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ORIGINAL TYPESCRIPT OF SIR A. FINN'S REPORT

(WITH MAPS)

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Issued by the Colonial Office

Report of the Commission  
appointed to enquire into  
and report on the  
Financial Position and  
System of Taxation of  
Kenya

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CONTENTS.

Page

Letter from the Commissioner to the Secretary of  
State for the Colonies.

REPORT.

Chapter I. Preliminary Review of the Position

- Terms of Reference
- Physical Features of the Colony
- Non-Native Population
- Cultivated Areas in non-Native Occupation
- Native Population
- Native Reserves
- Agricultural Resources including Production for Export
- Re-export and Transhipment
- Trade
- Pastoral Resources
- Industries
- Wages and Cost of Living
- Mineral Resources

Chapter II. Financial History

- Estimated and Actual Revenue and Expenditure
- Summary of Financial History of the Colony
- Public Debt and the Allocation of Loans
- Additional Liabilities
- Loan Expenditure on Buildings and Communications
- Expansion in Departmental Establishments
- Hidden Emoluments
- Cash Position of the Colony
- Non-liquid Assets and Assistance to Industries
- Unavoidable Future Increase in Expenditure.

Chapter III. Income and Expenditure

- Analysis of Revenue
  - (a) Customs and Excise
  - (b) Native Hut and Poll Tax
  - (c) Alternatives proposed to Native Hut and Poll Tax
  - (d) Other forms of Revenue including Emergency Taxes.

Chapter IV. General Considerations and Terms and Conditions of Service

- Requirements of the various Commissions
- Special Local Conditions affecting the strength and Character of Staffs
- Superior European Staff and Terms of Service
- Heads of Departments
- Subordinate European Staff and Terms of Service
- Asian Staff and Terms of Service
- Arab and African Staff and Terms of Service.

Chapter V. Central Organization of Government

- Constitution
- Colonial Secretary
- History and Organization of the Secretariat
- Chief Native Commissioner
- Department of Local Government, Lands, and Settlement
- The Treasurer
- Proposals for Reorganization of the Secretariat
- The Treasury
- The Central Revenue Office.

His Excellency the Governor.

Chapter VI. Provincial Commissioners and Senior District Commissioners

- Provinces and Extra-Provincial Areas
- Responsibilities of Provincial Commissioners and Senior District Commissioners
- Reorganization of Provinces and Extra-Provincial Areas
- Proposed Delegations to Provincial Commissioners.

Chapter VII. District Organization including Native Administration

- Number of Districts and Work of District Officers
- Proposed Combinations of Existing Districts
- Substitution of Local Civil Service (Tax) Officers for District Officers.
- Estimate of Economies
- Honorary Magistrates.

Chapter VII. (Continued)

Native Administration

- History of Development
- Comparison with Adjacent Territories
- Local Native Councils
- Chiefs or Headmen
- Native Tribunals
- Transfer of District Officers
- Acquaintance with Vernaculars
- Estimate of Necessary Strength of the Administrative Cadre

Labour Section

Native Registration

- Kipendi System and Possible Alternatives
- Registration of Domestic Servants

Chapter VIII. Departmental Estimates.

Agricultural Department

- Analysis of Position and of Requirements
- Plant Industries, European and Native
- Soil Conservation
- Animal Industries, European and Native
- History of Departmental Staff
- Staffs Required to Deal with Plant and Animal Industries
- Research and Investigation
- Field Services
- Grain Conditioning and Cool Store Services
- Aspects requiring special consideration
- Director's Scheme of Reorganization
- Cooperative Sale and Purchase and Land Tenure

Audit Department

Coast Agent

Customs and Excise

- History and Duties of the Department
- Possibility of Economies.

Education

- European Education
- Indian and Gean Education

Education (Continued)

African Education  
Present Position  
Reasons for Heavy Expenditure  
and possibilities of  
Future Economy  
The Jeanes School and the Native  
Industrial Training Depot  
Cooperation

Forest Department

Judicial Department

Legal Department

Local Government, Lands and  
Settlement

Administrative and General  
Survey and Registration  
Government Contributions to  
Local Bodies

Medical Department

History of the Department  
Present Organization  
Reasons for Relatively Heavy  
Expenditure  
Coordination of Some Branches  
of Research in East-Africa

Miscellaneous Services

Police

History and Duties of the  
Department  
Special Features of Police  
Work in Kenya

Post-Office and Telegraphs

Printing and Stationery

Prisons Department

History and Present Organization  
Defects in the System

Public Works Department

History of the Department  
The Branches of its Work  
Present Strength and  
Organization  
Relations with European  
District Councils  
Possibilities of Economy

Chapter VIII. (Continued)

Registrar-General's Department  
Trade and Information Office,  
Summary of the Economics Proposed.

Chapter IX. Modifications in the Existing System of Taxation

The Present Position  
Necessity of some form of  
Direct Taxation  
Unsatisfactory Character of  
Present Direct Taxes  
Recommendation to replace  
them by an Income Tax

Reduction in Annual Charges on Account of Public Debt

Necessity of Temporary Relief during the period of the proposed changes in Taxation and reductions of Staff

Present Position as regards Indebtedness

Proposals put forward in connection with Public Debt

Circumstances attending raising of 6 per cent loan of 1921

Impossibility of Conversion at Present Time

Contingent Liability on Account of Construction of Kenya

Uganda Railway

Impossibility of Liquidating the Sinking Funds

Relief Recommended by Annual Loans

Chapter X. Conclusions and Recommendations

7 3

APPENDICES.

- I. Rainfall Recorded at Selected Stations in Kenya Colony during the period 1926-35.
- II. Domestic Exports of Kenya, 1908-1935.
- III. Native Domestic Exports, Values (Part 1) and Quantities (Part 2).
- IV. Inter-Territorial Trade of Kenya, Uganda and Tanganyika.
- V. Trade Passing Through Kenya and Uganda.
- VI. Distribution of Total Import Trade of Kenya and Uganda.
- VII. Comparative Table showing the 1927 and 1935 Retail Prices of certain articles.
- VIII. Estimated and Actual Revenue, 1920-36.
- IX. Estimated and Actual Recurrent Expenditure, 1920-36.
- X. Estimated and Actual Non-Recurrent Expenditure, 1920-36.
- XI. Analysis of Staff and Expenditure on Personal Emoluments for the years 1912-13, 1920-21, 1928, 1932, and 1935.
- XII. Total Annual Cost of European Officers (Part 1) and Asian Officers (Part 2) at typical salary points.
- XIII. Pensions, Gratuities, and Provident Funds: Expenditure from 1925 to 1936.
- XIV. Pensions, Gratuities, and Provident Funds: Estimated Expenditure from 1936 to 1946.
- XV. Kenya Net Imports, 1925-1935: Quantities (Part 1) and Values (Part 2).
- XVI. Revenue History of Kenya and Uganda, Customs and Excise.
- XVII. The Protected Industries: History of Importations and Duty Collections
- XVIII. Free Goods, Kenya and Uganda, 1925-35.



- 8 18
- XIX. Analysis of Free Goods, 1934 and 1935.
  - XX. Ad valorem Equivalents of Main Specific Ratings.
  - XXI. Statistics relating to District Administration.
  - XXII. Estimated Expenditure under Customs, 1914 to 1936.
  - XXIII. Staff History, Customs Department, 1914-36.
  - XXIV. List of Public Bodies and Associations interviewed in Kenya.

MAPS.

General Map showing Altitudes.

Rainfall.

Population.

Native Reserves, Settled Areas, and  
Forest Reserves.

Crop.

Provinces and Districts.

*Rosenthal  
Tshimbinzi  
Settled areas*

10

INTRODUCTION.

A

To  
The Right Honourable J.H. Thomas, M.P.,  
Secretary of State for the Colonies.

Sir,

I arrived in Nairobi on October 28th, 1935, for the purpose of the Commission entrusted to me. I there met Mr. C. H. Hartwell whose services had been kindly lent by the Government of Ceylon for my assistance. Mr. S. Milligan, C.B.E., was for the fourth time associated with me as adviser more especially in connection with the Agricultural and connected scientific departments. The complicated character of the problems in Kenya made his scientific knowledge and wide experience even more invaluable than on the previous enquiries in which we have been associated.

After a few days in Nairobi, spent in obtaining a general idea of the administrative organisation and of the scope of our work, we left on November 5th for a tour in the Coast Province. Returning to Nairobi on November 15th we left again on November 16th for a tour in the Central Province, which occupied us until November 24th. On November 25th we left by air for Entebbe and spent four days in Uganda, returning to Kisumu on November 29th. A tour of the Nyanza and Rift Valley Provinces took up to December 17th, and Machakos was visited on December 18th. On December 21st we left by

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left by car for Moshi in Tanganyika Territory and visited the East African Agricultural Research Station at Amani. Returning to Nairobi on December 29th we went by train and steamer on January 3rd to Mwanza in Tanganyika Territory, arriving on January 6th. We returned by air to Nairobi on January 9th, and, except for five days spent in a visit by air to the Northern Frontier Area made possible by the courtesy of the Royal Air Force, we spent the remainder of the time up to March 13th in or near Nairobi. Mr. Milligan accompanied me during the greater part of the tours, but he was also engaged on special independent enquiries in connection with Cotton Cultivation.

During our tours we met the representatives of the various local associations, including the six European District Councils and ten Local Native Councils. The central organisations such as the Elected Members of the Legislative Council, the Board of Agriculture, the Coffee Board, the Nairobi Chamber of Commerce, and the Federation of Indian Chambers of Commerce of East Africa, met us for the most part in Nairobi. In all, apart from discussions with a large number of individual persons, we met in Kenya the representatives of eighty organisations of different types; a list is contained in Appendix XXIV. We also received a large number of written memoranda. On returning to London we had a joint meeting with the East African Section of the London Chamber of Commerce and the Joint East African Board.

To His Excellency

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To His Excellency, Brigadier-General Sir Joseph Byrne, G.C.M.G., K.B.E., C.B., to the Colonial Secretary, and to the Treasurer, we are indebted for invaluable assistance at every stage; the heads of departments and the Provincial and District Commissioners were equally ready in contributing to our enquiry/ and in assisting us in every way on our tours.

As regards the non-official community, we cannot adequately acknowledge either the readiness to give every help in their power/ or the kindness and hospitality which we received throughout our enquiry.

Outside the Colony we express our warm acknowledgments to the Governments of Tanganyika and Uganda and to their officers in the districts visited by us, as also to the Government of the Sudan for their kindness in assisting us during our short stay in Khartoum on the way to Europe.

To Mr. C.H. Hartwell our Secretary we are greatly indebted. He showed great ability and efficiency, and his help was most valuable to us both in Kenya and in the compilation of this report. I would also express our acknowledgments to the staffs of the Kenya Secretariat and Treasury, and to Miss A.J.S. Bennett of the Kenya Clerical Service on whom fell the chief burden of the large amount of typing and clerical work in connection with this report.

I regret

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I regret that there has been some delay  
in the submission of this report as the result of  
accidents which happened first to me and then to  
Mr. Hartwell.

TE. S  
I have the honour to be

(S)

~~Your obedient servant~~

12 Dec 1936  
25-5-36

*Arthur*

A. W. P. M.

CHAPTER I.

PRELIMINARY REVIEW OF THE POSITION.

1. The terms of reference for the Commission which has been entrusted to me by the Secretary of State for the Colonies are as follows:—

- (1) "to enquire into the whole field of Governmental expenditure in Kenya, with particular reference to the cost of the Administrative and Technical Services; and to report whether, in his judgment, the total expenditure can be legitimately reduced, whether by reorganizing or other means, without detriment to efficiency.
- (2) "to examine into the present position of Kenya Government Finance having regard to the revenue and expenditure of the present and recent years and the prospective revenue for 1938; and to advise whether any, and if so what, modifications in the existing system of taxation in Kenya should be effected consistently with preserving the financial stability of the Government."

2. The comprehensive character of these terms makes it necessary for me to cover much of the same ground which has formed the subject of enquiries by a succession of Commissions and Committees, and it is not possible to acknowledge my indebtedness to them in detail, but I should like to make special mention of the reports of the Financial Commissioner.

(Lord Moyne)

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(Lord Moyne) on ~~Certain Questions~~ in Kenya of 1932, of the Expenditure Advisory Committee of 1933, of the Select Committee on Economy, and of the Economic Development Committee of 1935.

3. I have interpreted the words "without detriment to efficiency" in the first term of reference with some degree of latitude as requiring me to recommend no change which would result in any substantial falling off in the efficiency of the administrative organization.

4. For the purposes of carrying out these instructions I propose to commence by a brief summary of the physical and other features of the country affecting its economic resources and its capacity as a basis of public revenue and expenditure. This will be followed by an analysis of the present financial position of the Colony in the light of recent history, and by an examination of the various sources of revenue and of the expenditure on the great variety of services required for a necessarily complex administration. This examination will afford an opportunity for suggesting the economies which may appear to be feasible without any material loss of administrative efficiency.

A foundation will thus be laid for considering "what adjustments should be made in the existing system of taxation consistently with preserving the financial stability of the Government."

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The Physical



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The Physical Features of the Colony and the Character of the Population.

5. Kenya is preeminently a country of striking contrasts. The whole of its area is within the equatorial zone, the equator passes just north of Mount Kenya and crosses the northern part of the vast mass of water in Lake Victoria Nyanza. The climate on the coast is therefore that of the tropics and a narrow belt has a fairly adequate rainfall. The ground rises inland through rugged country and the rainfall decreases rapidly to less than <sup>twenty</sup> 20 inches, with great areas receiving less than ten inches, more especially towards the northern frontier. This arid belt of some 200 miles, broken only by a small area of higher rainfall in the Taita hills near Mt. Kilimanjaro, rises near Mwachakos to a more fertile area with about <sup>thirty</sup> 30 inches of rainfall at a height of some 5200 feet. Beyond it are the highlands stretching from Nairobi at 5700 feet through the rich Kikuyu reserve and the European settled areas to the plateau of North Nyeri and Laikipia, and culminating in Mount Kenya (17040 feet), and the Aberdare Mountains (15000 feet), bordering on the great Rift Valley. This fertile and well-watered region reaches northwards to the arid desolation of Turkana and of the Frontier Province, and shades off to the south into the almost equally precarious Masai Reserve. The western slopes of the Aberdare mountains, and the part of the Rift Valley including Lakes Nakuru and Naivasha, comprise much fine agricultural and pastoral country from 5000 to 9000 feet above sea-level mostly in European occupation. West of the Rift the

ground rises again to the Mau escarpment (9500 feet), and the Oherangani mountains, with the great plateau area of Uasin Gishu and Trans Nzoka at a height of 5000 to 7000 feet extending as far as Mount Elgon. This also is for the most part in the Settled Area, and both on the plateau and on the western slopes of the Mau escarpment are large areas favoured both in soil and in rainfall including the Nandi and Lumbwa Reserves. To the west again the ground falls to the fertile and densely populated Kavirondo Reserves bordering on Lake Victoria Nyanza at a height of 3000 to 4000 feet above sea-level.

3. Although therefore the whole of the Colony is practically on the equator its variety of climates, of soils, and of rainfall, is so great that its agricultural products include both those of the tropics of the temperate regions. There is thus scope for a wide variety in the choice of products. On the other hand some of the most important products such as maize, wheat, cattle, and dairy produce, come into competition with those of the agricultural countries of the temperate zones. The great belt of country stretching from the Northern Frontier between the Mt. Kenya highlands and the coastal strip and sweeping round through the Masai Reserve to the southern part of the Rift Valley is for the most part agriculturally valueless though it supports a scanty pastoral population. It includes considerably more than half of the total area of the Colony (224,960 square miles). The Northern Frontier Area more especially is not an asset economically, and financially it is a heavy burden

burden owing to the political responsibilities connected with the Abyssinian frontier. The Tana River valley has, it is true, a potential value if irrigation were developed, but its unhealthiness precludes either European or Native settlement at the present time. Further, the long haul from the fertile areas of the Highlands and the Lake to Mombasa, and the absence of any paying traffic for the railway from the arid belt of some 200 miles, results in costs of transport which are heavy for all but the more valuable agricultural products. Railway rates are therefore a question of the utmost importance to the producers.

As is usual in Africa, the population in the main follows the rainfall and its distribution is very uneven, as may be seen from the map attached to this report. The rainfall at the principal reporting stations is given in Appendix F.

The Northern Frontier Area with an area of 95,632 square miles has an estimated population of only 672.51, or much less than one per square mile, and the Masai Reserve, a little over 5 to the square mile. In contrast to these, Fort Hall district of the Kikuyu Reserve has a density of 135 to the square mile, mainly concentrated in 589 square miles out of its total area of 1208 square miles. Similarly the Central Kavirondo district has a density of 158 to the square mile, and in parts of it of over 1000 to the square mile. In the Settled Areas the small districts of Nairobi and Mombasa, including the towns, have populations of 66,953 and 52,697, the Europeans

numbering

67,251

numbering 7090 and 981. Taking more typical Settled Areas Nakuru has a density of 14.3 to the square mile excluding the forest reserves, North Nyeri of 6.7 to the square mile, and Trans Nzoia of 31 to the square mile. The densely-populated Kikuyu Reserve immediately adjoins the main coffee-growing areas in European occupation, a circumstance of great importance as regards the supply of labour.

8. According to the census of 1931 the non-Native population of the Colony was as follows:-

Europeans .....	16,812
Indians .....	39,644
Greeks .....	3,979
Arabs .....	12,168
Others .....	1,546
Total .....	75,247

Of the total European population of 16,812 persons, 9,404 were males and 7,408 females. Of the European male adults 2388 (25% approximately) were engaged in agricultural occupations, 1529 (16% approximately) in public administration including the railway, 670 (7% approximately) in the professions, 940 (15% approximately) in industrial pursuits, 1576 (21% approximately) in commerce, and 308 (4% approximately) in other occupations or in none. Apart from the towns of Nairobi and Mombasa, most of the Europeans are in the settled areas of the Highlands. The total number of occupiers of farms is 2027. It is estimated that the total number of farms is approximately 2500, and the total area included in them is 10294 square miles (including 72 square miles in Native Reserves), with 1561 square miles surveyed into farms and available for alienation.

for alienation. In addition to these, a large number of plots in non-urban areas has been granted for such purposes as trading plots, sites for gineries, factories, godowns, Missions, churches, schools, and mosques.

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9. Excluding the Native Reserves, now under modification as the result of the report of the Land Commission, the land is the property of the State, which leases it in urban areas for 99 years and in rural areas for 999 years. In the early days some freehold grants were made, but since 1912 leasehold has been the only form of tenure granted.

The Economic Aspects of the Land

10. The total areas of land alienated to non-natives under occupation and under cultivation for the years 1930 to 1934 were:-

Year	Total Occupied Area Acres.	Total Cultivated Area Acres.
1930	5,111,161	645,644
1931	5,315,483	650,965
1932	5,199,093	615,552
1933	5,206,264	593,988
1934	5,158,324	556,182

The percentages of areas under the principal crops to total areas under cultivation were:-

Ann. 4556.

Table.

Crop	1930	1931	1932	1933	1934
Sisal	21.4	20.8	23.7	23.5	25.5
Maize	32.1	30.6	26.1	27.6	20.3
Coffee	14.9	14.8	16.1	16.9	18.4
Wheat	11.0	10.4	7.0	5.0	6.3
Sugar Cane	1.8	2.0	2.0	2.0	2.3
Other Crops	6.5	8.4	9.8	10.8	15.3
Land under cultivation, but not cropped	12.3	15.2	15.3	14.2	13.9

Similar figures are not available subsequently to 1934 as no agricultural census has been held after 1934.

11. Areas of ~~land~~ of agricultural land amounted on 31st December, 1935 to 27,606, the total annual rental being £99,000. During the years 1934 and 1935 ~~the~~ <sup>vacuity for</sup> agricultural holdings, representing an area of 36,157 and a rental of approximately £340,000 annum, were surrendered.

12. The great majority of the Indian population is engaged in commerce, the remainder being mostly occupied in Government services or as artisans. There is a small agricultural settlement, mainly Sikhs, at Kibos near Kisumu in the Lake Province. The Goans are mostly engaged in clerical work.

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13. The total Native population is estimated at 3,024,975, the males numbering 1,420,758 and the females 1,604,217. The ratio of males to females is approximately 94 to 100, a relation which is of importance in connection with the Hut and Poll Tax; the ratio is necessarily only a rough approximation to the truth, since no accurate Native census has ever been made. The native population is mainly concentrated

22 13

concentrated in the Kavirondo Reserve near Lake Victoria, and in the central Reserves occupied by the Kikuyu and related tribes and by the Akamba. These two groups number 2,245,091, the balance of 779,834 is distributed among a large number of tribes, including those on the Coast or in the Teita hills, and the mainly pastoral tribes such as the Masai, with the Handi and Lumbwa in the Highlands, and the various tribes occupying the northern Rift Valley, Turkana, and the Northern Frontier Area. From the economic point of view the Kikuyu group and the Kavirondo are the main Native asset of the Colony.

14. The total area of the Native Reserves is 48,545 square miles, or, deducting 72 square miles of land within the Reserves alienated to non-Natives, 48,273 square miles; this will be increased on the recommendation of the Land Commission to approximately 49,747 square miles. These Reserves do not include the Northern Frontier and Turkana Extra-Provincial Districts which are in Native occupation, and in which, under the recommendations of the Land Commission, Natives are to have prior rights. The Native Reserves proper plus the 11,875 square miles alienated or available for alienation to Europeans, aggregate 61,622 square miles, which is only a small proportion of the 224,960 square miles representing the area of the Colony and Protectorate. Prima facie therefore there should be an ample margin of land unsuitable for European occupation available for Native expansion. In fact, however, the area available without heavy expenditure on development is very small, as an

inadequate

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X inadequate rainfall, tsetse-fly, and malaria are an effectual bar to Native agricultural settlement. A map is appended to the report showing the Settled Areas, the land available for alienation, and the Native Reserves.

15. The assets of Kenya are almost entirely agricultural or pastoral, and production is in the hands of Europeans and of Natives, the Indian community almost entirely being engaged in marketing and in distribution. The bulk of the Native population grow their own food, viz. maize and various types of sorghum and millets, cassava, ~~and~~ potatoes, beans, etc. A small quantity of rice is grown for internal consumption, and a proportion of the other crops is also disposed of in the local markets.

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In dealing with these figures it has to be remembered that Kenya and Uganda constitute a single unit for purposes of Customs and Excise, and that the bulk of the combined trade of the Territories; and a considerable proportion of the trade of Tanganyika Territory, is handled at Mombasa, which functions as the main collecting and distribution centre of East African trade. The accurate segregation of the trade of the three territories is therefore a difficult statistical undertaking which must leave room for a margin of error. The Uganda statistics of external trade are also based in the case of imports on the landed value at the port of importation, and, in the case of exports, on the value f.o.b. at the port of shipment.

Production

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Production for Export.

16. The main technical factors which have shaped the history of agricultural production for export have been the construction of the Kenya Uganda Railway (1896-1903), and the extension of European colonisation which has played a predominant part in determining the character of development and the direction of policy.

X The relative importance of purely Native production decreased rapidly during the post-war period, and, although the need for expanding the output from the Native Reserves of export crops has lately been recognised as an urgent problem, the position still is that the bulk of the domestic exports of the Colony represent the products of the European Settled Areas. In these areas the application of European enterprise, capital, and science has produced most striking results in a short period but they were only made possible by Native labour. The distinction between European and Native production is in reality largely an artificial one; the cooperation of both races is necessary to agricultural development. Appendix II to this report gives the history of the main domestic exports of the Colony, and it may be taken that hides and skins, wattle bark and extract, and raw cotton, are almost entirely of Native production, while a small proportion of the maize, and of sundry crops included in the miscellaneous group, is also attributable to their activities. The detailed character and extent of Native domestic exports are, however, more fully analysed in Appendix III corresponding to the tables on pages 106 and 107 of the Report of the

Economic

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Economic Development Committee. The Committee's figures for 1933 may be accepted as reflecting the current position, except that the figures for the exports of cotton have expanded to 10,489 cwt. in 1934, valued at £28,483; the 1935 figures are not known but it is expected that they will show a substantial advance.

17. Summarising the position the value of the domestic exports of Kenya (a) to foreign countries including Tanganyika Territory, and (b) to Uganda, is as follows from 1927:-

	to Foreign Countries	To Uganda
1927	3,086,916	150,118
1928	3,685,303	236,855
1929	2,745,910	189,938
1930	3,422,571	162,633
1931	2,345,874	146,166
1932	2,280,982	144,979
1933	2,246,998	121,291
1934	1,909,871	151,648
1935	2,072,672	167,356

The decline in value between 1928 and 1934 is such as to explain the present financial difficulties of the Colony, and although, as explained below, exports are to some extent overvalued the recovery shown by the figures for 1935 is a welcome indication that the worst of the economic depression may be over. It is however still too early to draw any confident conclusions. The main recent increases have been in the values of the exports of gold bullion and of tea and cotton, with partial recoveries in sisal, and to a less

to a less extent in coffee, hitherto the mainstay of the Colony.

18. The relative importance of the different products, and the annual variations in the contributions which each has made to the total of domestic exports, is illustrated by the percentages included in the following table. The figures are only approximately accurate as the export values are necessarily based on the shippers' valuations checked by the Customs Department with the information available as regards market prices. This information cannot be adequate, more especially as regards coffee with its very wide range of prices. On a falling market, therefore, the valuations tend to be too high, and on a rising market

*Class*  
 Average Percentage Contribution to Total Exports.

	1932	1933	1934	1935
<u>European Settled Areas Production</u>				
Coffee	55%	57%	26%	31%
Sisal	8%	11%	16%	14%
Sodium bicarbonate	8%	9%	7%	9%
Tea	1%	3%	6%	7%
Gold bullion	3%	3%	4%	8%
Dairy Products	2%	2%	3%	2%
Sugar	1%	3%	3%	2%
<u>Native Areas Production</u>				
Hides and Skins	5%	7%	10%	6%
Wattle bark & extract	4%	3%	4%	4%
Raw Cotton	-	1%	2%	3%
<u>European &amp; Native Production</u>				
Maize	5%	9%	5%	6%
Miscellaneous	10%	12%	14%	13%

In the

In the miscellaneous group is included wheat flour exported to Tanganyika Territory to the value of about £24000 per annum.

19. In addition to the exports to countries treated as foreign (including Tanganyika Territory), Kenya also exports to Uganda to the extent shown in the last column but one of Appendix IV. In the year 1934 these exports included the following articles:-

Wheat meal and flour .....	£ 27,145
Maize meal and flour .....	16,717
Alb. beer and stout .....	5,140
Butter .....	5,551
Ghee .....	5,574
Tea .....	18,352
Other food-stuffs .....	17,215
Timber .....	3,147
Coco-nut oil .....	4,486
Other raw materials .....	2,551
Soap, common .....	21,622
Other articles .....	24,568

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Re-Export & Transhipment Trade.

20. In addition to the receipts on account of its domestic exports, the Colony also reaps considerable advantages from its re-export and transhipment trade as the result of the port of Mombasa being the main collecting and distributing centre for the trade of East Africa. The commercial agencies operating that trade are East African in character. It is not possible

possible to assess the actual value of the commercial services rendered by Kenya to the neighbouring territories, or of the indirect benefits which accrue to the Colony as a result of the transportation undertakings of the Kenya Uganda Railway, but they are by no means negligible. The movements of goods through Kenya which provide a source of income to the Colony include

- (1) Imports on behalf of Uganda;
- (2) Uganda domestic exports;
- (3) Kenya re-exports;
- (4) Transit and transhipment traffic.

Appendix I gives a general picture of the comprehensive trade passing through the Colony, and Appendix VI gives a further analysis of the distribution of the total import trade of Kenya and Uganda. During the year 1934 the value of the goods moving through Kenya on which service charges accrued were approximately as follows:-

<u>Imports transferred to Uganda-</u>	
(a) Retained	1,597,000
(b) For re-export	78,000
Exports of Uganda produce	3,774,000
Kenya re-exports	1,448,000
Transit and Transhipment (mostly Kenya)	270,000
Total	<u>£7,158,000</u>

*lects*  
Pastoral Resources.

21. The most recent estimate of the number of cattle and other stock in the Colony is as follows:-

<i>Class</i>	Cattle	Sheep	Goats
European	256,167	252,250	2,847
Native	5,250,000	6,500,000	
Native Squatters	172,891		371,745

There have been very heavy losses both of large and small stock in the Native reserves during the recent years of scanty rainfall.

22. ~~As~~ European the income derived from cattle and sheep depends in the main on dairy products and on wool, with some income from slaughter-cattle in Nairobi. During the last six months some 3,250 cattle have been exported to Italian Somaliland, but this is only a temporary source of income.

For the Native, however, the position is not the same. Cattle and small stock are his bank, and recent history has shown that his capital is liable to disappear when it is most required. The taxable capacity of many tribes depends mainly on what they can realise from the sale of their surplus stock, though some income is derived from ghee dairies; the income from hides and skins exported has already been dealt with. However large the annual surplus it is of little use economically unless markets are made available, and in this direction the pastoral tribes are severely

are severely handicapped so far as cattle are concerned by the restrictions imposed on the movements of cattle for veterinary reasons. The difficulties are not so great in respect of sheep and goats, and many tribes depend on the sale of these animals for the payment of their hut and poll tax.

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23. Apart from the unwillingness of the Native to part with his stock and more especially his cattle because of their possession being regarded as an end in itself, and of their importance in connection with social usage, the difficulties in obtaining a market result in a rapid increase until nature steps in with drought or disease. The efficacy of disease in keeping down the numbers to those which the available grazing can carry has however been greatly reduced by the work of the Veterinary Department. The necessary consequence is the almost universal African problem of overstocking, with the resulting erosion and overgrazing of the land. Where goats are kept in large numbers this is especially serious, and in parts of Kenya, such as the Machakos and Kamasia areas, the situation has become very dangerous in this respect. In the Masai Reserve also great damage has been done, intensified by the limited number of water supplies, but the vast numbers of game are probably even more responsible than the Masai stock. Unless some method can be evolved of controlling the numbers of stock by a gradual change in the Native outlook, assisted by the provision of markets of some kind for the surplus, a rapid deterioration in the quality of the land, which is the only

really

really permanent asset of the Reserves, appears inevitable. In other parts of Africa a remedy is being sought in the provision of stock routes between the areas occupied by the pastoral tribes and those occupied by potential consumers, but in some parts of Kenya the application of this remedy is very difficult on account of the danger of spreading disease.

*lects*  
Industries.

24. The principal industries of the country are connected with its main agricultural products, more especially with sisal, cotton, and coffee. A few thousands of people find employment in sisal and coffee factories, and in the cotton ginneries, or in the salt works, flour mills, factories, saw mills, foundries, etc. Small industries have also sprung up under the shelter of the tariff for the manufacture of soap, jam, aluminium, paint, and motor-car bodies. Taking all of these together the numbers employed, so far as Natives are concerned, form only a small proportion of the 150,000 estimated to be now in employment. About 25,000 are employed by the Railway, the Public Works Department, and other Government departments, 14,000 on the mines, 16,000 in domestic service, and 8,000 in miscellaneous forms of work. The remaining 89,000 registered agricultural labourers, supplemented by casual and squatter labour, are mainly employed on European farms. The scale of wages in all these occupations has fallen to such an extent as severely to diminish the resources of the Native population.

Mineral Resources.

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Mineral Resources.

25. Gold was discovered more than thirty years ago in the Kavirondo district, but the finds were not of a character to invite extensive examination. Some development took place after the War, but mining was of little importance until the discovery of the Kakamega goldfield at the end of 1930. The industry then began to assume importance, and the report of Sir Albert Kitson on the goldfields brought in several well-known companies. Ten mines of some size are now in operation, and some thirty smaller mines, partly alluvial, are expected to be in operation before long. Development has been delayed by the political situation in Europe.

