zalau

Parly. U.S. of S.

Secretary of State.

Coded 43000
7.45 pm
2/17/38
(100)

Immediate.

No 96 Conf.

(H6) Your tel. No. 114.

I approve of demonstrators
being informed as
recommended in last
paragraph.

DRAFT. Tel. (code)

Gov.

Nairobi

C	7
R	3
D	3

Copy Kenya
39 on 39 file

FURTHER ACTION.

Telegram from the Governor of Kenya to the Secretary of State for the Colonies.

Dated 2nd. August, 1938. Received 3.48 p.m. 2nd. August.

Immediate.

No. 114. Confidential.

29
45
41
Your despatch of 13th. July No. 195. I have received copy of telegram addressed to you by Samuel Mwindi on the 1st. August and repeated to Kenyatta. Mwindi is an ex-policeman and holds no responsible position in the tribe. Facts are as follows:- That on the 28th. July about 2,000 irresponsible young men-women and children mainly from Iveti sub-location referred to in my despatch of 21st. July No. 417 arrived in Nairobi and requested meeting with me. They were met by the Chief Native Commissioner and advised by him to return home where he would investigate their complaints. On the 29th. July the Chief Native Commissioner saw deputation and informed them that the Government had no intention of abandoning the destocking policy. Their sub-location was being required to do no more and no less than the rest of the ^{AKOS} Machiver Reserve. Indications are that [the] Isaher Dass is behind this demonstration and I saw him at his request on 30th. July but declined to grant interview to natives acting against their own tribal authorities.

Unlikely that any disorder will occur and there are at present no indications that the demonstrators will add to their numbers.

Quotas allotted provide for the retention of milking cows in proportion to grazing which cannot provide milk from the present semi-starved animal.

As the demonstrators likely to remain in Nairobi until they receive a reply to their telegram I trust that I may cause them to be informed that you have received telegram, that you are satisfied of the necessity of the measures being taken to reduce the numbers of cattle and that the present policy must continue in the interests of the tribe.

Ch. B. Kenia
39-29/38

COPY FOR REGISTRATION

RECEIVED
2 - AUG 1938

Telegram from Samuel Muindi, Kenya to the Secretary
of State for the Colonies.

Dated 1st August, 1938. Received 12.57 p.m.,
1st August.

More than 5000 Wakambas now gathered in
Nairobi to protest against Kenya Government's
destocking policy. Rest of the tribe will reach
Nairobi shortly whole community feeling outraged
determined to vacate our reserves unless Government's
policy reversed such policy disastrous both for
Government and people.

Wakamba right of private property and sale
must remain inviolable. Governor refused grant
interview. Please instruct Government settle dispute
in accordance with wishes of people. As result of
destocking policy children and aged people deprived of
milk. Situation monstrous Kenya Government notified.

Wakamba
30.2

CATTLE GRIEVANCE OF TRIBESMEN

3,000 in March to Protest

Nairobi, Friday.
A mass demonstration by Wakamba tribesmen against the official de-stocking of cattle campaign is causing embarrassment to the Government.

Nearly 3,000 tribesmen have marched from the Wakamba reserve to Nairobi, and refuse to return until their demands are conceded.

The Chief Native Commissioner told a deputation of the tribesmen this afternoon that confiscated cattle would be restored to the people if they promised to carry out the Government's instructions.

The numbers of tribesmen in the capital have been increasing hourly, and the invasion is creating a big problem for the municipal authorities.—Reuter.

Note.—A Colonial Development Advisory Committee have arranged for a meat factory in Mombasa with a capacity for 25,000 cattle a year on the ground that the colony is overstocked with cattle. The present trouble has arisen through the natives' reluctance to part with their cattle.

Handwritten signature

30.7

CATTLE GRIEVANCE IN KENYA

Tribesmen Demonstrate

Nairobi, July 29.

A mass demonstration by Wakamba tribesmen against the official campaign for reducing the number of cattle in the colony is causing embarrassment to the Government. Nearly 3,000 tribesmen have marched from the Wakamba reserve to Nairobi and refuse to return until their demands are granted.

The chief native commissioner told a deputation of the tribesmen this afternoon that confiscated cattle would be restored to the people if they promised to carry out the Government's instructions. The cattle have been confiscated on the ground that the colony is overstocked and that thereby the land is being impoverished.

The numbers of tribesmen in the capital have been increasing hourly, and the invasion is creating a big problem for the municipal authorities. —Heuter.

SPECIAL EMPIRE CABLES TO

The Daily Telegraph

AND
MORNING POST

NATIVES AND CATTLE DESTOCKING

FROM OUR OWN CORRESPONDENT

NAIROBI, Friday.

A remarkable protest against the Kenya Government's cattle destocking scheme took place here today.

Between 2,000 and 3,000 natives from the Wakamba reserve, about 20 miles away, trekked into the city and refused to disperse unless they were given an official assurance that the scheme would be suspended.

The destocking scheme has been put into operation in an effort to restore the fertility of the soil and raise the standard of cattle.

The natives attach great importance to the numbers of their beasts, and are quite indifferent to their quality. According to the Carter Report of 1934, a population of under 3,000,000 owns about 4,000,000 head of cattle, yet has no milk for the greater part of the year.

DECISION DEMANDED

Faced by the unexpected influx of natives, the authorities suggested that a meeting should be held in the reserve to discuss the matter. The natives, however, declined, as they wanted an immediate decision. They have camped by the roadside, near the racecourse, and mounted police are keeping crowds of other natives at a distance.

The Chief Native Commissioner received a deputation of the Wakamba natives this afternoon. In a long palaver he said that the Government was prepared to forgive and forget past disobedience if the demonstrators now promised to co-operate in the destocking scheme. There was no possibility of modifying this. He promised that confiscated cattle would be restored if this undertaking were given.

Tuesday

30-7

DESTOCKING IN KENYA NATIVE RESERVE

3,000 PROTEST MARCHERS

FROM OUR CORRESPONDENT

NAIROBI, JULY 29

Between 2,000 and 3,000 natives, including women and babies, have arrived in Nairobi to protest to the Kenya Government against the destocking campaign in the Wakamba Reserve. Some have been marching for two or three days from distant parts of the Reserve, and their numbers are increasing hourly.

There have been long discussions between the leaders and the Government, hitherto without result. The natives refuse to return until the Government promise that the scheme will be postponed, although a deputation who waited on the Chief Native Commissioner were told that the Government would forgive them their present foolishness and restore the confiscated cattle if they cooperated in the scheme.

* Destocking—the reduction of the number of livestock in a reserve—is carried out to prevent the soil erosion that would succeed the trampling away of herbage.

DESTOCKING IN KENYA NATIVE RESERVE

3,000 PROTEST MARCHERS

FROM OUR CORRESPONDENT

NAIROBI, July 29

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Destocking—the reduction of the number of livestock in a reserve—is carried out to prevent the soil erosion that would succeed the trampling away of herbage.

10/11/44

Day 7/4

27-7

Kenya

SEIZED CATTLE JUDGMENT

From Our Own Correspondent

NAIROBI, Tuesday.

The Supreme Court of Kenya has given judgment in the test case arising from the recent seizure by police of 2,500 head of cattle on a farm in the Ukamba reserve. The owner had refused to cooperate in the Government de-stocking scheme, aimed at restoring soil fertility.

The Court has decided that the seizure was legal, the judgment stating that the only defence raised was defiance.

Murder Charge.—Mr. C. E. Ansell, a Kenya farmer, was today charged with the murder of Mr. W. J. Hanlon, the step-father of his wife.

THE WAKAMBA

Sir,—I have no desire to enter into discussion of the many issues raised by Professor Macmillan, Dr. Norman Leys and Mr. Kenyatta. From my point of view they are irrelevant, just as I refuse to assess the blame, if any, that should attach to the Kenya Government, the British settlers, or the Wakamba themselves. The one fact that matters is that the Wakamba are in the process of, and have gone some considerable way towards, reducing to a desert their Reserve, substantially the whole land the tribe has ever occupied. Unless they can be persuaded to reduce the numbers of livestock they are attempting to carry the Reserve must become incapable of maintaining man or beast. Moreover, poverty is the greatest of all barriers to social development, and since the growing poverty of the Wakamba can only be remedied by a reduction of their livestock as a first step towards a better agriculture, all those who have the welfare of the tribe at heart should lend their support to this measure.

A. D. HALL

KENYA
No. 417



GOVERNMENT HOUSE
NAIROBI
KENYA

26 JUL 1938
2/ JULY 1938.

Sir,

29
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With reference to your despatch No. 392 of the 13th July and to the Governor's telegram No. 104 of the 18th July on the subject of representations made direct to you by the Kikuyu Central Association regarding the measures taken for disposal of surplus cattle in the Machakos district and other matters, I have the honour to transmit to you, for your information, a copy of a report by the District Commissioner, Machakos of measures recently undertaken in the Iveti location of his district, which presumably gave rise to the Association's telegram of the 9th July.

2. It will be observed that the other matters referred to by the Association in their telegram have no relation to the destocking operations being carried out in Machakos. On receipt of a copy of the memorandum foreshadowed in the Association's telegram of the 9th July a further report will be furnished on the allegations made.

3. In the meantime I have noted your wish to be furnished with current reports on developments to enable you to deal promptly with criticisms, and I take this opportunity of informing you that apart from the small display of resistance made by one sub-location of the Iveti location largely as the result of encouragement by a few agitators, the arrangements made for the disposal of surplus cattle through public auction sales

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THE RIGHT HONOURABLE
MALCOLM MACDONALD, M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S.W. 1.

are/

are working smoothly and are meeting with an increasing measure of co-operation and recognition of their purpose by the natives themselves. Messrs. Liebig's factory has re-opened and is obtaining supplies of cattle from Masai in addition to Machakos, and it is hoped that supplies from Samburu and the northern areas will shortly be forthcoming.

I have the honour to be,
Sir,
Your most obedient,
humble servant,

Adams

GOVERNOR'S DEPUTY.

MACHAKOS DESTOCKING - REPORT ON EVENTS
CULMINATING WITH THE SEIZURE OF CATTLE IN
IVETI LOCATION.

About the 25th June after the completion of Capt. Grant's survey of sub-headman Nnao's sub-location of Iveti when the quota had been fixed and the stage reached at which the co-operation of the elders became essential in distributing that quota to individual land holders, a report was received that a certain section of the community was likely to attempt to prevent this co-operation.

2. This report was confirmed on the 27th with the added information that agitators mainly consisting of landless cattle owners who had everything to lose and nothing to gain from the enforcement of the quota system had advised non-co-operation with the orders of Government for the issuing of the quota and the branding of cattle and that this advice was being listened to by that section of the community that had been ready to agree to the measures proposed. Accordingly on the 29th June a baraza was held at which it was fully explained that Government orders were that stock must be branded in accordance with the quota which the land was able to carry and the elders were invited to present themselves on the 1st July to divide that quota amongst landholders in accordance with the amount of grazing that they possessed. Capt. Grant duly attended on that date but no elders appeared.

3. A further baraza was therefore held on the 4th July at which it was announced that staff would be present at the local crush on the 7th for the purpose of branding any suitable cattle brought in, up to the number of the quota allotted, that the owners of unbranded cattle in the area thereafter would have

committed an offence and that Government was prepared to take what steps it thought necessary to select cattle for branding.

Capt. Grant and Major Montgomerie duly attended with brands but the only cattle brought in were those of the sub-headman and one other, which were duly marked with temporary brands to distinguish them from the rest of the cattle in the sub-location.

4. On this and the previous day in anticipation of there being no or virtually no cattle brought in for branding Police were mustered in the boma. And on the 8th July operations were carried out in accordance with a prepared scheme which resulted in the collection of 2,539 head of unbranded cattle from part of the non-operating sub-location.

5. Of these operations it is only necessary to say that they consisted in a sweeping movement by three parties, each under the command of a European and consisting of three sections of five men each and a reserve section of the same number. These three parties moved through the Iveti hills "in line abreast" on to a road patrolled by three parties under myself and a reserve of Kenya police under the command of an Assistant Superintendent.

The orders were to take all the cattle found with the exception of sound work oxen, one milking cow per boma and all cows with very small calves and so far as possible to record the names of the owners of boma and the number of stock taken from each boma.

In the event the purpose of those orders was to some degree frustrated by the owners themselves, who either absented themselves on the approach of the patrols or refused to give their names. In many cases also owners refused to take cows or work oxen returned to

them which consequently followed the mob. As had been previously learnt this was part of the passive attitude which the natives had agreed to adopt in the event of direct action of this kind by Government, i.e. to give no information and allow their cattle to be taken. So far as possible cows with young calves were left behind in the area from which they were taken. At the end of the drive all cattle were removed to Kongoni Hill on the Athi River where there is abundance of grazing and water, which does not exist in the reserve, and are being held pending the prosecution of the owners under the Crop Production and Livestock Rules, 1937.

6. The whole measure was carried out in a most orderly manner and though the entire absence of any unfortunate incident may be largely attributed to the passive attitude above described the greatest credit is due to the officers concerned as well as to all ranks of the police for the quiet and orderly manner in which it was carried out. All cattle arrived in excellent condition at Kongoni Hill, some of them as late as 11 o'clock at night.

7. In view of the possibility of poisoned arrows one man per section was armed with a reserve of armed Kenya police under the direct control of the officer in charge of each of the sweeping parties, the Asst. Superintendent of Police in charge of the main reserve or myself. All ranks carrying arms were cautioned that they were for purposes of self defence and were on no account to be abused and these orders were to my certain knowledge carefully observed. One unfortunate did threaten force with bow and arrows but was probably not really determined and was arrested without difficulty and disarmed.