26. The provisional figures of production and of expenditure in the gold-mining industry during the year ending June 30th, 1935, are as follows:-

	1934		1935		Total for 12 months
	(July — December)	(January — June)	(January — June)	(July — December)	
Total amount expended in Kenya	£242,092	£427,908			£670,000
Ounces unrefined gold produced	7,972	10,781			18,753
Value of production	£40,915	£61,416			£102,331
<u>Average numbers employed —</u>					
	<u>Lode.</u>	<u>Alluvial.</u>	<u>Lode.</u>	<u>Alluvial.</u>	
Europeans	463	48	585	50	
Non-Europeans	9,123	2,056	12,173	1,586	
<u>Wages —</u>					
Europeans	£46,144	£3,679	£71,977	£3,081	£124,881
Non-Europeans	£26,933	£4,518	£54,364	£3,232	£89,047
	<u>Tons.</u>	<u>Cu. yards.</u>	<u>Tons.</u>	<u>Cu. yards.</u>	
Ore treated	15,449	36,411	16,581	84,441	
Value of machinery installed	£54,853	£3,619	£136,228	£1,674	£206,374

The production in November last amounted to 3,380 ozs. The royalty paid to Government is at the rate of 5 per cent on the gross proceeds. This additional source of employment and of income came as a welcome help at a very critical time both to Europeans and to Natives.

27. — This concludes a short summary of the economic resources of the Colony which form the basis of its public revenue and expenditure. In addition a considerable income is derived from remittances from abroad, and from the expenditure by tourists, but it is not possible to estimate the sums so introduced into the country.

The Colony has gone through a very difficult time

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time as the result of the general economic crisis aggravated by drought and by repeated visitations of locusts. All three communities, European, Indian, and Native, have suffered very heavy losses. The figures for exports during 1935 referred to in an earlier paragraph give at last some grounds for the hope that the tide may have turned, but the situation is still quite uncertain, and much leeway has to be made up. There can be no doubt that economy in the public expenditure is now, and is likely to remain, a paramount need.

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WAGES AND COST OF LIVING.

20. It will be useful to give at this stage any information available with regard to wages and the cost of living. That information is unfortunately somewhat scanty owing to the abolition of the Statistical Department during the recent economy campaign, and the transfer of the Hollerith tabulating machine to the Treasury. Memoirs on the cost of living were published by the Statistician to the Governors' Conference in 1930 and 1932, and two annual reports were issued for 1931 and 1932, but of the latter there are said to be no copies extant. Monthly price bulletins were issued from January to September 1933, but were then discontinued. The gaps in the records are therefore serious, and all that can be done is to make a comparison between the ruling prices of certain commodities, although this will not give a true cost of living index, as information regarding rents, cost of transport, and rates and taxes, is not procurable.

29. Appendix VII compares the retail prices for a number of representative articles of European consumption for 1927, 1930, and 1935. The variations differ widely from one article to another. The prices of cereals have fallen some 25 per cent over the period, meat and milk rose between 1927 and 1930, but fell some 40 per cent between 1930 and 1935.

Taking the year 1930 as a criterion, because it marked the beginning of the economic depression, and assuming the index number of 1,000, the index for 1927 (a period of prosperity and of higher prices) was 1,126. The year 1935 gives the low figure of 724 or 27.6% less than 1930, and 35.7% lower than 1927, for these local commodities.

The prices of imported products cannot be given similarly, but they have also declined though to a less extent. Clothing, rent, and transport have also declined, though to what extent is uncertain. A fair indication of the reduction in the cost of living is that whereas in 1927 it was difficult to obtain board and lodging in Nairobi under £12.10.0 a month, these can now be found at £7. per month.

30. As regards articles of Indian and Native consumption, the bazaar prices show remarkable variations from article to article between 1931 and 1935. Taking the index number for 1931 as 1,000, those for 1935 were as follows:-

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Second

Local best ghee .....	520
2nd quality ghee .....	600
2 Simsim oil .....	2100
Dal Ghena .....	800
Coarse salt .....	1100
Lairy Salt .....	760
Vegetables .....	from 720 to 1100
Potatoes .....	687

Native wages have decreased seriously during the same period. The statistics available are very inadequate, and the following table, which has been prepared for the purpose of showing the changes in the average wages of some types of domestic servants, cannot be accepted as reliable. The figures are however probably not very inaccurate so far as the percentage reduction is concerned.

	1927	1930	1934
Cook	39.75	34.86	29.62
Houseboys	29.56	27.14	17.90
Dhobis	58.75	51.20	25
Kitchen boys	19.95	17.34	15.69
Garden Boys	18.53	17.19	
Motor-car drivers	85.39	70.28	50

Adversity has also developed a new type of servant, the general house servant, and the previous aversion to doing more than one kind of work has largely broken down.

31. As regards other forms of labour, the average wages paid during 1934 for underground work per 30-day ticket was from Sh.10/- to Sh.14/-, and for alluvial and surface workers Sh.8/- to Sh.10/-. These were in addition to rations worth from Sh.3.50cts. to Sh.5.70cts. The total wages drawn by Natives employed in the mines during the year 1934 was about £66,000, and with rations about £92,000. Native artisans were in much demand on the mines, and wages varied from Sh.50/- to Sh.60/0 per mensem.

Agricultural labourers were considerably worse off and the wages varied widely. Casual labourers on tea, sugar, sisal, and coffee estates received from Sh.6/- to Sh.12/- per 30-day ticket, squatters from Sh.5/- to Sh.10/-, and juveniles Sh.5/- to Sh.6/-.

Industrial labourers and those employed by the Public Works Department received from Sh.8/- to Sh.10/-, and casual labour on the Railway Sh.10/- to Sh.12/-. Indentured labour similarly employed received about Sh.2/- more. In addition rations valued

Section 3(2) of Chapter 139 of the Laws of Kenya authorises the conclusion of verbal contracts of service for 30 completed days of work provided that no such contract may extend beyond a period of 40 consecutive days. These are an alternative to verbal contracts for a month.

Under these 30-day contracts Sundays are excluded as a rule, so that it takes more than a calendar month to complete a 30-day ticket.

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mentioned

*Substantive as on 8/4 attached*

31. As regards other forms of labour, the average wages paid during 1934 for underground work per 30-day ticket was from Sh.10/- to Sh.14/-, and for alluvial and surface workers Sh.8/- to Sh.10/-. These were in addition to rations worth from Sh.5.50cts. to Sh.5.70cts. The total wages drawn by Natives employed in the mines during the year 1934 was about £66,000, and with rations about £92,000. Native artisans were in much demand on the mines, and wages varied from Sh.30/- to Sh.60/0 per mensem.

Agricultural labourers were considerably worse off and the wages varied widely. Casual labourers on tea, sugar, sisal, and coffee estates received from Sh.6/- to Sh.12/- per 30-day ticket, squatters from Sh.3/- to Sh.10/-, and juveniles Sh.3/- to Sh.6/-.

Industrial labourers and those employed by the Public Works Department received from Sh.2/- to Sh.10/-, and casual labour on the Railway Sh.10/- to Sh.12/-. Indentured labour similarly employed received about Sh.2/- more. In addition rations valued at Sh.3/- to Sh.4/- were issued. Apart from mining wages these rates represent a fall of from 25 to 35 per cent between 1930 and 1935, and in many cases the fall was greater.

32. It is hardly surprising that such wages are not found attractive by men who have any hopes of employment at home. The shortage of labour which is beginning to develop in some areas is probably largely due to this cause, though contributory factors will be mentioned

*Items now attached*

mentioned in connection with the system of Native registration. This may cause serious difficulties unless an improvement in the economic position enables employers to pay higher rates of wages.

33. An interesting sidelight is thrown on the position by the figures of the Post Office Savings Bank on 31st December of each year. They may be summarized as follows:-

	1932	1933	1934	1935
Total Deposits on 31st December.	£133,541	£172,126	£244,921	£315,525
Number of Depositors				
(a) European	2,563	2,658	3,090	3,451
(b) Asian	737	5,305	5,883	6,680
(c) African	1,890	2,658	3,680	5,951
(d) Trust accounts	53	86	117	168
Number of New Deposits	10,000	20,468	26,437	34,154
Amount deposited	£105,168	£137,821	£171,830	£221,720
Average per deposit.	£8. 8. 0.	£6. 14. 8.	£7. 5. 8.	£6. 9. 10.
Number of withdrawals	9,410	10,785	13,655	16,419
Amount withdrawn	£23,682	£102,407	£123,622	£159,588
Average per withdrawal	£2. 19. 0.	£9. 11. 0.	£9. 1. 5.	£9. 14. 5.

The total deposits shown on 31st December, 1935, includes interest estimated at £6,472. Trust accounts have been opened by Local Native Councils, and by societies, as well as by individual trustees. The motive is probably in most cases the desire for a better rate of interest. Their totals were as follows:-



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1932  
1933  
1934  
1935F.  
2,694  
28,048  
24,693  
23,597

These figures are encouraging, but it would be unwise to draw any conclusions as regards the level of prosperity or the amount of savings. The increase in the number of African depositors is the result of propaganda, and in any case only the fringe of the problem has been touched.

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*Cont.* CHAPTER II.

*Cont. Clar.* FINANCIAL HISTORY.

34. For the purpose of throwing light on the present financial position of the Colony it will be useful to examine the revenue and expenditure both estimated and actual from the year 1920-21 to the present time. Appendix VIII gives the estimated and actual revenue under the main heads, and Appendices IX and X give the estimated and actual expenditures, re-current and non-re-current. The figures are summarised in the following statement. It is necessary to remember that the figures are for gross revenue and expenditure and that they contain cross entries to the amount of about £1,000,000 on account of reimbursements from various sources including more especially the Kenya and Uganda Railway. The actual budget of the Colony is one of two million pounds, not of three million.

Table.

*H/- movable*

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Seals

ACTUAL REVENUE AND EXPENDITURE AND SURPLUS BALANCES FOR THE YEARS 1920/1921 to 1935.

Year	Revenue £	Expenditure			Yearly		Accumulated Surplus Balances £
		Recurrent £	Non- Recurrent £	Total £	Surplus £	Deficit £	
<u>Surplus at the end of the year 1919/1920:-</u>							203,802
1920/1921	2,978,786	2,841,019	135,941	2,976,960	1,826	-	205,628
1921 (April to December)	1,891,379	1,554,657	112,128	1,666,785	224,894	-	430,522
1922	1,549,032	1,909,081	65,161	1,972,212	-	323,180	107,342
1923	1,839,447	1,756,134	381,489	2,137,633	-	298,186	190,844
1924	2,111,385	1,811,425	50,083	1,861,511	250,054	-	59,210
1925	2,430,559	2,284,503	55,132	2,339,636	90,513	-	149,723
1926	2,527,225	2,305,499	109,152	2,414,681	212,542	-	362,265
1927	2,546,118	2,404,484	110,634	2,515,118	330,995	-	693,260
1928	3,020,694	2,535,596	199,051	2,834,647	185,047	-	879,307
1929	3,553,742	2,987,725	517,207	3,505,073	-	171,351	107,376
1930	3,241,600	3,114,912	923,962	3,438,874	-	197,274	510,702
1931	3,066,930	3,075,885	139,205	3,216,089	-	143,159	361,543
1932	3,010,517	3,025,248	94,475	3,119,723	-	109,509	252,034
1933	3,121,496	3,094,833	73,892	3,168,035	-	46,569	205,495
1934	3,182,939	3,122,045	58,749	3,180,794	2,144	-	207,639
1935 (To 30th November)	3,058,531	-	-	2,921,263	77,268	-	284,907

35. Some points require explanation in connection with these figures. The financial year was changed in 1921 from April - March to January - December, and to meet this difficulty the figures for 1920-21 are those for April; 1920 to March; 1921, those for 1922 being for January to December of that year. Currency changes also affected the accounts as prior to April, 1920, the rupee was the standard coin, and conversions were effected at the nominal rate of Rs. 1/4d. to the rupee. In the accounts for 1920-21 conversions between sterling and local currency were made at the rate of Sh. 2/- to the rupee or florin. From 1st January, 1922, the shilling became the standard coin of the Colony and conversions were made on that basis.

36. An increase in Customs duties and the abandonment of proposed Income and Land Taxes affected the estimates in opposite directions in 1920-21 as shown in Appendix VIII. Subsequently revenues were increased by the Cotton Tax and Beer Ordinances of 1923, the European and Asiatic Education Taxes of 1927, and the Wines & Spirits Consumption Tax of the same year.

37. On the expenditure side the decrease from 1920-21 to 1923 was due to economies proposed by the Bowring Committee of 1921. The main causes of the subsequent steady progressive increase in recurrent expenditure up to 1931 were increases in salaries, the expansion of departmental services and of public works, and the growing burden of debt and of pension charges.

42

charges. These will be separately considered, but it may also be noted that the accounts of the Colony were affected by the separation of the Railway Administration from April 1st, 1921, with a final adjustment in respect of unallocated stores in 1925, and by adjustments in connection with Military expenditure between 1923 and 1926. By 1929 the increases in some forms of revenue began to be counterbalanced by the effects of locust invasion and famine, an extra expenditure of £150,800 being attributed to these causes during that year.

38. In 1930 the prices of commodities fell steadily and the resulting stringency affected the revenue from customs, while the refund of four-fifths of the grading and inspection charges in respect of maize and wheat involved a loss of £14,999. Nevertheless agricultural, educational, and medical, charges continued to increase. A new factor was introduced on both sides of the account by the receipt of £16,000 from the Colonial Development fund.

In 1931 the further trade depression and the continued locust infestation affected the revenue to such an extent as to enforce economies totalling nearly £223,000, notwithstanding increases of £119,000 in debt charges and £19,000 on pensions and gratuities. In 1932 the decline in revenues was accentuated, although additional taxation was imposed in the shape of an additional non-Native Poll Tax of Sh.30/0, an increase in the petrol tax, a levy

a levy on official salaries, and excise duties on sugar, tea, and tobacco, with an increased duty on beer. Recurring expenditure decreased by £51,000 and non-recurring by £18,000, although £28,000 had to be expended on a locust campaign and on famine relief, and £85,000 on refunds of customs duty on wheat, in addition to further increased payments of £119,000 on Public Debt and £15,000 on Pensions and Gratuities.

In 1933 further taxation took the shape of a Graduated Non-Native Poll Tax estimated to yield an additional £30,000. Trade and Professional Licences estimated to have yielded an additional £30,000 in a full year, a Package Tax, and amendments to the Stamp Ordinance. The revenue increased by £111,000, and recurring expenditure by £70,000, mainly as the result of an increase of £45,510 in the expenditure on Pensions and Gratuities. Non-recurring expenditure decreased by £23,000 notwithstanding refunds totalling £21,000 of customs duty on wheat.

In 1934 slump prices continued and drought prevailed in parts of the Colony, but revenue improved by £60,000, mainly under Customs and Excise, in spite of a fall of £43,000 in Hut Tax collections caused by drought and locusts.

In 1934 the new taxes of 1933 yielded about £63,000, and the recurring expenditure increased by £27,000 as the result of an increase of £30,752 in the debt charges, counterbalanced by a decrease of £16,000 in non-recurring expenditure, although £18,000 had to

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had to be expended on a locust campaign and on famine relief, £11,612 as the Railway share of the appreciation of investments, and £4,294 on Agricultural Advances bad debts. The reductions in expenditure of 1933 and 1934 were largely due to the recommendations of the Expenditure Advisory Committee of 1932.

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The Revenue of 1935 is not yet accurately known, but it is anticipated that it will exceed that of 1934 by approximately £82,000, while expenditure will be £234,000 higher, of which £17,000 will be under the head of Public Debt Interest and Sinking Funds. This will yield a surplus of some £60,000 on the working of the year, partly as the result of the recommendations of the Select Committee on Economy appointed in December, 1934.

39. The financial history of the Colony from 1921 to the present time may therefore be summarised as including three periods, the first of economy from 1922 to 1924, then of general expansion and lavish expenditure from 1925 to 1929, followed by steadily increasing depression and enforced economies from 1930 onwards. The figures show that very substantial efforts have been made to effect economies both on recurring and non-recurring expenditure, though they have been largely nullified by the unavoidable increases in expenditure on Public Debt and Pensions and Gratuities. This will be more clearly realised from the following statement which separates the charges under these heads from other recurring expenditure of the period from 1930 onwards.

Pensions  
H.S.

Pensions include commuted pensions; Provident Fund contributions commenced in 1935 when £2400 was paid on this account.

(1) <i>Year</i>	(2) Debt Charges <i>£</i>	(3) Pensions Gratuities & Provident Fund <i>£</i>	(4) Total of (2) & (3) <i>£</i>	(5) Other Recurrent Liabilities. <i>£</i>
1922	267,000	38,000	305,000	1,590,000
1924	358,000	76,000	434,000	1,364,000
1930	830,000	114,000	944,000	2,171,000
1931	907,000	133,000	1,040,000	2,037,000
1932	1,027,000	148,000	1,175,000	1,830,000
1935	1,012,000	193,000	1,205,000	1,890,000
1934	1,045,000	197,000	1,242,000	1,880,000
1935 (unofficial Estimates)	1,065,000	209,000	1,272,000	1,939,000
1936 (Estimates)	1,065,000	216,000	1,279,000	1,919,000

The figures under debt charges include rent and interest to H.H. the Sultan of Zanzibar amounting to £17,000 in the year 1924 and £16,000 in subsequent years.

*Public Debt.*

40. The present position as regards the public debt of the Colony including the Kenya Uganda Railways and Harbours is that a total sum of £17,205,600 has been borrowed, allocated as follows:-

Table.



*J. L.*

Loan	Amount	Repay-able.	Interest. per cent.	Floated at £ s.	Colony £	Transport £
1921	5,000,000	1946-56	6	95. 0.	754,614	4,245,386
1927	5,000,000	1948-58	5	99.10.	-	5,000,000
1928	3,500,000	1950	4½	95. 0.	659,669	2,840,331
1930	3,400,000	1961-71	4½	98.10.	2,233,909	1,166,091
1933	305,600	1957-67	3½	98.10.	305,600	-
<b>£17,205,600</b>					<b>£5,953,792</b>	<b>£13,251,808</b>

The annual interest and sinking fund charges are as shown below, sinking fund contributions being at the rate of 1% per annum in each case; the statutory minimum.

*J. L.*

Loan	Colony			Railways & Harbours			Total Annual Charges
	Interest	Sinking Fund	Total	Interest	Sinking Fund	Total	
1921	45,277	7,546	52,823	254,785	48,454	297,177	350,000
1927	-	-	-	250,000	50,000	300,000	300,000
1928	29,685	6,596	36,281	127,615	28,404	156,219	192,500
1930	100,528	22,339	122,865	52,474	11,661	64,135	187,000
1933	10,696	3,056	13,752	-	-	-	13,750
<b>Totals</b>	<b>£186,184</b>	<b>39,537</b>	<b>225,721</b>	<b>686,018</b>	<b>132,519</b>	<b>817,531</b>	<b>1043,250</b>

The Colony has therefore borrowed £13,251,808 for Railways and Harbours development, and the Railways and Harbours Administration is responsible to the Colony for the interest and sinking fund charges involved

*H. J.*

involved amounting at present to £817,531 per annum.

41. It is unnecessary to deal with the purposes to which these Railway and Harbours loans have been applied, but the £3,953,792 spent on other forms of development in the Colony has been applied to the following purposes:-

Colony	Provision	Expenditure to 31.8.35
(1) Repayment of Loan Moneys received from H.M. Treasury before 1921 (Mombasa Water Supply).	84,469	84,469
(2) Repayment to Revenue of Advances for military expenditure in connection with the War and purchase of reserve stores for railway and steamer services.	600,000	600,000
(3) Public Buildings	1,496,516	1,309,043
(4) Water Supplies	225,800	224,857
(5) Communications	533,478	526,725
(6) Loans to Local Authorities	505,561	497,828
(7) Land and Agricultural Bank	500,000	478,000
(8) Unallocated	24,266	
(9) Interest out of Capital	819	819
(10) Expenses of Issue and Deduction for discount	181,665	181,658
<b>Total Colony:-</b>	<b>£3,953,792</b>	<b>£3,704,204</b>

The report of the recent Economic Development Committee has analysed the purposes to which these loans have been applied, and has shown that a sum of £785,692 or approximately 20 per cent has been allocated

allocated to purposes which either reimburse the Colony in respect of the interest and sinking fund charges involved, or which are revenue-earning enterprises throwing no net expenditure on the revenues. The Colony meets the sinking fund payments on the Land Bank Capital which it has borrowed amounting to £5,000 per annum. When the Colony loan has been repaid it will have an investment bearing interest from the Land Bank without any consequent obligation to meet interest charges in London.

The remaining part of the debt, mainly used for the development of social services, communications, buildings, and amenities in the Colony, creates a charge which has to be met from the public revenues. This balance, which has to be borne by the citizen as a taxpayer, as distinguished from him as a ratepayer in a Municipality, a consumer of water, a user of telegraph and telephone services, or of the railway and Port, involves an annual payment of £125,889 on account of interest, and of £30,681 on account of sinking fund, or a total annual payment of £156,570. Of this sum interest amounting to £59,831 and sinking fund £6,555 are in respect of item No. (2) in the preceding table, which represents deadweight debt. The taxpayer is also responsible for the annual payment of £10,000 to the Sultan of Zanzibar representing the rent of the Coastal strip, and for interest at 5% on a loan of £200,000, incurred at the time of transfer of the Coastal strip in respect of buildings, etc. in that area taken over by Government.

42. As regards the sinking funds, the position on the 31st of August, 1935, was as follows:-

25,000,000	1921 Loan	...	£ 974,577
25,000,000	1927 "	...	235,710
23,500,000	1928 "	...	162,627
23,400,000	1930 "	...	35,807
£ 305,600	1933 "	...	4,865
	Supplementary Sinking Fund		16,140
			<u>21,429,726</u>

43. In addition to these loan liabilities the Colony is committed in respect of the following:-

- (1) £55,958 on account of compensation for railway buildings in the Nairobi City Square area, against which however may be set off receipts from stand premia.
- (2) £7,911 on account of the purchase of land at Mbaraki.
- (3) Loans sanctioned from the Colonial Development Fund to the amount of £100,000. Of this sum only £6,000 has been actually borrowed up to the time of writing.
- (4) Arrears of contributions payable by Government to the Local Civil Services Provident Funds amounting to about £20,000. This will be dealt with later.

44. There are also contingent liabilities in respect of:-

- (1) The debt of £200,000 to the Sultan of Zanzibar

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Zanzibar on which interest is being paid, and the possible purchase of the Kenya Protectorate for which an annual rental of £10,000 is paid to that Government. The purchase price has been put at £250,000.

- (2) A share of the original cost of construction of the Uganda Railway financed by the Imperial Government. This question has not as yet been considered in detail.
- (3) Certain outstanding claims of the Imperial Government in connection with War expenses computed at £1,389,000. Consideration of this subject has also been postponed.

As to complete the picture so far as expenditure is concerned it will be advisable to give a brief account of the expenditure through the Public Works Department on buildings and communication.

It has been shown in the statement in paragraph 41 that the expenditure sanctioned from loan funds on public buildings amounted to £1,493,516 and on communications to £335,678. The expenditure on communications requires no special comment, but that on buildings appears to have been on a lavish scale considering the resources and taxable capacity of the Colony. The actual expenditure up to 31st December, 1934, on the housing of Government servants amounted to £588,115, of which £275,460 was spent on Government House, Nairobi, and £20,916 on Government House, Mombasa, with £85,610 on other housing in Mombasa, and £228,785 in Nairobi. The expenditure on Medical buildings amounted to £189,297, the largest

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the largest item being £34,494 on the Medical Laboratory in Nairobi. Educational expenditure totalled £330,028, including the following European schools:-

	£
Prince of Wales' School, Kabete	70,199
Nairobi Primary School	40,409
Nakuru Primary School	47,237
Eldoret Primary School	47,687
Kitale Primary School	31,160

The Indian School, Nairobi, cost £56,472 and the African Technical School £26,628. In the European schools at any rate adequate provision could conceivably have been made at a substantially smaller cost. The Customs Office at Embasa cost £25,375. The most expensive building was the Courts at Nairobi, in which, however, a number of Government Offices are also housed. The total cost was £136,000. The buildings are undoubtedly ornate to the Colony but, as the present financial and economic position shows, their construction from loan funds involves an expenditure which has become onerous. They have in fact the fruits of an optimism which has unfortunately not been justified by later history.

*facts*  
Expansion in Departmental Establishments.

46. It has been stated in paragraph 37 that the expansion in recurring expenditure between 1924 and 1930 was largely due to the expansion of various services together with increases in salaries, and it will be advisable to summarize the facts both as regards the expansion during that period and the enforced contraction from 1930 to the present time.

Appendix XI is a comparative statement showing for each of the main departments the number of superior and subordinate officers, and the expenditure on personal emoluments, (a) in the year 1912-13, (b) in 1921, (c) in 1928, (d) in 1932, and (e) at the present time. Superior officers have been taken as including those the maximum of whose salary scales exceeded £300 in 1912-13, £500 in 1920-21, and £600 in the later years.

As regards the subordinate staff, more especially Arabs and Africans, only those posts, the numbers of which have been specified in the estimates, have been included, so that, as a general rule, most of the lower-paid employees such as Interpreters, Headmen, Tribal Police, Forest Guards, etc., have been omitted. Owing to numerous departmental reorganizations the figures can only be regarded as close estimates, and the analysis of racial composition cannot be taken as absolutely accurate.

The figures of expenditure on personal emoluments are however actuals, with the exception of those for the current year, but they make no allowance for reimbursements from other Administrations. The statement is sufficiently accurate for comparative purposes, and an examination of the figures for the various departments shows that they can be divided into two main classes as regards their degree of development from 1912-13 onwards. The essential administrative departments, including Administration, Customs, Judicial, Police, and Treasury,

Treasury, show a substantial increase in the number of superior officers between 1912-13 and 1920-21, but no large subsequent increase in numbers, and in some cases a final considerable decrease.

47. Under Administration, for example, the number of superior officers increased from 92 in 1912-13 to 141 in 1920-21, 115 in 1928, 130 in 1932, and 122 in 1935. Similarly Police superior officers increased from 10 in 1912-13 to 14 in 1928, 17 in 1932, and fell to 9 in 1935.

European subordinates followed a similar course under the head Administration, but under Police they increased from 43 in 1912-13 to 104 in 1928, 114 in 1932, and 100 in 1935. Asiatics increased under Administration from 109 in 1912-13 to 164 in 1920-21, then falling to 157 in 1928, 137 in 1932, and 135 in 1935. Under Police they rose from 160 in 1912-13 to 200 in 1920-21, falling to 109 in 1928 and 1932, and to 101 in 1935. The Post Office and Telegraphs show a large general expansion, the greatest proportionate increase being in European subordinates.

Arabs and Africans play a very small part up to 1928 except in Customs, Police and Prisons, the figures under Administration and Medical in 1920-21 being due to temporary circumstances.

48. The technical services show a larger expansion in numbers. Under Education the number of superior officers rose from 2 in 1912-13 with 3 European and 11 Asian subordinates, to 25 superior officers



officers in 1928 with 104 European and 78 Asian subordinates, and to 29 superior officers in 1935 with 127 European and 97 Asian subordinates. The number of Arab and African subordinates is still only 8.

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Similarly under Medical the number of superior officers rose from 24 in 1912-13 with 17 European and 53 Asian subordinates to 71 superior officers in 1928 with 103 European and 61 Asian subordinates, falling in 1935 to 56 superior officers with 101 European and 55 Asian subordinates. Arabs and Africans made their first appearance in 1932 (apart from the special circumstances of 1920-21), and increased to 19 in 1935.

The Public Works Department had 12 superior officers in 1912-13 with 20 European and 56 Asian subordinates. The numbers rose to 32 superior officers in 1932 with 57 European and 86 Asian subordinates, falling in 1935 to 24 superior officers with 74 European and 57 Asian subordinates. Arabs and Africans first appear in 1928 and numbered 30 in 1935.

Finally, under Agriculture the numbers rose from 16 superior officers in 1912-13 with 23 European and 5 Asian subordinates, to 66 superior officers in 1932 with 92 European and 11 Asian subordinates, falling in 1935 to 56 superior officers with 87 European and 5 Asian subordinates. The maximum number of Arabs and Africans was 10 in 1928, and in 1935 there were only 7.

On the whole the recent tendency has been to replace Asians by Europeans and to some extent by Africans

Africans, but up to the present the African share has been a very small one.

49. So far as the budget is concerned, however, the essential question is the expenditure on personal emoluments at various stages, and the following table summarizes the facts for some of the main departments, excluding the joint department of Posts & Telegraphs.

Department	1912-15	1920-21	1926	1931	1935
Administration	65,055	210,896	182,504	194,312	172,691
Agriculture	15,029	63,955	64,916	81,134	63,017
Education	5,087	28,688	77,285	101,861	102,379
Judicial & Legal	21,738	30,649	22,557	25,371	55,277
Health	20,782	99,299	122,195	132,107	125,977
Police	33,657	101,437	111,681	106,937	105,503
Public Works and Transport	10,353	73,868	75,391	73,026	60,256
Secretariat, Legislative Council & Native Affairs	5,321	32,991	20,951	24,110	23,115

These figures illustrate clearly the cost of expansion mainly carried out through European agencies, notwithstanding the strenuous efforts to effect economies first in 1922 and then from 1931 onwards.

50. It must also be remembered that these figures only represent the salaries paid, and they do not include the various charges comprised under the head of "hidden emoluments" amounting in the case of superior

of superior officers to an average of some 45 per cent of salaries, and in the case of subordinates to a variable but still substantial percentage. More detailed information with reference to hidden emoluments will be found in Appendix XII. This shows that for the European overseas service the percentage varies from 41% in the case of officers with a salary of £1500 per annum to 61% in that of officers drawing £240 per annum. For Asians on the old terms of service it varies from 34% for officers with a salary of £300 to 64% for those with a salary of £120 per annum. For the new European Local Civil Service the percentage varies from 19 to 23 and for the new Asians Service from 19 to 23.

*to cat* The Cash Position.

51. So far consideration has been confined to various aspects of the income and expenditure figures of the Colony, but for the purpose of indicating the true financial situation the cash position must also be taken into account. This may be summarised as follows:-

Excess of assets over liabilities on 31st December, 1934.	207,639
plus surplus on 1935 accounts.	
Revised revenue	3,265,096
Revised expenditure	3,215,096
Surplus	50,000
Estimated excess of assets over liabilities on 31st December, 1935	257,639

On the

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On the basis of the estimated Revenue and Expenditure for 1936 the estimated closing balance on 31st December, 1936, will be £267,389.

Analysis of the Statement of Assets and Liabilities shows that the assets include the following items of a non-liquid character:-

	£	
Agricultural Advances		101,057
2 Unallocated Stores		43,786
Loans to Cereal Industries	£	
Maize Industry	111,460	
4 Wheat	4,205	
Barley "	425	116,090
Civil Servants' Building Scheme		17,504
		£278,237

Note: - The amounts shown in respect of the above assets are those contained in the Statement of Assets and Liabilities as at 30th November, 1935. The corresponding figures for the end of the year 1935 are not available. The differences would however, be small.

The total of the assets listed above amounts to £278,237 as against an estimated surplus of Assets over Liabilities on 31st December, 1935 of £267,639. There is therefore an estimated cash shortage of £20,598. Current Treasury needs require a liquid cash balance estimated at £100,000 and the effective cash deficiency is therefore £120,598.

Note: - The corresponding figures for the effective cash deficiency at the end of the three preceding years were:-

End of 1932 .....	£157,989
" " 1933 .....	£196,644
" " 1934 .....	£179,947

52. The non-liquid assets detailed above are the result of the action taken at various periods to assist special agricultural industries. A brief summary of the action taken in this direction may be given, including both the items detailed above and other forms of direct assistance excluding that afforded by import duties and railway rates. The most important of the latter were the preferential rating of local as compared with imported articles on the Railway.

In 1929-30 a sum of £35,000 was appropriated from the surplus balances to enable a refund to be made of railway rates and port charges in respect of exported cereals. A refund of four-fifths of the grading and conditioning fees was made on maize exported from the 1929-30 crop, the sum involved being £18,071. Similarly a rebate on paraffin for agricultural purposes cost £36,306 between 1929 and 1933.