8. Some very significant figures emerge from this

round up. 2,500 head of cattle were taken from 11,000 acres containing as high a percentage of cultivation and erosion as any in the reserve the quota allotted for which after careful survey is only 536 head. Although the round up was as efficiently carried out as can be done by a limited number of men in a fairly large area of country it did not clear up by any means all the cattle that it contained. The total allowance of land per beast taken from the area (not per beast contained in that area) was $4\frac{1}{2}$ acres. The actual grazing land in the area only amounts to 5,000 acres or 2 acres per beast taken. The usually accepted allowance for the best grazing areas of this district is 8 acres per beast.

9. Since these events took place on the 8th a baraza was called for the 10th at the scene of the operations. No one appeared except 8 responsible elders heads of sections of the sub-location. After commenting on this fact the opportunity was taken to discuss the existing position with the elders present. It was pointed out that they seemed to have acted on rather irresponsible and ill informed advice that it would now be necessary for each owner of cattle to attend before a Magistrate before any steps could be taken towards the return of any of their cattle, that these would be held by Government until claimed and that after the trouble caused they could not expect to receive more than the quota that could conscientiously be allotted having regard to the condition of their land.

After a very full explanation and discussion the elders "thawed" in a most noticeable manner and admitted that the community had been smitten by a highly infectious and virulent disease and that they had thought it possible to bend the Government like a baraza

had found they were mistaken. There was to be a baraza of the sub-location two days later which they would attend and explain what they had just heard and add their own conclusions which they had admitted to me.

They would ascertain whether the community was now prepared to acquiesce in the terms proposed and whether it wished to meet me in baraza to discuss them and would report to Capt. Grant who would be on the spot. I replied that this was exactly what I had in mind to suggest myself and the meeting closed on a perfectly amicable note, which encourages me to believe that it may be possible to close the whole affair in a week or two in a manner that will be satisfactory to the Government and salutary to the people and that will help materially in carrying out the destocking policy in future.

A.N. HALLWARD,
DISTRICT COMMISSIONER,
MACHAKOS.
11.7.38.

COPY FOR REGISTRATION

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Telegram from the Governor of Kenya to the Secretary of State for the Colonies.

Dated 18th July, 1938. Received 5-7pm 18th July, 1938.

No 104.

Your telegram No. ³⁹ 87 Action complained of regarding the collection of cattle refers to the Concentration by Government officers who are enforcing Crop Production and Livestock Rules 1937 of cattle from one sub location in Machakos for the purpose of branding quotas under Rule 4. Natives of this sub location encouraged by agitators had refused co-operation and cattle were thus being grazed illegally. Measures carried out in quiet and orderly manner by Administrative Officers assisted by the Police and tribal police. One milk cow was purposely left in each village. Report follows by mail. Local officers are carrying out a difficult and unpleasant duty with ability and tact and I am glad to note from your despatch of the 11th July No. 382 that you are satisfied as to the steps taken. In the view of the delicacy of the operations and the possibility of serious trouble essential that agitators be given no encouragement. Copy of telegram of the 9th July not furnished this Government by the sender.

Mukui School. See my despatch of the 12th July 1937 No. 369. Two teachers referred to in paragraph 3 of that despatch were fined 10/- each by the Native Tribunal. Seventeen women convicted by the District Commissioner at Embu in June under Sections 10 (1) and 8 (c) of the Native Authority Ordinance 1937 and sentenced to two months imprisonment. Reason's order which these people disobeyed had been explained in the location concerned by the Chief Native Commissioner personally and their action

5 m 3830/27
By [unclear]
30-7-38

in pulling up grass already planted to protect the land was one of open and wilful defiance. One went to Mombasa and the remainder to Nairobi in the absence of proper local accommodation.

Kikuyu Central Association has no claim to represent the native population and in regard to Kamba people is merely channel of communication used by a few agitators.

38086/24/38

C.O.

Mr. Paine 15/7 at once

Amad HO

Coded & sent 4.0pm 15/7/38 M.K.

Mr.
Mr.

C
15 JUL
15 7 (25)

No. 87

Sir H. Moore,
Sir G. Tomkinson,
Sir C. Bottomley,
Sir J. Shuckburgh,
Perms. U.S. of S.
Parly. U.S. of S.
Secretary of State.

(26)

My dep. No 392 of 12th July
allegation in telegram
of 9th July from KIKUYU

GENERAL ASSOCIATION
has given rise to
considerable
comment in the Press and
questions are being
asked in Parliament.
Please refer to
19th July summary of
facts particularly as
regards closing of school
at MUKUI, fees

DRAFT: Tel.

Gov.
Nairobi

improvement of
women and
children.

imposed on teachers, and
alleged shortage of milk.
Should be glad to have
full report by earliest
mail. Hereafter
current reports on
developments to enable me

FURTHER ACTION.

to deal promptly with criticisms
to which ~~policy is giving rise~~
steps being taken to enforce
policy are giving rise.

my cause.

(Concerning the misstatements, & ill-considered
criticisms of official policy in East Africa —

It may be of interest to mention that the
Manchester Guardian papers were being set as a
special East African number. In this
connection, a representative of the Guardian has
recently been on visit to Kenya, endeavouring
to secure advertisements for this special
number. Not even the fiercest Guardian
can escape the untimely fork of newspapers
whenever it comes to its advertisements.

Having his own this representative was not
an entirely honest, stated best banking
but with frankness; he was told that while
no one objects to well-considered criticism,
distortions & worse were resented. At
first there were advertisements in these
papers & declined to give orders; later, it
seems, there were given but with the clear
intimation that Kenya had to work to
see how much freedom of expression
a head of state. I am told that the

Commercial writer will try
to get advertisements at the
Law and had + it is suggested to
him that his length will be the
time to drop a postcard kind of
line in to the Congress. The
editor then he might well be
able to get the best of both
worlds. His offering may be
interesting to see this
Mudgum

New Statesman & Nation

16 July 1930

THE WAKAMBA

SIR,—I can assure Sir Daniel Hall that when in 1912-13 I was in medical charge of the Province that includes the Kamba Reserve (the form Wakamba can be used only of people and hence should not be used in English) the Kamba did use milk though they know better than to drink it fresh. And what sense is there in blaming those wretched Kamba for soil erosion and overstocking? They were where they are now for unknown centuries, and yet the "something like desert" resulting from those twin evils has only recently appeared. Mr. Kenyatta was perfectly right in asserting that the cause of those evils was the alienation of once tribal lands to Europeans and the consequent overcrowding of man and beast. Until that injustice is rectified Sir Daniel is probably right in saying that Messrs. Liebig are benefactors

in giving a pound a head for surplus Kamba cattle instead of the price of the hide, which is all they used to get and all they will get if Liebig, as is rumoured, gives up. So, too, by that reckoning are the settlers who offer surplus Kamba men work at 8s. a month. But in both cases, why surplus?

Yalding, Kent.

NORMAN LEYS

16-7-38

CATTLE IN KENYA

SIR,—Sir Daniel Hall has missed my point. The Wakamba do not deny that there is danger of soil erosion in their territory; in fact it is the biggest outcome of the Government's alienation of their land. Commonly their cattle are "ill-bred and starved"; but what has the Government done to encourage their improvement? There is a better breed in Kenya, which is monopolised by white settlers. If it were introduced in Wakamba territory the people might be more easily persuaded to keep fewer and better cattle.

It is incorrect that the Wakamba do not use their cattle. Milk and ghee are indispensable to their diet, and many Wakamba families earn their tax-money by selling ghee to Indian and other shop-keepers in the towns.

However, the question is not the number and use of the cattle, but whether the Government's method of eliminating them is worthy of any nation which claims to stand for fair dealing. The Wakamba feel strongly that the most factory is not an altruistic concern but a commercial one; and that having induced the firm to establish itself there, the Government is compelling them to sell their stock at the lowest price in its interests. If the Government really was concerned with Wakamba interests it might run the factory as a State concern, or better, invite the Wakamba to run it as a co-operative enterprise with Government advice and help. Any profits could then go to benefit the Wakamba and improve the land ruined by overcrowding. They pay taxes, and are entitled to ask for some equity in their interests.

Since my letter appeared, two cables from the Kenya Central Association (speaking for the African peoples of Kenya) informs the Colonial Secretary that forced sales still continue, and that cattle-owners are being intimidated by armed troops and harassed by police inspectors who have instructions to seize 100,000 cattle. Since cattle have special significance to all the tribes, nothing could be more calculated to inflame unrest throughout Kenya than this injudicious interference with them. The Maasi, for example, are dependent on cattle, to them a forced sale among the Wakamba forbodes disaster.

All the tribes have already lost their best lands. In 1933 there were about 31,000,000 acres of African reserves, more than half consisting of desert and semi-desert tracts, inhabited by the bulk of 3,000,000 people, who had between them 4,500,000 head of cattle, 2,500,000 sheep and 4,321,000 goats. Meanwhile, 4,700 Europeans held between them 7,200,000 acres of the best land, much of which is not yet in use. Although the Kenya Native Land Trust Ordinance of 1930 pledged that African reserves should be ungrazed, the pledge was broken with gold was found in the Karisimbi two years later. The people's land is fenced, and now their cattle are cut down by fences to match the reduced grazing area. But Europeans in Kenya are allowed enough land to graze as many cattle as they choose to keep. In Laikipia, for example, from which the Maasi were turned out wholesale, large numbers of European-owned cattle are to-day grazing undisturbed.

The tribes of Kenya have had no reason in the past to trust the disinterested benevolence of the Government. It has not robbed them of their land for their own good, but for the white man's, and when it takes away their cattle by violence and arranges for a European firm to profit thereby, it gives no evidence of a change of heart. When they have a Government which represents them and serves their interests their goodwill and reason will be enlisted on its side; till then it is for the Government to convince them that it deserves these things. I sincerely hope Sir Daniel Hall will use his influence with his colleagues at Whitehall and Nairobi to hasten this desirable end. The Kenya Government of to-day is responsible to the British people through Parliament. It may give plausible reasons for its conduct, but common sense declares that any Government which cannot carry out its policy without such brutal methods stands self-condemned as a failure to any judgment but that of Heaven.

JOSH KENYATTA

Colonial Secretary, Kenya Central Association

25 Cavendish Square,
Cavendish Square, London, N.W.1.

12.7.38

Re: Malcolm Macdonald

I have received another cable from the Kikuyu Central Association in Kenya on the subject of the compulsory sale of cattle & further to their previous cable in respect to Districter Macchakos action which I previously wrote about. The cable reads:

"We again strongly protest against local government action who sent 132 soldiers armed with rifles in Waiakanda County collecting cattle in Digoale. No milk for children. At present the local authorities are acting beyond the law. Action is seen as blatantly unjust. Native rights are flouted. Rights of private property are non-existent. Kikuyu school at Mikiu closed down & their teachers fined £100. 23 Embua & Ndia women with six little children sent Nairobi and Mombasa Prisons for trying to put a decision agricultural officer's action in planting their gardens at Kiini with force by armed force. Native population demands proper investigation & recognition of their just rights."

It seems to me that the feelings being aroused and the methods being employed call for some independent enquiry so far as the policy of removing native cattle to save the land from irremediable ruin is concerned / appreciate

the difficulty of the problem, but the statement of the Government that there is no complaint; that it is surplus cattle being sold & that the price is a fair one to the natives is not borne out by the telegrams received from the native people themselves. I make allowance for the fact that they do not measure themselves readily to the policy of the Government but at least they have rights which appear not to be respected and hardship of an unnecessary kind seems to be imposed on women and children as well as men.

You have probably noticed the recent discussion on this problem in the New Statesman: I am not satisfied that the official view as stated by Sir Daniel Halliday equally meets the feeling of outrage, & justified sense of injustice & the harsh measures & hardship experienced by

I would be glad if you will kindly give attention to the various grievances stated in the letter above & also the imposition of a heavy fine of £100 imposed on the

I am

Yours faithfully,

A. C. C. C. C.

190 33

From

A. CREECH JONES, M.P.

TRANSPORT HOUSE,
SMITH SQUARE,
LONDON, S.W.1.

Phone: VIC. 6611

11th July, 1938.

Rt. Hon. Malcolm MacDonald, M.P.
Colonial Office,
Downing Street,
S.W.1.

Dear Malcolm MacDonald,

Thank you for the reply to my letter of June 27th on the subject of the selling of the cattle of the Wakamba tribe in Kenya. I was, of course, aware of the facts you give and the reasons for the policy, though I am doubtful if the work of reduction is carried through with the consideration the Africans are entitled to receive or that their rights are recognised by those entrusted with the work. I shall be glad to see the Governor's report though Asheton tells me he is no longer acting as your Parliamentary Private Secretary. Perhaps your new P.P.S. could let me see it one afternoon next week.

Yours sincerely,

Malcolm Jones

Manchester Guardian

13. 7. 58

UNREST IN KENYA

Forced Cattle Sales and Other Grievances

To the Editor of the Manchester Guardian

Sir.—There is a grave situation in Kenya. In my letter of July 2 I said that the Kenya Government intended to sell 100,000 of the Wakamba people's cattle by force on July 6, against the united opposition of the Wakamba community. A further cable to the Colonial Secretary now reports that 122 armed soldiers invaded the Wakamba territory and collected the cattle wholesale, and that the children are now short of milk. Needless to say, the people are in a state of unrest.

This unrest, however, is not confined to the Wakamba. While this is going on in their territory, a Kikuyu independent school at Mukar has been closed down and three teachers fined the enormous sum of £100. This school is one of the efforts made by the Kikuyu to supplement the inadequate educational provision provided by the Government and the missionaries. It was established with great sacrifice, and its forcible closing is an outrage on the vestiges of initiative which are still permitted among Kenya Africans. At Embu and Ndia the local Government is using violent methods to turn the people's private gardens—their means of subsistence in the reserve and grassland. Twenty-three women with six small children have been sent to prison in Mombasa and Nairobi for protesting against this arbitrary violation of their rights.

The African population of Kenya has protested to the Colonial Office and demands a full investigation into the behaviour of the Kenya Government. Let it be remembered that Africans are

totally unrepresented on the Kenya Legislative Council, and that the power which controls them is ultimately responsible to the British people through Parliament. Whatever plausible reasons the Kenya Government gives for its conduct, the fact that such methods are considered necessary, not in a single instance but repeatedly all over the country, should make the British people ask themselves whether the governmental system is not radically wrong and unfit for the people who are subject to it.—Yours, &c.,

JOSE KENYA, General Secretary Kikuyu Central Association.

15, Cranleigh Houses, Cranleigh Street, London, N.W. 1, July 11.

Please

D&A

Kenya
2,500 HEAD OF STOCK
SEIZED

From Our Own Correspondent

NAIROBI, Monday.

Police seized 2,500 head of stock on one farm on the Ukamba reserve, following the owner's refusal to co-operate in the Government destocking scheme aimed at restoring soil fertility.

The Government is holding the cattle until the owners indicate which they wish to retain as part of their permitted quota. The remainder will be auctioned.

Defence Parade.— All European British men between 30 and 55 were called on to attend the first parade of the Class II Kenya Defence Force held at Nairobi to-night to indicate the part each is to play in the new defence scheme.

EXTRACT FROM THE
DAILY TELEGRAPH

12.7.58

New Statesman 9.7.58

THE WAKAMBA

Sir,—No one will dispute Sir Daniel Hall's statement that the land in the Wakamba Reserve has been reduced in this generation

to something like desert. He might have added that from the Cape Cis-Kei to the Wakamba country Reserves are everywhere the same. Sir Daniel takes Mr. Kenyatta to task in your issue of July 2nd for the omission of certain relevant facts; but in his well-known zeal for the instruction of Africans in better methods of cattle keeping he himself hardly covers the ground needed to help British opinion to reach sound conclusions on the issues involved.

In the first place, since Kenya is one of many colonies which has never attempted a serious census, so eminent an authority should be wary of loose assertions about the "enormous increase" whether of men or of cattle, assumed to result from the blessing of the Pax Britannica. The number of cattle is no doubt excessive for the Reserves in their present condition, but it is not in itself absolutely great. He does not supply, and I have rarely myself met, evidence that any of these crowded tribes have more than one or two head of cattle per head of population—a very small allowance for any purely pastoral people. In neighbouring Settler country farmers keep proportionately far greater numbers of cattle in much less space. This they are able to do largely by a proper system of fencing, and for Africans the remedy is ultimately the same. As Mr. Kenyatta pointed out, the old nomadic system of grazing has been made impossible. It is therefore our responsibility to put them in such decent economic state that they can afford new methods, towards which the Wakamba might in time come to see the most factory as a useful help. That they know the value of better conditions is proved by the competition for places as "squatters" on European farms.

Economic prosperity, however, depends on the development of the country as a whole, and above all on the prospects for Africans not only in these Reserves but in European areas, which are everywhere the chief if not the only centres of real economic opportunity. The immediately helpful course must be to relieve the pressure by improving the status of Africans for whom in the Reserves there is no room. If, therefore, Mr. Kenyatta is to devote his energies to preaching better methods to Africans, Sir Daniel himself might profitably reciprocate by helping to secure from the Kenya Government something better than the latest Resident Native Labourers Ordinance, which seems to have for its main object a process of squeezing still more Africans into these already devastated Reserves. On this theme I have written at length in a recently published book, *Africa Emergent*. Here I will venture no more than that the blame attaches not to the Wakamba and their methods, but rather to our own chosen policy of penning these people in limited and artificial reserves.

Penn, Bucks.

W. M. MACMILLAN

EXTRACT FROM

THE NEW

STATISTICAL

NATION

9.7.58

27. 2. 39

Dear Mr. [Name]

I have received the enclosed
copy of [document] and
in some urgent action. I have
already had correspondence with
your department on this matter.

Yours faithfully

[Signature]

CABLE AND WIRELESS LIMITED.



Circuit. COQUE K	Clerk's Name.	Time Received.	A.
----------------------------	---------------	----------------	-----------

1938 JUN 25 AM 10 28

K84-NAIROBI 103/102 25 0915 -
LC GREECH JONES CARE COMMONS LONDON -
WE KIKUYU CENTRAL ASSOCIATION REPRESENTING KENYA NATIVES
VIGOROUSLY PROTEST AGAINST DISTRICTER MACHAKOS ACTION
CONTINUED FORCED SALE OF CATTLE OWNERS MOST UNWILLING TO
SELL SUCH SALES ARBITRARY COMPLETELY DISREGARDING NATIVES
RIGHTS STOCK SOLD SHILLINGS ELEVEN TO FIFTEEN EACH NORMAL
MARKET PRICE SHILLINGS FIFTY TO HUNDRED MONEY REALISED
RETAINED BY DISTRICTER WITH SIX ELDERS REGRET SALE OF FURTHER
10000 HEADS CONTEMPLATED ON SIXTH PROXIMO OWNERS THREATENED
BY SOLDIERS STOP OWNERS FORCED PLANT THARA MANY STRONGLY

The first line of this Telegram contains the following particulars in the order named:—
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 2. Address
 3. Number of Message
 4. Office of Origin
 5. Number of Words
 6. Date
 7. Time/Handed in and
 8. Official Initials of the Operator

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2, Abchurch Lane, Chancery Street, W.C.2
Thames House, 10, Abchurch Lane, W.C.2
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Leeds 4: King Street Chambers, 52, Wellington Street
Leith 44: Constitution Street
Liverpool 2: India Buildings, Brunswick Street
Manchester 2: The Cotton Exchange
Newcastle 2: 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, 73, 75, 77, 79, 81, 83, 85, 87, 89, 91, 93, 95, 97, 99, 101, 103, 105, 107, 109, 111, 113, 115, 117, 119, 121, 123, 125, 127, 129, 131, 133, 135, 137, 139, 141, 143, 145, 147, 149, 151, 153, 155, 157, 159, 161, 163, 165, 167, 169, 171, 173, 175, 177, 179, 181, 183, 185, 187, 189, 191, 193, 195, 197, 199, 201, 203, 205, 207, 209, 211, 213, 215, 217, 219, 221, 223, 225, 227, 229, 231, 233, 235, 237, 239, 241, 243, 245, 247, 249, 251, 253, 255, 257, 259, 261, 263, 265, 267, 269, 271, 273, 275, 277, 279, 281, 283, 285, 287, 289, 291, 293, 295, 297, 299, 301, 303, 305, 307, 309, 311, 313, 315, 317, 319, 321, 323, 325, 327, 329, 331, 333, 335, 337, 339, 341, 343, 345, 347, 349, 351, 353, 355, 357, 359, 361, 363, 365, 367, 369, 371, 373, 375, 377, 379, 381, 383, 385, 387, 389, 391, 393, 395, 397, 399, 401, 403, 405, 407, 409, 411, 413, 415, 417, 419, 421, 423, 425, 427, 429, 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2189, 2191, 2193, 2195, 2197, 2199, 2201, 2203, 2205, 2207, 2209, 2211, 2213, 2215, 2217, 2219, 2221, 2223, 2225, 2227, 2229, 2231, 2233, 2235, 2237, 2239, 2241, 2243, 2245, 2247, 2249, 2251, 2253, 2255, 2257, 2259, 2261, 2263, 2265, 2267, 2269, 2271, 2273, 2275, 2277, 2279, 2281, 2283, 2285, 2287, 2289, 2291, 2293, 2295, 2297, 2299, 2301, 2303, 2305, 2307, 2309, 2311, 2313, 2315, 2317, 2319, 2321, 2323, 2325, 2327, 2329, 2331, 2333, 2335, 2337, 2339, 2341, 2343, 2345, 2347, 2349, 2351, 2353, 2355, 2357, 2359, 2361, 2363, 2365, 2367, 2369, 2371, 2373, 2375, 2377, 2379, 2381, 2383, 2385, 2387, 2389, 2391, 2393, 2395, 2397, 2399, 2401, 2403, 2405, 2407, 2409, 2411, 2413, 2415, 2417, 2419, 2421, 2423, 2425, 2427, 2429, 2431, 2433, 2435, 2437, 2439, 2441, 2443, 2445, 2447, 2449, 2451, 2453, 2455, 2457, 2459, 2461, 2463, 2465, 2467, 2469, 2471, 2473, 2475, 2477, 2479, 2481, 2483, 2485, 2487, 2489, 2491, 2493, 2495, 2497, 2499, 2501, 2503, 2505, 2507, 2509, 2511, 2513, 2515, 2517, 2519, 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3849, 3851, 3853, 3855, 3857, 3859, 3861, 3863, 3865, 3867, 3869, 3871, 3873, 3875, 3877, 3879, 3881, 3883, 3885, 3887, 3889, 3891, 3893, 3895, 3897, 3899, 3901, 3903, 3905, 3907, 3909, 3911, 3913, 3915, 3917, 3919, 3921, 3923, 3925, 3927, 3929, 3931, 3933, 3935, 3937, 3939, 3941, 3943, 3945, 3947, 3949, 3951, 3953, 3955, 3957, 3959, 3961, 3963, 3965, 3967, 3969, 3971, 3973, 3975, 397

38086/24/38. Kenya

Ames 41
1-84

13 July 38

C. O.
Mr. Sun 30 11/7

Mr. Park 11/7 f

Mr.
Sir H. Moore.

Sir G. Tomlinson

Sir C. Bottomley

Sir J. Shackburgh

Parlt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

(27)
C. D.
R 11 JUL
17

DRAFT. dip

no. 392.
Kenya

11/138
(207)

CPT [unclear]
39 on 34/100

FURTHER ACTION.

Reams to Mr. Parkin

in regard to
the enforcement
of the measures
being taken

Sir,
13.7.38 para. 4
Kenya
My dep. no: 382 of the 11
morning a day 8
16 July, regarding a telegram
sent to me by the
Hitting a Central Association
regarding the mission
taken by the gov. of Kenya
to achieve a decision on
the matter to call in the
Machakos district, I have the
honour to transmit to
you a copy of a further
let. Mr. I have received
from the Assoc. on
the subject

(2) You will observe that
the Assoc. also refer
the matter and an allegation
against the Assoc. will
be regarded as the Assoc.
taken previously to
condition this work
and

and, and suggest that
I may be furnished with
a report on these
allegations in due
course.

I remain, Madam,

(3) (a) Copy to the Home:

reference to in the
telegram will be
sent to you also

~~its receipt~~
~~it is not necessary~~

~~the Colonial Office~~
directed by the Association.

I have, etc.

W. O. O. M. MacDONALD

10/16

RECEIVED

9 JUL 1938

Telegram from the Kikuyu Central Association, Kenya
to the Secretary of State for the Colonies.

Dated 9th July, 1938. Received 12.38 p.m., 9th July.

19. In continuation of Cablegram of 25th June protesting against Districter Machakos' action we again forcibly protest against Local Government action who sent 122 soldiers armed with rifles in Wakamba Country collecting cattle wholesale no milk for children. At present local authorities working beyond law action scandalously impious native rights flouted right of private property nonexistent. Kikuyu School Mukui closed down three teachers fined one hundred pounds. 20 Kaba and Ndia Women with six little children sent Nairobi and Mombasa prisons for trying to protest against Agriculture Officer action planting their gardens at Kiini grass by armed force. Native population demands proper investigation and recognition of their just rights. Memorandum follows.

COPY FOR REGISTRATION

103
28

RECEIVED

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to the Secretary of State for the Colonies.

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Copy to Kenya 19

C. O.

Mr. Paskin. 25/6 & 1/7.

Mr. Dawe. V C. D. R 7 JUL 1938

Mr.

Sir H. Moore.

Sir G. Tomlinson.

X Sir C. Bottomley. 27.6.

Sir J. Shuckburgh.

+ Perms. U.S. of S 27.6. X

X Parly. U.S. of S. 28/6

X Secretary of State. Has app. 5. 9.C. 7/7/38 (14)

11 July 1938.

Sir,

I have the honour to acknowledge the receipt of your despatch No. 288 of the 19th of May in regard to a petition, addressed to Lord Harlech by three members of the Kamba tribe on the subject of the measures that are being taken by the Government of Kenya for the reduction of the number of cattle in the Machakos district. I have read your despatch with much interest and I have no hesitation in assuring you that I am fully satisfied, not only as to the necessity for reducing the number of cattle to conform to the carrying capacity of the land, but also as to the steps that have been taken to explain the reasons why

DRAFT.

KENYA.

NO. 382

GOVERNOR

Killing Central Amovani 25/6 (No. 19)

O + A 6/7 (No 3 on P.O. 5/22)

3 dft

U. and P. (copy) 39 39/11

FURTHER ACTION.

why it is necessary. I note with particular satisfaction the care that has been taken to dispel the illusion that these measures have been adopted in the interests of the Liebig factory.

2. It is disappointing though, as you observe, not altogether surprising, that the steps that have been taken to convince the natives that these unpopular measures are necessary in their own interests, should not at first have resulted in a more willing response to the efforts which are being made to recondition this distressingly eroded area. I trust, however, that now that the natives have had an opportunity of learning by experience that their suspicions of the motives of Government are without foundation, the habit of disposing of their surplus cattle will gather momentum, and that it will be unnecessary for Government to have to resort to more drastic measures for enforcing the policy of reduction.

I request that the petitioners may

C. O.

- Mr.
- Mr.
- Mr.
- Sir H. Moore.
- Sir G. Tomlinson.
- Sir C. Bottomley.
- Sir J. Shuckburgh.
- Parli. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

DRAFT.

[I do not mind this, but the Gov. has asked for a reply in a certain time.]

FURTHER ACTION.

I would omit [A.G.S.] because see minutes last year and

be informed that I have carefully considered their petition, but that I see no reason to intervene. I (also) request that they may be informed that I am satisfied that the measures that are being taken by the Government of Kenya to achieve a reduction of the number of cattle in this area are necessary, and that I have learnt with regret that the inhabitants of this area do not appear adequately to appreciate the value of the efforts that are being made by the Government of Kenya, with the assistance of funds from the United Kingdom Exchequer, to preserve and restore the fertility of the land in this area, and that I have noted with particular displeasure that they have not accepted the assurances of the Government of Kenya that these measures have not been undertaken for the purpose of providing

C. O.

a supply of cheap cattle for Messrs. Liebig's factory.