In 1932 again the local supplies of wheat were short and, in order to maintain the local milling industry, a refund of the whole duty in 1932, and of five-sixths of the duty in 1933, were made on wheat imported under licence. The total sum refunded was £47,886.

Lastly, in the year 1936 assistance is being given to maize by the allotment of a sum not to exceed £18,500 for the purpose of maintaining the export price of maize consigned to destinations other than certain specified markets. These forms of assistance do not appear in the table given above.

53. Further

53. Further assistance to producers has moreover been given by loans. In 1930 and 1931 a loan subsidy on maize, wheat, and barley exported from the 1929-30 crop was made under Ordinance No.17 of 1931. The Ordinance provided for the repayment of the loan by the maize industry by a cess on export when the export price of maize should exceed the value of Sh.7/25 cts. per bag of 200 lbs. f.o.r. No legislation has yet been introduced providing for the repayment of loans by the wheat and barley interests, and the amounts outstanding are as shown in the table. Again in 1930 provision was made by the Agricultural Advances Ordinance for a sum of £100,000 at any one time to be made available to farmers in temporary financial difficulties. By the end of 1933 the amount authorized amounted to £115,000 and, allowing for £2,956 in bad debts, the amount owing at the end of the year was £110,244. Interest charges are leviable on these advances but substantial further losses are probable in connection with them.

*effects*  
Unavoidable Future Increases of Expenditure.

54. To complete the analysis of the present position it is necessary to make some reference to unavoidable increases of expenditure during the next few years, apart from the contingent liabilities in connection with the Public Debt which have been dealt with in paragraph 44.

In the first place staff increments for the European and non-European staff for the next five years

years

years would amount to a considerable sum, but against this may be set normal economies from staff changes including retirements, and promotions. On the whole, therefore, the future liability on account of increments may be disregarded if full provision is made for contingent pension liabilities.

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53. The crux of the problem of future liabilities lies in the question of pensions. Appendix XIII gives the statistical history of the pension liabilities already incurred and they have been further discussed in paragraph 50. It will be observed that retrenchments of staff are responsible for large increases in pension payments between 1920 and 1924, and between 1930 and 1935, though last year payments on account of gratuated pensions contributed substantially to the increase.

56. The European Officers Widows & Orphans Pension Scheme became effective from April, 1931, and the total amount credited to the general revenue of the Colony up to the end of 1934 amounts to £257,369, against which payments, including administration costs, amount to only £29,443, so that the revenues have benefited to the extent of approximately £228,000. In 1934 the receipts amounted to £24,082 and the payments to £4,026, of which £608 represents management expenses. A fairly heavy annual liability in respect of such pensions is inevitable in the future, but is not likely to be appreciable during the next ten years. The inclusion of these receipts in the general accounts of the Colony is misleading unless it is clearly borne in

mind that

mind that the balance of income is only of a temporary character, and in any case a proper actuarial estimate should be made of the probable course of future receipts and expenditure under this head. The Asian officers have a separate Widows & Orphans Pension Fund, but it will not materially affect the position.

57. A new factor has been introduced by the inauguration of Provident Funds for the Local Civil Services for Europeans and Asians. These involve arrears payments by Government estimated at 220,000, which it is proposed to charge provisionally to a suspense account to be liquidated by annual payments over a period of not more than ten years. An estimate made by the Treasury of the effect over the next ten years is given in Appendix A, which also gives an estimate for the same period of the future liabilities under pensions and gratuities of all types. These estimates must be regarded as subject to a wide margin of error, as they are affected by so many uncertain factors, including the lack of experience of the effect of the recently introduced Provident Fund. In framing any estimate regard must also be had to the effect of the reduction of the pension constant from  $\frac{1}{480}$  to  $\frac{1}{600}$  for each completed month of service, but this applies only to those officers who entered pensionable posts late in 1935 onwards.

58. Other factors of uncertain influence are:-

- (a) The inauguration of the Local Civil Services with a resulting diminution in the number of pensionable posts.
- (b) The

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- (b) The large increase in Government staff which took place after the War. Many of the officers then engaged will reach the age of retirement during the next ten or fifteen years.
- (c) A probable increase in the number of older pensioners dying during the coming years, more especially in view of the heavy retrenchments during the years 1920-1924.
- (d) The fact that under the agreement entered into with the Railway the Colony is liable for railway officials' pensions earned in respect of service prior to the separation. This liability will decrease as time goes on.

Taking all these factors into account, so far as is possible at the present time, the statement indicates that the total liabilities under these various heads will increase unavoidable expenditure by 252,000 during the next five years, and by a further 228,000 up to 1946. This represents a considerable liability to be taken into account in the future.

*More to follow*

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CHAPTER III.

INCOME AND EXPENDITURE.

58. This analysis is based on the budget figures for the year 1936. The revenue and expenditure over a series of years has been given in Appendices VIII, IX, and X. Before dealing with the estimates of expenditure it is necessary to consider in some detail the main sources of revenue in preparation for the examination of the budget which is required by the second term of reference to the Commission.

The revenue falls under three main heads:-

- (1) Taxation proper including Customs and Excise, Licences, duties and taxes, amounting to £1,634,400.
- (2) Returns for services rendered amounting to £111,530.
- (3) Income from Departments including the Post Office & Telegraphs, and from Government property, and mining royalties, totalling £415,905.

Customs and Excise.

59. The first main source of revenue requiring examination is Customs and Excise, but before dealing with the income from this source it is necessary to analyse to some extent the character of the imports during the last <sup>twelve</sup> years.

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Kenya

Appendix XV gives the quantity and the value of the net Kenya imports under the main heads from 1923 to 1934. On the whole the imports reflect the variations in economic prosperity, both local and world-wide, but those under some heads have been substantially affected by the policy of protection adopted for the purpose of developing and assisting local industries both primary and secondary, the latter having come at a later stage than the former. These measures of assistance have operated to limit the field of consumption brought under Customs levy.

60. Bearing in mind these considerations, the history of the Kenya Customs and Excise may be examined. Appendix XVI shows the receipts under these heads for both Kenya and Uganda from the year 1914 to the present time. The history of these duties may be summarized as follows. The pre-war tariff was a flat rate duty of 10% ad valorem on imported goods, with a specific duty on potable spirits, and a small list of exemptions. A greater

freedom of choice was given in 1919 when by the Convention of St. Germain en Laye the restrictions imposed by the Congo Basin Treaties were modified.

The financial crisis of 1921<sup>1/2</sup> and the abolition of Income Tax led to certain experimental adjustments of the duties imposed mainly on luxury articles for the purpose of supporting the Revenue position. As, however, these adjustments were particular to Kenya and consequently interfered with the principle of a uniform tariff operating in the Customs Union of Kenya and Uganda, they were found in practice

in practice to be unworkable, and following upon an inter-territorial Customs Conference in 1922 the Customs Tariff of 1923 was introduced and applied in both territories. This tariff, which survived with minor modifications until it was replaced by the present tariff of 1930, owed its inspiration to South African practice and embodied the following changes of structure:-

- (1) the extended application of specific rates of duty in place of ad valorem rates;
- (2) the application of heavy ratings to luxuries such as wines, spirits, and tobacco <sup>at a 50%</sup> ad valorem rating for other luxuries such as perfumery and jewellery;
- (3) the application of a low rating of 10% ad valorem to some industrial commodities, and an extension of the free list in the interests of industrial and agricultural development;
- (4) the application of certain protective rates of duty; and
- (5) subject to the above, a blanket rate of duty at <sup>percent</sup> 20% ad valorem.

61. The Tariff of 1930 did not attempt any radical revision as to general incidence. It did, however, adjust the specific rating to altered conditions. It also reduced the rates on vehicles and parts, and made some extension of the free list. On the other hand it increased the duties on liquors and tobacco.

While retaining the protective duties it introduced an element of elasticity into their application

application in the three Territories by the use of the basic plus suspended duty, the suspended duty being imposed by Proclamation (with the approval of the Legislative Council), each Territory retaining the right to impose any suspended duty in whole or part.

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62. The most important modifications of the 1930 Tariff were effected by the Tariff (Amendment) Ordinances of 1933, 1934, and 1935.

The first two made minor alterations indicated by experience as necessary for the purpose of safeguarding the revenue from loss in respect of certain textile and other goods, the yield from which had suffered severely as the result of the fall in prices. The 1933 amendment applied a small increase to the rates on manufactured tobacco. During the same period the first Excise duty was introduced by the Beer Ordinance of 1923, followed in 1931 by the Excise Duties Ordinance imposing low rates of duty on tea, sugar, cigarettes, and manufactured tobacco.

63. The introduction of the principle of protective duties followed the recommendations of the Bowring Committee of 1922, and was directed to the fostering of industries believed to be suited to the Colony. Those affected were bacon and ham, butter and cheese, ghee, sugar, timber, wheat and wheat flour. To this list must be added beer and tea, two industries which have developed under the protection of the tariff. A tobacco industry has

been

been similarly developed in Tanganyika and Uganda. The margin of protection afforded by the difference between the rates of Customs duty and the counter-vailing Excise duties is such as to bring these industries into the category of protected industries.

In considering the effect of the protection afforded to these commodities either on the revenue or on the agricultural economy of the Colony it is only possible to arrive at broad conclusions, and one of these is that in the absence of protection, these industries would probably not have become established. Generally speaking, but excluding the tea industry, full advantage has been taken in the local market of the fiscal protection. The displacement of imported tea by Kenya-grown tea was mainly the result of the much lower price charged for the Kenya tea. Appendix XVII gives a history of the imports of these commodities since 1923 with particulars of duty collection and of the rates of duty.

Comparing the figures for 1923 and 1934 and 1935 in respect of wheat meal, flour, sugar and tea the following position is disclosed:-

Commodity.	1923		1934		1935	
	Customs Duty.	% of Total Revenue	Customs Duty	% of Total Revenue	Customs Duty.	% of Total Revenue
Wheat meal and flour	13,700	2.74	8,100	1.52	6,456	.94
Sugar	19,500	3.91	1,400	0.24	1,347	.20
Tea	10,300	2.06	260	0.04	572	.08
	243,500	8.71	29,760	1.60	28,375	1.22

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In the case of dairy produce (including ghee), timber, and wheat, the alteration in the amounts and percentage of collections are very small, but so far as dairy produce is concerned there has been a large increase in local consumption. In the report of the Tariff Committee of 1929 the butter sold by Europeans in 1923 is put at 247,000 lbs., while the recent report of the Economic Development Committee estimates the consumption for 1933-34 at 678,000 lbs. Similar figures are not available for the consumption of the other articles.

As regards exemptions from Customs duties, Appendix VIII gives the value of free goods imported into Kenya and Uganda during the periods 1925-31 with the percentage ratios to total imports. Of these free imports, at least 75% were consumed in Kenya and the value of the concessions in respect of industrial and agricultural machinery and appliances, bags and sacks for produce, motor-vehicles, etc., shown by the analysis of the free goods imported in 1934 and 1935 given in Appendix XIX. This free list follows approximately the same lines as that for the Union of South Africa.

Apart from the main agricultural industries, small secondary industries which have sprung up under the shelter of the tariff include milling, soap, jam, aluminium, paint, motor-car bodies, small foundries, cement from cement clinker, etc.

65. The remaining special feature of the Customs Tariff is the extension of specific duties to a large

to a large number of commodities. The administrative advantages of such duties, and the resulting benefit to trade, must depend, inter alia, on the character of the goods to which they are applied and the volume in which they are imported. Much of the trade of Kenya and Uganda is composed of miscellaneous goods imported in small quantities and in varying qualities not adapted to specific duties. Variation of incidence can however be rectified to some extent by the use of alternative specific and ad valorem rates.

The tariff of 1923 first introduced the extended use of specific duties. When this tariff came under revision in 1930 the rates in force were examined in the light of the fall in values which had taken place, and were to some extent adjusted. Current commodity prices are now even lower and, as a result, the ad valorem equivalents of most of these specific duties have become distorted. Appendix II gives the approximate ad valorem equivalents of the more important specific ratings, but in the case of the duties which came under revision in 1933 and 1934 the equivalents quoted are based on the values of the cheaper classes of imports, most of which are from Japan. Higher quality goods of other origins still fall partially under the ad valorem class.

The effects of this tariff revision are of material importance, as the articles concerned cover a considerable proportion of Native trade imports. It is clear that many of these specific rates cannot be justified on purely fiscal grounds, but other considerations enter into the question,

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and it might be found on examination of the tariff as a whole that the reduction of certain duties on account of extraneous circumstances would preclude the reduction of other duties without an undesirable disturbance in the burden of incidence. Having regard to this consideration, and to the fact that three territories are involved, any drastic revision of the incidence of Customs taxation would present an extremely difficult problem.

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66. In considering the probable trend of future Customs receipts, the main factor to be taken into account must be the aggregate value of the Colony's exports overseas together with the balance of payments due in respect of produce traded between Kenya and the two neighbouring territories. Invisibles items in the balance of payments have always had a substantial influence on the values of trade imports, and therefore of Customs collections. Private remittances inwards, tourist expenditure, and loan expenditure on Government or private account, together with commercial service earnings, supplement the visible balance of trade. An important adverse factor is, however, the commitments of the Government and of the Railway Administration in respect of pension and loan interest charges. To attempt to estimate the course of future receipts would be a hazardous undertaking. Assuming the amount of £60,000 (the budget estimate for 1936) to represent the combined receipts from Customs and Excise under existing trade and industrial conditions, some slight improvement in these conditions

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and it might be found on examination of the tariff as a whole that the reduction of certain duties on account of extraneous circumstances would preclude the reduction of other duties without an undesirable disturbance in the burden of incidence. Having regard to this consideration, and to the fact that three Territories are involved, any drastic revision of the incidence of Customs taxation would present an extremely difficult problem.

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66. In considering the probable trend of future Customs receipts the main factor to be taken into account must be the aggregate value of the Colony's exports overseas together with the balance of payments due in respect of produce traded between Kenya and the two neighbouring Territories. Invisible items in the balance of payments have however always had a substantial influence on the value of trade imports, and therefore of Customs collections. Private remittances inward, tourist expenditure, and loan expenditure on Government or private account, together with commercial service earnings, supplement the visible balance of trade. An important adverse factor is, however, the commitments of the Government and of the Railway Administration in respect of pension and loan interest charges. To attempt to estimate the course of future receipts would be a hazardous undertaking. Assuming the amount of £680,000 (the budget estimate for 1936) to represent the combined receipts from Customs and Excise under existing trade and industrial conditions, some slight improvement in these conditions

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will be necessary even to maintain such a basic figure.

At the same time it would appear to be safe, in visualizing the future, to assume a measure of new development financed through imported capital, and an extension in the field of European and of Native production. Given such conditions, the trend should be upwards, notwithstanding the retardation caused by the development of internal trade assisted by protective duties and other measures. The expansion in such receipts will, however, be substantially less than would have been realized if the duties imposed had been based on purely fiscal considerations, and the growing needs of the country will, therefore, as in other similar cases, make it essential to consider alternative sources of revenue, more especially including direct taxation. The rate of recovery will depend to a large extent on the spending power of the Native population, whether as producers or wage-earners, a fact which has received impressive confirmation in the recent financial history of Tanganyika. Ready cash in Native hands is generally rapidly turned over to the shopkeeper, and the collections recently recorded under the classifications of "Cotton Yarns and Manufactures", "Other Textile Manufactures" and "Miscellaneous Goods", suggest that the Native inhabitants of Kenya who have been able to earn larger sums on the goldfields, the Railway, and the Port, have been largely responsible for the increased receipts brought to account during the year 1935. When improved trade conditions bring

about

about an increase in the rates of wages in the main agricultural industries, the advance in Customs receipts should be much more pronounced.

67. It is unnecessary at the present stage to consider in any detail the income derived from the various forms of licences and from Stamp Duties. There appears to be some doubt whether as much is realised from game licences as ought to be secured under this head.

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Native Hut and Poll Tax.

68. The next main source of revenue is the Native Hut and Poll Tax, which is estimated to yield Rs. 540,000 during 1936 and in connection with which a number of difficult problems under consideration.

A tax of these lines has been found necessary in most parts of Africa notwithstanding the strong theoretical objections to its general character. In Kenya it was first authorized by the Hut Tax Regulations of 1901 by which a tax of not more than Rs. 2 per annum was authorized on all huts used as dwellings. The occupier of the hut was responsible for the tax. By Regulation No. 8 of 1902 the limit was raised to Rs. 3 within the provinces of Kisumu and Naivasha. These regulations were repealed by the Hut Tax Ordinance of 1903 by which the Commissioner was empowered to impose a tax on all huts, and to vary it from time to time, provided that the rate imposed should not exceed Rs. 3 per annum. The tax could be paid in kind or labour

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in lieu of money.

That ordinance was repealed by the Native Hut and Poll Tax Ordinance No.2 of 1910 which is still the principal ordinance governing the tax. It introduced into the law for the first time the principle of a poll tax parallel with the hut tax. In practice, however, a poll tax had been levied previously, as in 1903 the Commissioner took powers to direct that "in the event of more adults than are enumerated in one family living in a hut... each such additional adult or adults, shall pay the amount of hut tax in force at the time being." This provision was applied in the Coast Province in 1905 and extended to the Kamba and Kisumu (then Kikuyu) provinces in 1908.

Under this Ordinance the tax was fixed at Rs.5 to be paid by every Native in respect of every hut owned by him. The responsibility for payment was therefore placed on the owner and not as before on the occupier. Every adult male not able for hut tax was required to pay a poll tax of Rs.3 per annum. There was also a proviso that a Native who had not the means to pay the tax could be made to work on public works in lieu of payment. The period of work specified was one month for every Rs.3 of tax. This provision was deleted by Ordinance No.34 of 1921 because it was considered that it might be criticized as subjecting the Natives to a species of forced labour. It had in fact been very little used.

Under the authority given by Ordinance No.40 of 1915 the general rate of tax was increased to Rs.5,

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Rs.5, with certain exceptions as in the case of the Masai for whom the rate was fixed at Rs.3.

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The Ordinance of 1915 was amended by Ordinance No.17 of 1920 by which the maximum rate was increased to Rs.10; by Proclamation No.60 of the same year the general rate was fixed at Rs.8. There were, however, certain exceptions, and the Masai rate was fixed at Rs.10, with Rs.7 in Tanaland, Rs.6 for the Suk and Northern Frontier Province including Jubaland, and Rs.5 for some Coast districts. This increase coincided with the introduction of Income Tax for Europeans but that tax was abandoned in 1922. As regards the Natives, it was found that a tax of Rs.8 was excessive, more especially as a slump followed shortly, and its effects were accentuated by the currency fixation which first fixed the value of the rupee at Sh2/- and soon afterwards replaced the Poina by the shilling as the unit. By Proclamation No.68 of 1922 the general rate was fixed at Sh.12/- but the Sh20/- rate for the Masai was retained. The special Masai rate was imposed on account of their potential wealth in stock.

69. The Hut Tax was an attempt at a property tax on the assumption, formerly fairly correct, that additional huts for wives in excess of one were an indication of additional assets, as the extra wives and their children increased the family income by working their own allotments of land or by tending stock. This assumption is, however, becoming progressively less satisfactory as a basis of taxation. Not only is it objected to by polygamists as a tax on women,

on women, but additional wives are not so definitely an asset as formerly, and where, as is frequently the case, extra huts are occupied by widows for whose maintenance the man is by custom responsible, or by other elderly relations, their presence may represent not an asset but an additional burden. Also the distribution of property is becoming modified, and the young man with a new earning power may be better off than the older man with family responsibilities. The chief difficulties occur in respect of huts occupied by widows, and, although in many such cases exemptions are allowed by District Officers, the position is unsatisfactory and hard cases are by no means unusual. There is in fact a fairly general agreement among those who have practical experience in such matters that the time has now come when some practical alternative to the present hut tax will have to be found out.

70. The Poll Tax was introduced in the Ordinance of 1916 with the intention of encouraging the young unmarried men to find employment of some kind and from the proceeds of that employment to contribute to the revenue. Their old occupations of fighting and hunting had ceased and it was desired to divert their energies to manual labour. Up to that time a tax corresponding to a poll tax had, as explained in paragraph 68, been collected in certain areas, but there had been no general application. It seems possible that the poll tax, as a tax on the individual and not on the family, may have contributed to the loosening of the family ties which is very evident

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in some tribes and more especially among the Kavirondo. So long as the family remains united, it matters little whether the tax is called a hut tax or a poll tax. When the family breaks up, part of the obligation is transferred to that exceedingly elusive person, the payer of poll tax. It is most difficult to trace such mobile persons; some probably escape altogether, but in other cases the tax may be realized twice over, once from the father in the Reserve, and again from the son in Mombasa, neither knowing what the other is doing.

71. So long as wages remained at such a level that the hut and poll tax could be raised by a month's work outside the Reserve, and the value of a head of large or small stock, the collection of the tax presented no special difficulties. When, however, wages fell to Sh. 6/- a month, or less, the price of stock was halved (if indeed it could be sold at all) and the proceeds from any agricultural produce were similarly reduced, the situation was changed. It was aggravated by a succession of years of drought, total or partial, and psychological difficulties were added by the growth of new wants among the younger members of the more advanced tribes. It is much pleasanter to spend any little available money on meeting a new want than on paying a tax.

As a result of all these causes the number of prosecutions for non-payment of tax, which was almost negligible in earlier times, has now risen to figures representing a serious problem. In the year

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1933 148 persons were sentenced to imprisonment under the Hut and Poll Tax Ordinance, and 8561 to Detention Camp, in 1934 the corresponding figures were 1357 and 8520, and in 1935 they were 682 and 8655. In the Kavirondo area a considerable proportion of the men in the detention camp were stated by the Chief Native Commissioner to be young and able-bodied men with a modern taste in clothes. There is no organized work for the men in most of the detention camps, and the sentences practically mean from one to three months idleness at the expense of Government. There is no provision, as there is in Tanganyika, allowing fines to be paid in labour on Government undertakings or essential public works and services, contumacious refusal only being a sufficient ground for prosecution. Official opinion in Kenya appears to be against any such provision, partly because it is apprehended that this might be regarded as an infringement of the International Convention in regard to Forced and Compulsory Labour (as has been explained above in connection with Ordinance No. 24 of 1921), and partly because of the difficulty of organizing suitable work and of the possibility of affecting adversely the labour supply to farms and other private undertakings.

72. The African is as a rule a good taxpayer when the taxes required of him are within his capacity, but several agricultural countries have furnished examples of the difficulty in compelling the small peasant to pay taxes if he makes up his mind to abstain from doing so. The fall in wages and  
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in the price of primary commodities has given an incentive in this direction, and with a peasantry getting its living from the soil the conversion of all values to currency is an unsound criterion.

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73. In the present situation there are two separate though closely connected problems. The first is what should be done to deal with the immediate difficulties; the second and much the more important, what modifications should be made in the system of taxation as to adapt it to the conditions of the present time.

As regards the first problem the Government has in recent years both reduced, or on occasions even remitted, the taxation of tribes especially affected by the economic depression or by famine, and it has also carried a good deal further the principle of modifying the standard Shs. 12/- rate of tax to meet the conditions of different areas. The latest notification on this subject in November 1935 imposed lower rates of tax for 80 different areas, the rates varying from Sh. 10/- in seven areas (including the Masai), Sh. 9/- in two areas, Sh. 8/- in seven areas, and Sh. 6/- in three areas, to as low as Sh. 5/- in Turkana. The reductions might possibly in some cases have been made earlier with advantage, more especially having regard to the actual experience of the beneficial effects (even as regards actual total collection) of a timely lowering of the rate of tax, but they are certainly substantial. In some cases, also distance from markets, or the existence of adequate markets, may not have been taken into sufficient account, but the general financial position

of the Colony makes reductions in taxation very difficult. This more especially as, in the absence of any accumulated reserve for expenditure on Native account on the lines proposed by Lord Moyne, a substantial reduction in Native taxation would involve reduced services.

74. By the Native Hut & Poll Tax Ordinance of 1934 further provision was made for the exemption of impoverished persons, and on the other hand/ for payment of the tax by women hut-owners who are financially able to do so. Further, from the 1st January, 1936, a new system of collection by means of stamps of the value of Sh.1/- to be affixed to cards was introduced so as to facilitate payment by instalments. The cards act as a sort of money-box but the liability to the whole tax is not affected.

75. Two additional proposals involving a reduction in the yield from this tax have been put forward. The first is that the taxable age should be raised from 16, as it is at present, to 18, the age fixed in Uganda, and also from the year 1936 in Tanganyika. The taxable age for Europeans and Indians under the Non-Native Poll Tax Ordinance is also 18. This proposal has been considered by Lord Moyne in his "Report on Certain Questions in Kenya" and he was of opinion that fixing the age at 18, besides involving much practical difficulty because of the absence of any proof of age, would lead to a loss of revenue of about 240,000. The case for alteration has been strengthened by the

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recent change in Tanganyika, and it seems improbable that the loss in revenue would exceed £20,000. There is therefore a good case for the alteration, but, so far as real hardship is concerned, it appears to be a much more urgent matter to deal with the question of the additional payment of a full tax on each extra hut. As has been already said, additional huts are becoming a less and less satisfactory criterion of additional resources, and although District Officers have now been given wider powers of exemption, there appear to be remarkable differences in the percentage of exemptions in different districts. For example in North Kavirondo in 1934, a year in which collections were about 7% below normal, 19,250 persons are reported to have paid poll tax locally (apart from those whose payments were made in other districts), and 57,750 to have paid hut tax; 4,200 exemptions were given under poll tax and 21,100 under hut tax. Similarly in Central Kavirondo there were 72,564 payments of hut tax and of poll tax including about 7,300 poll tax and 65,308 hut tax. The latter figure is estimated to represent 45,040 payers of hut tax but this figure does not include either the taxes for 1934 paid in 1935 or the large number of taxes paid outside the district. The exemptions from poll tax are estimated at 800 and under hut tax 33,200. These figures are obviously unreliable as are those for most other districts, and the Provincial Commissioner considers that the position in Central Kavirondo would be more accurately estimated by saying that out of every 100 taxes, whether hut or poll, 65 are paid, 23 are exempted and of 12 there is no record of payment. As against these, in the Coast Province Malindi district returns 3,095 payers of poll tax, and 10,120 of hut tax, with exemptions totalling 92 and 250 respectively. Voi similarly reports 2,245 payers of poll tax, and 21,811 of hut tax, exemptions numbering 37 and 1,417. In the Central Province including the Kikuyu reserve 101,284 persons paid poll tax and 259,745 hut tax; 2,710 were exempted

from poll

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from poll tax and 31,047 from hut tax.

The Treasury is naturally reluctant to reduce the estimate of collections in the present financial position of the Colony.

The figures quoted above are those supplied by Government, but they seem to be unreliable and the only conclusion which can safely be drawn from them is that there are wide differences in the standard for exemption applied by different officers. These variations are partly due to differences in economic conditions or in family customs. They suggest however the desirability of a special enquiry into the whole question of exemptions.

A Commission presided over by a Judge of the High Court has recently been appointed to enquire into alleged abuses in the collection of the tax by the Native Authorities. Its appointment taken with the present adverse economic conditions appears to have led to a certain amount of unsettlement among the more educated tribes which is likely to affect to some extent the collection of the tax in those areas. The effects should however be temporary when any action necessary has been taken on the report of the Commission.

78. In Tanganyika the standard payment for each extra hut is half the full tax, except in special areas where additional wives have by custom separate establishments of their own, as for instance among the Wachagga, growers of coffee near Mt. Kilimanjaro.

Until a satisfactory substitute can be found for the present tax it does not seem advisable to abolish

to abolish all liability on account of additional huts, nor indeed is it financially practicable without a substantial increase in the general rate of tax, but the adoption of the Tanganyika system would largely mitigate the hardships which certainly result from the existing provision. It should also be of material assistance to dealing with the unsettlement mentioned in the last paragraph. The resulting loss of revenue is very difficult to calculate owing to the inadequacy of the statistics available, but it be roughly estimated at £25,000.

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77. An administrative change which should be of assistance in the same direction is the introduction of a more systematic check of the actual tax roll. This is not an easy task and would have to be done gradually, but without such a check it is not possible to know with any accuracy the legitimate tax demand. In the large majority of districts this is left to the hut counters working with the Native Authorities.

It is considered that exemptions can be dealt with without any such general check of the roll, and that if persons who should pay tax are omitted information will be received from some who pay the tax and would prevent the escape of others equally liable to pay. The hut counters are certainly not of a type likely to be exempt from the temptation to make a little money, and both influence and bribery may operate to exempt some who should pay and to extort taxes from those who should not. This question is, however, closely linked with the general problem of district administration

administration and will be further considered in connection with that subject.

78. Turning next to the main problem, that of finding a more satisfactory substitute for the present Hut and Poll Tax, it must be recognized in the first place that a great deal of thought has been devoted to this subject both in Kenya and in other parts of Africa. A mere temporary observer has neither the knowledge nor the experience which would entitle him to give any confident opinion on an exceedingly difficult problem involving every aspect of Native social and economic life. What can be done is to set out the alternative proposals which have received the support of competent opinion, and to suggest some considerations which will have to be taken into account in endeavouring to arrive at a solution of the problem.

Of the alternatives to the present system which have been put forward from time to time that which has received most support from a large section of official and of missionary opinion has been the replacement of the Hut and Poll Tax by a universal poll tax, so abolishing all payments on account of extra huts. To obtain the same yield as from the existing taxes the new tax would have to be at a substantially higher rate, but it is very difficult to estimate what that rate would be. In North Kavirondo in 1954 the average sum paid by each hut tax payer on account of the tax of that year is reported to have been Sh.15.3 as compared with the standard tax of

Sh. 12/-

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Sh.12/-, in Central Kavirondo Sh.17.4, in Nandi Sh.12.8, in Kiambu Sh.13.3, and in Machakos Sh.17.9.

The extra tax would be spread over the poll tax payers so reducing the general average increase, but on the other hand a proportion of the hut tax payers are women who would be exempt from poll tax. There are many elements of uncertainty in the figures but possibly Sh.15/- might be taken as the probable standard rate of the new poll tax as against the present rate of Sh.12/- . Specially rated districts would be varied proportionately. It must also be remembered that in addition to the Hut and Poll tax a cess is levied by the majority of Local Native Councils, the usual rates being Sh.1/- or Sh.2/- per man. This cess is not levied on Natives outside the Reserve.

The representatives of several Local Native Councils professed the willingness of their peoples to pay a substantially higher rate of poll tax if they were relieved of hut tax, but the Councils probably represented the classes who would pay less under the new system and not the younger men who would pay more.

Apart from the much greater difficulty of collecting and checking poll tax the proposed system would make no attempt at equity of incidence, and by its higher rate would tend to aggravate the present inequalities.

Recent occurrences in Southern Nigeria and in Northern Rhodesia have also shown the danger attending any substantial increase in the rate of Native taxation, and the present time would be most unfavourable



unfavourable to such an attempt.

79. A more scientific and progressive proposal to which much thought has been devoted is that the present tax should be replaced by an assessment on the lines followed in Nigeria and in the Sudan. Such an assessment would take into account both crops, stock, and other sources of income such as those from handicrafts. It would presumably be for a term of years, subject to annual revision according to the course of markets and the adequacy of rainfall. It might be accompanied as in parts of Nigeria by separated rates of taxation on Natives' regular salaries.

80. There are, however, wide differences between the circumstances in Kenya and in Northern Nigeria. In the first place the Native population of Northern Nigeria is probably, on the average, much wealthier than it is in Kenya or in Tanganyika. The area is 280,000 square miles, its population over 10 millions, and its trade valued at over 30 millions. A large proportion of the population lives in towns or large villages. Secondly, though the unit rate of taxation is graduated the general standard is much lower than in Kenya, and appears to run from a maximum of Sh.6/- to as low as 6d. Thirdly in Northern, though not in Southern Nigeria, the people had been familiarised with the principle of assessment by generations of experience of the Mohammedan "zakat", which had only to be remodelled and regularised. It has been successfully extended to other areas such as the

Yoruba States,

Yoruba States, but in some parts of Southern Nigeria its introduction has been attended with difficulties, and in some areas at any rate it has tended to become a uniform poll tax, though a poll tax based on an assessment. Finally, in Nigeria the local authorities take 50% or even more of the yield of the tax, so that they in fact tax themselves on a very low scale for local purposes. This must be a powerful factor in stimulating collections. Further, as regards the method of assessment neither in Nigeria nor the Sudan does the Government attempt to deal with the individual, which, as far as land is concerned, would be impossible without a complete cadastral survey, such as is found in India and in a part of the Sudan. The people live for the most part in recognized villages with a system of village authorities. Their income is also derived from their assets in the village. The taxation unit is the village, and the distribution of the tax is left to the local authorities, with a certain amount of official supervision to check abuses as far as possible.