4. I have now received a telegram on this subject, from the Kenyan Central Association. I regret that the Association may be informed that I have received their telegram and have carefully considered their representations, but that I see no reason to intervene in the matter.

I have

COL. G. H. S. WALKER

P.S. I have this opportunity of transmitting to you the enclosed copies of articles on this subject in the 6th of July.

AIR MAIL

DOWNING STREET.

8 June, 1938.

Mr. Paskin. 23/6
Mr. Daine 15/6
Mr.

Sir H. Moore.
Sir G. Tomlinson.

X Sir C. Bottomley. 17.6
Sir J. Shuckburgh.

+ Perm. U.S. of S. 27/8
Parly. U.S. of S.
Secretary of State.

S.O. for Mr. Paskin's signature.

Dear Gurney,

Thank you for your letter

No. S.O. Agr. 25/1/1/2/11/6 of the 21st of June about the Liebig factory. Your news that the factory has had to close

temporarily down tentatively for want of cattle at prices which it is ^{prepared} to pay

is very disturbing. Shortly before your letter arrived, Lord Francis Scott had mentioned to the Secretary of State

that he had had a report to this effect from Kenya, and was very much concerned about it. The Secretary of State assured him that he fully appreciated the importance of keeping this factory going, and that he would sympathetically consider any proposals that the Govern-

DRAFT.

H. E. G. GURNEY, ESQ.
The Secretariat,
Nairobi.

3 dfts.

This info. is also being sent direct to the Gov. in a letter from the

FURTHER ACTION.

S. J. S.
A. J. S.

to this end.

You will receive, by this
mail, a reply to the ~~Kenya~~ despatch
17 Secretary of State's

No. 288 of the 19th of May about the

Wakamba petition. ~~that you will~~

Yours sincerely,

(Signed) J. J. PASKIN.

P.S. I have now heard from
Dunbar that the factory
has reopened.

C. O.

38086/24/38

Mr. Paskin. 25/6/38

Mr. Dawn 25.6

Mr.

Sir H. Moore.

Sir G. Tomlinson.

X Sir C. Bottomley. 27.6.

Sir J. Shuckburgh.

Permt. U.S. of S. 27.6.38

Parly. U.S. of S. 28.6.38

X Secretary of State. 27.38

DRAFT.

A. GREGG JONES, ESQ., M.P.

3 dfts.

FURTHER ACTION.

Mr. C. G. ...
Supt. ...

Ser.

DOWNING STREET.

5 July 1938.

For the Secretary of State's signature.

With reference to your

letter of the 27th of June, I have now
considered the matter, and have
carefully considered
it in connection with the protest of the

Wakamba tribe against the measures which

the Government of Kenya is taking to

reduce the number of cattle in the

Machakos District, you may like to

know that I have now received a despatch

from the Governor, dealing fully with

this matter. In the light of the

Governor's explanation, I am

satisfied, not only that these

unpopular measures are absolutely

necessary in the interests of the

natives themselves, but that every

effort has been made to explain the

position to these natives and to enlist

their willing co-operation. As the

déspatch is rather long I will not attempt to reproduce it all in this letter, but if you would care to read it, Ascheton Brooklebank will be happy to make arrangements for you to do so.

We have also received a letter from the Government of Kenya explaining, in connection with Lunn's Supplementary Question of the 1st of June, that the Government of Kenya has been particularly careful to avoid compelling any person to sell cattle to the Liebig factory, and that not a single person has been so compelled.

All the surplus cattle from this district are being sold by public auction. At the last sale, held on the 8th of June, some 1,500 head were sold at an average price of £15/-, of which Liebig's did not buy any.

In fact, as a result of the high prices which these cattle are fetching at the open auctions, the Liebig factory has had to close down temporarily for want of supplies of cattle

[? He also. also
a Mr. S. G. S. reply (22)]
p/p

(17)

(No. 2 on P.Q. file)

C. O.

Mr.

Mr.

Mr.

Sir H. Moore.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Permt. U.S. of S.

Privy. U.S. of S.

Secretary of State.

DRAFT.

And its
recipients
from duration

FURTHER ACTION.

This is ^{an unfortunate} ~~very disturbing~~ development because, ~~as I have explained to you,~~

the advent of the Liebig factory was something in the nature of a godsend to the Colony as ^{it} ~~affording a means to~~ ^{a stable market for} these natives of disposing of their cattle at economic prices. It will,

in any case, be necessary to continue the policy of reducing the number of

cattle in this area if the land is to

be saved from irretrievable ruin, and

unless some means can be found to

keep the factory going, I am afraid,

in the long run, the natives will be

very much worse off.

However, I hope that you will make an opportunity to read the

Governor's despatch for yourself.

(Sd) M. K. Daniels

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LETTERS TO

FORCED SALES IN KENYA

Government Methods

To the Editor of the Manchester Guardian

Sir,—I wrote to you a few weeks ago to comment on the high-handed methods of the Kenya Government in forcing the Wakamba tribe to sell their cattle at a quarter of the usual market price or less. The reason given was the danger of soil erosion, since then it seems that the same policy has been continued in spite of strong protests and repeated petitions from the people concerned. A cable just received from the Kikuyu Central Association (which speaks for the African peoples of Kenya) informs the Secretary of State for the Colonies that against the united opposition of the Wakamba people, cattle are still being sold at prices varying from 11s. to 15s. per head. The normal market price is 50s. to 100s. The money realised is not handed over to the cattle-owners but retained by the District Commissioner and a committee of six elders appointed by himself. The owners meanwhile are being intimidated by the presence of troops and harassed by police inspectors and officials who enter private property without the least regard for individual rights.

Both the Wakamba themselves and the other Africans of Kenya are thoroughly roused over these proceedings, and with reason. Nothing could be more calculated to inflame unrest in the whole country than this injudicious interference with cattle, in the life of the Kenya tribe cattle have a position of supreme significance. They are a means of livelihood and the traditional symbol of wealth and honour, and are of the utmost importance in almost every transaction in tribal affairs.

The Africans of Kenya are well aware that this question does not concern the Wakamba alone. For example, people like the Masai are wholly dependent on their cattle, and to them the news of a forced sale among the Wakamba is the presage of a disaster. All the tribes have already been dispossessed of the best of their land which is their livelihood and the subsistence of their stock, and now live in overcrowded "reserves"; and while the Government is bringing in a law excluding Africans from the Highlands they see it taking the further step of reducing their livestock by force, on the pretext of soil erosion. Africans are not too blind to see that any European in Kenya is free to own hundreds of cattle without being accused of soil erosion or ordered to reduce his stock. In Laikipia, the country from which the Masai were turned out wholesale, large numbers of European-owned cattle are to-day grazing undisturbed.

In the House of Commons the Colonial Secretary was asked for an assurance that these arbitrary methods would be discontinued. But while Parliament is discussing the matter news now comes that a further 100,000 Wakamba cattle are to be sold by force on July 6. It is high time for the Colonial Office to make some conciliatory move to prevent trouble from breaking out all over Kenya on a scale at least equal to that of the recent conflicts in the West Indies.—

Yours, &c.,

JOMO KENYATTA, General Secretary, Kikuyu Central Association.

15, Cranleigh Houses, Cranleigh Street, London, N.W. 1.
June 27.

THE WAKAMBA

SIR,—Mr. Kenyatta's letter in your issue of June 25th omits certain facts which should be made known to English readers who are asked to form an opinion on the Wakamba question.

It has been established beyond all question that the Wakamba are in danger of losing their means of existence because the excessive numbers of live stock they are trying to maintain are destroying the grazings and turning them into desert. As long ago as 1929, it was reported to the Kenya Agricultural Commission, over which I had the honour to preside, that the Kamba reserve contained 190,000 cattle with 57,000 calves, together with sheep and goats, though its grazing capacity was estimated at no more than 60,000 head. In consequence, over thousands of acres the land had been stripped of all vegetation and depuded of its surface soil; what had been grazing ground within living memory had become hard, gaunt, red and yellow desert.

Mr. Kenyatta also ignores the fact that these live stock are of little use to the Wakamba, who neither drink their milk nor eat their meat, and indeed only sell under pressure. Cattle, and to a less degree sheep and goats, are tokens of wealth and position; they count as money, still more perhaps they are members of the family—the poor relations of the tribe. That latterly they have increased so enormously has been due to the cessation of raiding with the Pax Britannica; they might continue to be treated as harmless luxuries had they not become a menace to the life of the tribe. Soil erosion is now the critical problem not only for the Wakamba but for nearly every tribe in East Africa; all Governments are engaged in measures to check overstocking, destruction of forests and the wasteful effects of shifting cultivation.

Mr. Kenyatta repeats the cry raised by every tribe for "more land," but there is no more land available and if it could be found it would only be destroyed in its turn. Now that the African tribes can increase in numbers they have to learn to use their land as other people have learned to use land—in such a fashion that it will yield food under continuous cultivation.

The Meat Factory has been set up as the only means of obtaining any sort of price for the kind of live stock that has to be culled from the Kamba and other native reserves. Ill-bred and starved, riddled by disease, the animals are little more than skin and bone and can be converted only into manure; later, when the reduction in numbers allows the remainder to obtain decent grazing there will be an output of meat. As to the profits this "wealthy concern" may be making, I only know that though the need for a meat factory has long been recognised it has taken the Colonial Office some years to induce any firm to take up such a venture. The Government of Kenya is only too conscious of the danger of interfering with native cattle; nothing but the imperative necessity of saving the tribes from the consequences of overstocking would have induced it thus to invite trouble. The chiefs themselves will not act; when discussing the question with me they asked for an order from the Government on the grounds that if they attempted to enforce reduction of live stock they would only provide an opportunity for some of the younger men to play upon popular discontent in order to secure leadership for themselves. Politics are politics, all the world over.

Mr. Kenyatta is an educated man and will have no difficulty in satisfying himself that the reduction of non-economic live stock is one of the most urgent necessities if the land of Africa is to remain capable of supporting its population. There are no alternatives to such a measure, though it conflicts with the customs, even with the religious traditions, of the Bantu tribes. It therefore needs all the good will and appeal to reason that can be brought to bear upon the common folk, and Mr. Kenyatta should be using what influence he possesses to make the action of the Kenya Government acceptable to the members of his neighbouring tribe, and to save them from the visibly nearing starvation.

The Athenaeum.

A. D. HALL

New Statesman & Nation
2138

A. CREECH JONES, M.P.

20
TRANSPORT HOUSE,
SMITH SQUARE,
LONDON, S.W.1.

Phone: VIC. 6611

27th June, 1938.

AJ/IMS.

Rt. Hon. Malcolm MacDonald, M.P.
Colonial Office,
Downing Street,
S.W.1.

Dear Mr. MacDonald,

Handwritten: 4-10
Creech Jones
Answer (7/38)
sent to
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In March and early May I drew the attention of your predecessor to several telegrams from the Wakamba Tribe on the subject of seizure of cattle stock and on the 1st April Mr. Ormsby Gore wrote me a letter on the subject of soil erosion and the necessity for regulating stocks. I shall be glad to know if you have yet received a reply from the Governor in Kenya and whether you have considered the petition of the Mamba Tribe in Kenya copy of which I enclose.

Yours sincerely,

A. Creech Jones

P.S. Since writing the above a further strongly worded cable has come from Kenya vigorously protesting against the action in District Machakos of the continued forced sale of cattle. It says that while the owners were unwilling to sell, compulsory sale took place with complete disregard of native rights at eleven to fifteen shillings each when normal market price is 50 to 100 shillings. The money realised has been retained by the district commissioner and six elders and a further compulsory sale of 100,000 is threatened. The owners have been threatened by soldiers, their private property has been invaded and the native people are indignant at this treatment.

To,
The Right Honourable
H.M. Principal Secretary of State
for the Colonies.

Whitehall
LONDON

through

H.E. the Governor and Commander-in-Chief of
the Kenya Colony and Protectorate of Kenya.

NAIROBI

Right Honourable Sir,

We the undersigned, members of the Mkabba tribe in Kenya Colony, beg to leave most humbly and respectfully to petition in the following matter:-

2. We are a pastoral and agricultural community occupying as our reserve the lands near Athi River Station on the Kenya and Uganda Railway - a station some 15 miles from Nairobi.
3. Recently a European firm and Company has created a factory for the canning of beef and other meat products, on lands adjoining the said Athi River Station.
4. It seems that, as a result, efforts are being made by the administration to ensure a steady supply of cattle for slaughter at the factory.
5. The said factory adjoins European owned farms where cattle are stocked.
6. Whether because there are no, or not enough European owned cattle to keep the factory going, pressure is being brought to bear on our tribe to dispose of our stock.
7. It is being stated that our reserve is overstocked and such overstocking is the root cause of soil erosion and that is being made the excuse for compelling us to sell our cattle to the Company owning the factory at a price being $\frac{1}{4}$ or $\frac{1}{2}$ th (or even less) of the ordinary local market price. Ordinary prices vary from Shs. 50/- to Shs. 100/-
8. We beg to instance a typical example of the methods employed:
(a) At a place called Matungulu in the Machakos District a barazawa was held by the District Commissioner and the Akamba were told outright at that baraza that the Government had

decided that the Akamba cattle (both male and female) would be sold by force at a price fixed arbitrarily - Shs. 12/-, so that they may be reduced in number, and that those which were not compulsorily sold would be branded with a Government mark. There was distinct unanimous opposition to such a forced selling and after discussion it was agreed that the baraza should be held at a later date at Machakos, where there would be a larger and more representative gathering.

(b) Accordingly another and a larger baraza was held at Machakos on 10th February 1938. The officials presiding at the baraza again expressed their 'views' viz. that stocks in the district must be considerably reduced and those left must be branded on the forehead.