81. In Kenya the conditions are very different. The economic and social organization differs from one tribe to another, and customs relating to land may differ widely among different sections of the same tribe; this is markedly the case among the Kikuyu and related tribes. In general the detailed knowledge of these customs and conditions possessed by the Administration is inadequate. Further, the people do not in general live in villages, nor is their organization based on village groups with recognized village

Yoruba States, but in some parts of Southern Nigeria its introduction has been attended with difficulties, and in some areas at any rate it has tended to become a uniform poll tax, though a poll tax based on an assessment. Finally, in Nigeria the local authorities take 50% <sup>per cent</sup> or even more of the yield of the tax, so that they in fact tax themselves on a very low scale for local purposes. This must be a powerful factor in stimulating collections. Further, as regards the method of assessment, neither in Nigeria nor the Sudan does the Government attempt to deal with the individual, which, as far as land is concerned, would be impossible without a complete cadastral survey such as is found in India and a part of the Sudan. The people live for the most part in recognized villages with a system of village authorities. Their income is also derived from their ~~lands~~ <sup>lands</sup> in the village. The taxation unit is the village, and the distribution of the tax is left to the local authorities, with a certain amount of official supervision to check malpractices as far as possible.

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village authorities. Recognized land units were represented among the Kikuyu by the "githaka" and the group of "ithaka" under a "murumati", while among the Kavirondo the control over certain areas of land of the "mulango" may also have furnished a possible basis for a unit of assessment. These tribal organizations have, however, not been taken into account in working out the system of Native Administration, and the "locations" under the headmen commonly called Chiefs can certainly serve as units for the purpose of assessment. Among tribes less agricultural in character the difficulty would be even greater. Unless therefore it is possible to evolve a satisfactory unit for assessment purposes, with a native authority which could be entrusted to distribute the assessment without too much injustice, the Nigerian and Sudan systems do not appear to be applicable to Kenya. Another very serious obstacle to the introduction of such a system is that even if the local assets are known they do not include the large proportion of the Native income which is derived from work outside the Reserves. A separate method would therefore have to be contrived for taxing this class of income.

82. A variant of this system adapted to Kenya conditions is that proposed by Lord Moyne, consisting of a uniform adult male poll tax of Sh.6/p plus a cultivation and/or cattle tax. It has received close study and considerable official support but, apart from the absence of any obvious taxation unit for land, and from the difficulty of assessing and collecting

a tax on cattle, more especially in the absence of assured markets, there are serious practical obstacles to its introduction. It would in the first place involve a double burden on the owner of a hut in a Reserve who occupied himself in cultivation as compared with the man who went abroad to work. The latter might it is true leave his wife (or wives) and family behind, but they would probably not cultivate more than was adequate for subsistence. In the second place it would involve a great deal of extra work and expense in the collection of two taxes, of different amounts and differently assessed, from the same individual.

83. Another scheme now under consideration as an alternative to Lord Moyne's proposal is on the following lines. Under it Native taxation would consist of two main taxes: -

- (a) A universal poll tax payable to Government as a contribution towards the general costs of administration including communications, and major buildings, and scientific research.
- (b) A rate to be assessed and levied by Local Native Councils to cover the cost of all social services. The rate could be varied to meet local requirements but Government would have the right to impose a minimum rate to maintain essential services. The Local Native Councils would then assume responsibility for all the services which would under Lord Moyne's proposals be financed from the Native Betterment Fund.

This scheme

This scheme has the substantial advantage of establishing a real Native Treasury, and of varying rates of taxation according to local circumstances. It does not, however, mark any advance in the direction of taxing individuals according to capacity, and the poorer areas would fare badly as regards their social services, unless the local rate was supplemented by grants from the central Government. It is also open to the criticisms that it would involve extra taxation on the Native who remained in the Reserves as compared with the man who went out to work, and that the total yield from the taxation would be reduced by the exemption from the rate of all Natives living outside the Reserves. This exemption affects the yield from the existing Local Native Council-Gess, but as the cess is at a low rate the reduction in yield is of much less importance than the corresponding reduction would be under the proposed system. On the other hand the fact that the receipts from the rate would be applied to local services should make it much easier to collect.

84. The capacity of the existing Local Native Councils to undertake these responsibilities under official guidance would also require careful consideration. This is, however, a problem common to all systems of indirect rule which indeed rests largely on the principle that there is no teacher like the exercise of actual responsibility in respect of objects which are recognised as of general benefit and which can enlist popular feeling and Native tradition in their

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85. The Government of Tanganyika has recently decided to advance on somewhat different lines. While maintaining the existing tax, with careful local gradation, as the standard tax, they have made provision for a graduated personal tax in specified areas. This is to be levied by the local Native authority. It is to be levied according to a graduated scale of taxable wealth as assessed by the Native authority. This is to be estimated on the basis of:-

- (a) Profits from any trade, business, or employment after deducting the necessary outgoings.
- (b) On the value of the live-stock owned by the taxpayer. Further allowance is to be made for the value in money of any expenditure incurred by the taxpayer in the performance of his obligations to dependents according to Native custom.

86. It is unnecessary to discuss other proposals for special taxation on cattle or goats which will come under consideration in connection with Agriculture.

So far as the general system of direct Native taxation in Kenya is concerned, the conclusion appears to be that the present rate of taxation based on a standard of Shs.12/-, with local variants in poorer areas, can certainly not be increased, more especially as local rates, usually a poll tax of Sh.1/- or Shs.2/-, have to be paid in addition in most districts.

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districts. It should, if possible, be reduced to some extent by raising the taxable age and lowering the rate of tax on extra huts. Some further local gradation may also be advisable.

These are, however, only preliminary steps and sustained efforts should be made to evolve a new system of taxation better suited to the conditions of to-day. This will require a much closer study of the economic and social organizations of the various tribes before any approach to assessment according to capacity is possible. Progress is bound to be slow and tentative, more especially as among the progressive tribes, and such alone will come under consideration. In the first instance, any system involving the assessment of land must raise the difficult questions of land tenure, while pastoral tribes may provide problems equally likely to raise public excitement in respect of their stock. These possibilities are however not adequate reasons for sitting still and simply continuing the present system, and indeed it is clear that this is not the intention of the Government.

A closely connected question would be whether, as in Nigeria, there should be a separate system of taxation similar to that applied to Non-Natives for Africans holding relatively well-paid appointments. They are still very few in number, but their numbers should increase substantially before long.

87. At the present stage it is unnecessary to enter into a detailed examination of the other items  
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on the revenue side of the budget. Some of them involve very difficult questions, more especially those connection with the emergency measures introduced as the result of the financial crisis of 1931. These include the levy on official salaries of 1932 and the various measures passed in 1933 as an alternative to the proposed Income Tax. The most important were the Graduated Non-Native Poll Tax based on income, and the extension of Trade and Professional Licences. The petrol duty has also been the subject of considerable comment. All of these will be considered in the later sections of this report dealing with the Budget.

The only new form of income is that from mining royalties and fees the prospects of which are still uncertain though steady progress may be hoped for. The proceeds are rightly credited to general revenues and not to any local fund. It is, however, somewhat anomalous that although the mines are in Native Reserves the Natives are the only section of the community which under the existing arrangements will not benefit from them so far as their main development services are concerned, because the proposed Native Betterment Fund for financing these services is solely based on the receipts from the Native Hut and Poll Tax.

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CHAPTER IV.

GENERAL CONSIDERATIONS AND TERMS AND

CONDITIONS OF SERVICE.

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88. Before entering on the departmental estimates there are certain general considerations to which it is desirable to refer.

The circumstances in Kenya illustrate in an accentuated form the difficulties arising from the presence of three communities on very different levels of civilisation and with very different desires and needs. There is first the European community of some 17,000, including over 2000 farmers of a very energetic and individualistic type, controlling very large areas in proportion to their numbers, and growing a large variety of crops, some of them of a very specialised type needing the best available scientific advice. They feel that the agricultural progress of the Colony is mainly due to their efforts and that they are entitled to all the assistance that can be given them, either to secure the welfare of the industries in which they are interested, or to secure the amenities for themselves and for their families to which they have been accustomed. Their requirements include the organisation of adequate scientific services to deal with the many problems arising out of their special industries both agricultural and pastoral, and, what is even more costly, the development of communications

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on lines in advance of what is customary in rural Africa. The expenditure on roads is substantially increased by the small isolated blocks of European settlers. Without communications they cannot survive, but the cost of constructing and maintaining roads bears little relation to the numbers served. Last but by no means least they require educational facilities for their children, and on account of the scattered character of settlement this must be given in boarding schools. The commercial community again has special needs of its own connected mainly with communications and the townships.

89. The Indian community of some 35,000, mainly engaged in marketing, distribution, and transport, and in these directions they require facilities similar to the European community, while the education of their children is a rapidly growing problem.

90. Finally on the basis of all activities there are the three million Africans with growing desires and wants, and an increasing appreciation both of amenities of the European type and of the advantages of education and medical facilities, but living on an income which provides little margin either for satisfying the new wants which are fast becoming necessities, or for paying taxes.

91. The character of the various services and of their work is also largely governed by the special local conditions. Besides the general African tendency to insist on using European agencies, hitherto mainly from

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mainly from overseas and therefore permanent and pensionable, for work which in the Eastern Colonies would be carried out by indigenous agencies, and the failure to develop Native subordinate services, there are special features of the Kenya system of administration arising directly out of the local conditions.

In the first place, the absence of any separate system of control of departments which are joint with Uganda or Tanganyika or with both imposes on the Kenya Government the general duty of the administration of those departments. The contributions received, though covering all the direct expenditure, cannot embrace all the extraneous duties involved at the Kenya headquarters. Indirect benefits do accrue, but they do not affect the expenditure side of the budget.

Again, the Kenya Police spend a large proportion of their time in dealing with statutory offences connected with the supervision of squatters on European farms; the enforcement of veterinary restrictions, and the control of the number of Natives allowed to remain in the townships. As their work is almost entirely in the towns and in the European Settled Areas, a large proportion of the staff has to be European.

Further, the "Kipandi" or Native registration system is a direct result of the special Kenya conditions not found even in other parts of East Africa, and its cost is very considerable. The existence of a separate Labour Section is an unusual feature in a country at the Kenya stage of advance, as is also the elaborate

124

elaborate development of the scientific services. Not so directly visible but equally effective in increasing expenditure, more especially in the central Government organization, are the complexities of legal procedure, the continual state of legislation which has produced 289 new or amending Ordinances during the last five years, and the number of senior officials a considerable proportion of whose time is taken up with extra departmental activities. These activities include the meetings of the Legislative Council in the proceedings of which many of them can take no share except that of voting to order. In addition there are the numerous special committees arising out of the proceedings of the Legislative Council, and over forty standing committees or boards, apart from inter-territorial conferences and committees connected with local affairs. A considerable proportion of these standing committees do not involve much expenditure of time, but others do involve a substantial amount of work and expenditure of time. The Director of Public Works, for example, is a member of eleven such committees or boards, the Director of Agriculture of seven, the Director of Medical Services of eight, the Director of Education of ten and the Chief Native Commissioner of eleven. These complications strengthen the tendency, arising out of leave requirements and arrangements for tours by heads of departments, to support a departmental Director by a Deputy Director.

92. It is no easy task to make financial provision for all these requirements on an almost European scale when the taxable community consists of a European

community

125

community of 17,000 most of whom have very limited available resources; 36,000 Indians and 17,500 Goans, Arabs, and other non-Natives, of whom only a small proportion are able to contribute more than the minimum tax; and three million Africans living on a standard considerably below that found in some other parts of Africa such as the West African Colonies and Uganda.

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The difficulties are accentuated when economic distress makes demands for assistance to farmers on the lines followed by countries such as the Union of South Africa which have large resources independent of agriculture.

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Terms and Conditions of Service

Superior European Staff

93. It has been the practice in Kenya to co-ordinate the terms and conditions of service of the superior staff in all the major departments with those laid down for Administrative Service, and it will therefore be convenient to refer more specifically to the history of that Service, and more generally to that of other types of officers.

94. Before the War the local currency was based on the rupee, not on sterling; the salaries of European officers throughout East Africa were fixed in sterling, and were paid in rupees at Rs.15/- to the pound. The figures for personal emoluments given in Appendix XI show the generally low scale of salaries at that

106

At that time. It was recognized that the scale had become inadequate, and during the War of 1914-1918 the rise in the cost of living was such as to make an alteration imperative. In 1918 a compensatory bonus was therefore sanctioned on this account. This continued in force until a general revision of salaries took place in April, 1920, as the result of the report of the Hamilton Commission. Prior, however, to the introduction of these revised salaries the value of the rupee became subject to wide fluctuations rising from the previous Sh.1/4d. to as high as Sh.2/10d.

Owing to these unsettling movements the East African Governments decided to abandon the rupee currency, and to adopt a local currency based at first on the florin, and afterwards on the shilling, as unit. The change to a florin was carried into effect by an Order in Council of 26th April, 1920.

As, however, the purchasing power of the florin, particularly as regards local produce and Native wages, was at first greater than that of the rupee, a compensatory local allowance at the rate of 30% on the sterling salary was granted as a temporary measure, subject to reconsideration after two years in the light of prices obtaining locally. It is unnecessary to discuss the full details of the reductions in this allowance up to 1926, which appear to have been made on a somewhat arbitrary basis; the allowance was reduced from 50% <sup>percent</sup> to 25% <sup>percent</sup> in 1922, and was further reduced in 1923 to a sliding scale of 20% <sup>percent</sup> on the first 2400, 10% <sup>percent</sup> on 2400 to 2600, and 5% <sup>percent</sup> over 2600. It is noticeable that the non-official members of the Legislative Council were prominent

were prominent in supporting what they considered the legitimate claims of officials which had been obscured by the paramount necessity for economy.

95. The next important stage was the Conference of East African Governors held at Moshi in November, 1925, when the so-called long scale commencing at £400 and rising by incremental stages to £920 was recommended and finally approved for the Administrative Service. On this revision of salaries the allowances referred to in paragraph 94 were discontinued. The rules provided for a confirmation bar after 2 years, and for efficiency bars at £600, £700, and £800. In six cases during the last five years officers of the Administrative Service have in fact been held up at one of the efficiency bars, or had one of their increments stopped.

The pay of Senior Commissioners, corresponding to the present Provincial Commissioners, was fixed at £1350 and £1200 with two posts of District Commissioner (one at Nairobi and one at Mombasa) at £1,000. The provision of free quarters and other existing privileges were continued.

96. The scale of pay then fixed continued in force up to 1935, when the Expenditure Advisory Committee made a series of proposals in paragraphs 41 to 76 of their report. Their recommendations were put forward primarily for new entrants to the Service on first appointment or on transfer. They urged, however, that so far as was possible the proposals should be applied to officers promoted within the

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128



Service, and even to the whole of the present personnel enjoying overseas privileges.

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Their proposals included:- (1) The abolition of free quarters or the allowance in lieu of such quarters, with the substitution of a consolidated salary subject to a rent deduction at the rate of <sup>one</sup>/<sub>6</sub> on the minimum salary of the grade, and the consequential cancellation of the rule under which house allowance is taken into account in assessing pensions.

(2) The lengthening of the tour of service from the existing period of 20 to 30 months to periods of four years for the first two tours, and three for subsequent tours, twelve days service in a healthy station to be equivalent to eleven in a semi-healthy and ten in an unhealthy station.

(3) A reduction of the quantum of leave from five days per month to three days per month for the first two tours of four years, and four days per month for later tours of three years.

(4) Some modifications in the rules for passage allowances.

(5) A reduction in the pension constant from 1/400 to 1/300; <sup>three</sup> members of the Committee proposed 7/20.

(6) Contingent on the acceptance of the proposals for the abolition of house allowances and for the alteration of the pension constant, an alteration of the salary scales to a new scale commencing at £350 for two years rising to a maximum of £1,000 for officers other than Provincial Commissioners.

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Service, and even to the whole of the present personnel enjoying overseas privileges.

Their proposals included:- (1) The abolition of free quarters or the allowance in lieu of such quarters, with the substitution of a consolidated salary subject to a rent deduction at the rate of 5% on the minimum salary of the grade, and the consequential cancellation of the rule under which house allowance is taken into account in assessing pensions.

(2) The lengthening of the tour of service from the existing period of 20 to 30 months to periods of four years for the first two tours, and three years for subsequent tours, to be equivalent to eleven in a healthy station and ten in an unhealthy station.

(3) A reduction in the quantum of leave from five days per month to three days per month for the first two tours of four years, and four days per month for later tours of three years.

(4) Some modifications in the rules for passage allowances.

(5) A reduction in the pension constant from 1/450 to 1/600; members of the Committee proposed 1/720.

(6) Contingent on the acceptance of the proposals for the abolition of house allowances and for the alteration of the pension constant, an alteration of the salary scales to a new scale commencing at £350 for two years rising to a maximum of £1,000 for officers other than Provincial Commissioners.

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97. The Secretary of State in August, 1933, accepted the proposal for a change in the salary scale of the Administrative Service, the new scale being £350 by incremental steps to £1,000; the alteration was to be applied only to new entrants to the Public Service. He also approved of the reduction of the pension constant from  $\frac{1}{485}$  to  $\frac{1}{600}$ , this alteration being applicable to new entrants to the Public Service, and to persons already in the service in non-pensionable posts. He rejected the proposal to abolish free housing, or the compensatory house allowance, as definitely placing members of the Kenya services in a worse position than those in other East African territories. It was pointed out that the privilege of free housing is universal in the tropical African Colonies and that where this privilege is not given, as in the West Indies and in the Eastern Colonies, either the conditions are radically different, as in the West Indies, or the salaries are considerably higher, so equalizing the advantages in the various groups of Colonies.

By separate orders, acceptance had already been given to the proposals for lengthening the tours of service and altering the quantum of leave with effect from 1st January, 1933. It was, however, laid down that this arrangement should be recognized as experimental, and should be subject to revision if necessary after a period of <sup>five</sup> 5 years from 1st January, 1935. The new rules are applicable to persons already in the Service before 1st January, 1935, as well as to persons appointed after that date.

98. As regards the change in the length of tours made with effect from 1933, it is of interest to examine the table given in the Medical Department Annual Report for 1934 showing the sick, invaliding and death rates from 1932 to 1934. The period is too short to allow of any very definite conclusions, but the Director of Medical Services sees no reason to think that the change has had any detrimental results on health.

Table.

98. As regards the change in the length of tours made with effect from 1935, it is of interest to examine the table given in the Medical Department Annual Report for 1934 showing the sick, invaliding and death rates from 1932 to 1934. The period is too short to allow of any very definite conclusions, but the Director of Medical Services sees no reason to think that the change has had any detrimental results on health.

Table.

131

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TABLE SHOWING THE SICK, INVALIDING, AND DEATH RATES AMONGST EUROPEAN AND NON-EUROPEAN OFFICIALS IN THE COLONY AND PROTECTORATE OF KENYA.

*Under heading*

	European			Non-European		
	1932	1933	1934	1932	1933	1934
Total number of officials resident	1,919	1,756	1,846	2,797	2,457	2,448
Average number resident	1,497	1,340	1,380	2,314	2,105	2,068
Total number on sick list	1,018	946	971	2,249	1,565	1,514
Total number of days on sick list	6,753	5,956	7,054	11,005	9,532	14,847
Average daily number on sick list	18.35	16.32	19.33	31.71	26.11	40.67
Percentage of sick to average number resident	1.23	1.21	1.40	1.37	1.24	1.96
Average number of days on sick list to each patient	6.63	6.29	7.26	5.16	4.85	7.02
Average sick time to each resident	4.51	4.44	5.11	5.01	4.53	7.10
Total number invalided	6	5	9	5	7	8
Percentage of invaliding to total residents	0.31	0.28	0.48	0.18	0.28	0.32
Total deaths	3	3	4	5	4	3
Percentage of deaths to total residents	0.15	0.17	0.21	0.18	0.16	0.12
Percentage of deaths to average number resident	0.20	0.22	0.29	0.22	0.19	0.14
Number of cases of sickness contracted away from residence	-	-	-	-	-	-

132

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The rule continued in force that five months' service in an unhealthy station should be equivalent to six months in a healthy station. The proposed addition of intermediate semi-healthy stations was not considered practicable or necessary.

99. From 1st January, 1934, the age of retirement was raised for new entrants only from fifty years to fiftyfive.

100. It appears therefore that the Secretary of State has recently given a definite decision on all the more important proposals affecting the terms of service of the Administrative Service, and has declined to approve of any changes either in salary or pension scales, or as regards house allowances, so far as the existing members of the service are concerned. It does not appear therefore that any economies reasonable within a reasonable period could be obtained by further discussion of these questions, and it is economies of this type which are contemplated in the terms of reference of this Commission.

101. I propose therefore to concentrate attention on the much more fruitful field of the number of pensionable officers required from overseas, and the extent to which a part of the work now carried out by them could be satisfactorily dealt with by less-expansive agencies. My experience of small local Civil Services has led me to the very definite opinion that any change divorcing Kenya from the other East African territories would be harmful to the best interests

interests of the country. To a lesser extent this also applies to maintaining a connection with the other African tropical colonies. The connection with the Colonial Service in other parts of the Empire is much less direct, and the only practical effect lies in the occasional transfer or exchange of an officer which is sometimes of real advantage.

102. Various representations have been received suggesting that the salaries enjoyed by European officers are too high but, it should be added, most of these representations were based on the special conditions of the present time. These have been met by the levy on salaries amounting approximately £47,000 per annum. This levy is still in force in Kenya, though it has been abolished in the two adjoining territories and in the Kenya and Uganda Railway. For more normal times I do not consider that the recently sanctioned long scale of salaries running from £350 to £1,000 for ordinary members of the Administrative Service, with selection posts of Senior District Commissioner on £1,200 and of Provincial Commissioner at £1,350, is too high considering the importance of attracting candidates of the best type. The number of these selection posts is, however, a matter for consideration.

103. The long scale is undoubtedly expensive, more especially at recurring periods if recruitment has been irregular, and it has anomalous and in some respects unsatisfactory results. The cadre system has definite advantages by correlating increased pay with a definite increase of responsibilities, and it is generally

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speaking more economical. The long scale has, however, been accepted for the Colonial Service generally, and its alteration is beyond the scope of a local enquiry.

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Two provisos, however, should be added; the first and most essential is that recruits should not be obtained from overseas on pensionable terms for duties for which adequate arrangements can be made locally; and the second is that the efficiency bars should be applied strictly, and that the selection posts of Provincial Commissioner and of Senior District Commissioner, but more especially the former, should not be allotted by mere seniority, but should be genuine selection posts. The first of these conditions will be the subject of consideration in the later part of this report, and it seems doubtful whether the second has always been adequately observed in Kenya.

104. Some criticism has been directed at the salaries paid to Heads of Departments as compared with those given to similar posts in other Colonies and the following table compares the salaries paid in Kenya with those given in the adjacent Territories:-

Table:

*Table 10/10*

Post	Salary Paid in		
	Kenya. £	Tanganyika £	Uganda £
Chief Justice	2,300	2,200	1,800
Colonial Secretary	2,200	2,000	1,800
Attorney-General	1,800	1,650	1,400
Solicitor General	1,200	1,150	1,000
Treasurer	1,450	1,450	1,400
Director of Medical and Sanitary Services	1,500	1,500	1,500
Director of Education	1,500	1,350	1,350
Director of Agriculture	1,500	1,350	1,350
Director of Public Works	1,350	1,200	1,350
Provincial Commissioners	1,350	1,350	1,350
Administrator General	1,050	1,050	600 - 920
Commissioner of Police	1,350	1,200	1,200

The responsibilities attaching to these posts are definitely less in Uganda than in Kenya and the fairest comparison will be with Tanganyika. The fact that as the result of the levy on salaries the posts are now less remunerative in Kenya than in Tanganyika may be ignored in the present connection. The Treasurer's allowances of £150 as Currency Officer and of £50 as Chairman of the Land Bank Board, and the Deputy Treasurer's allowances of £75 as Deputy Currency Officer, and of £50 as representative of the Ministry of Pensions, will be separately considered.

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Whether the rates are in general too high considering the duties and responsibilities attached to the offices, the amount of work involved, their status, and the cost of living in Nairobi, is a matter of opinion. The salaries appear to have been fixed to some extent with the intention of placing Kenya in advance of the adjacent Territories, but the Expenditure Advisory Committee was of opinion that the actual salaries were, generally speaking, not unreasonable as the number of posts is small and the responsibility great. They recommended, however, an examination of the individual posts and salaries with a view to regrading them in order of importance. The salaries could not be altered for the present incumbents and any alterations made would only affect subsequent holders of the posts.

The Chief Justice is also President of the Court of Appeal for East Africa and the excess of £100 as compared with Tanganyika is presumably in recognition of this fact. As regards the remaining posts, some reductions to the extent of some £300 - £400 seem possible without unfairness, but the question is complicated by the fact that the salaries of some posts, more especially those of the Director of Medical and Sanitary Services and of the Director of Agriculture, are fixed as part of a scheme applied to a large number of colonies. Certain measures of reorganization which will be proposed in later sections of this report also affect the question to some extent.

Subordinate

137

Subordinate European Staff.

103. It is unnecessary to describe in detail the history of the salaries and terms of service of the subordinate European staff. Until January, 1935, the scale of pay for the European clerical staff varied from £180 - £300 for Grade C, to £240 - £500 for Grade A; the non-clerical staff was on various scales.

A large proportion of the posts were pensionable and the occupants received free housing. An important change of principle has been made by the inauguration with effect from January 1st 1935, of the Kenya European Local Civil Service, applying to both clerical and non-clerical appointments. <sup>Seymour and Folger</sup> 647 posts were transferred to this service, but the large majority of the holders of these posts are still officers who came to the Colony from overseas, and many of them retain the salaries and conditions of service which existed prior to January 1935. The scales of salaries for the Local Civil Service run from £60 - £120 for Learners, to £180 - £420 for men in Grade II, and £420 - £600 for those in Grade I, with a Special Grade on £620 - £660. The corresponding scales for women are £180 - £360 in Grade II, and £360 - £420 in Grade I, with £440 - £500 for the Special Grade.

From the point of view of economy the most important features of the new scheme are that free housing is not allowed, and that a contributory Provident Fund replaces a pension. Vacation leave is granted on the basis of ten days in respect of each three months resident service, five months in an

unhealthy

138

unhealthy station being equivalent to six months in a healthy station; leave is inclusive of the periods of voyages. An officer is entitled to 25% of the cost of a passage to Europe in respect of each complete year of resident service in the Colony; that is to say, after four years' service an officer is entitled to the cost of a passage to Europe. This is obviously just as regards the large proportion of the service recruited from overseas, but even for the proportion of officers recruited locally, a proportion which should gradually increase, it is probably to the advantage both of the officer himself and of the Colony that he should widen his experience and his outlook by taking his vacation abroad if he wishes to do so. Vacation leave may, however, be spent in the Colony if this is preferred.

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108. The importance of this new Service will be increased if effect is given to the proposals which will be made in other sections of this report, and it will be essential that the standards of recruitment should not be lowered if officers of the requisite calibre are to be obtained in the higher grades of the new service. The following statement showing the examination results of the last five years suggests that the supply of qualified candidates who have received their education locally may be limited, at any rate for some time to come:-

Table.

*No rules*

	1930	1931	1932	1933	1934
Cambridge Junior	11	35	13	19	7
Cambridge School Certificate	3	5	9	10	12
Cambridge Higher School Certificate	-	-	-	-	1
London Matriculation	This examination is not taken.				

It has, however, to be remembered that a considerable number of boys from Kenya complete their education in England.

*Staff*  
Asian Staff.

107. This includes both the Indian and Coar staffs. Their employment has been mainly in clerical posts. In the early days of the Protectorate, local candidates were not available and subordinate duties were carried out by Asian officers recruited at first from overseas and only recently from local sources. Further, from 1923 to 1931 the letter of appointment issued to Asian clerks promised pensionable status after three years' service. As a result there are 670 Asian officers admitted to the pensionable establishment, a number larger than that of Europeans with the same status. The privileges of free housing or house allowance and of passages has added to the expense. Appendix XII shows the additional cost of these "hidden emoluments".

The scales of pay for the clerical staff under the old terms rose from Sh.150/- to Sh.200/- per mensem for the 4th Grade <sup>and</sup> to Sh.380/- to Sh.500/- per mensem

per mensem for the 1st Grade with a Special Grade on Sh.600/- per mensem.

108. Corresponding to the European Local Civil Service an Asian Local Civil Service has been introduced from 1st May, 1935. The scales of salary run from £30 - £72 per annum for Learners to £90 - £240 for Grade II, £252 - £360 for Grade I, and £318 - £408 for the Special Grade. As in the case of the European Service, free housing has been abolished, and pensions have been replaced by a contributory Provident Fund. Pension charges on account of Asian officers in the Service will therefore ultimately disappear. In regards passages each complete year of resident service in the Colony entitles the officer to 15<sup>0</sup>/<sub>34</sub> of the cost of a passage to Bombay. Indian Representatives have criticized the provision of separate scales of pay for Europeans and Asians doing similar work, but the new scales are substantially higher than would be paid in India for similar posts, and even allowing for the higher standard of living of Indians resident in Kenya, the terms laid down are not ungenerous.

109. Many Asian officers have in the past rendered valuable service to Government, and the local Asian community has strong claims to a fair share of Government employment in the future. Recruitment has been recently confined to local candidates, both Indian and Coan. The number of their children and the praiseworthy efforts of the community to give them an adequate education, as well as the actual examination results,

results, show that there should be no want of suitable candidates. The examination results are as follows for the last five years:-

	1930	1931	1932	1933	1934
Cambridge Junior	51	47	46	64	53
London Matriculation	5	7	8	29	35

Arab and African Staff.

110. The existing scale of pay for the Arab and African General Clerical staff runs from Sh.20/- to Sh.60/- per mensem for Learners to Sh.65/- to Sh.90/- for the End Grade, and Sh.95/- to Sh.150/- for the 1st Grade; a Special Grade includes all Officers drawing over Sh.150/- per mensem. Special scales have been established from time to time for particular departments to meet their special needs.

111. Education is a recent development and up to the present time the share of the African in reasonably well-paid Government employment is a small one. There are only some 70 <sup>seventy</sup> officers on salary scales which exceed Sh.150/- per mensem including all departments, and some 60 <sup>thirty</sup> on salary scales ranging from Sh.95/- to Sh.150/- per mensem. These numbers do not include <sup>thirteen</sup> 13 Native clerks who are serving on Asian terms; nor do they include the <sup>sixteen</sup> 16 Livalis, Kathis, and Madira of the Coast Province, whose functions and status differ from those of the clerical staff.

This question will be further considered in connection



connection with the various departments concerned, but it may be said generally that in the interests both of economy and of justice to the community every effort should be made to train up members both of the Arab and African communities so as to fit them for more responsible posts. Education is the necessary foundation of such development, and standards must be strictly maintained even if this results in slower progress. The Medical and Post and Telegraphs Departments have perhaps taken the most definite steps in this direction, and, together with the Education Department itself, have evolved a definite policy with reference to the extended employment of Africans. Many other departments could however do considerably more than at present both as regards clerical and non-clerical posts.

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112. The question of a pension or provident fund for African Civil Servants has been under consideration for a considerable time and a pension was in fact recommended by the Fitzgerald Committee in 1930. The time certainly seems to have come for a decision on this question and, on the analogy of the terms laid down for the European and Asian Local Civil Services, a Provident Fund would seem prima facie the best solution. If, however, a pension is considered more suitable for people who are apt to be improvident in money matters it should be on a contributory basis. The history of the pension charges in the Colony emphasize the necessity of keeping these charges as low as possible.

Privileges

143

Privileges and Allowances.

113. House allowances and their effect on an officer's pension have already been considered. Other privileges and allowances enjoyed by the Services, including acting allowance, special and duty allowances, language bonuses, travelling and mileage allowances, the privileges of free medical attendance, and of advances free of interest for the purchase of motor vehicles to be used on Government business, have been considered in detail by the Expenditure Advisory Committee, and orders have been passed by the Secretary of State or by the Government of Kenya on that Committee's recommendations. It is therefore unnecessary to discuss these allowances in detail, more especially as there appears to be no sufficient reason for suggesting any change in the decisions arrived at.

144

CHAPTER V.

CENTRAL ORGANISATION OF GOVERNMENT.

114. It is unnecessary to deal in detail with the development of the system of Government in Kenya. It is administered by His Excellency the Governor and Commander-in-Chief assisted by an Executive Council consisting of the following members: -

- the Colonial Secretary,
- ~~the Attorney General,~~
- ~~the Treasurer,~~
- the Chief Native Commissioner,
- the ~~Commissioner~~ <sup>Commissioner</sup> for Local Government, Lands and Settlement,
- the Director of Medical Services,
- the Director of Agriculture,
- the Director of Education,
- two Nominated European Members,
- one Nominated ~~Indian~~ member, and
- one Nominated member representing Native Interests.

115. In addition there is a Legislative Council which, under the Letters Patent and Royal Instructions of 1922, slightly modified in 1934, consists of 21 ex-officio official members, and nominated official members not exceeding <sup>eight</sup> 8 in number, together with 11 elected European members, <sup>five</sup> 5 elected Indian members, <sup>one</sup> 1 elected Arab, and <sup>one</sup> 1 nominated member also representing Arab interests, with <sup>two</sup> 2 nominated members representing Native interests. To secure an official majority it is therefore necessary to collect a large proportion of the senior officials in the Colony.

116. The authority

145

116. The authority of the Governor is limited in certain directions. He is bound to consult the Executive Council with reference to various matters before coming to a decision, and all legislative enactments must firstly be approved by a majority vote in the Legislative Council, secondly be assented to by the Governor in the name of His Majesty, and thirdly be notified by the Governor as not disallowed by His Majesty.

*ll*  
*cat* The Secretariat.

117. Under the Governor the chief executive officer and the head of the Civil Service is the Colonial Secretary. He is the medium of communication between all departments and the Government. He receives all communications addressed to the Government and issues its decisions. The Secretariat as the Government's business office is in its origin and purpose the office of the Colonial Secretary. In its present organization he is assisted by a Deputy Colonial Secretary and by a senior Assistant Colonial Secretary, a second post of Assistant Colonial Secretary having been held in abeyance since its creation in 1933. Under them are five Assistant Secretaries and an Establishment Officer, each in charge of a separate section to which correspondence is allotted in accordance with a distribution list. The five Assistant Secretaries are all taken from the Administrative cadre. There is in addition a Chief Native Commissioner who acts as adviser

146

as adviser on Native affairs.

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118. The Secretariat in its present form is the result of a gradual evolution commencing from the year 1903 when three officers of the Administration were seconded to work under the Deputy Commissioner, who corresponded to the present Colonial Secretary. Between that date and the present time there have been frequent changes to meet the exigencies of the time, but on four occasions, in 1912, in 1922, in 1928, and in 1932-33, the general Secretariat organization came under review. Four phases may therefore be distinguished:

- (a) from 1903 to 1912,
- (b) " 1913 to 1922,
- (c) " 1923 to 1928, and
- (d) " 1928 to the present time.

The first was a period of experiment as business steadily increased though no statistics are available, and in 1907 it became necessary to add another Assistant Secretary. The cost of the Secretariat in 1906 was £2,600 including the clerical staff.

In 1908 the name of the department was changed to that of "Lieutenant-Governor's Department and Secretariat" and a post entitled Secretary for Native Affairs was created. In 1911 the post of Chief Secretary replaced that of Lieutenant-Governor. By 1912 the cost of the department had risen to £6,015.

The post of Secretary for Native Affairs was considered

was considered to be an anomaly, and, on the transfer of the occupant from the Colony in 1912, the Secretariat was reorganized; after the reorganization it consisted of a Chief Secretary and an Assistant Chief Secretary, with two Senior and two Junior Secretaries under them. There were in addition an Office Superintendent, a Clerk of Councils, and a Press Superintendent. This arrangement reduced the previous preponderance of senior officers which had resulted in a waste of ~~the~~ the organization had in fact, been top-heavy.

119. The second phase from 1912 to 1922 was marked by the division of the work into two sections, each ministering to the Assistant Chief Secretary, who in turn ministered to the Chief Secretary; this system was not wholly satisfactory, resulting as it did in specific under-activity or over-activity in each of the sections. It was found that some officers were not fitted for secretarial work and the principle was therefore adopted of seconding officers from the administrative staff from time to time. The application of this principle and the exigencies of the War resulted in many changes of personnel. Towards the end of the War, and even more in the immediately following years, the position changed completely. Work increased very rapidly, at first on account of war requirements, and later as the result of an intensive campaign of European settlement. The influx of new capital, the growth of commercial interests, and the adoption of a policy

was considered to be an anomaly, and, on the transfer of the occupant from the Colony in 1912, the Secretariat was reorganized; after the reorganization it consisted of a Chief Secretary and an Assistant Chief Secretary, with two Senior and two Junior Secretaries under them. There were in addition an Office Superintendent, a Clerk of Councils, and a Press Superintendent. This arrangement reduced the previous preponderance of senior officers which had resulted in a waste of power; the organization had in fact, been top-heavy.

119. The second phase from 1912 to 1932 was marked by the division of the work into two sections, each ministering to the Assistant Chief Secretary, who in turn ministered to the Chief Secretary; this system was not wholly satisfactory, resulting as it did in spasmodic under-activity, or over-activity in each of the sections. It was found also that some officers were not fitted for secretarial work and the principle was therefore adopted of seconding officers from the administrative staff from time to time. The application of this principle and the exigencies of the War resulted in many changes of personnel. Towards the end of the War, and even more in the immediately following years, the position changed completely. Work increased very rapidly, at first on account of war requirements, and later as the result of an intensive campaign of European settlement. The influx of new capital, the growth of commercial interests, and the adoption of a policy

148

of a policy of development, all combined to present to the Administration of the Colony an ever-increasing number and variety of problems, political, social, and economic, with a consequent great increase in the number of matters requiring decisions from day to day. The task of the Secretariat came to be envisaged as consisting in standing between the Colonial Secretary and the mass of routine details which threatened to overwhelm him, and securing to him sufficient leisure for dealing with the major problems and for formulating principles and policy.

Under Sir C. Bowring the work was in 1918 divided into three sections each under a Senior Assistant Secretary, the new appointment which replaced a Junior Assistant Being given to a District Commissioner of the same standing, so as to secure the advantages of practical experience of administration. In the same year the post of Chief Executive Commissioner was created; the history of this post is discussed later.

By 1921 there were many reports of the onerous character of the work, and of the inadequacy of the staff, which then consisted of a Chief Secretary, an Assistant Chief Secretary, three Senior Assistant Secretaries, one Junior Assistant Secretary, a Clerk of Councils, an Office Superintendent and four clerks. The total cost was £7,365.

By 1922 the position was much worse, and the resulting overwork and congestion had to be alleviated by adding an Establishment section in 1923, and appointing an additional Senior Assistant

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By 1922 the position was much worse, and the resulting overwork and congestion had to be alleviated by adding an Establishment section in 1923, and appointing an additional Senior Assistant Secretary,

Secretary,

149

Secretary in 1924 to be attached to the Assistant Chief Secretary. The work was divided into four sections instead of three.

120. The history of the third phase from 1922 to 1928 shows that the relief afforded by the arrangement described above was only temporary, and was soon neutralized by the steady increase in the volume of work. By 1925 it was necessary to have four Senior Assistant Secretaries, and by 1926 five such officers. In 1926 a second post of Assistant Chief Secretary was created, though not filled, and in 1927 a post of Principal Assistant Colonial Secretary was created to share the work of the Assistant Colonial Secretary. The division of subject was such as to concentrate into one channel Land, Local Government, and Non-Native Administration, and in the other Native Affairs generally.

The semi-independent position of the Chief Native Commissioner, which will be separately considered, led to overlapping and delay in disposing of administrative questions, and when the report of the Local Government Commission of 1928, recommending the creation of a Local Government branch of the Secretariat, brought under review the working of the Lands Office, it was decided that the departments of the Chief Native Commissioner and of the Commissioner for Local Government should be incorporated as part of the headquarters organization. The Colonial Secretary continued to be generally responsible and to be the sole medium of communication with the

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 with the Government, but under him the work was organized into three divisions:-

- (1) Native Affairs, under the charge of the Chief Native Commissioner, whose office was actually in a separate building.
- (2) Non-Native Affairs, including Local Government, Land, Settlement, and Non-Native area administration, under the Commissioner for Local Government.
- (3) A general section dealing with Finance, Education, Defence; Public Buildings, Police, Prisons, and Establishments, under the Principal Assistant Colonial Secretary.

120. This comprehensive reorganization proved itself almost immediately as possessing grave and inherent defects. Three of the most serious defects were set out in August, 1929, as consisting in:-

- (a) An excessive strain on the Colonial Secretary.
- (b) An artificial division of subjects into Native and non-Native categories.
- (c) A confusion between technical and administrative functions in the headquarters organization.

The position was further examined in a minute by the Colonial Secretary dated July, 1930, in which he pointed out that, while the Colonial Secretary was under the Governor responsible for the administration both of the Settled Areas and of the Native Reserves,

with the

151

with the Commissioner for Local Government, Lands, and Settlement, and the Chief Native Commissioner to advise him with regard to European and Native areas respectively, this arrangement led to a very anomalous position in various respects. Both the Chief Native Commissioner and the Commissioner for Local Government had been given specific and independent powers and duties under various ordinances, which placed them in a position in which they had the right, which they might also reasonably consider the duty, of opposing their superior officer in the Executive or Legislative Councils.

Further, the Commissioner for Local Government was at the head of two distinct technical organizations, that dealing with Local Government, and that dealing with Lands. As regards the former he had definite powers and responsibilities which he could exercise independently of the Colonial Secretary. These required his absence from headquarters from time to time, and attendance on numerous committees. But he was also responsible for a large section of the Secretariat work properly so-called, and during his absence this work had to be carried on either by a junior officer, or by the Colonial Secretary himself, or not at all.

The same considerations applied in a less degree to the Chief Native Commissioner. He also had to tour and to attend the meetings of numerous committees, and in the meantime the work of the Native Affairs Department was left to his two assistants, who had to choose between letting work get into arrears, or submitting

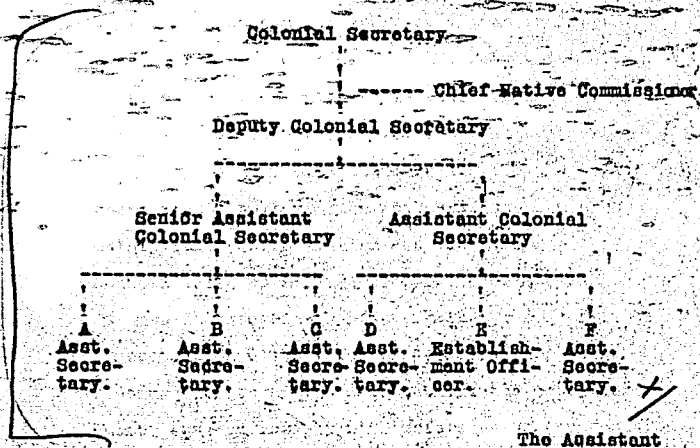
157

or submitting papers direct to the Colonial Secretary, who again was reduced to dealing with papers of minor importance.

As a result it was practically impossible for the Colonial Secretary to leave headquarters, while the two officers who were supposed to be his two principal assistants functioned in a dual capacity, sometimes signing for the Colonial Secretary and sometimes as the heads of their respective departments. The Colonial Secretary himself was being reduced to a clerical hack by an excess of routine work. The radical fault was in the Colonial Secretary's opinion, the absence of any coordinating factor in the work of the three branches, which were all working in watertight compartments. The Colonial Secretary was the only person who saw all papers and was in a position to know whether a particular question, which more often than not might concern Native areas as well as European, had been properly considered in the light of decisions taken in another section. Similarly he was the only officer who saw all orders made by the Governor, and if he failed to note that an order might affect more than one branch of the office, and to give the necessary orders for its transmission, serious delay might result. Finally, if the Colonial Secretary did ~~get~~ away for a few days, there was no officer left in the Secretariat to coordinate its work, and papers had either to accumulate against his return, or to be submitted to the Governor direct, possibly in an indigestible form.

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122. Solutions of these difficulties formed the subject of prolonged correspondence with the Secretary of State. Before a decision had been reached the Local Expenditure Advisory Committee endorsed the view of the Colonial Secretary recorded above, and described the then existing organization as unwieldy, unsatisfactory, and uneconomical. They recommended that the work of non-Native administration, Local Government, and Lands, should be again divorced from the Secretariat, and combined in a separate department under an administrative head. They were, however, satisfied that the office of the Chief Native Commissioner should continue to be associated with the Secretariat. Finally, in 1933 the Secretary of State approved the organization which in theory is in operation at the present time; he made, however, certain reservations, especially as regards the status of the Chief Native Commissioner. This organization is conveniently described by the following diagram:



The Assistant

154

The Assistant Secretaries and the Establishment Officer are also known as Section Officers. This organization is the result of thirty years' thought and experience. In practice the full complement of posts has never been filled as, for reasons of economy, no Assistant Colonial Secretary has been appointed. The Deputy Colonial Secretary therefore himself collates the work of the three sections intended to be under the Assistant Colonial Secretary, the other three sections being under the Senior Assistant Colonial Secretary. The Deputy Colonial Secretary cannot therefore fully assume the responsibilities intended for him, and the Colonial Secretary is not relieved to the extent proposed.

123. This brief general survey can only indicate the general lines of development and record the main changes. The changes can hardly be said to have achieved more than a temporary alleviation of the conditions. The Colonial Secretary, since he began, responsible for everything, and liable to be overwhelmed by a mass of details, notwithstanding the loyal cooperation which he receives from his staff. It is very difficult for him to obtain the leisure necessary to deal with the main issues, and to form and direct a policy; the work arising from a multiplicity of committees and from the Legislative Council takes up a large proportion of his time. It must be recognized, however, that considerations of economy, and other factors arising from the recommendations of the Select Committee on Closer Union, and the anxiety with reference to the position

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155

of the Chief Native Commissioner, have hampered the full development of the proposed organization. The work of reorganization has also had to be carried out concurrently with a continually growing pressure of ordinary business. It is, however, claimed officially that the distribution of the work under six Section Officers, i.e., the five Assistant Secretaries and the Establishment Officer, is both practicable and workable, and that it is part of a system securing reasonably speedy circulation of papers upwards and downwards.

124. Before dealing with the changes which appear to be desirable, it is necessary to give further consideration to three closely connected subjects: the Chief Native Commissioner, the Departments of Local Government, Lands and Settlement, and the Treasury. For the present it is enough to point out that all the posts shown in the diagram with the exception of the post of Establishment Officer are filled by officers of the Administrative Service, and that all papers theoretically go through two officers of this standing before reaching the Colonial Secretary. In practice, of course, a large proportion of routine work is disposed of before it reaches him, and, as all orders are issued in his name, suspicion tends to be aroused that the recommendations of the responsible heads of departments may be dealt with by comparatively junior officers.

All the posts of a responsible character are held by officers of administrative rank, and the part played

156



played by the clerical staff is very much smaller than in some other Colonial Administrations, notably those of the Eastern Colonies. The duties of the clerical staff consist in the custody, registration, and submission of files, the typing of documents, and other more or less mechanical processes. The clerks are not expected to write précis of facts, or to refer in written minutes to relevant precedents or connected files, or to draft letters in accordance with the orders of a superior officer. These branches of work, which are in some other administrations performed, and performed satisfactorily, by the clerical staff, are in Kenya part of the functions of officers of administrative rank enjoying comparatively high scales of salary.

The Establishment Section, in which the clerical staff is entirely Asian, forms an exception to the above remarks: in this section it is a part of the duty of the senior clerks to refer the Establishment Officer to relevant precedents. The arrangement therefore resembles that of the Eastern Colonies; the clerical staff is permanent, and thus has the opportunity of acquiring an intimate knowledge of the work of the section.

The general organization of the Secretariat is therefore necessarily expensive in proportion to the number of persons employed.

Chief Native

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Chief Native

*Leach*

Chief Native Commissioner.

125. The first of the three subjects requiring special consideration is that of the Chief Native Commissioner whose position is in Kenya a somewhat unusual one. The post owes its origin to the report of the Native Labour Commission of 1912/13 which recommended the creation of the post with a view to minimizing, and eventually abolishing, the existing defects in Native Administration. A scheme was prepared and submitted to the Secretary of State which contemplated the abolition of the posts of Senior (now Provincial) Commissioners and the re-organization of the administration of the Native Reserves from that of the Settled Areas. The outbreak of war prevented the introduction of the proposed scheme, but, on the recommendation of a strong local committee, the Secretary of State approved the appointment of Colonel Ainsworth as adviser on Native Affairs from September, 1917, and as Chief Native Commissioner from June, 1918. His duties were to supervise and carry into effect the general Native policy, to advise on all provision in the annual estimates which concerned Native Affairs, and to control all expenditure on them. In December, 1919, Sir Edward Northey submitted proposals for the division of the Protectorate into Native and non-Native areas. The supervision of the administration in Native areas was to be entrusted to the Chief Native Commissioner directly under the Government; he was to issue the orders of Government direct to the Provinces and

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Districts concerned. The system of provincial administration was to be retained. The Chief Native Commissioner was to be a member of the Executive and Legislative Councils. These proposals were approved by the Secretary of State. Mr. G.V. Maxwell succeeded Colonel Ainsworth as Chief Native Commissioner in 1921.

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126. Sir Edward Northey reported in 1922 that the institution of the post had been advantageous in every respect, and that, as regards the contiguous Native and Non-Native areas, cooperation had been maintained by the close contact between the Governor, the Colonial Secretary, and the Chief Native Commissioner. In August of the same year the "Howarth Committee" on Economy proposed the abolition of the post of Chief Native Commissioner, and Sir Edward Northey supported the proposal, notwithstanding the protest of the Chief Native Commissioner against depriving the Natives of their representation on the Executive and Legislative Councils, and his insistence on the importance of maintaining personal touch with the Native areas by touring. The Secretary of State refused to accept the proposal so soon after the institution of the post, laying stress on the importance of framing and pursuing a consistent Native policy.

The question remained in abeyance until 1926 when a meeting of Senior Commissioners expressed the opinion that the progress of Kenya Colony depended upon a contented and prosperous Native people, and that the office of Chief Native Commissioner was

essential

59

essential to their welfare. In a covering memorandum they agreed that the establishment of the office had tended to assure the Native population that their interests and prosperity were the sole care of one of the Senior officers of Government, and that the success attending its activities had been marked.

127. On the occasion of the Secretariat reorganization of 1928 the Native Affairs Department was incorporated in the general headquarters system, and in 1929 the provincial system was reorganized, and the Settled Areas were again included in the Provinces. The dual system of administration therefore ceased to exist under which the Native Reserves were controlled by the Chief Native Commissioner, and the Settled Areas by the Colonial Secretary; the Colonial Secretary, in theory at any rate, became responsible for both areas. In practice there was, however, little difference, as dual administration had been only very partial and had not extended into the field of expenditure.

128. The Joint Select Committee on Closer Union in East Africa reported in 1931 and recommended that the Chief Native Commissioner should be "an officer of high standing with considerably increased authority." They added that he should normally be drawn from the ranks of those who have had experience in East Africa. On the basis of this report the Secretary of State decided that the solution of the problem lay in the arrangement that "while the views and proposals of the Chief Native Commissioner should, as at present, be submitted



be submitted to the Governor through the Colonial Secretary, his opinion should not be disregarded, nor his proposals overruled, until he has had an opportunity of personal discussion with the Governor."

129. In 1932 the local "Expenditure Advisory Committee" recommended that the correspondence and routine work of the Department of Native Affairs should be transferred to the Secretariat as a measure of economy. Under this scheme the functions of the Chief Native Commissioner were to be primarily of an advisory nature. It was considered that the transfer of his office work to the general Secretariat would leave him freer to tour the native areas. The Secretary of State approved this re-organization, but laid stress on the fact that it would be contrary to the spirit of the Joint Select Committee's recommendations that the Chief Native Commissioner should be regarded as part of the Secretariat, even though his office would naturally be in the same building, and he would keep in close touch with the Colonial Secretary. The Secretary of State added that, for administrative purposes, the Chief Native Commissioner should conduct his correspondence with the Governor through the Colonial Secretary, but that, as a member of the Executive Council, he had the right of access to the Governor, and his recommendations should not be overruled without reference to the Governor, though they should be submitted through the Colonial Secretary. The Secretary of State continued that all orders should issue under the

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signature of the Colonial Secretary. He concluded by stating that when the Chief Native Commissioner went on leave the post should be filled by one of the Senior Commissioners, not by anyone in the Secretariat. This rearrangement took effect on 1st January, 1934, and is still in operation. The Chief Native Commissioner has no longer any executive authority. Instructions are not given by him but by the Colonial Secretary. He is merely an adviser to Government on Native Affairs and policy. It is unnecessary to discuss in detail the multifarious duties imposed on the Chief Native Commissioner either by ordinance or in virtue of powers delegated by the Governor. His real strength lies in his membership of the Executive and Legislative Councils and his right of access to the Governor. It is however necessary to draw attention to the fact that his position is a somewhat anomalous one. He has influence but little or no authority, and the extent of his influence will depend on his own character. He can be, and is, of great value to Government, but, so far as the organisation is concerned it is not much of an exaggeration to describe him in the words of some critics as a fifth wheel in the coach.

130. The essential lesson to be drawn from this narrative of events appears to be that any system of Government in Kenya should assign the supervision of Native affairs to an officer specially charged with this duty, and in a position to make his influence felt by direct access to the Governor/ and by membership

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162

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183

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of the Executive and Legislative Councils. This does not, however, preclude the possibility of assigning to Provincial Commissioners a larger measure of responsibility in Native affairs. It is remarkable that this possibility does not appear ever to have been mentioned after the earliest stages of the discussion until the Expenditure Advisory Committee of 1932 proposed certain delegations of powers. It should be remembered that the conditions of the present time, both as regards the Official and the Native organisations, differ widely from those existing at the time when the post was created.

Department of Local Government, Lands and Settlement.

151. The chequered history of this Department has been given at some length in the foregoing paragraphs and need not be repeated in detail. In 1919 a combined department of Lands and Survey, including Registration, was formed under a Commissioner of Lands. The system of land registration was remodelled on the lines of the Torrens system. The central Land and Survey Departments were considerably reduced between 1922 and 1928 by measures of decentralisation consequent on the formation of local authorities in the shape of District Committees, and by the transfer to administrative officers of certain items of land work. The most important changes however took place in connection with the report of the "Feetham Committee", which in 1927 recommended the

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the establishment of Municipal and District Councils in the Settled Areas, with a headquarters organisation for their control, including a Commissioner for Local Government, a Local Government Inspector, and a Municipal and Town Planning Engineer, and a standing Committee for Local Government under the chairmanship of the Colonial Secretary.

132. Land Administration touches Local Government administration closely at many points. All land outside the coastal Protectorate was Crown land originally, and, except in respect of freehold grants on a small scale, the Crown is the owner of all lands alienated on lease. In municipalities it has for various reasons not yet been considered advisable to endow the municipal authorities with Crown lands, and the Crown is therefore closely interested as landowner in matters of rating and town planning. As regards rural areas also, settlement is a matter of primary concern to rural local authorities. For these reasons the functions of Commissioner of Lands and Settlement, and of Commissioner for Local Government, were combined.

The position from time to time of this combined department with reference to the Secretariat has already been discussed; it has been noted in an earlier paragraph that the Expenditure Advisory Committee of 1952 recommended that the department should be divorced from the Secretariat. Ultimately, from 1st January 1954 a separate department for Local Government, Lands (including Survey and Registration), and Mines, was formed; as mining activities were

becoming

164

becoming increasingly important, a separate Mining and Geological Department was formed in June of the same year. The separation from the Secretariat was intended to provide for a more satisfactory organization for the despatch of public business, but it seems decidedly doubtful whether it has done so. It replaces direct contact with the Colonial Secretary or the Governor by departmental correspondence journeying upwards through the appropriate Assistant Secretary. The inconvenience of this procedure has been recognised by the arrangement by which the files dealing with the proposals of the Kenya Land Commission are minuted by the Commissioner for Lands direct to the Colonial Secretary and Chief Native Commissioner, and no action proceeds on these files. In addition to the work arising out of the Kenya Land Commission the department is concerned with all the many questions relating to land. Its relations with the Surveyor-General, who is in charge of the Surveyor and Registration division are somewhat indefinite.

133. Registration of titles does not present any special difficulties in the greater part of the Colony, but in the Coastal Protectorate the position as regards titles to land has been under investigation since 1921, and is still so far from settled that a special enquiry has recently been made by Sir Ernest Dowson, K.B.E., whose report is still awaited.

134. The present position appears to be as follows.

follows. The department has done most valuable work in developing the system of Municipal and District Councils in the Settled Areas proposed by the "Feetham Committee". These local bodies have however now reached the stage when they no longer require such meticulous administrative control, and, apart from legal and financial questions, the necessary supervision could now be carried out by Provincial Commissioners. As regards the Lands side of the department also, while the great importance of the proper administration of lands to the welfare of the Colony is clear, at the same time a considerable amount of further decentralisation appears to be possible. The work in connection with the report of the Land Commission will require special consideration, but is only temporary. As regards survey and settlement, the work is now for the most part of a normal or routine type and no extended activities are probable in the near future. It appears therefore that the necessity for the post of Commissioner of Local Government no longer exists, and that, if satisfactory arrangements can be made for carrying out the branches of his work either by devolution or by inclusion in the general Secretariat, there is no reason why this should not be done. The control of Local Government activities appears in any case to be a function of the central Government.

The Treasurer.

166

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The Treasurer.

135. It is somewhat remarkable that throughout the discussion on the reorganization of the Secretariat the Treasury does not appear ever to have been mentioned, the reason being presumably that the Colonial Secretary is under the Governor responsible for the finances of the Colony. The annual estimates of expenditure are prepared in the Treasury but in the Secretariat. The departmental estimates of expenditure are sent in to the Clerk to Councils, and it is his work to examine them, and to submit them with his observations through the Section Officers and the Senior Assistant Colonial Secretary (who add their observations) to the Deputy Colonial Secretary. During this examination the Section Officers will obtain the comments of the Treasury if they consider this advisable. The Deputy Colonial Secretary passes orders regarding the action to be taken on the estimates files, having consulted the Colonial Secretary himself if he considers this necessary; naturally correspondence with the departments is required on many items, and this again is part of the work of the Clerk to Councils. When a decision has been arrived at regarding the points raised in accordance with the Deputy Colonial Secretary's or Colonial Secretary's orders, the Secretariat files regarding the departmental estimates of expenditure are submitted for the Treasurer's perusal, and on their return the draft estimates are printed. It will be observed that up

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that up to this stage the assistance of the Treasury is invoked only at the discretion of Secretariat officers.

The estimates of revenue, for which the Treasurer is responsible, are not as a rule ready until October owing to the difficulty of estimating the income from Customs before that month. When the revenue estimates are available they are examined by the Colonial Secretary in conjunction with the Treasurer.

Proofs of the draft estimates of revenue and expenditure are supplied confidentially to the Colonial Secretary, the Treasurer, and the Chief Native Commissioner, who examine the Budget in detail, and if necessary interview heads of departments. The Executive Council does not see the draft estimates.

136. It appears therefore that throughout the preparation of the estimates of expenditure the Treasurer fills a minor, though essential, role, and that the real responsibility is vested in the Colonial Secretary, who is also responsible for all spending departments.

137. The functions of the Treasurer were set out in a memorandum prepared for the Expenditure Advisory Committee of 1932; he is the Chief Accounting Officer and Financial Adviser of the Government, and the financial and accounting operations of the Government are under his general management and supervision. The Colonial Regulations (paragraphs 188-190) describe his duties as follows:-

The Treasurer  
168

"The Treasurer, besides being the Chief Financial Adviser to the Governor, is the Chief Accounting Officer of the Colonial Government, and, subject to these Regulations and to such instructions as may with the authority of the Secretary of State be approved by the Governor, the financial and accounting operations of the Government are under his general management and his supervision, but it is also the duty of the Colonial Secretary, the Auditor, the heads of departments, the sub-accountants and all accounting officers to take care that these Regulations are duly observed.

*By disbursement*

"The term sub-accountant means an officer who is entrusted with the receipt, custody, and disbursement of public money and who is required to keep one of the recognized cash books, the transactions in which are subsequently embodied in the final accounts rendered by the Treasurer.

"It is the duty of the Treasurer in his capacity as Chief Accounting Officer:-

- (i) To see that the proper system of account is established in every department of the Colonial Government;
- (ii) To exercise supervision over the receipts of public revenue and as far as possible to secure its punctual collection;
- (iii) To bring promptly to account, under the proper heads and items, all money, whether revenue or other receipts, paid into the Treasury or accounted for to him;
- (iv) To see that proper provision is made for the safe-keeping of all public money and stamps;
- (v) To exercise supervision over all the officers of his department entrusted with the receipt or expenditure of public money, and over the sub-accountants, and to take precautions, by the maintenance of efficient checks, against the occurrence of fraud, embezzlement, or carelessness;
- (vi) To supervise the expenditure and other disbursements of the Government; to take care that no payment is made which is not covered by proper authority, expressed or referred to on the voucher relating to it; and, in case of any apparent extravagance or of any apparent defect in the provision for a charge owing to the exhaustion or absence of a vote, to call the attention of the Colonial Secretary in writing to the matter;

(vii) Promptly

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169

- (vii) Promptly to charge in his accounts under the proper heads and items all disbursements of the Government, whether expenditure or other payments.
- (viii) To render the accounts for audit and to prepare the Financial Statements and Returns.

The Treasurer will from time to time cause surprise inspections to be made of the accounts of his sub-accountants. He will report to the Colonial Secretary any material irregularity connected with the public accounts that may have been brought to his notice."

The Treasurer is also an ex-officio member of the Legislative and Executive Councils and has extraneous duties of an advisory character in connection with boards and committees.

139. The official position of the Treasurer, as defined by the Colonial Regulations and by tradition and usage, is thus little more than that of an accountant and collector of revenue. It is of course possible that a particular Treasurer might, by virtue of his personality and character, exert a considerable degree of influence on the financial policy of the Government; but this would under the present arrangement be the result of the qualities of the individual, not of the powers and functions of the office. To describe the Treasurer as the Chief Financial Adviser to Government (see Colonial Regulations, 138) when he has no responsibility in connection with the expenditure side of the Budget is a somewhat unusual application of the term. I agree therefore with the view of Lord Moyne in paragraphs 103 to 105 of his "Report on Certain Questions in Kenya" that the ultimate responsibility for advising

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176

for advising the Governor regarding the allocation of expenditure, as well as for the collection of revenue, should be vested not in the Colonial Secretary but in the Treasurer; he would be in a position to take a more detached view of questions of expenditure, and more especially of the strength of establishments, than is possible for an officer who is responsible for all the spending departments. This arrangement would be in accordance with the British system and with that both of the Government of India and of all its Provincial Governments. In such a position the Treasurer might be designated more appropriately as ~~Financial~~ Secretary.