(c) Akamba alders disagreed with the principle of forced sales but pointed out that there were markets all over the district and that any companies wishing to purchase cattle should do so at those markets at market prices.

(d) The baraza was adjourned to the 2nd March 1938 and the Akambas told the District Commissioner that they had come to the final conclusion that they did not intend to sell their cattle other than in ordinary way, i.e. if and when any one owner wishes to sell to satisfy his needs.

9. It should here be emphasized how stock is regarded by the Akamba. With us cattle represent our wealth and we do not wish to change by force that form of wealth which is bound up with all traditions of the past and is generally a part and parcel of our social system.

10. Money (silver coins and still less paper) has no attraction for these pastoral people, neither can it be kept and the general level of education has not yet created the wants and desires which will make money as such something to be valued for its own sake.

11. We feel that it is to say the least - a strange doctrine which lays down that one should not possess more than a certain number of cattle, or more than a certain amount of money for that in effect is what the order means.

12. We cheerfully pay our taxes and would equally cheerfully pay more each according to his means, if the extra taxation were for our benefit, education and general uplift and the progress of our district, but the policy of compelling even the poorest among us - those who have three cows must sell two and keep one - to contribute to the profits of a wealthy concern, is not understood by us.

13. In these circumstances we sent you the telegram following:

"We representative Wakamba tribe strongly protest stop Kenya Government forced our cattles sold without our consent stop beg no action be taken immediately our petition follows Kenya Government notified."

14. As this memorial is being signed, comes the report that more cattle have been forcibly seized and sold.

We therefore pray that you will issue instructions for the discontinuance of this policy of forcible seizure and sale of our cattle.

We beg to remain

Your humble servants

(Signed)

REC-11015

2 E JUN 1938

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TELEGRAM from the Kikuyu Central Association Kenya to the Secretary of State for the Colonies.

Dated 25th June, 1938. Received 11.20 a.m. 25th June, 1938.

The Kikuyu Central Association representing Kenya Natives vigorously protest against Districter Machakos action continued forced sale of cattle owners most unwilling to sell such sales arbitrary completely disregarding natives rights stock sold shillings eleven to fifteen each normal market price shillings fifty to hundred money realised retained by Districter with six elde sale of further 100000 heads contemplated on sixth proximo owners threatened by soldiers. Owners forced plant there many strongly annoying visits and inspections by officers on private property from such arbitrary methods forthwith be discontinued entire native population indigent. Kenya Government notified

one of the reasons for it is that it permits, as the overgrown city does not, a human standard of density—together with a reasonable standard of accessibility to the workplace, to open spaces, and to the open country. The sprawl of suburbs is the opposite of the garden city conception, which is that of a compactly built town of limited extent, yet large enough to have a strong economic organisation and a diverse and cultured community. If people really wanted to live in the lofty towers which Le Corbusier loves, or the continuous streets which Le Corbusier hates, there is nothing to prevent such dwellings being built in towns of the garden city type. But the fact is that not more than a tiny percentage of people will consent to live either in "streets" or towers if garden houses are available to them.

As to the great city itself, no satisfactory redevelopment of it is possible so long as population and business pour into it and its overall density is increasing. Let us first stop the undesirable growth by diverting industry to the smaller towns and, where necessary to new towns. We can then proceed with our redevelopment on the basis of some decentralisation of existing industry, the lowering of housing density, and the more adequate provision of garden and recreation space. It is a large order and will take a long time, but it can be done if we start with human and business considerations instead of trying to put an aesthetic facade on a type of town growth that is destructive of both.

—13 Suffolk Street, S.W.1.

E. J. OSBORN

(Hon. Secretary, Garden Cities
and Town Planning Association)

A QUESTION FOR WOMEN

SIR,—In your last issue Mrs. Plowman asks the most apposite question that can be asked women to-day: "Have we, as human beings, accepted the necessity of this wholesale slaughter and destruction?" I believe that unless we, as women, are not only to answer with one accord that we have not—and furthermore unless we are prepared to implement our reply by collective action, we might as well cry *derrière* and pack ourselves off to the Turkish Pacific Island we can find, where we can, with our husbands, friends to the accompaniment of our hopes for civilisation. For what do we stand to-day? I listened recently to some intelligent "Left-wing" talk on this vital subject, and retired, sick at heart, at what I had heard to confuse the issue and drown the voice of "our own humanity." I was even told that women are fiercer and more bloodthirsty than men when war actually comes—and memories of old ladies in boarding-houses in 1918 planning just what they would do to the Kaiser jostled the recollection of young women in a Kensington bus whose blood was dripping when they had actually seen the German lads burning to death in the Zeppelin which fell in flames at Pottery's Bar.

This is not the truth. It is a superficial half-truth, the result of the evil hysteria war inevitably produces in us all. The real fundamental difference between the sexes in relation to war is this: women are the creators, laboriously and abjectly of physical life; men, while being mentally creative, are destructive. Let us not be sentimental. It is useless for pacifists to evade this truth; there is a fighting instinct, deep as life itself, in most males, but it is a big "but"—civilisation must face the necessity of finding some reasonable outlet for this natural instinct, without involving us all in mass-murder under the sacred banners of patriotism or the more sordid ones of self-defence.

Women must no longer be stampeded into helping in this atrocious business on the plea that they cannot shelter behind the men who are protecting them. They must act, and act quickly, in that union that is supposed to be impossible to our sex. Here is the acid test; we will stand together for peace in one vast free-masonry. The Communist slogan "Workers of the World Unite" has not yet brought unity to men. Can the women do it—or shall we be shamed for ever before our children, who are wiser and simpler than we are, in their blunt refusal to cry *Havoc*?

14 Buckingham Street,
Adelphi, W.C.2.

PHYLLIS VALLANCE

AN AFRICAN POINT OF VIEW

SIR,—The Wakamba are an African tribe about 400,000 strong, who live in Kenya on the east side of the Athi River. Cattle are still, as they have been for centuries, the Wakamba farmer's currency, the symbol of his standing in the tribe, and the indispensable traditional token in every tribal and domestic ceremony. Since the white man came to Kenya the Wakamba have suffered

from a shortage of land. In old days they used to graze their cattle over a wide area, shifting from one district to another, and making seasonal use of the Yatta plateau, where the best grazing land is now reserved for Europeans. To-day they are crowded into inadequate reserves, like all the other native tribes of Kenya.

When too many cattle are grazed on too small an area the inevitable result is erosion of the soil. Having deprived the Kenya peoples of the best of their land, the Government authorities advise them to cut down their cattle to match. They assert that this is in the best interests of the people themselves, and that it is only short-sightedness and ignorance of the principles of good husbandry which makes cattle-owners object to reducing their stock. The cattle-owners, however, object strongly. They know that before the white man came, they could possess as many cattle as they liked without in any way endangering the tribal welfare.

This May the Government decided to reduce the Wakamba cattle by half. The chiefs refused to co-operate; so the Government organised a forced sale, and 1,485 cattle were sold at an average price of less than £1 per head. Unanimous in their resistance, the Wakamba sent a petition to the Colonial Office, which throws a new light on the Government policy:

Recently (it says) a European firm and company has erected a factory for the canning of beef and other meat products on land adjoining the said Athi River Station. It seems that, as a result, others are being made by the administration to insure a steady supply of cattle for slaughter at that factory.

The said factory induces European-owned farms where cattle are stocked. Whether because there are not enough European-owned cattle to keep the factory going, pressure is being brought to bear on our tribe to dispose of our stock. It is being stated that our reserves are overstocked and such overstocking is the root cause of soil erosion and that is being made the excuse for compelling us to sell our cattle to the company owning the factory at a price being a quarter (or even less) of the ordinary local market price. Ordinary prices vary from 50s. to 100s.

The contract goes on to describe how the District Commissioner advised the Wakamba that their cattle were to be sold at a fixed price of 22s. per head, male and female, and that those which were not immediately sold would be branded with a Government mark. The people refused. Three successive meetings were called to try to persuade them to agree, but the Wakamba spokesmen persisted that their cattle markets all over the district, and that anyone wishing to purchase cattle should do so at those markets at the ordinary market prices.

The forced sale in May is the sequel to this struggle. The prices sum up the Wakamba view:

We feel that it is impossible for the least—a strange doctrine which has done that one should not possess more than a certain number of cattle, or more than a certain amount of money, for that, in effect, is what the order means.

We cheerfully pay our taxes and would equally cheerfully pay more, each according to his means, if the extra taxation were for our better education and general uplift and the progress of our district, but for the policy of compelling even the poorest among us—those who have their own means but yet we keep one—to contribute to the profits of a wealthy concern, it is not understood by us.

Mr. Lionel Curtis, writing on another African question—that of the Protectorates and the Union of South Africa—once made a significant observation:

A British official of long experience in India and the Dominions once said in my hearing that no Government can be trusted to enforce veterinary restrictions on purely veterinary grounds—(*Times*, 13.5.35).

This is worth quoting, as many British readers will feel that no British administration could be guilty of the underhand intentions implied in the Wakamba statement. The Government has certainly incurred the suspicion, to say the least, of using its power to benefit a European firm at the Wakamba people's expense. In a country which lives by cattle-farming, few things could undermine trust in the Government more fundamentally.

The people of England object to Fascism; they are ready to fight to save other democratic countries from coming under the Fascist or Nazi yoke. But if ever they have to fight in earnest they will need the wholehearted support of the colonial peoples themselves. How can they expect that support unless they convince them that British methods are different and that British claims to stand for democracy and freedom are true?

15 Cranleigh Houses,
Cranleigh Street, N.W.1.

JOMO KINYATTA

General Secretary,
The Kikuyu Central Association

June 25, 1938

Ridley raises an interesting question of interpretation. In the Labour Party's able manifesto on the Popular Front, published on May 14th last, the paragraph: "A new situation might arise, of course, if any considerable number of M.P.s now supporting the Government were to rebel against the Prime Minister's authority," was very generally supposed to imply that the Labour Party did not exclude a combination in these circumstances. Otherwise it is difficult to see why it was included.—Ed., N.S. @ N.J.

A TRUCE IN SPAIN?

Str.—In 22 months of civil war in Spain, according to a United Press estimate, the dead, civilian and military, on both sides are counted at about 480,000. Loss of gold reserve and goods destroyed represent a total of 50,000,000 gold pesetas. Moreover, emigration abroad or the dispersion of populations over the Spanish provinces involves more than 400,000 persons, and at least 400,000 are in prison.

A year ago the Cardinal of Toledo spoke of half a million victims, and the Daily Telegraph about the same time put a number of dead at 400,000. Spaniards have spoken to me of a number of dead, but I think they exaggerated. But whether 400,000 million dead, but I think they exaggerated. But whether 400,000 or 500,000 dead, the number remains enormous, and is an index to all the other sufferings and atrocities of the war, which are literally inconceivable.

How many have been wounded? How many wounded have received no attention, or no proper attention? How many families have been ruined? How many suffer from Hunger, Disease?

A strange war it is! At every phase people have believed that Franco was on the eve of final victory, or nearly; and a short while later, the impression returned that the war would go on indefinitely. Thus in 1936: in August at Toledo, in November before Madrid—in 1937: in February at Malaga, in March once more before Madrid (Guadalajara), in June at Bilbao, in July at Santander, in October at Gijon and Oriado—in 1938: in January at Teruel, in April before Barcelona.

Those for Franco say: "A few weeks more, and all will be over. Useless to withdraw troops, useless to speak of mediation. Victory will be ours before Lord Plymouth can obtain agreement on the Non-Intervention Committee before a mediator can try to reach agreement between Burgos and Barcelona."

Those for the Spanish Government say: "No pasaran!" You saw what happened with Madrid. You now see with Barcelona. Against us are Italians, Germans, Moors, Carlists and Falangists. For us are the Spanish people. Six or ten thousand foreign volunteers do not count, compared with the eighty or a hundred thousand foreigners on the other side. And with all that, where is Franco's victory?

In order to dominate the peninsula, after so much bloodshed, Franco will have to recourse to a dictatorship. Those who know what a dictatorship is to-day, what it is in Italy, in Germany, in Austria, will understand that Spain too will become what is to-day known as a totalitarian State.

Hardly had Franco set foot in Catalonia than he hastened to have a Government decree passed abolishing the Catalan Regional Statute, just as he had done that for the Statute of the Basques. Does anyone doubt that Basques and Catalans will seek to get their own back at the first possible moment? And therefore Franco will set Basques and Catalans on the same level as Hitler in Austria sets Jews and Catholics.

President Negrin in his declaration of May 22nd laid down the conditions of a future Republican Spain: "A national plebiscite with the fullest guarantees of freedom; all civil and social rights for all citizens with freedom of conscience and religion; regional liberties to come into effect undiminished; guarantee of the right of property; agrarian reform and a complete amnesty for all Spaniards who are willing to co-operate in the reconstruction of the country."

Without wishing to doubt Senior Negrin's word, it must be remembered that not all promises made in time of war are kept in time of peace. We cannot believe that generals, clergy and rich landowners would go unscathed.

At the point we have reached, the civil war continues and will continue till exhaustion, not because of any moral or political advantage Spain may win from it, but because the two conflicting parties and their leaders for the victory of the other side and their own defence, which would mean their personal and political annihilation.

The only solution is the third hypothesis: a peace of conciliation, through the mediation of the Powers.

To wait for preliminary consent or the expression of a wish for mediation from the combatants would be absurd. The combatant must believe in victory, or at least in the usefulness of his sacrifice, up to the last moment and up to his last cartridge.

It must be for the Powers to prepare for mediation. The step taken by the British Government (if it is true) to enlist Italian co-operation would mark a beginning. Mussolini is sick of Spain, which costs him men and money. He would like a Franco victory, immediate and final, and he is now blaming France for its delay in coming; but France has her own interests to safeguard on the Pyrenees and in the Mediterranean.