The existing arrangement is, as Lord Moyné observes, not even required by the latest Colonial Regulations which provide as follows (paragraph 194):-

"Annual Estimates of the revenue and expenditure of a Colony will be submitted by the Colonial Secretary to the Governor at such a date as will admit of their consideration by the Legislature, their transmission to the Secretary of State, and the receipt of his reply by post, before the beginning of the year to which the Estimates relate. Where local circumstances render this impossible, the Estimates should be transmitted so as to reach the Secretary of State as soon as possible, and in any case before the beginning of the year."

It is therefore not necessary that the Colonial Secretary should himself be responsible for the preparation of the estimates. To quote again from the report of Lord Moyné:-

"the present arrangement under which financial responsibility is divided between the Treasurer and the Secretariat seems likely to lead to lack of control, duplication, waste of energy and unnecessary expense. In the present difficulties of the Colony it appears to be more than ever necessary that there should be an official primarily responsible for finance in all its aspects and for advising both the Executive and Legislative Councils on all financial matters."

be cler Proposals regarding the Secretariat.

140. The position as set out in the foregoing paragraphs may be summarised as follows. The function of a Secretariat is to secure that all matters requiring the orders of Government are presented in such a way as to furnish all the information necessary to a decision on the point at issue, and to insure that when Government has passed orders they should be conveyed to all the departments concerned. The work should be carried out in such a way as not to obscure responsibility, and to avoid unnecessary delay, and unnecessary multiplication of notes and minutes. Further, the organisation should be such as to secure that all proposals involving expenditure are reviewed by a financial authority not responsible for any of the main spending departments, and therefore in a position to take a detached view. His position should be such that he is able to make his influence felt directly on the Government, and, if he is overruled, it should be clear where the responsibility for the decision should be placed.

141. So long as the system of administration is a comparatively simple one and extends little beyond

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beyond the collection of taxes, and the maintenance of law and order, the Colonial system of the concentration of all branches of work in the Colonial Secretary is both practical and suitable. When, however, as in Kenya, departmental activities of all kinds receive a wide extension, and the political constitution requires that a large proportion of the time of the central organisation of Government should be devoted to other than administrative work, the position is altered. A mass of material of all kinds necessarily accumulates, and has in theory to pass through the single medium of the Colonial Secretary for the purpose of decision by Government. It is physically impossible for him to deal with it himself, and, when an attempt is made to relieve him by Assistant Secretaries working under him, the position is only temporarily relieved and its fundamental defects are not removed; while the responsibility for decisions becomes more obscured as Assistant Secretaries multiply. In particular, he cannot give the time and attention necessary for the personal discussions with heads of departments or other persons which are often so valuable in clarifying issues and avoiding later difficulties; nor has he adequate leisure for thinking out policy, or for coordinating the work of departments so as to maintain proper relations between them. Departments with specially able and energetic heads may obtain an undue proportion of the available resources, more especially if they are in a position to obtain

strong



strong outside support either for political or for sentimental reasons.

142. I consider therefore that the time has now come when the system of concentrating every branch of work in the Colonial Secretary should be replaced by one in which the various departments should be grouped under several Secretaries to Government, each Secretary standing in the same relation to the Governor, though the Colonial Secretary would remain as the Chief Secretary, the Deputy of the Governor, and the head of the Administrative Service. The Secretaries would not replace the heads of technical departments nor control their detailed working, but they would deal with their general policy and coordinate their work if necessary. Working as they would in close cooperation with one another, and as members of the Executive Council, they would give full consideration to all aspects of questions affecting more than one group of departments, and could coordinate the work of departments falling into different groups. They would be able to deal on their own responsibility with a large proportion of the questions involved, the more important matters being either dealt with in Executive Council or with the Governor, either by minutes or in personal discussion.

As the work now concentrated on the Colonial Secretary would be distributed heads of departments would be able to discuss their proposals with the Secretary concerned; Mr. Milligan from his experience in India attaches great value to preliminary discussions

discussions with experienced administrative officers. An organisation on these lines is an essential feature of Cabinet government and that it is equally applicable to an official Government is shown by sixty years' experience both in the central Government of India and in all its Provincial Governments. It is true that in general it is dangerous to apply Indian analogies to the very different conditions of Africa, but this qualification does not appear to be necessary in the case of the central organisation of Government to which similar principles can be safely applied in very varying local conditions. The actual organisation which I would propose to meet the specific conditions in Kenya is as follows. There should be three Secretaries to Government, the Colonial Secretary or Chief Secretary, the Secretary for Native Affairs, and the Financial Secretary who would also be the head of the Treasury. The post of Chief Native Commissioner would be absorbed in that of Secretary for Native Affairs, and that of Commissioner for Local Government, Lands, and Settlement, would be abolished. The work now carried on by the latter would be partly devolved on Provincial Commissioners and partly taken over by one of the three Secretaries. The post of Deputy Colonial Secretary would also disappear. Salaries which would appear to be suitable for the Secretaries are £2,000 for the Colonial Secretary, and £1,750 for the Financial Secretary and the Secretary for Native Affairs. It should also be considered whether

the salary

the salary of the Attorney-General should not be fixed at the same scale as those of the two latter Secretaries when the post is vacated by its present occupant. The Financial Secretary would presumably no longer carry on the extra duties for which he at present gets special allowances.

143. The Financial Secretary would be the responsible financial adviser to Government, and would deal with the preparation of the estimates both of revenue and of expenditure. He would still control the accounting and revenue collecting departments, with competent assistants in immediate control of accounts and of revenue collection. All proposals involving expenditure would be referred to him at an early stage for his opinion, and he would therefore be in a position to advise on the financial implications of any policy while it was still in process of formation. The tendency to increase expenditure would thus be checked and controlled at its earliest stages by an official with special financial experience. He would at the same time be in control of a certain number of departments in which the issues likely to be raised would be mainly such as involve the application of financial principles while not involving any large expenditure of Government funds.

It is of special importance to provide for financial control of this kind at a time of depression so as to meet the pressure to expand expenditure in all directions which is certain to be applied as

soon as

as soon as conditions improve. In particular the strength of establishments should be his special concern, and the two separate Establishment branches now existing in the Secretariat and in the Treasury should be amalgamated and be in his charge. A subsection would, however, be required to deal with questions of discipline, promotions, transfers, and other matters which would be controlled by the Colonial Secretary.

144. For a post of the type contemplated an officer of adequate calibre and of administrative experience would be essential, though he might be taken either from the Treasury or from the Administrative service. A necessary corollary would be that special care would have to be taken in filling the higher posts in the Treasury, and the possibility of promotion to the post of Financial Secretary should make them attractive to officers with financial aptitude in the Administrative service.

145. While the policy to be adopted with reference to any question must be determined by the Governor acting with his Executive Council, or by the Governor on his personal responsibility, the Financial Secretary should have the right to require that his opinion should be conveyed to the Secretary of State if he considers this essential in the financial interests of the country.

146. The actual distribution of work between the three Secretaries would be a matter for local consideration,

177

consideration, but the following distribution of the more important departments may be provisionally suggested. The Colonial Secretary might deal with:-

- Agriculture and Veterinary,
- Military and Defence Force,
- Kenya Police,
- Lands and Surveys,
- Border Affairs,
- Railways and Harbours,
- Mining and Geological,
- Judicial and Legal,
- Administrative Postings,
- Discipline and Promotions,
- European Education.
- Prisons,
- Labor Control,
- Publicity and Settlements.

The Secretary for Native Affairs might deal with:-

- Native Affairs generally,
- Education other than European,
- Medical,
- Forestry,
- Posts and Telegraphs,
- Public Works, excluding Water control,
- Game and Fisheries.

The Financial Secretary might deal with:-

- Audit,
- Electric Power,
- Taxation,
- Customs, Industry and Commerce,
- Land Bank and Agricultural Credits,
- Local Government in Settled Areas.

The orders of government would be issued under the signature of the Secretary chiefly concerned.

Proposals for the grouping of departments under non-technical heads were in fact made by two members of the Select Committee on Economy of 1935. They proposed four such groups, and appear to have contemplated the supersession of the technical heads of departments by the non-technical heads of the groups who would be practically in the position of Ministers in a self-governing Colony. I do not think that such an arrangement would be workable under the

Crown Colony

Crown Colony system of government, but its main objects would be fulfilled by the proposals outlined above.

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147. Whether three such groups would be adequate under Kenya conditions is a question for consideration, but, in the interests of economy, it is very important to keep the number as low as possible. If a part of the work now done at headquarters is transferred to Provincial Commissioners on lines which will be suggested later, I believe that three groups would be adequate, as they have been in countries with more than ten times the population of Kenya; but the crux of the problem lies in the extra-departmental activities of all officers at headquarters, more especially those arising from committees of all kinds. Many of these committees undoubtedly do very valuable work both in the direction of framing policies, and of bringing official and non-official representatives into successful cooperation with one another. They are thus instrumental in preventing the growth of suspicion which may very seriously hamper administration. They do, however, take up a large proportion of the time of their members and more especially of the heads of the departments. If the Government is to become a more practical working organization, and this is I believe the desire of all parties concerned, careful consideration should be given to the question of reducing the number of both standing and ad hoc committees as far as is practicable. The further question whether a reduction can be made in the number of officials

of officials required to sit on the Executive and Legislative Councils involves constitutional issues which lie outside the terms of reference to this Commission.

148. As regards the strength of the staff which would be required to assist the three Secretaries in their work, the existing staff (apart from that of the Treasury) includes the Deputy Colonial Secretary, the Senior Assistant Colonial Secretary, and five Assistant Secretaries who are heads of sections one of whom is also the Clerk to Councils and deals with the budget estimates, and the Establishment Officer. All of these with the exception of the Establishment Officer, are taken from the Administrative Service; in addition there is one Assistant Establishment Officer and a clerical staff. This organization appears to be somewhat overweighted with officers of Administrative grade; the cost is the greater as the posts of Assistant Secretary carry the salary scale £720 - £820, and an officer seconded from the Administration to act as Assistant Secretary receives acting allowance equal to the amount by which £720 exceeds his substantive salary, subject to a limit of £120.

149. Under the organization now proposed the word Secretariat would have a somewhat different meaning from that which is attached to it in Kenya; it would connote the general Government secretariat working under the three Secretaries to Government, and not merely the office of the Colonial Secretary.

It should

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It should

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It should be organized in such a way that no file would pass through more than one officer of Administrative rank (other than the Section Officer) before reaching the Secretary to Government concerned; this would not of course preclude reference to the Finance Department if this were necessary. Corresponding to the three Secretaries to Government there should therefore be three Assistant Secretaries of fairly senior administrative rank who might for the present receive salaries of £920, the maximum of the old Administrative scale. The work of each Assistant Secretary would not necessarily be confined to that for any Secretary; he might also deal with departments under other Secretaries and submit work to them; the Secretariat would not be divided into watertight compartments. There would as at present be six Sections, and, on the assumption that service in the Secretariat would not be permanent, and that there would be periodical exchanges between the Secretariat and the Administrative Service, (a principle which I consider of essential importance), it would be necessary to provide for a proportion of officers as heads of Sections, including, as at present, one who would act as Clerk to Councils. This arrangement would provide an opportunity of testing junior officers in work of this type, and so provide a reserve from which Assistant Secretaries could be drawn. It should be possible to fill the remaining posts of heads of Sections with officers of a less expensive type, presumably members of the Local Civil Service. Under this arrangement the

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special allowances now given to Administrative officers in the Secretariat would not appear to be necessary. The Clerk to Councils would continue to deal with the budget estimates and in that capacity he would work primarily under the Financial Secretary.

150. The officers of administrative rank in the Secretariat would thus be three Secretaries, three Assistant Secretaries, and a proportion of the Section Officers. Assuming that three Section Officers are taken from the Administrative service and that the remaining three Section Officers receive salaries of £860, the highest scale of the European Local Civil Service, the total approximate cost under personal emoluments, including concealed emoluments, will compare as follows with the cost under the existing arrangements:-

Present Organization.

	<u>Salaries</u>	<u>£.</u>
Colonial Secretary	(£2200 per annum)	2200
Treasurer	(£1450 " " )	1450
Chief Native Commissioner	(£1450 " " )	1450
Commissioner for Local Government Lands & Settlement	(£1350 " " )	1350
Deputy Colonial Secretary	(£1350 " " )	1350
Senior Assistant Colonial Secretary	(£1200 " " )	1200
Six Section Officers	( £720 " " )	4320
		<u>13320</u>

Concealed

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Senior Assistant Colonial Secretary	(£1200 " " )	1200
Six Section Officers	( £720 " " )	4320
		<u>15320</u>

Concealed

182

Concealed Emoluments.

45% of £13,320 - - - £5994.

Total cost under present organisation, £19314.

Proposed Organisation.Salaries.Overseas Staff.

Colonial Secretary (£2000 per annum)	2000
Financial Secretary (£1750 " " )	1750
Secretary for Native Affairs (£1750 " " )	1750
3 Assistant Secretaries (£2920 " " )	2760
3 Section Officers (£2800 " " )	1000
	10060

Local Civil Service Staff.

3 Section Officers (£2600 " " ) 1980

£12040

Concealed Emoluments.Overseas Staff.

45% of £10,060 - - - £4,527.

Local Civil Service Staff.

25% of £1,980 - - - £495.

Total concealed emoluments, £5022.

The total annual cost of the proposed organisation is therefore £17,062 per annum, i.e. £2,252 less than the cost of the present organisation.

Notes.

183

Notes.A)  
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The salaries assumed for the purpose of computing the cost of the existing organization do not in some cases coincide with the salaries actually drawn by present officers; the salaries assumed are however normal ones for officers likely to fill the posts in question.

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The percentages assumed for concealed emoluments are of course rough approximations; in fact the ratio between the cost of concealed emoluments and the officers' salary varies with the officer's salary.

3.

The combination of the Establishment Sections in the existing Secretariat and in the Treasury which has already been proposed should render possible some further reduction of staff; this reduction has not, however, been taken into account in the total shown above.

151. At various stages in the discussion on the general question of the Secretariat stress has been laid on the importance of making it possible for the Colonial Secretary, and still more for the Chief Native Commissioner, to be able to do a certain amount of touring. Under the existing arrangement the Chief Native Commissioner is in fact a free lance without any office ties, and can therefore go on tour at any time except when required for meetings of the Executive and Legislative Councils or for Committees.

Committees. The same problem arises to a less extent in connection with the Treasurer or Financial Secretary. Under the arrangement proposed the Assistant Secretaries would be officers of considerable experience able to deal with all matters of minor importance. Short periods of absence from headquarters would therefore be easily arranged, and there are very few places in the Colony where a Secretary on tour would not be near a telegraph station, and where letters would not reach him within two or at most three days.

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152. As regards the Secretary for Native Affairs, I consider that the time has come when the detailed work in connection with Native Affairs should be transferred to a much greater extent to Provincial Commissioners, the Secretary for Native Affairs confining himself in the main to laying down the general policy to be followed, and coordinating the work of the Provincial Commissioners. This would not require more than occasional tours, while his status and opportunities for representing Native interests in the working of Government, and in the Executive and Legislative Councils, would be on an even surer foundation than it is at present. Whatever may have been the case in the earlier periods of the history of the Colony, the Provincial Commissioners are now officers of wide experience who have gone through all stages of the service and have been specially selected for promotion. Great stress has been laid in an earlier paragraph

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on the necessity for making these posts real selection posts, not to be given merely on grounds of seniority. On this assumption Provincial Commissioners are fully capable of exercising wider powers than have hitherto been entrusted to them, and this point will be further dealt with later. In particular they should have an intimate knowledge of the tribes in their Provinces and should not require continual detailed supervision from headquarters in dealing with them.

153. There is, however, one difficulty in applying the proposed organization to the present conditions, and this lies in the scattered character of the Government offices, the Treasury being housed in the Railway offices, and the Colonial Secretary and Chief Native Commissioner some three-quarters of a mile away. This involves waste of time in the transfer of files and resulting inconvenience. It is unfortunate that the proposed central Government office has not yet materialized and does not seem likely to do so in the near future. But at the same time the resulting inconvenience would not be much greater than it is at present, and the telephone is always available if short personal discussions are required. The difficulty would be largely removed if the accounting and revenue branches of the Treasury remained in the Railway offices and the Financial Secretary and his Assistant Secretary were in the same group of buildings as the other two Secretaries.

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The Treasury.

154. In order to complete the examination of the main central Government organization it is necessary to consider the Treasury with its recent adjunct in the shape of the Central Revenue Office. The position of the Treasurer himself with reference to Government has already been dealt with. Under him the strength of the department (excluding the Central Revenue Office), as provided in the estimates for 1936 is as follows:-

Deputy Treasurer	1
Principal Assistant Treasurer	1
Senior Assistant Treasurers	2
Assistant Treasurers	4
European Clerks	15
Asian Clerks	32
African Clerks	1
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One additional post of Senior Assistant Treasurer, and one post of Assistant Treasurer, are in abeyance but there is one additional officer transferred from the Statistical Department to operate the Hollerith calculating machine.

155. In addition to the Treasury headquarters where the detailed accounts of the Colony are controlled the organization includes two district treasuries, one at Nairobi and one at Mombasa, and the Central Revenue Office. The latter is responsible for the administration of the Non-Native Poll Tax and Licensing Ordinances, as well as for the collection of all ordinary forms of revenue in Nairobi Town and district except Native Hut and Poll

Tax, Land



Tax, Land Rents and certain licences, and for the maintenance of the Central Revenue Registry. The Kombasa treasury has since 1934 been placed in the charge of the Government Coast Agent who receives an allowance of £50 per annum on this account; he has been given an extra Asian clerk to assist in this branch of his work.

156. The following table shows the staff and its cost from 1931 onwards:-

	1931	1932	1933	1934	1935	1936
Treasurer	1	1	1	1	1	1
Deputy Treasurer	1	1	1	1	1	1
Principal Assistant Treasurer	1	1	1	1	1	1
Senior Assistant Treasurers	3	3	3	3	2	2
Assistant Treasurers	5	5	6	4	4	4
European Clerks	20	17	14	15	15	15
Asian Clerks	41	38	29	29	29	32
African Clerks	2	2	1	1	1	1
<b>Total Staff:-</b>	<b>75</b>	<b>59</b>	<b>56</b>	<b>55</b>	<b>54</b>	<b>57</b>
<b>Provision in Estimates:-</b>	<b>£27257</b>	<b>£25679</b>	<b>£22900</b>	<b>£22528</b>	<b>£21570</b>	<b>£22336</b>

There has therefore been a substantial reduction since 1931. The reductions in 1931 involved no fundamental change of method, but that of 1932 resulted from the extension of the system of self-accounting departments and the abolition of the Examination Division. The establishment reduced

included

188

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Principal Assistant Treasurer	1	1	1	1	1	1
Senior Assistant Treasurers	3	3	3	3	2	2
Assistant Treasurers	6	6	6	4	4	4
European Clerks	20	17	14	15	15	15
Asian Clerks	41	38	29	29	29	32
African Clerks	2	2	1	1	1	1
<b>Total Staff:-</b>	<b>75</b>	<b>69</b>	<b>56</b>	<b>55</b>	<b>54</b>	<b>57</b>
<b>Provision in Estimates:-</b>	<b>£27257</b>	<b>£25879</b>	<b>£22900</b>	<b>£22526</b>	<b>£21570</b>	<b>£22336</b>

There has therefore been a substantial reduction since 1931. The reductions in 1931 involved no fundamental change of method, but that of 1932 resulted from the extension of the system of self-accounting departments and the abolition of the Examination Division. The establishment reduced

included

188

included an Assistant Treasurer, two European clerks, and eight non-European clerks. The Mombasa and Nairobi district treasuries were also reorganized with a consequent reduction of staff. Further, on the transfer of a Senior Assistant Treasurer his post was left vacant, and subsequently a post of Assistant Treasurer has been placed in abeyance.

The addition of three Asian clerks in 1935 was at first temporary in connection with the inauguration of the European and Asian Civil Service Provident Funds and the introduction of the Hollerith system for the accounts. It has been found necessary to continue their services for the same purposes, but it is stated that the reduction of work in district offices resulting from the application of the Hollerith system to the Colony's accounts has rendered possible the reduction of nine clerical posts in the Administration.

157. As now constituted the Treasury headquarters has four divisions: (1) the Accounts Division, (2) the Establishment Division, (3) the General Division dealing with miscellaneous questions of all kinds, and (4) the Correspondence Division.

The Deputy Treasurer is largely responsible for the general administration of the department and deals with the various matters referred to him by the divisions and by the Principal Assistant Treasurer. He also assists the Treasurer in the many miscellaneous duties falling on him including membership of various committees. The Principal Assistant

Treasurer

Treasurer is, together with the Deputy Treasurer, in general charge of the internal economy of the Treasury, and supervises the functions of its various divisions. One Assistant Treasurer acts as Personal Assistant to the Treasurer and deals generally with any exceptional work which may arise.

158. Taking the establishment as it is, there appears to be no branch of work which could be abolished without detrimental effects to the finances of the Colony, and I see no reason to differ from the view of the Treasurer that the numbers of the staff are not at present capable of reduction. The possibilities of future economies appear to lie in three directions:-

- (1) An ultimate reduction in the work on accounts in the Treasury as a result of the introduction of the Hollerith machine similar to the reduction which it has effected in the work of sub-accountants.
- (2) The amalgamation of the establishment sections in the Treasury and the Secretariat which has been proposed in an earlier paragraph.
- (3) An attempt to improve the general standard of ability of the clerks by careful recruiting or by changes in the methods of work.

The results from action on these lines can, however, only be gradually achieved, and at the present stage it is not possible to estimate the savings which can be effected.

be effected. It is essential that the Treasury organization should be maintained at a high degree of efficiency, and any relaxation of control would result in losses much greater than any small economies.

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159. A confident opinion on the working of any office, and on the possibility of reductions in staff, either by a change of methods or in other ways, can only be arrived at by actually working in the office for a period and going into all the details. It would therefore be valuable if the proposed combined Establishment Section included an officer of some standing trained in office-methods who could examine the various offices in succession, both at headquarters and elsewhere, with the object of introducing any modifications which would economize staff or improve the working of the office. This system is in operation both in England and elsewhere and has proved its value in practice.

*U*  
*clear* Central Revenue Office.

160. The remaining section of the Treasury is the Central Revenue Office which is mainly concerned with the collection of revenue in Nairobi town and district. It came into existence in September, 1933, and the staff provided for in the estimates for 1936 includes an officer in charge of a rank similar to that of a Senior Assistant Treasurer, <sup>two</sup> Assistant Revenue Officers, <sup>eleven</sup> 12 European clerks, and <sup>nine</sup> 9 Asian clerks, to which must be added <sup>three</sup> 3 Asian clerks seconded from Treasury headquarters to carry out work previously carried on at headquarters. Out of the total of <sup>twenty-two</sup> 28, <sup>five</sup> 5 Europeans

<sup>five</sup> Europeans and <sup>four</sup> Asians were transferred from other departments to the Central Revenue Office, taking over various duties previously undertaken by departments, including the collection of medical fees generally, and the non-Native taxation of the Nairobi district. In future, school fees will also be collected by this office. The staff is considerable, and its cost for 1936 is put at £6,692, but it is claimed that from £12,000 to £14,000 additional revenue has been collected in 1935 in consequence of more intensive collection.

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The changes in the system of taxation make it difficult to compare the figures with any accuracy, but there seems reason to suspect that there is still a considerable amount of evasion of the Non-Native Poll Tax, largely as the result of defects in the Ordinance. There is also probably some evasion of the Education Tax and of Licence Fees. The extent of evasion is difficult to estimate, but it may be noted that in 1935 2,113 persons were claimed against in Nairobi for Non-Native Poll Tax, Education Tax, and Hospital Fees, the total sum claimed being £8,347. Of this total, £1,825 had to be foregone owing to non-service of summons, £1,170 was waived through exemptions, £892 was collected, and £4,460 is still in course of action.

161. If a more scientific form of direct taxation is introduced, the natural course of evolution will be towards an Inland Revenue Department with a central office in Nairobi, but it will be necessary to guard against

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against the multiplication of staff, which is the natural tendency of any new department. Special attention should also be directed to attempting to raise the general standard of competence of the clerical staff and to providing for closer supervision. The present system under which clerks work in small rooms makes adequate supervision difficult. This criticism has no special application to the Central Revenue Office and in fact probably applies in a greater degree to some other offices. The present arrangement is largely the result of inadequate and unsuitable accommodation.

162. This concludes the examination of the central organization of Government. The constitutional position of His Excellency the Governor and of the Executive and Legislative Councils was briefly discussed at the beginning of this chapter. It remains to discuss the expenditure shown separately in the estimates under the head of His Excellency the Governor including both his salary and allowances and those of the staff attached to him.

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HIS EXCELLENCY THE GOVERNOR.

163. The expenditure under the head of His Excellency the Governor has been the subject of a considerable amount of criticism both as regards the salary and duty allowance and the cost of the establishment attached to Government House. It is therefore advisable to set out the actual facts.

The total emoluments received by the Governor are as follows:-

Salary	£3,000
Duty Allowance	£2,500
Allowance as Joint High Commissioner for Transport	£1,000
	<hr/>
	£6,500
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In addition a sum of £250 is included in the estimates on account of travelling allowance for the Governor and his staff. The Governor receives travelling allowance at the rate of £3.3s.0dts. per day. ?

The Governor pays all normal Customs dues on imports and, while he is exempted from all taxation or levy on salary, he makes an ex gratia contribution of £702 to the revenue of the Colony, equivalent to the amount which he would have paid in respect of salary levy had he not been so exempted. He has in addition paid £250 per annum on account of non-Native poll tax. It is not possible to give an exact figure for the sum paid in respect of Customs dues, from which the Governors

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of the adjoining Territories are exempted, but it may be estimated at £800 per annum as a minimum.

164. The two Government Houses at Nairobi and Mombasa are fully equipped, and the Governor is not required to contribute towards the upkeep of the buildings or of the moveable effects.

As regards the European domestic staff, provision is made in the estimates for a chauffeur-mechanic receiving a salary of £300-20-420, equivalent to that of the second grade in the Local Civil Service; a superintendent of Government House gardens receives the same scale of pay, and a caretaker and housekeeper in Nairobi receives £240. The housekeeper at Mombasa receives an honorarium of £50 per annum.

The non-European domestic, garage, and garden staff and orderlies are provided for out of public funds, but the Governor has to pay personally a number of additional servants at a cost of from £850 to £900 a year, with other miscellaneous expenditure totalling about £229. Nairobi traditions and the large number of visitors from overseas require an expenditure on hospitality much in excess of what is necessary in ordinary Colonial Governorships, the cost amounts to about £5,000 per annum.

So long therefore as the levy is in force, the margin for all personal and family expenses, donations of all kinds, and expenses incurred outside the Colony is about £2,550 a year.

165. Comparison has usually been made with the position of the Governor of Tanganyika who receives £4,500 as salary and £1,500 as duty allowance, but it should be remembered that His Excellency the Governor of Tanganyika is exempt from customs dues. The difference between the emoluments of the two posts is therefore represented by £700 under salary and allowances plus £1,000 received by the Governor of Kenya as High Commissioner for Transport. Against this has to be set the exceptionally heavy expenditure on hospitality in Nairobi.

166. The scale of salary and allowances for the Governor of Kenya were partly determined by considerations which may be described as political, but also largely by the desire to make an exacting and necessarily expensive post attractive to men capable of filling this high office. It is certainly possible to take the view that it would have been better if everything had been on a simpler and less pretentious scale, but in fact the Governor is housed in a palatial building necessarily most expensive to maintain, equipped with valuable furniture, and situated in large grounds with an area of 280 acres. These conditions, and the connected requirements of exercising a wide hospitality and of maintaining the dignity of a high office, necessarily involve an establishment and a scale of expenditure considerably higher than that which would be required in most other Colonial Governorships.

167. As regards the scale of pay of the establishment, a visitor is not in a position to give an opinion on a matter mainly determined by local conditions, but it has to be recognized that the staff have considerable responsibilities in respect of the maintenance of the house and grounds, while as regards the chauffeur-mechanic a high scale of pay for a really competent man may be a real economy.

168. Apart therefore from the special allowance of £1,000 as High Commissioner for Transport which is based on considerations outside the scope of this Commission, and which does not fall on the budget of the Colony, it cannot be said that the expenditure under this head is excessive relatively to that of other Colonies and to the heavy responsibilities of the post. The Kenya of to-day looks on these matters from a different point of view from the Kenya of ten years ago, but the expenditure could only be substantially reduced by a change in what are considered to be the obligations of the Governor.

197

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CHAPTER VI.

PROVINCIAL COMMISSIONERS AND SENIOR DISTRICT COMMISSIONERS.

169. The next section of the budget to be considered is that of Administration. For the purpose of general administration the Colony and Protectorate are divided into four Provinces, viz., Nyanza, Rift Valley, Central, and Coast, with three extra-provincial areas, viz., Turkana, Northern Frontier, and Masai. Normally each of the four Provinces is in charge of a Provincial Commissioner (pay £1,350 per annum), and each of the three extra-provincial areas in charge of a Senior District Commissioner (pay £1,200 per annum); at the present time one of the Provincial Commissioners is in charge of the Northern Frontier Area. It should be noted, however, that the rank of Senior District Commissioner is not necessarily identified with any particular post. There are in all five Senior District Commissioners; one was acting as Commissioner of Mines at the time of writing, and the other four were in charge of provinces or of extra-provincial areas.

The estimates include under this head the salary of H.B.M. Consul for Southern Abyssinia (£1,000), and one-quarter of the salary H.B.M. Consul at Maji, Abyssinia, (£250).

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170. The work and the responsibilities of the Provincial Commissioners and of the Senior District Commissioners in charge of extra-provincial areas differ widely as may be seen from the following table:-

Area sq. miles.	No. of Dis- tricts	Population.		Revenue (1914) £	
		Non- Native	Native		
<b>PROVINCES.</b>					
Nyanza	11,240	5	7,150	1,161,418	263,357
Rift Valley	15,791	7	9,290	229,168	127,381
Central	33,916	10	31,431	1,207,637	241,352
Coast	26,651	6	26,752	258,013	67,126
<b>EXTRA-PROVINCIAL AREAS.</b>					
Northern Frontier	95,632	5	585	66,666	13,471
Turkana	26,498	2	137	73,550	6,283
Maaal	15,232	2	523	45,601	7,508

The number of provinces has been reduced from seven in 1903, with a considerable amount of rearrangement of districts. One of the provinces then existing (Jubaland) has been transferred to Italy, and now forms a part of Italian Somaliland.

171. The main duties of a Provincial Commissioner are to coordinate and supervise the work of the District Commissioners and District Officers and to aid them by their advice, to act as a medium of communication between the Government and the districts, and to see that the policy of Government is carried into effect. It is their further duty to coordinate

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170. The work and the responsibilities of the Provincial Commissioners and of the Senior District Commissioners in charge of extra-provincial areas differ widely as may be seen from the following table:-

Area sq.miles.	No. of Dis- tricts	Population.		Revenue (1914) £	
		Non- Native	Native		
<u>PROVINCES.</u>					
Nyanza	11,240	5	7,150	1,161,418	263,357
Rift Valley	15,791	7	9,290	229,168	127,381
Central	33,916	10	31,431	1,207,637	241,352
Coast	26,651	6	26,752	258,013	67,126
<u>EXTRA-PROVINCIAL AREAS.</u>					
Northern Frontier	95,532	5	585	66,666	13,271
Turkana	26,498	2	137	73,550	6,283
Mogai	15,232	2	523	45,601	7,308

The number of provinces has been reduced from seven in 1908, with a considerable amount of rearrangement of districts. One of the provinces then existing (Jubaland) has been transferred to Italy, and now forms a part of Italian Somaliland.

171. The main duties of a Provincial Commissioner are to coordinate and supervise the work of the District Commissioners and District Officers and to aid them by their advice, to act as a medium of communication between the Government and the districts, and to see that the policy of Government is carried into effect. It is their further duty to coordinate

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199

the work of the departmental officers in their Provinces both with each other and with Administrative Officers.