Would not a peace by conciliation, which would avoid Bolsheviks in Barcelona and Germans in Bilbao, be useful to both France and Italy? And would it not be the ideal for Spain?

It would be foolish to hide the many difficulties in the way of such a solution, but after a year of useless endeavours to obtain the withdrawal of the volunteers, the time has come to try mediation, now that the idea of a speedy victory has already faded.

Psychologically and politically, the air would be cleared. And this would be a great advantage for the future of Spain and of Europe. The moment has come when public opinion of every country should demand that this useless slaughter should cease.

32 Chepstow Villas,
London, W.11.

LUIGI STURZO

TOWN-PLANNING

Str.—The first half of Mr. C. Tunnard's letter is one of the best short statements of the reason behind the "house and garden" policy that I have seen anywhere. It aims to tie a conclusive answer to those who think that satisfactory dwellings can be provided for normal families in tenements or closely packed rows of houses at 30 or 40 to the acre—a thing that all who have practical experience of housing know to be completely impossible. To get your 30 or 40 you have to sacrifice one or more of the fundamentals; either you cut down the garden and the distance between houses and their windows, or you push some of the people up into the air and cut-off the babies and the old people from easy access to the ground and destroy the intimate association between the house and private garden which is the essence of the family dwelling.

It is interesting that in the second half of his letter Mr. Tunnard depicts his own unanswerable demonstration for the all too familiar architectural wish-fulfilment. Surely the right planning of cities must be built up on the maximum satisfaction of the human need of citizens, including in these the requirements of the economic and social organization characteristic of modern life. To reconcile in the best way this complex of needs on the territorial plane is the task of town planning. Many theories of planning are vitiated by emphasis on one group of desiderata to the exclusion of others which are equally if not more fundamental. It is clear from the actions of those who are in a position to choose their dwellings, not only in this country but in others, that the vast majority of family people seek the house and garden. They only accept the tenement or flat, with or without the allotment, where the house and garden is not available or imposes on some members of the family a less and expensive journey. I happen to think that this general desire is a good one, and that it is bound up with considerations of the utmost importance to civilisation. Even if this were not so, town planning must meet a demand so definite and insistent—it should not impose upstairs dwellings or communal gardens on a public that wants neither.

Great cities, by their structure, develop patches of high pressure and intense localisation of business, from which all the phenomena of traffic congestion and excessive density arise. No rearrangement which leaves them still as single organic entities would theoretically phenomena. Heroic dictatorial planning could town units, but convert one large city into a group of contiguous town units, but what would be the advantage of this over an equivalent number of towns separated by belts of open country? When planning of towns separated by belts of open country is more likely to be the can think in terms of centuries the latter is more likely to be the acceptable ideal. The garden city movement is concerned with the more proximate object of putting an inviolable ring of open country around any city that is already too large, of stopping new industries and population from flowing into it, and of constructively providing for future development in towns of reasonable size and designed to meet in the best way the whole complex of modern requirements.

Thus the garden city idea is not, as it is so often misrepresented to be, just a specification of so many houses to the acre. Yet

11th June, 1938.

Dear Paskin,

vo. 2 m
S. J. J. J.

In a Supplementary Question addressed to the Secretary of State on the 1st June Mr. Lunn asked whether he agreed that the Kamba tribe should be compelled to sell their cattle at a fixed price to a private company without having any opportunity of negotiation. The Secretary of State is reported as replying that the whole matter had been discussed with the tribe in question and that he understood that the arrangement which had been reached was working satisfactorily.

(26)

As other opportunities may occur of correcting the impression that anybody is being compelled to sell to Liebig, it may be useful to you to have some further information supplementing that given in the Governor's despatch No. 288 of the 19th May.

(14)

Liebig's factory has been shut down for the last month for the reason that the Company has been unable to buy cattle at the auctions at the prices it is prepared to pay. We have been particularly careful to avoid compelling any person to sell cattle to the factory, and not a single person has been so compelled.

All/

J.H. Paskin, Esq., M.C.,
Colonial Office,
LONDON, S.W. 1.

All the surplus cattle coming off Machakos are being sold by public auction. At the last sale held on the 8th June some 1500 head were sold at an average price of Sh.25/-, and I am told that Liebigs did not buy one. This is all very pleasing to the Akamba and there should be no difficulty now in putting up to 6000 head a month through these auctions. Whether or not Liebigs will be able to buy any will depend in the first instance on whether prices drop (as they must in time) and secondly, so long as prices are maintained, on whether the Company will be willing to pay a bit more.

It is not out of the question that some Government action to supply cattle to the factory direct and not through open auctions may have to be taken. It is being strongly pressed for in some quarters now. But there are obviously serious dangers in any such method, which can so easily be misconstrued.

Yours sincerely,

McLainey

16
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GOVERNMENT HOUSE,
NAIROBI,
KENYA.

19th May, 1938.

13
Dear Parkinson,

In your letter of the 9th May you sent me copies of correspondence with Mr. Creech Jones about the telegrams which he has received from members of the Kamba tribe.

2. The senders of the telegrams, including that addressed to the Secretary of State on the 3rd May, are apparently the signatories of the petition which is being forwarded with a full official despatch by this mail.

There is no truth in their assertion that cattle are being shot. The 47 askaris are presumably Tribal Police, incidentally of the Kamba tribe, who accompany officers carrying out the scheme.

3. I think that my despatch will show you that every possible effort has been and is being made, not without success, to secure the co-operation of the natives in these measures and to avoid hardship.

Yours sincerely,

Burke Jephson

MAJOR SIR A. C. G. PARKINSON, F.C.M.G., C.B.E.,
COLONIAL OFFICE,
DOWNING STREET, S.W.1.
LONDON.

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AIR MAIL

KENYA
No. 288



GOVERNMENT HOUSE
NAIROBI
KENYA

dupl. + 3rd. and in orig
regd on
Sir, 38184/3/38

19 May 1938.

I have the honour to transmit to you, for your consideration, a petition addressed to you by three members of the Kamba tribe. The petitioners are natives of the trading class, of the Iveti location of the Machakos district, and hold no influential position such as that of chief or headman. They seek your intervention to stop the measures being carried out by the Government for the reduction of numbers of cattle in the Machakos district.

2. Soil erosion in the Ukamba Reserve has in recent years increased with such rapidity that it became imperative in 1937 to take action to check the process of destruction, if the inhabitants of the Reserve were to be saved from starvation. The Colonial Development Advisory Committee were informed in the memorandum a copy of which accompanied your despatch No. 1072 of the 7th December that the Secretary of State was satisfied as to the seriousness and urgency of the problem and as to the care and thought which were being devoted to it in Kenya, and a free grant of £10,000 and a loan of £24,000 from the Colonial Development Fund were sanctioned for the reclamation of a portion of the Machakos Native Reserve and the reconditioning of the remainder by measures of a simpler character. I take this opportunity of enclosing for your information copies of the estimates of expenditure from this grant and loan for the year

1938.

15 on 38184/3/37
Cpy 40 made to
Kamp. 39 on 38184

THE RIGHT HONOURABLE
MALCOLM MACDONALD, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES

1938, from which it will be seen that the project has been divided into three schemes:-

Scheme A. Reclamation and Protection of Matungulu and Kangundu locations.

Scheme B.(1).Destocking, control of Yatta Plains grazing area and miscellaneous.

Scheme B.(2).Reconditioning and protection of locations other than Matungulu and Kangundu.

The ideal that we have before us is to restore the Ukamba Reserve to such a condition of fertility that it shall be able to carry safely the same number of cattle that to-day form nothing but an agent of destruction.

3. Schemes A and B(2) are both in progress, but administrative effort has so far been concentrated mainly on Scheme B(1), the reduction and limitation of numbers of cattle. This is the most difficult feature of the soil conservation problem in this overstocked native area, but it is unquestionably right that it should be directly tackled at the outset. No expenditure of money on protecting the land will be of value, unless the stock using the land can be related in numbers to its carrying capacity. Carrying capacity can of course be increased by various methods, but the removal of surplus stock is an essential preliminary to the establishment of conditions favourable to natural recovery. Mere removal of the surplus is not of course the solution, unless it is accompanied by the inculcation of methods of grazing control, by agricultural education and by building up a soil-consciousness in the native stockowner, but it is an indispensable part of the solution.

4. It is the most difficult feature of the problem for several reasons. First, although in other countries, particularly the Union of South Africa and Basutoland, overstocking has been repeatedly and authoritatively

real attack on overstocking by way of compulsory reduction and permanent limitation of numbers has ever, so far as I am aware, been attempted. The substitution of improved types coupled with castration of inferior stock is not a permanent remedy for overstocking. The technique of control of numbers in relation to carrying capacity has had, therefore, to be worked out and fitted as far as possible into the tribal organization of grazing units and family ownership of stock.

Secondly, in one sense cattle are money, but they are also more than 'pecunia'. On the number of native owns may depend his credit in the tribe (as when a Masai observes that his herd throws up a greater cloud of dust than his neighbour's), and they play of course important parts in the ceremonial and social life of their owners. Compulsory limitation has therefore to be undertaken with the greatest care to obtain native co-operation at each step, since the effects of such interference are easily misjudged. It must be justified to the native on the ground of saving his land, the alternative being to have no land at all.

5. Sir Daniel Hall, speaking to the Royal Institution of Great Britain on the 12th November, 1937, regarding various other anti-erosion measures, said:-

"Such measures, however, do not touch the major cause of erosion - overstocking. These legislative action is necessary to compel a reduction in the head of stock. The native chiefs giving evidence before me on the Kenya Agricultural Commission agreed that Government regulations to this effect would be carried out but that without an Ordinance the chiefs themselves would be unable to enforce restriction. However, the drastic culling that is called for must be done by way of purchase, and since the animals which would first be drafted are practically valueless for food, one or more meat factories would be required...."

Again Mr. E.P. Stebbing, on page 10 of a pamphlet "The
Man-made

Man-made Desert in Africa", issued as a supplement to the Journal of the Royal African Society for January, 1938,

writes:-

"In 1937 Mrs. Huxley in alluding to this area, (the Ukamba Reserve) said "the cattle population was estimated at 250,000, and the present capacity of the land on which they exist has been put at 20,000. The result is that the pastures have been trampled and over-grazed to such an extent that grass has been killed, bare land exposed to the elements, and erosion in its acutest and most rapid form has set in".

6. The necessary legal powers were provided by the Crop Production and Livestock Rules, 1937 (Government Notice No.950 of the 14th December, 1937) which prescribe the maximum number of cattle which may be kept in each of the locations of the Machakos district. The quotas prescribed in these Rules are arbitrary to the extent that they could not have been based at the time on any accurate surveys of the carrying capacity of available grazing (such surveys are now being carried out) and represent in total a number less than the half of the cattle then in the district. Rule 10 has since been amended by Government Notice No.82 of 1938 to read:-

"Any cattle which have been confiscated in consequence of a conviction for a breach of these Rules shall be disposed of in such manner as the Governor may from time to time direct, and if sold the proceeds, less any fees incurred in the sale thereof shall be paid to the person so convicted".

No direction has yet been made under this Rule.

7. During the months of January - March many meetings were held with the Machakos native authorities and with the people themselves. Some of these meetings were attended by the Chief Native Commissioner and the members of Legislative Council representing native interests, but the natives adopted a non-possimus attitude and there were few who were prepared publicly to support the Government in its advocacy of such an unpopular measure. It was, however, no new policy

since as far back as 1910 the natives of this district were being warned by their administrative officers of the dangers of overstocking. For the past three years an intensive campaign has been carried out with the object of instructing the natives in the means of combating soil erosion and of warning them of the dangers of overstocking, and I had myself personally at Fachakos in July, 1937 warned the headmen and people that a large reduction in the number of their cattle would be necessary and that the Government intended to enforce this reduction.

8. One of the reasons for the natives' opposition -- a reason which appears in the petition -- was that they suspected that the Government was influenced by a desire to obtain supplies of cattle for Liebig's factory at Athi River. It is true that without a market of the kind provided by the factory, culling of cattle or a reduction of numbers on a large scale would have been virtually impossible. It was a matter for some anxiety that the factory, which started operations at the end of January, experienced and is still experiencing great difficulty in securing adequate supplies of cattle for prices which, while fair in relation to overseas prices and the prices paid by the Company in Southern Rhodesia, are nevertheless only from one-half to three-quarters of the prices obtainable in the local market. At the same time there was considerable pressure from European stockowners in favour of compelling direct supplies from the natives to the factory, on the grounds that free auction sales would ruin the local market for the European stockbreeder and that failure of the factory through lack of supplies would be disastrous. I enclose a copy of a memorandum written by Mr. G. Colville, a

9. The Government's policy regarding supplies to Liebig's factory is set out in paragraph 13 of Secretariat Circular No. 23 of the 20th December, 1937, which reads as follows:-

"The recognition of the real value of cattle in the economic life of the Colony is an important step forward from the earlier standpoint (necessitated by the absence of markets) from which disease control and the establishment of native dairies and hide-drying sheds, coupled with the reduction of numbers, were regarded as the sometimes in consonant objects of Government policy. It is, however, a step which has yet to be taken by the large majority of native stockowners, to whom cattle represent the end regardless of the means."

The native cattle industry has long been in need of a stable and unrestricted market for beef cattle. Such a market is now provided by the meat extract factory erected by Liebig's (Kenya) Limited at Athi River. The factory opens at a time when cattle prices have risen. If these prices are generally maintained, it will be impossible for the factory to obtain supplies by voluntary purchase. The Government is under no legal obligation to the Company in this matter of supplies, but it is obvious that in the general interests of the Colony all possible steps should be taken to facilitate the Company's buying operations and to avoid the possibility of failure of the factory. No compulsion is to be exercised to bring supplies of cattle on to the market except through the medium of public auction sales of cattle to be removed from controlled areas under the provisions of the Crop Production and Live Stock Rules, and then only with full opportunity given to other possible purchasers to bid. It is the Government's policy to see that such auctions are held and developed, so that cattle to be disposed of under the rules can be sold quickly and so that the price level can be reduced to the equilibrium at which full advantage can be taken of the opportunity afforded by the meat extract factory, for which prices are fixed not by the local but by the export market."

10. Apart from the obvious objections to any Government action to compel any person to sell a part of his possessions to any particular buyer (particularly when the buyer is a commercial firm operating for profit), it was at least a reasonable view on the part of the natives that, if they were compelled to dispose of their surplus by sale, they should be permitted to sell them,

that would secure for them the best possible price. They attached great importance to the open auction method not only as likely to give them the best prices but also as evidence of the Government's good faith. In spite of the objections of other suppliers of the local slaughter market, I consider that in the case of cattle brought in voluntarily by their owners any other procedure than that of open auctions would have been publicly indefensible and seriously misunderstood in some quarters, although logically there were some good arguments in favour of it.

This principle of open auctions, however, would not necessarily apply to cattle confiscated under the condition indicated in paragraph 6 above.

11. The situation as regards supplies to the factory has temporarily been relieved by the voluntary action of the Masai in agreeing to provide 7,000 head of cattle, the proceeds to be devoted to the construction of water supplies for the development of their Reserve. This is an ideal arrangement since it relieves the native of the problem of disposing of cash proceeds, which he is tempted to spend on purchasing more stock, or on women or beer. It is an arrangement, however, which cannot yet be applied to the Machakos Reserve, where it is prepared to extend, from July next, Post Office Savings Bank facilities to assist the natives to invest money received both for surplus stock and for labour on the Colonial Development Fund schemes.

12. In March the situation in Machakos was that the natives had refused their co-operation in carrying out any policy of reduction of the cattle population, and the Government was faced with the alternatives of carrying it out itself or doing nothing. They no doubt expected that the Government would do nothing. It was,

however, made clear to them by action in the Iatungulu location that the Government intended to enforce its policy. This action consisted of nothing more than judicious warnings of prosecution under the Crop Production and Livestock Rules, 1937 and by a close survey of available grazing land in the location, coupled with many days of consultation with the headmen, elders and individual stockowners.

The purpose of these surveys is first of all to determine the present carrying capacity, in order that a quota of cattle can be allotted to each 'utui' or parish. The allocation of this 'utui' quota between individuals is then largely a matter for the natives themselves, who are at the same time shown how by their own efforts they can improve the grazing and thus increase the quota allotted. Rule 5 of the Crop Production and Livestock Rules, 1937 provides for the keeping of a register or 'Domesday Book' by the District Commissioner, so that a permanent record will be kept of the permitted number of cattle of each owner. In assessing 'utui' quotas of cattle the numbers of small stock on the land have to be taken into account, but it is not yet practicable to include sheep and goats directly in any quota system. The process of adjustment is thus being carried out in both directions, and not by any haphazard or arbitrary method of mere reduction of numbers.

By the end of April passive resistance throughout the district had been overcome, and the first auction sale, of 1484 cattle from the Iveti location (the petitioners' home), was held at Iachakos on the 9th May. These cattle were nearly all scrub and inferior animals, and fetched an over-all average price of Sh.21/- each. 300 head were bought by Liebig at the auction.

13. No force was employed to bring the cattle to the sale. In fact some cattle which escaped from the auction herd some time before the sale were returned voluntarily by their owners. The cattle sold represented a contribution from the location of generally one head per family, and in some cases two where the owner possessed considerable numbers. In the District Commissioner's view the operation caused no hardship whatsoever. He reports that no difficulty was encountered and no complaint was received.

14. It would, however, be surprising if this policy, which must necessarily be unpleasant medicine at the beginning, could be enforced without any complaints and petitions. There can be only one answer to the question whether the aim of reducing numbers of cattle to conform to carrying capacity is correct. You will, however, desire to be satisfied, before replying to the present petition, as to the methods being adopted to achieve this aim. For this purpose I propose to deal with the paragraphs of the petition serially:-

Paragraphs 2 - 6. The implication of these paragraphs is that the Government's motive is to supply Liebig's factory with cattle. By no action whatever has the Government given cause for this assumption, which confuses the means with the end. The Government has welcomed the factory as a means of disposing of surplus cattle, but the end is to save and conserve the land. Only a fifth of the numbers sold at the first auction were bought by the Company. It has been brought home to the majority of the people that if the object had been merely to supply cattle to the factory this could have been achieved (in much the same way as cattle were requisitioned in the Great War) without the elaborate surveys of carrying capacity, grazing control, and

water supply and fodder crop development which accompany the destocking process.

The view taken in these paragraphs is, in short, a snake that has been scotched, but evidently not completely killed.

Paragraph 7. It is stated in this paragraph that the prices being paid by Liebig's are a quarter or less than a quarter of the local market price. Liebig's are paying Sh.5/- per 100 lbs live weight for first grade, or Sh.25/- for a 500 lb. beast. The highest price realised for a beast at the Machakos auction on the 9th May was Sh.38/-. Liebig's prices are about one half to three quarters of the local market prices, which are likely to drop, whereas Liebig's prices will remain constant.

Paragraph 8.

(a) No arbitrary price has ever been fixed or suggested.

(b) Cattle are now being branded on the cheek.

Paragraph 9. Cattle are wealth, but not without the land.

Paragraph 10. There is more in this paragraph than perhaps even the petitioners themselves suppose. What is being done is to substitute wealth in land for wealth in cattle, or at least to bring the two into a proper relation. But the native will not understand this until he sees results.

Paragraph 11. The doctrine that "one should not possess more than a certain number of cattle" is not in the least a strange one. It is acknowledged by any stock-owner in the world who values his land and tries to manage it properly.

Paragraph 12. There is no truth in the allegation that the policy is one of compelling the poor to get rid of two cattle out of his three. In fact the policy is

to leave untouched any herd of less than five. The process of reduction of numbers can best and most equitably be carried out by the native authorities themselves, but the administrative officers concerned are fully alive to the possibilities of hardship being caused in individual cases where the owner is either absent or for some reason easily victimised. Moreover, the aim is in the first instance to reduce total numbers not by two thirds, but by one third (i.e. by 100,000 head out of a total of 300,000).

misrepresentation of the Government's motive appears again in this paragraph.

15. I take this opportunity of submitting for your information a note of a visit recently undertaken by three officers of this Government to the Union of South Africa and Basutoland. In this note comparisons are drawn between the needs of soil conservation in this Colony and the measures so far carried out in South Africa. Paragraphs 17 - 22, 37 and 48 of this note deal with the overstocking problem in native areas.

16. I trust that in answering this petition you will feel able to reply, in no uncertain terms, to the effect that it shows not only a complete disregard of facts but also ingratitude for the work that the Government, with assistance from the Colonial Development Fund, is doing to help the Machakos Akamba.

I have the honour to be,
Sir,
Your most obedient,
humble servant,

R Brooke-Popham

AIR CHIEF MAGISTRAL
GOVERNOR.

P.O.Box 59,
NAIROBI.
(KENYA COLONY)

To,
The Right Honourable
H.M. Principal Secretary of State,
for the Colonies.

Whitehall,
LONDON.

through
H.E. the Governor and Commander-in-Chief
of the Kenya Colony and Protectorate of Kenya,
NAIROBI.

Right Honourable Sir,

As the undersigned, members of the Kikamba
tribe in Kenya Colony, beg leave most humbly and
respectfully to petition in the following matter:-

2. We are a pastoral and agricultural community
occupying as our reserve the lands near Athi River Station
on the Kenya and Uganda Railway - a station some 15 miles
from Nairobi.

3. Recently a European firm and Company has
erected a factory for the canning of beef and other meat
products, on lands adjoining the said Athi River Station.

4. It seems that, as a result efforts are being
made by the administration to ensure a steady supply of
cattle for slaughter at that factory.

5. The said factory adjoins European owned farms
where cattle are stocked.

6. Whether, because there are no or not enough
European owned cattle to keep the factory going, pressure
is being brought to bear on our tribe to dispose of our
stock.

7. It is being stated that our reserve is over-
stocked and such overstocking is the next cause of

for compelling us to sell our cattle to the company owning the factory at a price being 1/4th or 1/5th (or even less) of the ordinary local market price. Ordinary prices vary from Shs.50/- to Shs.100/-.

8. We beg to instance a typical example of the methods employed:

- (a) At a place called Matungulu in the Machakos district a baraza was held by the District Commissioner and the Akamba were told outright at that baraza that the Government had decided that the Akamba cattle (both male and female) would be sold by force at a price fixed arbitrarily at Shs.12/-, so that they may be reduced in number, and that those which were not compulsorily sold would be branded with a Government mark. There was distinct unanimous opposition to such a forced selling and after discussion it was agreed that the baraza should be held at a later date at Machakos, where there would be a larger and more representative gathering.
- (b) Accordingly another and a larger baraza was held at Machakos on 10th February, 1933. The officials presiding at the barazas again expressed their 'view' viz. that stocks in the district must be considerably reduced and those left must be branded on the forehead.
- (c) Akamba elders disagreed with the principle of forced sales but pointed out that there were markets all over the district and that any companies wishing to purchase cattle should do so at those markets at market prices.
- (d) The baraza was adjourned to the 2nd March and the Akamba told the District Commissioner that they had come to the final conclusion that they did not intend to sell their cattle other than in the ordinary

9. It should here be emphasized how stock is regarded by the Akamba. With us cattle represent our wealth and we do not wish to change by force that form of wealth which is bound up with all traditions of the past and is generally a part and parcel of our social system.

10. Money (silver coins and still less paper) has no attraction for these pastoral people, neither can it be kept and the general level of education has not yet created the wants and desires which will make money as such something to be valued for its own sake.

11. We feel that it is - to say the least - a strange doctrine which lays down that one should not possess more than a certain number of cattle, or more than a certain amount of money, for that in effect is what the order means.

12. We cheerfully pay our taxes and would equally cheerfully pay more each according to his means, if the extra taxation were for our benefit, education and general uplift and the progress of our district, but the policy of compelling even the poorest among us - those who have three cows must sell two and keep one - to contribute to the profits of a wealthy concern is not understood by us.

13. In these circumstances we sent you the telegram following:

"we representative Akamba tribe strongly.

"protest stop Kenya government forced our cattle

"sold without our consent - stop beg no action

"be taken our petition follows Kenya Government

"notified."

14. As this memorial is being signed, comes the report that more cattle have been forcibly seized and

We therefore pray that you will issue instructions for the discontinuance of this policy of forcible seizure and sale of our cattle.

We beg to remain,

Your humble servants,

Isaac Mualony
Elyah Karulu
Samueli Mualony

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PROGRAMME OF SOIL CONSERVATION AND
LIMITATION OF CATTLE IN THE MACHAKOS
NATIVE RESERVE TO BE FINANCED FROM
THE COLONIAL DEVELOPMENT FUND

APPROVED ESTIMATES OF EXPENDITURE, 1938.

SCHEME "A". MATUNGULU. - KANFUNDU.

1. Area Supervisor	400	
2. Asst. Area Supervisor	240	
3. Native supervisors and skilled labour	660	
4. Terracing staff	110	
5. Native Labour	960	
6. Oil for tractor, spares, stores and materials	875	
7. Transport and lorry maintenance	350	
8. Clerical staff.	100	3646

EXTRAORDINARY:

9. Tractor terracing outfit	1095	
10. Equipment, tools and oxen	780	
11. Plant (graders, ploughs, etc)	373	
12. Labour Camps, etc.	163	
13. Lorry	250	2608

26304

MISCELLANEOUS

DESTOCKING

1. Supervisor (Destocking)	£	360
2. Asst. Supervisor (Destocking)	£	360
3. Scouts		225
4. Uniforms		17

YATTA

5. Yatta Guards		54
6. Uniforms		7

MISCELLANEOUS

7. Clerical staff office boy		170
8. Fifty additional Tribal Police		600
9. Tribal Police equipment		100
10. Maintenance of Makueni cleared area	£	50
		<u>1863</u>

EXTRAORDINARY

11. Office & equipment and rest quarters	£	750
12. Camp equipment, brushes, brands, carts, oxen, etc.		392
13. Tribal Police lines		100
14. Contribution to Savings Bank Scheme	£	300
		<u>1542</u>

£3425

SCHEME B(2). SOIL CONSERVATION (OUTSIDE
MATUNGULU - KANGUNDU)

	£	£
1. Two Area Supervisors	720	
2. Native Supervisors & skilled labour	676	
3. Native labour	1630	
4. Stores, materials, instruments and tools	875	
5. Transport and lorry maintenance	360	
6. Clerical staff	60	4261

EXTRAORDINARY

7. Carts and oxen	355	
8. Plant (graders, ploughs, etc)	500	
9. Labour camps and camp equipment	390	
10. Lorry	250	1495
		<u>3595</u>

SUMMARY OF 1939 ESTIMATES

	<u>Recurrent.</u>	<u>Extraordinary.</u>	<u>Total</u>
Scheme A.	£3896	£2608	£6504
Scheme B(1)	1883	1542	3425
Scheme B(2)	4261	1495	5756
	<u>£9840</u>	<u>£5645</u>	<u>£15485</u>

Ndabibi,

GILGIL,

22nd January, 1938.

To His Excellency Sir Robert Brooke-Popham, K.C.M.G.,
Government House,
NAIROBI

Your Excellency,

I have the honour to draw your attention to the injustice of the measures which I understand Government is taking to obtain cattle for Messrs. Liebigs' meat works.