In addition to certain statutory duties under local ordinances they assist Government by their advice both in the ordinary course of official work and in conferences held as a rule twice a year at Nairobi. It is of great value to Government to have available for consultation an organization of senior officers detached from the day to day work of the districts, while at the same time conversant with the local problems, and in touch with the leading residents. This more especially when the varieties of climate, of occupations, and of peoples, are as great as they are in Kenya. The districts may be roughly grouped into the coastal districts, the mainly agricultural Native Reserves, the mainly pastoral Native Reserves, the townships and Settled Areas, and finally, the Northern Frontier and Turkana. Each of these has its characteristic peoples and problems differing widely from one another. It is at the same time always difficult to justify to a critical outside public the cost of an organization intermediate between the Government and the districts, mainly because its greatest value can only be realized in the actual working of the Administration, and cannot be satisfactorily measured by the test of figures.

172. To a large extent the value of a Provincial Commissioner depends on his own personal qualities; he may be a stimulating and controlling influence and a most valuable adviser to Government, he may on the other hand

Other hand tend to degenerate into a mere post office, whose absence would hardly be noticed. It is for this reason that it is of such importance that these posts should not be given merely on grounds of seniority, but should be, in reality as well as in name, selection posts. If, however, these posts are to be retained, and I consider it of great importance that they should be retained, it is essential that Provincial Commissioners (including those Senior District Commissioners who carry out similar duties) should be given work and responsibilities commensurate with their capacities and experience, and that the areas and populations under their control should be such as to give them adequate scope. I do not consider that either of these tests is satisfactorily met in the existing administrative organisation of Kenya.

Applying first the second of these tests, the Turkana and Masai extra-provincial Areas do appear to require a Senior District Commissioner in addition to District Commissioners and District Officers. Each area has only two districts with a small population of wandering pastoral tribes who give little scope for administrative activities, and depend for their control on the personal influence of the District Officers. Turkana has a short length of frontier with Abyssinia as well as with the Sudan, and the advice of a senior officer may be very valuable in problems arising from this fact; while the specially trying character of the country and of the conditions of work makes the periodical visits

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of a senior officer of real advantage to the junior officers in charge. These difficulties may however be largely met in other ways, and there appears to be no case for maintaining these two extra-provincial areas as distinct administrative units.

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The Turkana and West Suk districts could either be included in the Rift Valley Province; or the West Suk district could be included in that province, and the Turkana district in the Northern Frontier Area. In the latter case arrangements would have to be made for an aeroplane to be available to the officer in charge of the Northern Frontier Area when it was necessary for him to visit Turkana. The saving from the reduction of a post of Officer in Charge of the Turkana Extra-Provincial Area would therefore be less than if the Turkana district were added to the Rift Valley Province without the provision of air-transport. On the other hand travelling expenses are in any case heavy in Turkana, and the officer in charge of the Northern Frontier Area could arrive much more quickly by air at Lodwar or Lokitaung than could the Provincial Commissioner of the Rift Valley by car. Further, the administrative advantages of having the whole Abyssinian frontier under one officer would be great, more especially as the Abyssinian tribe on the Turkana border (the Merille or Gelubba) is the same as that on the eastern side of Lake Rudolf on the border of the Northern Frontier Area.

The Masai districts could be added either to the Central Province or to the Rift Valley Province, but the

203

but the former might be preferable, more especially as a proposal will be made later to transfer one district of the Central Province (that of North Nyeri) to the Rift Valley Province.

173. The other doubtful case is that of the Coast Province which is undoubtedly a very light charge, though, as Mombasa is the one port of entry for Kenya, there is at times a considerable amount of ceremonial duties, a circumstance recognised by the grant of an entertainment allowance of £100. The administrative staff at Mombasa includes a District Commissioner and a District Officer, as well as a Resident Magistrate who deals with the bulk of the judicial work. The population of the town and small district of Mombasa (area 106 square miles) is only 52,697 all told. On the other hand, it has a Municipal Board of which the District Commissioner is at present chairman, and this involves a considerable amount of work both in connection with the meetings of the Board and of its committees. A town-planning scheme is also in operation. It would not be desirable to abolish the post of Provincial Commissioner, but I see no reason why the post should not be combined with that of District Commissioner, provided that he has the assistance of a fairly senior District Officer. An arrangement on these lines obtains in Ceylon, where several Government Agents are in immediate charge of districts and in supervisory charge of larger areas. If the posts of Provincial Commissioner and District Commissioner were combined, it should

204

it should also be possible to reduce at least one clerk.

If, under the proposed arrangement, the Provincial Commissioner required some further relief, the districts of Lamu and Kipini could be added to the Northern Frontier Area, and there are in fact strong arguments in favour of that arrangement. Both of these districts are north of the Tana river and communications are so bad that it is often impossible to get through by road. There was formerly a fairly frequent steamer service but since Kisumu was made over to Italy it is no longer worth while for coasting steamers to call frequently at Lamu. Further the trade of Lamu is derived to a considerable extent from the Northern Frontier Area, and the Garissa district of that area stretches to within forty miles of the coast. Communications are bad but not so bad as those from Lamu. On the other hand the change would be opposed by the residents of the town of Lamu, more especially the Indians and Arabs. The former have close trade relations with Mombasa and are as a rule only local agents of Mombasa firms. The Arabs would object for sentimental reasons as all their associations are with the coast and with their recollections of Zanzibar rule.

174. The reductions proposed therefore in connection with the provincial organization include two posts of officers in charge of extra-provincial areas (Masai and Turkana), and one District Officer, and at least one clerk, in Mombasa. The number of officers

officers in the grade of Senior District Commissioner as distinct from those in charge of extra-provincial areas is a separate question which will be dealt with later.

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175. It remains to consider whether the work and responsibilities now given to Provincial Commissioners are commensurate with their abilities and experience, or whether their scope should be widened. With regard to this question, I agree with the view of the Expenditure Advisory Committee that substantially wider powers should be delegated to Provincial Commissioners, and that they should not be, as to a very large extent they are now, merely forwarding agents, though this does not of course prevent their advice being of great value. This does not imply that there should be separate provincial budgets. The provinces of Kenya and their populations are much too small to arrange for financial devolution on these lines, while the result would probably be an increase in the local clerical staffs. What can be done is to delegate authority to Provincial Commissioners to deal directly with many matters which they are now obliged to refer to Headquarters, and certain general lines can be suggested for such delegation. The Government has, it is true, devoted a good deal of attention to the subject of the coordination of all branches of work in a Province or District under the Provincial Commissioner or District Commissioner respectively, and instructions on this subject were issued in 1926, 1927, and again in 1930. These instructions laid

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stress on the general responsibility of the Administrative Officers for the areas in their charge, and for the duty of all officers to regard the business of the Province or District as their united and joint concern. The actual delegation of powers now reserved to headquarters is, however a separate question.

176. The first and most obvious sphere for delegation is that of local government both in the Settled Areas and in the Native Reserves. As regards the Settled Areas it has been suggested that the post of Commissioner for Local Government, Lands, and Settlement should be abolished, and that the control by Government of European District Councils should be exercised through the Financial Secretary. Having regard to the very limited functions of these bodies as so far developed, an adequate check can be kept over their activities if their budgets are submitted for sanction, as also any resolutions which may affect the central finances directly or indirectly, or may involve a change of policy. The technical accuracy of their accounts is secured by an audit on commercial lines, and their accordance with the general principles of local government can be secured by the supervision of the Provincial Commissioner who should receive a copy of all resolutions passed by them. As regards Municipalities other than Nairobi and Mombasa, and as regards Townships, the principles suggested above with regard to European District Councils may apply.

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177. Similarly as regards Local Native Councils there appears to be no reason why Provincial Commissioners should not sanction their estimates, provided that they do not involve any change in policy or in taxation, or any liability direct or indirect for increased expenditure by the Government. With similar limitations Provincial Commissioners should control the administration by these councils. Annual statements summarizing the receipts and expenditure of Local Native Council Funds will continue to be laid on the table of the Legislative Council under the provisions of section 31 of the Native Authority Ordinance, and, as suggested by the Expenditure Advisory Committee, these should include an explanation of the purpose to which it is proposed to apply the balances. The original draft of the bill for the establishment of Local Native Councils contained a provision that resolutions of the councils should be approved by the Governor. It was the intention that the Governor in the first instance would delegate this power to the Chief Native Commissioner and subsequently to Provincial Commissioners. At a later stage the Governor in Council was substituted for the Governor so that the Executive Council might be in a position to know what was going on in the Reserves. An alteration in the law would therefore be required for any change in procedure. The view of the Government appears to be that the present arrangement should continue. It appears to me to be a good example of the centralization which is characteristic of Kenya, and which if carried to

180

carried to its logical conclusion should lead to an organization more of the type of that of Southern Rhodesia which has no posts corresponding to Provincial Commissioner. The arrangement suggested above would preserve the necessary general control by Government leaving to Provincial Commissioners a general supervision of the day-to-day administration carried on by the Councils under the District Commissioners.

The modifications in the Native Authority Ordinance, the Native Lands Trust Ordinance, the Diseases of Animals Ordinances, the Liquor Ordinance, and the Traders Licensing Ordinance, proposed by the same committee in paragraph 152 of their report may also be approved. Their proposal for a similar delegation in the case of the Collective Punishments Ordinance is open to more doubt, as such punishments are an extreme measure, and are therefore subject to a variety of restrictions including special reports to the Secretary of State.

The provisions in sections 39 and 40 of the Ordinance constituting and regulating Native Tribunals (No.39 of 1930) by which lists of all criminal proceedings decided by, or brought before, such tribunals have to be submitted every month to the Attorney-General, such submission operating as an appeal, do not appear to be any longer necessary. The only points which could be taken up on the information supplied would be either plain illegalities or questions of Native law or custom. Provincial Commissioners who have had long experience in such matters

209

matters in all grades of the service should be perfectly capable of dealing with illegalities, and they would be in a better position than the Attorney-General to deal with questions of Native custom, differing as this is likely to do from one tribe to another or even from one to another section of the same tribe. These lists might therefore be sent to Provincial Commissioners as is the practice in Tanganyika.

178. Considering the extent and value of Crown lands in Kenya the question of their control is a very important one. Provincial Commissioners have been empowered to issue temporary occupation licenses on township plots, and to postpone land rents and stand premia up to the limit of a year. They may also be safely allowed to lease town plots (possibly up to a limit of value) and to sanction subdivisions. Applications for farms should continue to be submitted to Government.

As further suggested by the Expenditure Advisory Committee the power to appoint boards of survey and to confirm their findings, unless gross irregularities are involved, may be similarly delegated to Provincial Commissioners.

179. The question of the extent to which they should control the activities of departmental officers in their Provinces is a difficult one in a country so highly departmentalized as Kenya, in which, moreover, the departmental areas do not always coincide with the Provinces or Districts. The essential



essential matter is that a definite policy should be decided on by discussion between the Provincial Commissioner and the Chief departmental officers for the Province, subject to any principles which may have been laid down by Government. This having been done, all the departmental and administrative officers concerned should work as a team in carrying out that policy. It will be for the Provincial Commissioner to see that the necessary coordination is secured, and this is in fact laid down in the Government circulars on this subject. In order to place him in a better position for doing so, he should be informed of any departmental proposals in connection with the preparation of the budget of the Colony which will affect the Province. This would not include sums required for ordinary maintenance. Should the Provincial Commissioner disagree with the proposal, or consider that the money could be better applied in some other direction, the question should be referred to Government for decision.

The Expenditure Advisory Committee has suggested that the power to control expenditure on travelling of all departmental officers stationed within the Provinces should be exercised by the Provincial Commissioner, and a similar proposal as regards District Commissioners in their own district has been put forward separately. If proper coordination has been secured between departmental officers and the administrative staff, such an arrangement should not be necessary as a general rule, but it is essential

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that adequate control over departmental expenditure on travelling should be maintained. It would be for the Finance Department of Government to secure that heads of departments realize their responsibilities in this direction.

180. The proposals outlined above are intended to secure that Provincial Commissioners should have a sphere of action adequate to their experience and to their remuneration. If it is considered impossible to delegate adequate powers and responsibilities to them, the question will have to be considered whether there are sufficient reasons for maintaining the present number of these posts or even for maintaining them at all.

712

CHAPTER VII.

DISTRICT ORGANISATION INCLUDING NATIVE ADMINISTRATION.

181. The Colony is divided into <sup>thirty-seven</sup> 37 districts for administrative purposes. Of these, three districts in the Central Province, four districts in the Rift Valley Province, and one in Nyanza Province are wholly or mainly in the European Settled Area, together with Nairobi and Mombasa. Parts of four other districts are also included in the Settled Area.

The work of the Administrative Staff differs widely in the Settled Areas from that which falls on them in the Native Reserves and in unallocated areas. In the Native Reserves, and in the unallocated area, their work is of the very varied character usual in African Colonies. Their primary responsibilities are in connection with law and order and the collection of taxes, together with judicial work, both criminal and civil. A very important part of their work is, however, in connection with the various branches of the Native Administration, including Local Native Councils of which there are twenty in the Colony, Native Tribunals, and the supervision of Chiefs or headmen. The amount of work which is involved by the supervision of Native Tribunals may be gathered from the number of cases decided by these tribunals during 1934 in the Central Province and in Nyanza Province in which the population is mainly concentrated. The figures are as follows:-

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	Civil Cases	Criminal Cases
Central Province	7,507	7,510
Nyanza Province	12,295	6,459

182. The District Commissioners are also generally responsible under the Provincial Commissioner for Native development of all kinds in cooperation with the various departmental officers, and they are ex officio Presidents of the Local Land Board and Education Board. They are in charge of the prisons and detention camps and of the tribal police, as the regular Kenya Police have been withdrawn from the Native Reserves, and in them are only required to deal with specially serious crimes. The Kenya Police however still function in the Northern Frontier Area.

As regards public works they control the activities in this direction of the Local Native Councils, and are responsible for the maintenance and ordinary repair of certain roads and buildings from funds supplied by the Public Works Department, receiving such technical assistance as may be required for the more difficult types of work such as buildings and bridges.

They are supposed to spend a large part of their time touring in their districts, though this varies widely from one district to another.

183. The District Officer in a Settled Area has little scope in most of the directions outlined

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above. Apart from the ordinary statutory duties, he is an ex officio representative of Government on the Municipal and District Councils or Boards established under the Local Government Ordinance of 1928, or, where these have not been applied, on the Township Committees and District Advisory Committees or Road Boards. He has the assistance of the Kenya Police, and in the more important centres a large proportion of the judicial work is carried out by Resident Magistrates. There are also usually various local committees in whose work he has to assist, and an important part of his duties consists in keeping in touch with the European residents of his district. His responsibilities in connection with the Native population are also by no means negligible, and in some cases the Native population of a Settled Area exceeds that of the smaller Native Reserver. Nairobi, for example, has a Native population of 45,000 and Mombasa 35,000. The work is complicated by the absence of tribal control on which subject more will be said in connection with the Police. The statutory work in connection with land tenure is also considerable, and the multiplicity of licences, duties, fees, and taxes adds to the officer's work.

Administrative officers may also be seconded for work in other departments, such as for example as Resident Magistrates, Commissioner of Mines, Labour Officers, and H.B.M. Consul in Southern Abyssinia.

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184. In the average district of the Native Reserves Administrative Officers tend to be tied to headquarters by a steadily-increasing amount of judicial and office work, and in addition a large proportion of their time is taken up in the detailed work of tax collection, more especially in the densely-populated areas of the Central and Nyanza Provinces. Occasions still arise, as recent history has shown, when swift decision and drastic action may be called for, while in the Northern Frontier Area, in Turkana, and in the Masai Reserve, the work has a character of its own, and ordinary administrative routine is not of much account. In the Northern Frontier Area for example, apart from border questions, the main work consists in preventing disputes over water rights at the few water supplies, and so avoiding the blood feuds which have caused so many murders in the past. This involves keeping in touch with a very elastic tribal population, who concentrate at a few centres in the dry season but scatter in all directions when there is a fall of rain.

185. Appendix III summarises the main factors affecting the amount of work in the various districts in so far as this can be reduced to statistical form, but in fact statistics are a very imperfect guide to the work of a district. Considering these figures in the light of the information which has been obtained in a tour covering to some extent <sup>largely four</sup> ~~24~~ of the <sup>thirty-seven</sup> 37 districts, there are two questions requiring special examination in the interests of economy combined with

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216

the maintenance of an efficient administration.

The first is whether the number of districts, or of Administrative officers in districts, is capable of reduction on the present methods of administration; and the second is whether part of the work for which District Commissioners and District Officers are responsible could not be satisfactorily carried out by a cheaper local agency, so reducing the number of expensive officers recruited from overseas.

186. As regards the first of these two questions much greater local knowledge than can be acquired in a short visit is required for a confident opinion, but discussion with local officers appears to show that prima facie a few combinations of existing districts are practicable without substantial loss of efficiency. They are as follows.

In the Coast Province there seems to be no reason why the districts of Lamu and Kipini should not be combined into one district with headquarters at Lamu; in the past Kipini has not infrequently been without a District Officer, and the communications between Lamu and Kipini are nearly always passable. The area of Kipini is large, but its population is very small and scattered in the unhealthy strip along the river Tana. It has considerable agricultural possibilities in the area immediately adjoining the river, but the population, both in numbers and in physique and morale, is not capable of taking advantage of them. There is scope for medical and agricultural teaching, but, so far as administration is concerned

is concerned one Administrative Officer should ultimately be adequate for the combined districts with the assistance of the Arab officials in Lamu and of an Agricultural Assistant. In dealing with the Agricultural Department, one Agricultural Assistant has been recommended for the northern part of the Coast Province including Lamu and Kipini. In the future an additional special officer for this area may be desirable. For the present however, and as a concession to local sentiment, two Administrative officers are recommended, one of whom might be stationed at Kipini as a subdivision of Lamu; on this assumption the number of officers would be one less than the present sanctioned cadre of two officers in Lamu and one in Kipini. The clerical staff could probably be reduced from 25 to 24, this reduction including one Asian and two Arab or African posts. As regards the staff in the other districts Digo has at present a Cadet in addition to the District Commissioner. The Native organization in the district is very backward, and without an Assistant the District Commissioner would be too much tied to tax collection. In Kilifi (including Malindi) the sanctioned staff includes three officers, one of whom is now a Cadet. Two officers should be enough for the combined district, and the clerical staff appears to be capable of reduction to four instead of six as at present. An objection suggested is that such a reduction would check development. This could be avoided if an Agricultural Assistant is made available, and in any case a Veterinary Officer would be at Mariakani, and would continue to deal with that branch of development.

It has already been suggested that the posts of Provincial Commissioner and of District Commissioner Mombasa should be combined, so reducing one administrative post.

218



is concerned one Administrative Officer should ultimately be adequate for the combined districts with the assistance of the Arab officials in Lamu and of an Agricultural Assistant. In dealing with the Agricultural Department, one Agricultural Assistant has been recommended for the northern part of the Coast Province including Lamu and Kipini. In the future an additional special officer for this area may be desirable. For the present, however, and as a concession to local sentiment, two Administrative officers are recommended, one of whom might be stationed at Kipini as a subdivision of Lamu; on this assumption the number of officers would be one less than the present sanctioned complement of two officers in Lamu and one in Kipini. The clerical staff could probably be reduced from 18 to 15, the reduction including one Asian and two Arab or African posts. As regards the staff in the other districts, Digo has at present a Cadet in addition to the District Commissioner. The Native organization in the district is very backward, and without an Assistant the District Commissioner would be too much tied to tax collection. In Kilifi (including Malindi) the sanctioned staff includes three officers, one of whom is now a Cadet. Two officers should be enough for the combined district, and the clerical staff appears to be capable of reduction to four instead of six as at present. An objection suggested is that such a reduction would check development. This could be avoided if an Agricultural Assistant is made available, and in any case a Veterinary Officer would be at Mariakani, and would continue to deal with that branch of development.

It has already been suggested that the posts of Provincial Commissioner and of District Commissioner Mombasa should be combined, so reducing one administrative post.

187. As regards the number of Arab officials in the various coastal districts, it can certainly not be said that they all have full work. They are in fact a political obligation, and it would not be advisable to abolish their posts so long as the present holders survive. As the present holders retire or die, the question should be considered whether it is necessary to make a new appointment.

188. In the Central Province there has been a succession of changes in the district organization. As now arranged, the districts which appear to be unsatisfactory combination with other districts are Kiambu, Thika, Fort Hall, South Nyeri, and North Nyeri. Of these, North Nyeri could be conveniently combined with the Laikipia-Samburu district of the Rift-Valley Province, perhaps with the exclusion of a small area round Nyeri. Arrangements would have to be made for the receipt of taxes at Nanyuki, possibly on lines similar to those at Naivasha. Two administrative Officers would be enough for the combined district, but it would be essential to maintain personal touch by some officer with the Samburu. The clerical staff could be reduced by one or possibly two, apart from the tax collecting officer at Nanyuki. This change would probably be objected to by the European farmers of Narro Moru and Nanyuki, who have been accustomed to a Provincial Commissioner and a District Commissioner at Nyeri conveniently situated on the way to Nairobi. There would however still be a Police Officer at Nyeri, and

and it is to be hoped that the farmers would accept the change in the interests of economy. An unnecessary post should not be perpetuated.

As regards the four districts of Kiambu, Thika, Fort Hall, and South Nyeri, the best method of combination would require careful local investigation, taking into account such matters as the buildings available and the types of Natives in the different areas. All that can be said on limited information is that the four districts appear to be capable of combination into two, possibly by combining Kiambu and Thika with a small part of Fort Hall district. The remaining part of Fort Hall could be combined with South Nyeri, or, if this results in too heavy a district, a part could be attached to Embu. This suggestion is only tentative as there has been a great deal of discussion on this subject and many considerations have to be taken into account, both as regards the European and the Native areas. Sentiment also will have to be considered. All that can be said is that from an administrative point of view two districts are capable of reduction. There are at present eight Administrative Officers provided for in the cadre, though all the posts are not filled. Six should be adequate for the combined districts, involving a reduction of two posts. Some experienced officers have misgivings about this reduction because of the stage at which the Kikuyu population have arrived. They point out that the Kikuyu are now in a state of transition from living on a subsistence basis to living on an economic

basis.

basis. They require not only advice and guidance but continuous pressure. Socially also they are in a receptive state, and their standard of living is capable of rapid improvement if they get the right sort of assistance. Politically also they need guidance. While fully recognizing these facts, it may be suggested that six Administrative Officers should be able, with the aid of the various departmental officers, to deal with these problems for a total population of about 400,000. Further reductions would depend on the provision of special tax officers who will be dealt with later. The existing office staff of 18 clerks (including ~~reception~~ clerks) should certainly be capable of reduction, though the information available is not adequate to suggest a definite number. *Prima facie* 14 clerks would appear to be adequate, but this would partly depend on whether subdivisions were found to be necessary.

Maohakos and Kicui are full charges, and present very difficult problems in connection with periodical famines and with soil erosion which will have to be dealt with on a large scale. No reduction of staff is therefore advisable at present but the substitution of a special tax officer for one administrative officer in each district will be proposed in a later paragraph.

Meru again is a large district with a considerable population. Three administrative officers may remain for the present, but the substitution of a special tax officer for one of these will be proposed later.

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Maohakoo and Kitui are full charges, and present very difficult problems in connection with periodical famines and with soil erosion which will have to be dealt with on a large scale. No reduction of staff is therefore advisable at present but the substitution of a special tax officer for one Administrative officer in each district will be proposed in a later paragraph.

Meru again is a large district with a considerable population. Three administrative officers may remain for the present but the substitution of a special tax officer for one of these will be proposed later.

221

189. In the Rift Valley Province a good deal has already been done in the direction of reducing administrative staff. Trans Nzoia has become a sub-division of Uasin Gishu and Naivasha of Nakuru although the sanctioned staff for the first two districts has not yet been reduced. There is still, however, some surplusage as it is not necessary to have both a Resident Magistrate and a District Commissioner at Eldoret. The best arrangement would probably be to have a Resident Magistrate with administrative experience, and to allow him to do the administrative work now carried on by the District Commissioner, assigning to the District Officer at Kitale most of the work now carried out there by the District Commissioner on his periodical visits. This would permit of the reduction of the post of the District Commissioner Eldoret. If however such an arrangement is found to be impracticable, the District Commissioner could remain and do the case work now carried out by the Resident Magistrate, the latter post being reduced. Either arrangement should permit of the reduction of one clerk and possibly of two.

The Nandi district is a very light charge, but the Nandi are a tribe with whom it is essential to keep in personal touch, and no recommendation is therefore made with regard to this district. It has already been suggested that the district of Laikipia-Samburu should be increased by the addition of North Nyeri.

Another combination which may be possible in the future is that of the districts of Elgeyo and Baringo. Both have very small populations and little ordinary administrative work. On the other hand, both require development, more especially Baringo in which reclamation work is in progress on a considerable

scale, and an irrigation project is under consideration. The main difficulty is that of communications, but a road has been made from Tambach down into the valley, and its continuation to Kabarnet should not be expensive. If that is done two Administrative Officers should be adequate, so reducing one administrative post and probably two clerks. A representative of the Agricultural Department might then possibly be stationed at Tambach.

190. In Nyanza Province each of the districts of North, Central, and South Kavirondo, provides full work for its administrative staffs, and no reduction is possible except as will be proposed later in connection with these Officers. Kisumu Lodiiani is a very light district and could be divided between the districts of Kericho and Central Kavirondo, all except Kisumu its immediate neighbourhood falling to Kericho. The only difficulty would be as regards the town of Kisumu. If the Resident Magistrate could be permitted to do the administrative work of the town, this would be the most convenient arrangement from the administrative point of view. Failing this, the work would fall on the district staff. A Municipality or other local body would also be possible and if Kisumu develops to any considerable extent it may become necessary, but it would not be an economy.

Kericho is not a heavy district and three administrative officers do not appear to be necessary unless the Kisumu Lodiiani district is added. In either case one officer can be reduced from the combined staffs. Further reduction is inadvisable at present because of some difficult Native problems.

191. The problems of the Northern Frontier Area (and of Turkana) differ so widely from those of other parts of the Colony that the ordinary standards cannot be applied. The essential matters are —

- (1) the supervision of a frontier with Abyssinia which has never been properly demarcated, and the checking of raids from that country; and
- (2) internally the keeping in touch with a purely nomadic population, and settling disputes about water rights, so preventing blood feuds.

The presence of Administrative Officers is essential but of administrative work they have very little. Under present circumstances the only change which could be suggested is to abandon Isiolo as a station and combine the district with Marsabit or Wajir, possibly making over control of the Somali settlement near Isiolo to the Administrative staff of Meru district. This change would allow of some saving on office expenses, and might make it possible to reduce the administrative staff by one, though on this I am not able to give an opinion. Isiolo is an attractive but an-unhealthy place, and the headquarters is actually just inside the Meru district.

In Turkana also the problems are those of the desert and of the frontier and of keeping control over purely nomadic tribes. Without local experience it is impossible to give an opinion on the strength of the necessary staff, but it might be considered whether three Administrative Officers are necessary at Lodwar, the headquarters of Turkana district, &c.



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X

fourth at Lokitaung nearer the border.

The Northern Frontier Area and Turkana are a heavy charge on the limited resources of the Colony, and the real possibilities of economy appear to lie in a gradual substitution of tribal police for the regular Kenya Police, and in a reorganization of the military arrangements. The latter question is, however, outside the terms of reference, and is in any case not practicable under the existing conditions.

192. The only remaining area to be considered is the Masai Reserve with the two districts of Marok and Kajiado. Here again it is a problem of dealing with nomadic herdsmen, some of whom are now beginning to settle down, and, more especially, of checking stock theft to which they are addicted. There has been a good deal of discussion as to the possibility of administering the whole Reserve from one centre such as Ngong, but this is not a matter on which I can give an opinion. It is however clear that up to the present there has been no consistent policy for the development of the Reserve, or for gradually persuading the Masai to change their manner of life. If any advance is to be made it will be through the personal influence of the officers in charge of the Reserve, and, if personal touch is to be maintained, the present staff of three officers is not too large. No recommendation appears therefore to be called for with reference to this area.

193. The second question set for consideration with the view of securing economy is whether a part of the

of the work now carried out by Administrative Officers could not be done through some cheaper agency. This appears to be not only possible, but most desirable in the best interests of the Service and of the Native inhabitants. As has been said previously, a large proportion of the time of District Commissioners and of District Officers is taken up in the actual collection of Hut and Poll Tax. This was formerly a fairly easy task; the rate of tax was low, and family solidarity and the feeling of a common responsibility were so strong that the family groups paid their taxes most readily. The position has now changed to a marked degree. There is no longer the same close family organization of bearing of a common responsibility, and the payment of the tax has become a much more individual obligation, partly possibly as the result of introducing a poll tax in addition to a hut tax. This is especially marked in the Kavirondo districts. The economic difficulties of the last five years, with the heavy fall in wages and in the value of products of all kinds, together with the growing desire for various articles which were formerly luxuries but are fast becoming necessities, has made the task of collection much more difficult. Whether the tax is collected at headquarters or on tour, collection has to be largely enforced by employing the services of the Chiefs or headman with their various satellites. This unavoidably gives opportunities for the abuse of authority, either in the direction of using improper means to enforce payment, or in connection with

applications

applications for exemption. Administrative Officers tend to be regarded as primarily agencies for tax collection, and this must to some extent affect the general attitude to their other activities in the direction of social or economic advance. The work is in itself of a monotonous and trying character, and, even if tax collecting tours do give opportunities for acquiring information on other matters, a long continuance of work of this type, and of all the other work of an office and routine character, must have a depressing effect on keen and energetic young officers. That it has this effect there is ample evidence. It is ~~not~~ essential that very expensive officers should be brought from overseas for work of this type.

194. I consider therefore that the system should be changed, and that in the larger districts with several Administrative Officers the actual work of receiving taxes should be transferred to special Tax Officers of a sufficiently reliable and responsible type to be entrusted with this task. There is already an officer of this type at Naivasha, and it should be possible gradually to find and train others capable of filling similar posts. They would be engaged either as members of the Local Civil Service, or possibly on special terms including a provident fund but not a pension. Each Tax Officer would replace one District Officer, as otherwise there would be an increase in expenditure. He would not be a magistrate but could relieve Administrative Officers of other types of

types of routine work. The main duties of Administrative Officers with reference to collecting the tax would become those of general supervision, including the functions of a sub-accountant, of checking the work of hut counters in connection with the tax rolls, of dealing with exemptions, and of checking abuses of all kinds. They would thus be more in the position of umpires and of protectors against mal-practices than of agencies for enforcing payment. This change of method will be both easier to work and of greater value as the system of collecting taxes through Native agencies is developed. This is the accepted policy of the Government, and it has made considerable progress during the last few years, though it is not yet carried out to the extent that is done in Tanganyika. It will form an important part of the development of Native authorities, but will make it even more essential for Administrative Officers to have wider opportunities of getting into touch with the people in their villages where mal-practices are much more likely to be heard of than at headquarters or on tax-collecting tours. It has been suggested that the present tendency to default in the paying of taxes might be increased by the substitution of Tax Officers for Administrative Officers in the actual work of collection. The District Officers would however still be in a position to apply the necessary pressure, and the present difficulties may probably be only of a temporary character.

228

195. The system would not be applicable, at first at any rate, to districts with a small population and with only one District Commissioner, but in such districts the collection of taxes is as a rule not difficult, and does not take up a large proportion of the officer's time. It would be essential to be very careful in the selection and training of candidates for the posts of tax officer, and the change can therefore only be gradual. They would have no right to expect promotion to the regular Administrative Service, but if exceptional ability has been shown by an officer of this type he might be recommended for promotion, provided that he can qualify in law, and that the appointment is made by the same authority as deals with other appointments to the Administrative Service.

196. The districts in which such officers would be suitably employed would be a matter for local decision, but districts which might prima facie be taken into consideration would be Digo in the Coast Province, the two proposed combined districts in the Central Province with Machakos, Kitui, and Meru, and the three Kavironda districts and Kericho in Nyanza Province, making ten in all.

The total reductions proposed in the District Administrative Staffs as compared with the sanctioned staffs set out in Appendix XII are shown in the following statement.