I understand that the Government scheme is to commandeer from the natives cattle in excess of the so-called auction sales. I say "so-called" advisedly as it is proposed to only allow a portion (or quota) of the cattle sold to be moved out of the Reserve. In other words, that portion will be the only cattle for which free bidding will take place; the remainder will, I assume, be bought by Messrs. Liebigs, who will naturally buy them as cheaply as they can, their only likely competitors being small native butchers within the Reserve. If the quota which may be moved out of the Reserve is kept to a proximately the same number as is required for consumption in Nairobi, it may be assumed that today's ruling price will be reached and this is about 2 to 2½ times as high as Messrs. Liebigs' world price. The injustice I mention above would then fall upon those natives whose cattle went to Messrs. Liebigs at the latter portion of the so-called auction. If, on the other hand, the quota be unduly enlarged or abolished, the local market (Nairobi) would be flooded and prices would drop to Messrs. Liebigs' price and to a lower price for what would be left over after Messrs. Liebigs had obtained their requirements.

I would like to point out that if Government

100 pounds live-weight as a basis, and instead insists on the cattle being sold by auction, Messrs. Liebigs would be relieved of their original undertaking to buy at a fair world price and would be at liberty to buy as cheaply as they could.

I can see no justification for Government destroying the native's voluntary market by flooding it with commandeered cattle, to the sole benefit of the cattle-dealers and butchers outside the reserve; on the contrary, I believe it is the bounden duty of Government who have accepted the onus of compulsory reduction of stock in overstocked areas for the benefit of the natives' land and stock, to see that they obtain a fair price. This should not be lower than the market price for cattle of that grade. At the moment the local price happens (temporarily) to be high but it must be remembered that a short time ago it was much lower than what Messrs. Liebigs now offer and a flooded market would quickly bring about the same state of affairs. I consider, therefore, that it would be gambling with the natives' wealth by refusing to accept Messrs. Liebigs' offer which would be a safe, steady and constant outlet.

It will be seen from the above that under the present proposals the natives cannot possibly get more for the 30,000 head required to keep Messrs. Liebigs' running than Shs.4 per 100 pounds but may, very likely, get much less. I put it to your Excellency, with the greatest possible emphasis, that the only reasonable and fair way is to supply Messrs. Liebigs' minimum requirements from the overstocked areas and to sell the cattle by weight at export price; any natives who, in addition to selling their quota to Messrs. Liebigs, wish to sell voluntarily some of their better quality cattle on the local market, will be able to do so.

It is impossible in a letter to put forward

the arguments such as communal ownership of land; the natives attitude towards cattle and money, etc., all of which make it just as imposable to carry out a reduction of the natives' wealth (cattle) by voluntary means for the good of the community as it would be for the government of a civilized community to collect taxes by voluntary contributions.

Thirty years experience of the mentality and experience in the requirements of the pastoral natives of Kenya make me feel so strongly the necessity of putting this issue on a firm and just basis that I take the liberty of requesting your Excellency to forward this letter containing my views to the Secretary of State for the Colonies.

I beg to remain,

Your Excellency's obedient servant,
(s'd) Gilbert Colvile.

Mr. Pasquin. 5/5/38.

Mr. F. Stouffer 7/5

Amnd. 15/1/38

Mr.

Sir H. Moore.

Sir G. Tomlinson

X Sir C. Holtomley. 9/5

Sir J. Shuckburgh

→ Permt. U.S. of S.

Party U.S. of S.

Secretary of State

S.O. for Mr. Pasquin's signature.

DOWNING STREET.

9 May, 1938.

DRAFT.

Chief
Mr. Marshall

S. Robert Brooke-Popham

~~SIR ARNOLD WADE, C.M.G., O.B.E.~~

CCVO Kes de

Dear Brooke-Popham,

~~Dear Sir,~~

~~Tel. of the 3rd May~~
(9)

~~Fr. Creech Jones 7th March~~
(4)

~~To Creech Jones 1st April~~
(7)

~~Fr. Creech Jones 3rd May~~
(10)

~~To Creech Jones - dit. herewith~~

In his letter of the

(6) 10th of March to ~~Sir Robert~~

~~Brooke-Popham~~ the Secretary of

State mentioned that he had had a

telegram from the Wakamba tribe

protesting against the compulsory

culling of their cattle and

foreshadowing a petition to the

Secretary of State. ~~THE~~

Secretary of State has now received

Another telegram, of which I enclose

a copy, *has now been received*

As usual in these

FURTHER ACTION.

matters, the Wakamba repeated their
telegrams to Mr. Creech Jones with whom

~~Mr. Ormsby Gore~~
the Secretary of State has had

correspondence, of which I enclose

copies. ~~I have been asked to say that~~

~~Mr. Ormsby Gore~~
~~the Secretary of State would be grateful~~

^{your}
if he could receive the ~~Governor's~~ comments

on the Wakamba petition as soon as may be

convenient, but ~~I am to add~~ ^{you} (as will be

~~seen~~ ^{his} from ~~Mr. Ormsby Gore's~~ letter to

Mr. Creech Jones of the 1st of April) that

the Government of Kenya may be assured of

his support in the measures which it has

been necessary to take, provided that every

reasonable effort has been made to explain

the necessities of the case to the natives

concerned and to ensure that no ^{avoidable} ~~unnecessary~~

hardships are inflicted on them.

Yours sincerely,

A. C. Parlane

(7)

May 3, 1938

Dear Mr. Mombasa Fore

I have received another telegram from Kenya as follows:

"Following our petition of 30th April we Wataamba tribe strongly protest against the Kenya Government for sending 47 askaris and one European with anti-aircraft guns, collecting over 500 and shooting unsalutably cattle in Ukamba country. Discontinuation of this policy urged."

I shall be glad if you will kindly ascertain the facts in this matter, whether some amelioration can be obtained, whether if the reasons for the Government policy are sound, the people concerned have been informed of them & understood them and whether some steps can be taken locally to remove the suspicion and anxiety of these native people. Thank you for your previous reply on the problem of stocks of cattle.

Thanking you,
Yours faithfully,
A. B. Casson

Hand R
Copy to Mr. Mombasa Fore (B)

CABLE AND WIRELESS

LIMITED



106/08T/38/KE

CABLE ROUTES
WIRELESS ROUTES

Circuit.	Clerk's Name.	Time Received	A. 1938 MAY 3 AM 10 50 1689
K29 NAIROBI	59	3 1125	

Copy to Brooke-Johnson

LC SECRETARY OF STATE COLONIAL OFFICE LONDON

FOLLOWING OUR TELEGRAM OF FIRST MARCH AND PETITION OF 30TH APRIL 1938 AAA WE WAKAMBA TRIBE STRONGLY PROTEST KENYA GOVERNMENT SENT 47 ASKARIS AND ONE EUROPEAN SMITH WITH FIREARMS COLLECTING OVER 500 AND SHOOTING UNHEALTHY CATTLE IN UKAMBA COUNTRY AAA WE PRAY YOUR INSTRUCTIONS TO DISCONTINUANCE THIS POLICY AAA KENYA GOVERNMENT NOTIFIED +

1938 47 500

From
A. CREECH JONES, M.P.

305 has been
12 12
TRANSPORT HOUSE,
SMITH SQUARE,
LONDON, S.W.1.

Phone: VIC. 6611.

11th April, 1938.

AJ/IMS.

13 APR 1938

Rt. Hon. Ormsby Gore, M.P.,
Colonial Office,
Downing Street,
S.W.1.

Dear Mr. Ormsby Gore,

Thank you for your letter of 1st April on the subject of the cattle of the Wakamba tribe. I fully realise the problems of soil erosion which compel the Government to take suitable action in the best interests of the people themselves and the colony. I am glad however to have your views on the matter and I will bring them to the notice of the people concerned.

Yours sincerely,

A. C. Jones

G. O.

Mr. Paskin. 29/3.

Mr. Dawe. 30.3

Mr.

Sir H. Moore.

Sir G. Tomlinson.

X Sir C. Bottomley. 31.3

Sir J. Shuckburgh.

Permt. U.S. of S. 31.3.28

Parly. U.S. of S.

Secretary of State. 31.3.29

For signature by the Secretary of State

DOWNING STREET.

1st April

1938.

DRAFT.

A. CREECH JONES, ESQ., M.P.

Dear Mr. Jones

Copy to Brooke-Boppan (B)

I too have received a telegram from the representatives of the Wakamba tribe in the same terms as that quoted in your letter of the 7th March. The petition to which they refer has not yet arrived, but it will, no doubt, soon be forwarded to me from the Governor of Kenya.

in the proper way through my

I shall, of course, go into the petition carefully when it comes and if there is any just grievance I shall try to relieve it.

The trouble is, of course, the Kenya Government's campaign to

FURTHER ACTION.

deal with the problem of soil erosion which has become such a ^{very} serious menace in the Colony, especially in the Kamba Reserve. I have no doubt that you are familiar with this ^{grave} ~~difficult~~ problem. Special attention was drawn to it in ~~1928~~ in the Report of the East Africa Commission ^{of which I was Chairman,} in 1929 in the Report of the Kenya Agricultural Commission, and again in 1933 in the Report of the Kenya Land Commission. If you will turn to Chapter 10 of Part III of the Land Commission's Report you will see that the Commissioners painted a very gloomy picture of the ruin and waste which ^{are} being caused by the excessive numbers of ^{of goats} cattle in the Reserves: ^{that} and they urged that in the interests of the natives themselves drastic and urgent action ^{is} ~~was~~ required to stop the damage which is being done ^{by overstocking}. There is also a very clear account of the ^{matter} question in Sir Daniel Hall's book on "The Improvement of Native Agriculture in relation to Population and Public Health".

G.O.

- Mr.
- Mr.
- Mr.
- Sir H. Moore.
- Sir G. Tomlinson.
- Sir C. Bottomley.
- Sir J. Stuchburgh.
- Permt. U.S. of S.
- Party. U.S. of S.
- Secretary of State.

DRAFT.

FURTHER ACTION.

^{drastic} unless something is done, the fertility of the soil over large areas will be destroyed and the natives will be faced with starvation. The difficulty is to get them to take anything but the ^{individual} ~~shortest~~ views of their own interests and to realize that Government action is directed to saving them from the bitter consequences of their own lack ^{scientific knowledge} of ~~foresight~~. Every effort has been made to educate them on the subject and also to provide them with an economic outlet for surplus cattle, but it is very uphill work. A special soil erosion service has been established and a campaign of education is being carried on ^{to} ~~to~~ teach the people how to deal with erosion and to prevent its ^{spread} ~~occurrence~~. In the Machakos district of the Kamba Reserve a large scale experiment in the reconditioning of badly eroded land is being carried on

with the help of a grant of £10,000

and a loan of £24,000 from the Colonial

Development Fund.

But nothing
can ^{really} solve the problem that
of limiting the number of
stock to that which a given
area of land can carry
without the complete destruction
of the grazings, and ^{by securing} the
scientific rehabilitation of
areas ruined by past ignorance

W. H. G. G.

6 6

Extract from letter from the Secretary of State to
Sir Robert Brooke-Popham, G.C.V.O., K.C.B., C.M.G., D.S.O., A.F.
dated 10th March 1938.

I am sorry to hear that the cattle problem is giving trouble: but I suppose that it must, from the nature of things, be uphill work to get the natives to understand the reasons for Government policy on a matter of this sort. I have had the enclosed telegram of protest from the Wakamba and I see that I am threatened with a petition which will, no doubt, be coming on to me later on with your comments.

4 248
March 7th, 1938.

Rt. Hon. W.G. Ormsby Gore, M.P.
Colonial Office,
Downing Street, S.W.1.

Dear Mr. Ormsby Gore,

I have received a cable as follows:-

"WE REPRESENTATIVE WAKANDA TRIBE STRONGLY
PROTEST STOP KENYA GOVERNMENT FORCED OUR CATTLES
SOLD WITHOUT OUR CONSENT STOP THE ACTION BE TAKEN
IMMEDIATELY OUR PETITION FOLLOWS KENYA GOVERNMENT
NOTIFIED"

I am not conversant with all the facts but it is obvious that there is alarm amongst the people themselves in regard to this recent action of the government.

I shall be glad if you will kindly consider whether you can make representations with a view to removing from the people undue anxiety in this matter.

yours sincerely,

W.G. Ormsby Gore

Copy to Mr. Ormsby Gore (13)

249

Extract from a letter from Sir Robert Brooke-Popnar
to the Secretary of State for the Colonies.

Dated 19th February, 1938.

9. The real native problem for the moment lies in the
Machakos section of the Akamba. As you know, everybody has
said for many years past that unless something drastic was
done with regard to destocking, the country would shortly
become a desert, and from my own personal inspection I am
quite satisfied that certain areas are within a very few years
of reaching real desert conditions. So the drastic action
has begun. It was very disappointing to find at a recent
baraza that all the propaganda that has been done for months
past has had very little apparent effect, and all the people
can say is "Why do the Government want to take our cattle and
our sole wealth?" We are going to cull cattle in various
places and these culled cattle will be taken over by
Government at Liebig's prices, the money being paid on the
spot, and the Government will then dispose of these culled
cattle as they see fit. Actually what will happen will be
that they will be handed over to Liebig. The natives will
not get such high prices as cattle are fetching at the present
moment, but I am quite certain that by this means they will
get better prices than if we culled the cattle and simply
trew them on to the open market. If we did that I am quite
convinced that the prices would drop enormously, and
incidentally upset the whole cattle trade, both native and
European, for years. The Akamba can't or won't see the logic
of the Government's action, but I feel strongly that it would
be criminal to wait any longer, and that if we did so the
Akamba in Machakos would either have to move or starve.

CABLE AND WIRELESS

LIMITED

150
END



CABLE ROUTES
WIRELESS ROUTES



1957 MAR 1 AM 8 57

Circuit	Clerk's Name	Time Received
	VWGLW38 HF	

RECEIVED
1 MAR 1957
C.O. REGY

K42 NATROBI 33 1 0950

LO COLONIAL OFFICE LONDON

WE REPRESENTATIVE WAKAMBA TRIBE STRONGLY PROTEST STOP.
KENYA GOVERNMENT FORCED OUR CATTLES SOLD WITHOUT OUR
CONSENT STOP BEG NO ACTION BE TAKEN IMMEDIATELY OUR
PETITION FOLLOWS KENYA GOVERNMENT NOTIFIED +

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