District.	Present sanctioned Administrative Staff (Appendix XXI)	Staff as reduced by combining Districts	Staff as further reduced by substituting special Tax Officers for Administrative Officers
Lamu ) Kipini )	3	2	2
Malindi ) Kilifi )	3	2	2
Mombasa	2	1	1
Diigo	2	2	1
North Nyeri	1	0	0
Kiambu ) Thika ) Fort Hall ) South Nyeri )	6	6	4
Machakos	3	3	2
Kitui	3	3	2
Meru	3	3	2
Transzoia ) Usain-Gichu )	3	2	2
Bigoyo ) Baringo )	3	2	2
North Kavirondo	4	4	3
Central Kavirondo	3	3	2
South Kavirondo	4	4	3
Kisumu Londiani ) Kericho )	3	3	2
All other Districts	24	24	24
Total Staffs	73	64	54

x As the result of combining the posts of Provincial Commissioner Coast Province with that of District Commissioner, Mombasa.

two p The actual staff of the two districts combined is now 8 instead of the sanctioned scale of 3. If the Resident Magistrate is permitted to undertake administrative work, only one officer will remain.

197. Summarizing the recommendations made up to the present, the number of Administrative posts suggested for reduction as the result of combining districts in B, with B Asian and B Arab or African clerks. This is in addition to the reduction of one Administrative Officer in Mombasa. Taking the average pay of Administrative Officers at £650 per annum, and adding 45% for concealed emoluments, the resulting saving from the reduction of 9 posts would be £8,460. Similarly, taking the average pay of Asian clerks at £150, and adding 50% for concealed emoluments, the saving would be £1,800. For Arab or African clerks the average pay may be taken as £50 per annum with no addition for concealed emoluments; the saving on this account would thus be £300. The total saving would therefore be £10,560 per annum. To this has to be added the saving arising from the substitution of 10 Tax Officers for 10 Administrative Officers. On the same basis as has been taken above, the cost of the 10 Administrative Officers would be £9,400 per annum. Taking for the Tax Officers a salary of £650 (the maximum of Grade I of the European Local Civil Service), and assuming 25% for concealed emoluments, the annual cost of 10 Tax Officers would be £7,500. The saving resulting from the substitution would therefore amount to £1,900 per annum. The total ultimate saving under District Administration would therefore amount to £12,460 per annum; it is hardly necessary to observe that this figure is only an approximate sum.

198. Proposals have been put forward that economies should be effected by making over a considerable proportion of minor judicial work to Benches of Magistrates, or to Honorary Magistrates sitting singly. If English precedents are to be followed, the work would be entrusted to Benches of Magistrates who would require a clerk with legal qualifications and interpreters. They would also in

Kenya expect travelling expenses, as they might have to come considerable distances and petrol is nearly twice as expensive in the Kenya Highlands as in England. The resulting economy would therefore be small, and Benches could hardly be contemplated except possibly in a few townships.

As regards carrying out the work by Honorary Magistrates sitting singly, I believe that it would be possible to find Justices of the Peace, both retired officials and others, who would carry out the work efficiently and impartially. On discussing the proposal with a few Justices of the Peace there did not, however, appear to be any desire on their part to be entrusted with this work. Some incidental expenditure might also be involved on interpreters. Such Magistrates would presumably deal with classes of cases, or individual cases, made over to them by Resident Magistrates or District Commissioners, and considering the large proportion of cases between employers and Natives, their position might sometimes be difficult. Also the fact of their impartiality would not prevent their being liable to the suspicion of a bias in connection with cases of this type, and in dealing with judicial matters it is nearly as important to be recognised as impartial as to be so in reality.

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NATIVE

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232



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316/126

NATIVE ADMINISTRATION.

199. In a country in which the vast majority of the population is Native, the organization by which their administration is carried on is of fundamental importance. The principle which is stated to have been applied is set out in the following note supplied by the Government: "The organization by which administration of the Native population is exercised has been developed on the principle that progressive changes in the social, material, and moral condition of Native life must be effected not by abrupt or violent departure from established custom or tradition but by fostering or elaborating whatever there may be of an indigenous system of local government. By the machinery that has been established throughout the Colony, the local executive is maintained in the hands of official headmen, and the local judiciary in the hands of the elders. The headmen and elders are supervised by the District Commissioners grouped under the Provincial Commissioners."

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The indigenous system of government before the British occupation was of a very nebulous character, the functions of Government were to a varying extent among different tribes, performed by irregular chieftains and indeterminate councils of elders theoretically according to customary law, but in practice not infrequently according to the tactics of a witch doctor or the ambition of a mighty man of war. Nowhere in Kenya was there any chief who could command the respect accorded to the Kabaka of Uganda

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233

of Uganda, nowhere was there any ready-made organization which could be converted into an administrative machine.

The situation was met by dividing each Native area into locations, roughly coincident with the area over which some Native chief or council of elders exercised a precarious jurisdiction, and by appointing to each location a permanent individual recognized as official headman. The authority of these headmen was recognized by the Village Headmen Ordinance of 1902, superseded by the Native Authority Ordinance of 1912, which, with amendments, is still in force. The duties of headmen are to maintain law and order, to report crime, and to arrest criminals, and they are authorized to issue, as occasion demands, instructions for certain definite purposes to be obeyed by the inhabitants of their locations.

It is noticeable that the Native Authority Ordinance makes no mention of the collection of taxes as the duty of a headman unless the words "preventing the evasion of any tax or legal duty" are construed to cover this obligation.

200. The memorandum supplied by Government continues as follows:- "An important amendment to the 1912 Ordinance was that of 1924 by which Local Native Councils were brought into existence. These Councils are invested with certain statutory powers in respect of matters affecting purely local Native administration such as public health, the use of land, the

Ad.  
President

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land, the provision and maintenance of roads and bridges, the regulation of food and water supplies, Native education, agriculture and livestock, the levying and spending of local rates, and the establishment of local Native funds from monies accruing to the Councils for rates, rents, subscriptions, and any other monies which may lawfully be paid into such fund. The Councils are empowered to make bye-laws for the welfare and good government of the Native inhabitants within their jurisdiction, and infringements of these laws are punishable with fine or imprisonment in default of payment. The District Commissioner is ex-officio president of the Council."

Section 24 lays down as a duty of the Local Native Council "the provision, maintenance, and regulation, of food and water supplies" and the same section, read with section 8, empowers both Local Native Councils and headmen "to require able-bodied men to work in the making or maintaining any watercourse or other work constructed, or to be constructed or maintained, for the benefit of the community, provided that no person shall be ordered or required to work as aforesaid for more than six days in any quarter."

201. The financial aspect of the work of Local Native Councils may be seen from the following table giving the estimated revenue and expenditure of Local Native Councils for 1936:-

COMPARATIVE TABLES OF ESTIMATED REVENUE AND EXPENDITURE OF LOCAL NATIVE COUNCILS FOR 1936.

Province and Council	REVENUE				EXPENDITURE					
	Rates	Land (Rents, Fees, etc.)	Other	Educa-tion	Medical	Agricul-ture, Vet-erinary and Forestry	Roads and Bridges	Water Supp-licn.	Famine Relief	Other
<i>Kenya</i>										
<b>NYANZA:-</b>										
North Kavirondo	9,700	2,660	3,634	2,701	2,355	2,660	3,050	-	-	5,067
Central Kavirondo	7,500	700	4,120	2,550	1,399	2,882	1,400	50	-	3,909
South Kavirondo	8,300	1,500	2,950	2,433	1,713	2,214	1,600	30	955	3,106
Kipsigio	900	340	349	502	161	238	50	-	-	550
<b>CENTRAL:-</b>										
Kiambu	5,343	343	1,524	704	1,030	490	590	200	-	2,075
Fort Hall	2,450	788	1,589	1,000	161	687	450	-	-	2,530
South Nyeri	1,650	320	1,279	960	158	264	100	28	-	1,218
Embu	2,100	560	1,050	575	467	621	250	98	-	1,518
Meru	500	736	429	15	32	469	150	25	-	650
Machakos	4,830	660	965	1,059	334	2,553	550	166	-	1,765
Kitui	2,000	608	1,207	455	221	807	8	260	150	1,517
<b>RIFT VALLEY:-</b>										
Nandi	600	648	109	475	194	557	50	-	-	374
Elgeyo	-	634	81	350	175	478	1,000	-	-	133
Baringo	450	120	10	-	102	157	101	59	-	126
<b>COAST:-</b>										
Giriama	1,000	681	231	50	320	537	225	155	-	370
Digo	600	280	85	35	55	306	150	89	-	207
Teita	475	53	1,656	107	80	1,474	75	-	-	263
<b>MASAI:-</b>										
Narok	800	1,200	735	331	168	545	500	300	-	860
Kajiado	475	1,025	225	741	120	240	50	275	-	199
<b>TURKANA:-</b>										
West Suk	-	117	51	40	-	45	-	-	-	80
Totals	647,573	13,930	22,379	15,119	9,320	18,314	10,349	1,735	1,105	26,220

283,882

282,162

X

The estimated opening balance of the Councils for 1936 was £86,808, and the closing balance £88,529. The opening balance for 1935 was £90,720. It will be observed that an expenditure of £1,105 is estimated for famine relief. In previous years the expenditure under this head was considerably heavier; in 1934 it was £4,380. of which Kitui district paid £1,682, South Kavirondo £955, Giriama £198, and Kajlado £672. These Councils form legislative and financial organisations for the Native Reserves.

202. Judicial functions are, according to the description given by the Government, exercised by local Councils of Elders organised and regularised from the indeterminate limits previously referred to. These councils were first recognised as courts of law by the Native Tribunal Rules, 1913, which were superseded by the Native Tribunals Ordinance 1930 under which, subject to the approval of the Governor, Provincial Commissioners were authorised to establish such Native Tribunals as they may think fit which shall exercise over Natives such jurisdiction, and within such limits, as may be defined by the warrant."

203. In comparing this organisation with that in the adjacent territories, the most striking features are: -

- 3/2
- (1) The definite separation of judicial, legislative, and executive functions; though headmen, if otherwise qualified,

may be

237

may be members of a Native Tribunal or of the Local Native Council.

(2) The fact that a very large proportion of the resources of the Local Native Councils are derived from special rates levied in addition to the Government Hut & Poll Tax (£47,573 as against £36,309 from all other sources in the year 1936). The Councils receive no share of the general taxation, such as is allotted to the Native organizations in Tanganyika.

(3) The headmen (commonly called chiefs) are nominated by Government and do not necessarily have any family claims to the office, though the people of the location are usually consulted in order to secure the appointment of a person acceptable to them. Their status may be gauged from the fact that their appointment and dismissal has been delegated to Provincial Commissioners. They derive their authority from the Ordinance and not necessarily in virtue of any traditional rights.

(4) The headmen receive very low salaries, calculated apparently on the basis of the work required from them, and making no allowance for any traditional obligations on them. Very few receive more than £5 per month and many receive considerably less. As Government nominees this is

perhaps 238

perhaps logical, but if they are expected to command the authority of traditional Chiefs their position is a difficult one.

204. Such an arrangement is in striking contrast to those in the adjacent Territories. The elaborate organization of the Kingdom of Buganda cannot be taken as a parallel, with its complete and highly-paid Native civil service, and a European organization superimposed on it. Apart from other considerations, the scale of taxation on which it rests would be impossible in Kenya. Tanganyika conditions are a closer parallel but the differences are very striking. In Tanganyika the aim has been to search out and to confirm or re-establish the traditional Native authorities for tribes or sections of tribes. These having been ascertained, all forms of authority, legislative, executive, and judicial, were vested in one authority consisting of the Chief and his counsellors sitting in the tribal assembly. Their various functions are exercised in accordance with the traditional customs under the supervision of the Administrative Officers, and with such modifications as are required by the conditions of the present time. Their authority is territorial. Further, and this is the fundamental basis of the system, their resources are derived not from a cess additional to the Government Hut & Poll Tax, but from the refund of a proportion of the Government tax, based originally on the proportion

proportion of the tax paid to the Chief for collection, plus the estimated value of the tribute previously levied by him. In general the proportion of the tax returned is about 25 per cent. To this has been added receipts from various miscellaneous sources, increasing the tax receipts by about 25 per cent. All these form a Native Treasury with considerable resources at its disposal. In the Lake Province of Tanganyika, for example, the estimated receipts for 1936 of the Native Treasury amount to £71,875, of which £37,960 represents their share of the Hut and Poll Tax. The balance from 1935 was £44,342. This province is, it is true, much above the general provincial average, but its income is about two-fifths of the combined income of all the Native Treasuries, but, even allowing for this, the contrast with the total receipts of £83,882 of the ~~Kongu~~ Local Native Councils for the year, 1936 (£47,573) of this coming from a special cess is striking.

205. The Chiefs in Tanganyika receive very substantial rates of pay calculated to be adequate to enable them to fulfil all their customary obligations without levying further dues from their people in cash or in kind or in labour. Unpaid tribal labour is employed on the roads up to four days per man per annum, and also on such work as clearing bush against tsetse fly. Excluding a few exceptional cases such as that of the head Chief in Bukoba who receives approximately £2,700 per year.



year (part of which will however cease with the present Chief), a number of Chiefs in the Lake Province receive from £300 to £1,200 per year. In the Moshi district the position is more comparable with Kenya, as the Chiefs receive from £2.10s. to £30 per month. The proportion of the total receipts paid in personal emoluments is in fact very high in Tanganyika. In the Lake Province they are estimated to amount to £58,382 out of a total expenditure of £75,126. This however provides for the tax collecting and other agencies required to carry out multifarious duties. The degree of stability and of efficiency of the Native organisations necessarily differs widely from tribe to tribe, and where tradition has faded, it is necessary to build up the authority of the Chiefs. In parts of the Eastern Province the Native Administration Report for 1952 describes the difficulties of finding Chiefs or headmen fitted to carry out administrative duties, and the possibility of having to base authority on councils of headmen. The fact, however, that the Native Treasuries receive and control the expenditure of a considerable proportion of the Government revenue makes it much easier for the Native Authorities to feel themselves an integral part of the organisation of Government, and to develop a sense of responsibility.

206. The general principles on which the Native Administration in Kenya is stated by the Government to have been organized are set out in the foregoing paragraphs, but it is not always easy to reconcile them

with the

221

with the actual developments in the Colony. So far as Local Native Councils are concerned their evolution appears to have been on fairly consistent lines. Their members represent the locations or headmen's areas, and about half are elected by consent at location meetings, the remainder being nominated. It is not easy to say how far the elections are arranged by influence, more especially by the influence of the headmen, but it seems probable that in most cases the election is really by consent. This constitution has however no basis in Native custom, and is merely an application of European ideas to the local circumstances. It has one very definite advantage in securing the representation of the younger educated section of the Native community, for whom it is difficult to find a place in any traditional tribal organization. In actual working the Councils appear to do all they can for the advancement of their people within the limits of their small resources. The District Officer, as president of the Council, naturally exerts much influence, and in the more backward tribes he is the Council for all practical purposes. In the more advanced tribes, however, and more especially among the Kikuyu and the Kavirondo, the members by no means always echo the views of the District Officer, more especially as regards education, on which subject their ideas are apt to be somewhat grandiose and impracticable.

207. In dealing with the departmental estimates it will be necessary to consider whether some of the expenditure

242

expenditure of these Councils could be diverted to other uses with advantage, but there are two points which may be considered at the present stage. The first is a minor one and consists in the requirement from some Local Native Councils of a part of the expenditure in connection with Native Tribunals and chiefs' clerks who are employed on work which would otherwise have to be done by official agencies. These are clearly obligations of Government which has in fact recently been recognized. The second, and more important, is that no clear policy appears to have been laid down with regard to the share of famine expenditure which should fall on Government and on Local Native Councils. When serious famine occurred in the South Kavirondo District in 1931 an advance of £20,000 was sanctioned to meet the necessary expenditure; the actual expenditure was £15,167, of which Government contributed £0,000 which was calculated to cover administrative expenses and all costs in connection with food issued in lieu of payment for work performed on roads and other relief services. The remainder was to be recovered from the Local Native Council, which, compared to most Councils, is in possession of relatively large funds, though its needs are great in proportion to those funds. Similarly Government met an expenditure of £7,339 in the Coast Province in 1934, and of £1,119 in Turkana in the same year. In 1932 and 1933 £2,500 had been spent in Baringo. The expenditure in the Coast Province was partly in the Lamu and Tana River area in which there are no Native

Councils..

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When, however, famine occurred in Kitui in 1935 the principle was laid down that famine relief is a first charge on Local Native Council balances and that Government could not approve of any allotment from Government funds so long as any surplus balance existed in those of the Local Native Council. All expenditure other than that which was absolutely essential was directed to be cut down. It is true that Baringo and Turkana are Councils with very small resources, and that the Councils in the Coast districts of G... and Digo are also badly off, while the Kitui Local Native Council was possessed of considerable balances. At the same time Kitui is a notoriously impoverished district, and with its area of 18,270 square miles, its population of 154,681, and its manifold agricultural needs, the demands on its income of under £4,000 are far more than can be met.

205. No elaborate famine code such as obtains in India is required for Kenya, but scarcity on a smaller scale has not been infrequent, and it would make both for efficiency and economy if a simple code was worked out laying down tests to be applied when famine is apprehended, though personal observations must always play a large part in such cases; the distribution of the expenditure between Government and the Local Native Council should also be prescribed. The placing of responsibility for famine relief on the Local Native Councils would be easier to justify if the Councils received a rebate of a part of the general revenues as in Tanganyika, instead of depending for their resources on a special levy

intended for

2244

intended for specific purposes, though it is true that these purposes include the "provision, maintenance, and regulation of food and water supplies". In practice the strict application of the principle that Councils must pay for famine relief up to the limit of their resources results in the position that the more liable a district is to famine, and consequently the more it needs the development of its water supplies and agricultural resources, the less will be the proportion of those resources available for such purposes.

209. As regards the chiefs or headmen it has been stated above that, in general, they derive their authority from the Ordinance and not necessarily in virtue of any traditional position. Whether an organization more on Tanganyika lines could have been developed in Kenya is now probably beside the question. Not much attention appears to have been paid to the subject in the early days of the Colony. Executive organizations of various kinds did exist, but in the pastoral tribes they were not on a territorial basis, but were founded on age groups, and in other tribes also the position appears to have been somewhat indefinite.

Whatever the earlier possibilities may have been if the facts had been more fully known, the existing headmen have been appointed and invested with the functions set out above. The position has, however, been changed to a considerable extent by the adoption of the policy of the collection of Hut and Poll Tax.

and Poll Tax through Native agencies, or in other words through these headmen. If this policy is to be maintained (and this is certainly desirable both in the interests of developing a responsible Native organization and of economizing on the Administrative staff), then it is necessary that Government should pay the small sum required to give the chiefs or headmen the necessary clerical assistance, and that the salaries of the chiefs should be paid on a somewhat higher scale so as to recompense them for the very considerable amount of extra work required of them. It has also been suggested that they should receive some mark of distinction such as special robes. Some addition to their status will become even more essential as the Hut and Poll Tax is gradually modified in the direction of taxation according to ability, whatever form that may ultimately take. It is unreasonable to expect honesty or absence of abuses from men entrusted with very considerable powers but with nominal rates of pay. The breakdown of the Native organization would have very serious effects, as may already be seen in connection with the detribalized Native, and it would be disastrous in the interests of economy, apart from other effects, if the organization is tried by unreasonable tests. Salaries on the Tanganyika scale could not be paid nor would they be expected.

210. One school of official thought is in favour of gradually transforming the Chiefs or Headmen into Native Civil Servants liable to transfer from one area to another and without any local associations.

This would

This would be a normal development from some features of the Kenya system but it would be entirely contrary to the principles of indirect rule and to the policy of the Kenya Government as hitherto laid down.

211. The connection of Native Tribunals with economy is not so direct, but it exists nevertheless, as they now dispose of many thousands of cases which would otherwise take up the time of Government officers. Under the Native Tribunals Ordinance they are required to be constituted in accordance with the Native law or custom of the area in which they have jurisdiction, but in fact they take forms which appear to have very little connection with Native custom. In some districts such as Elgeyo, North Kavirondo, and South Kavirondo, there are location tribunals, the location being the area under a chief or headman. These divisions may, or may not, be in accordance with the tribal customs of the area. In most districts the locations are grouped together to form a number of tribunals considerably smaller than the number of locations, and bearing no relation to clans or other tribal sub-divisions. For example the Mandi district has seven tribunals for twenty-four locations, Machakos has four tribunals for sixteen locations, and Kiambu three tribunals for fifteen locations, which, however, by an exceptional arrangement are combined into divisions of five groups, each being under a divisional chief. These divisional chiefs have a very definite traditional position in the tribe. Fort Hall has five tribunals for thirty-two locations, and

Central Kavirondo

247

Central Kavirondo five for nineteen locations. A usual arrangement in such cases is to form the tribunals from a panel of elders in each location, who sit in rotation, and receive a small remuneration when sitting. Such an arrangement has obviously no connection with Native custom, and has been introduced largely for the sake of ease of supervision, but also partly because it was considered that tribunals so formed would be less amenable to outside influence or to bribery. On the other hand, the members would be less controlled by public opinion than if they were sitting among their own people.

The members are paid out of the receipts from fees and, as has been previously noted, in a few districts they have had to be supplemented by grants from the Local Native Council, though considering the character of the work done by them, especially in connection with criminal cases, the obligation was clearly one to be met by Government.

It is certainly not for an outside visitor to express an opinion as to what form of tribunal is the best in the interests of justice, but there appear to be adequate grounds for considering that on the whole the working of these tribunals has been to the definite advantage of the community.

In some districts, at any rate, a large number of disputes, more especially land disputes, are still dealt with by traditional authorities of a more local and fluctuating character.

In most districts these tribunals of original jurisdiction have been supplemented by

district

244



district appellate tribunals which appear to have been generally recognized as a valuable innovation.

212. The work of the tribunals is supervised by the Administrative Officers to whom also appeals may be referred. Monthly statements of all cases decided are forwarded to the Attorney General, such submission operating as an appeal, and it has been suggested in a previous paragraph that these lists might be dealt with by Provincial Commissioners.

213. In all forms of district work, but perhaps more especially in dealing with Native organisations, it is of great importance that District Officers should be in close personal touch with the people, knowing them and their language, and, what is of quite equal importance, being known and trusted by them. This knowledge and this confidence can only be acquired gradually, and it is therefore of great importance that District Officers should remain a sufficiently long time in a district. This is of special importance in the case of District Commissioners, both from the point of view of acquiring an adequate knowledge of their districts, and also of being able to carry through as far as possible any scheme of development in which they have become interested. The frequent transfers to which a good deal of attention has been drawn lately are therefore definitely prejudicial in these directions, apart from the expense and trouble caused both to Government and to the officers themselves. An analysis of the records shows that the evil is not

as great

249

as great as has been represented, but the number of transfers is nevertheless large, and it is very desirable that it should be reduced. Transfers are in general arranged by a staff committee, subject to the orders of Government in special cases.

114. As regards the connected question of knowledge of the local languages it is true that there are very few officers with an extensive knowledge of any language other than the lingua franca and coast language, Swahili, though Kenya is by no means alone in this respect. It is always true that if an officer learns the language of any district there is no certainty that he will on his next tour be sent to a district with the same or a related language. A want of familiarity with the local language does certainly leave an officer too much in the hands of his interpreter; Swahili also is not always an adequate medium for dealing with questions of local custom, more especially those relating to land. The problem is, however, not an easy one, as the four main groups of languages are not geographically contiguous, and even within the same group there are wide differences, not only of dialect. There are also difficult questions of healthy and unhealthy areas and stations, and of the suitability of officers for different types of work, as well as the special difficulties from illness, leave, and other contingencies resulting possibly in several transfers. The staffing of the Northern Frontier Area and of Turkana presents special difficulties. Married officers cannot take their

wives to these stations and if any junior officers

are sent

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are sent as is the general practice, it is not advisable to keep them in those districts for more than a short period owing to the nervous strain caused by loneliness and generally trying conditions. It may however be suggested that transfers would be reduced in numbers, and in expense and trouble, if the system of posting to Provinces instead of to districts were carried further, and if less regard were paid to seniority in the case of short-term postings. Provincial postings are probably as near to posting in the same language area as is practicable.

215. It will be convenient to summarize at this stage the effect of the changes proposed in the preceding sections on the strength of the Administrative cadre. Considering first the Secretariat and other headquarters posts connected with it the changes proposed have been summarized in paragraph 150. They result in the reduction of the number of posts of administrative rank from ~~12~~ <sup>twelve</sup> to ~~8~~ <sup>eight</sup>; the resulting saving was estimated at £2,252.

216. Taking next the selection posts of Provincial Commissioners and Senior District Commissioners, there are at present four posts of Provincial Commissioner, and five posts of Senior District Commissioner. Of the four Provincial Commissioners <sup>three</sup> are at present on leave (one pending retirement), while the fourth is in charge of the Northern Frontier Area. Of the <sup>five</sup> Senior District Commissioners <sup>three</sup> are acting as Provincial Commissioners

Commissioners

Commissioners in Nyanza, Rift Valley, and Central Provinces, one is in charge of Turkana, and one is seconded as Commissioner of Mines. To get the total number of selection posts it is necessary to add the Colonial Secretary, Deputy Colonial Secretary, Senior Assistant Colonial Secretary, the Chief Native Commissioner, and the Commissioner for Local Government. The present Deputy Colonial Secretary has come from another Colony, but the post is one which would normally be filled from the Local Service. The Treasurer may be excluded, as this post has not ordinarily been filled from the Administrative Service. The total number of selection posts is thus fourteen. Under the proposals made in this report there will be four posts of Provincial Commissioner, one of Senior District Commissioner in charge of the Northern Frontier Area (who would be exchangeable with a Provincial Commissioner), and two posts of Secretary to Government; the Financial Secretary may be excluded as he would not necessarily be from the Administrative Service. This makes seven posts in all. It will be considered later whether there should be any additional posts of Senior District Commissioner.

217. Taking next District Officers, the sanctioned cadre is now 107 plus two Consuls. Of these, 73 are included in the sanctioned district establishments. The balance includes provision for <sup>fifteen</sup> 15 Officers on leave, <sup>two</sup> 2 secondments, and <sup>nine</sup> 9 casualties including retirements, transfers, etc. The actual distribution on March 9th 1936, included 68 Officers posted to districts,

two districts, <sup>two</sup> Officers acting in higher posts, <sup>three</sup> 9 second-  
<sup>minuten</sup> ments, <sup>change</sup> 19 on leave, and 11 Cadets who will not arrive in  
 Kenya until August, 1936. The officers on leave and the  
 Cadets must be regarded as non-effective. The number of  
 effective District Officers was therefore <sup>five</sup> 5 less than  
 the recognized distribution of the sanctioned establish-  
 ment, although the total strength of District Officers  
 was <sup>two</sup> 7 over the sanctioned establishment if the 11 Cadets <sup>three</sup>  
 (then in Europe) be included.

The proposals made in this report, including  
 those for the union of districts and the combination of  
 the post of Provincial Commissioner Coast Province and  
 District Commissioner Mombasa, and including the sub-  
 stitution of <sup>ten</sup> 10 Tax Officers for <sup>ten</sup> 10 District Officers,  
 reduces the number of District Officers allocated to  
 Districts from 73 to 54, as has been shown in the  
 statement in paragraph 196. To these 54 posts it is  
 necessary to add officers for secondment to the posts of  
 Commissioner of Mines, of Consul for Southern Abyssinia,  
 and of resident Magistrate <sup>two</sup> (2 posts), making 58 posts in  
 all. To complete the number of posts to be filled from  
 the administrative cadre, it is necessary to add <sup>five</sup> 5 posts  
 of Provincial Commissioner and Senior District Commis-  
 sioner, and <sup>eight</sup> 8 posts in the Secretariat; the post of  
 Financial Secretary is not included as it will not  
 necessarily be filled from the Administration. This  
 raises the total number of posts to <sup>sixty</sup> 71. To this must  
 be added a leave reserve for which <sup>sixteen</sup> 16 would be a fair  
 provision on the ordinary standards, raising the total  
 cadre to 87 as compared with the present cadre of 121.  
 Both of these figures include the posts on the head-  
 quarters staff which are not strictly speaking Adminis-  
 trative posts but are usually filled from the adminis-  
 trative cadre.

Deducting

253

two districts, <sup>two</sup> 2 officers acting in higher posts, <sup>nine</sup> 9 secondments, <sup>nineteen</sup> 19 on leave, and 11 cadets who will not arrive in Kenya until August, 1936. The officers on leave and the Cadets must be regarded as non-effective. The number of effective District Officers was therefore <sup>five</sup> 5 less than the recognized distribution of the sanctioned establishment, although the total strength of District Officers was <sup>two</sup> 7 over the sanctioned establishment if the <sup>seven</sup> 11 cadets (then in Europe) be included.

The proposals made in this report, including those for the union of districts and the combination of the post of Provincial Commissioner Coast Province and District Commissioner Mombasa, and including the substitution of <sup>ten</sup> 10 Tax Officers for <sup>ten</sup> 10 District Officers, reduce the number of District Officers allocated to Districts from 73 to 54, as has been shown in the statement in paragraph 196. To these 54 posts it is necessary to add officers for secondment to the posts of Commissioner of Mines, of Consul for Southern Abyssinia, and of Resident Magistrate (<sup>two</sup> 2 posts), making 58 posts in all. To complete the number of posts to be filled from the Administrative cadre it is necessary to add <sup>five</sup> 5 posts of Provincial Commissioner and Senior District Commissioner, and <sup>eight</sup> 8 posts in the Secretariat, the post of Financial Secretary is not included as it will not necessarily be filled from the Administration. This raises the total number of posts to <sup>seventy</sup> 71. To this must be added a leave reserve for which <sup>seven</sup> 7 would be a fair provision on the ordinary standards, raising the total cadre to 87 as compared with the present cadre of 121. Both of these figures include the posts on the headquarters staff which are not strictly speaking Administrative posts but are usually filled from the administrative cadre.

Deducting

253

two  
 districts, <sup>two</sup> Officers acting in higher posts, <sup>three</sup> 9 second-  
<sup>thirteen</sup> ments, <sup>two</sup> 19 on leave, and <sup>two</sup> 11 Cadets who will not arrive in  
 Kenya until August 1936. The officers on leave and the  
 Cadets must be regarded as non-effective. The number of  
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 Both of these figures include the posts on the head-  
 quarters staff which are not strictly speaking Adminis-  
 trative posts but are usually filled from the adminis-  
 trative cadre.

Deducting

253

*to be*

*two*  
 (2 Secretaries to Government, *two* 4 Provincial Commissioners  
 and *one* 1 Senior District Commissioner) the number of  
 officers on the ordinary scale of administrative salaries  
 would be 80. For a total strength of 80, nine selection  
 posts in all are necessary in order to secure a reason-  
 able flow of promotion comparable with that in correspond-  
 ing Services in other Colonies. Seven posts of this type  
 have been given above, so that in addition to these two  
 more posts of District Officer may be graded as Senior  
 District Commissioner and carry a salary of £1,300 per  
 annum; one of these posts will at present be represented  
 by the Commissioner of Mines.

218. As regards the total ultimate savings resulting  
 from the re-organisation, paragraph 150 sets out the  
 savings resulting from a reduction of three posts in the  
 Secretariat, and paragraph 197 shows the saving from the  
 reduction of *nine* posts under Administration. As the total  
 ultimate reduction in the cadre will be from 121 Officers  
 to 87 Officers, further savings of approximately £11,280  
 would appear to be *practically* practicable, assuming the  
 average pay of a District Officer to be £550, and taking  
 concealed emoluments at *percent* 45% of salary; to this has to be  
 added £940 as the saving from the further reduction of  
 either a Resident Magistrate or a District Commissioner  
 in the combined Uasin Gishu Trans Hzoia District. These  
 figures do not take into account the savings resulting  
 from the changes in selection posts. The total ultimate  
 saving on the Administrative and Secretariat Staffs  
 would thus amount to £26,930 per annum approximately.

219. A

~~219. A~~  
 254



219. A reduction of Administrative staff on this scale is a very serious matter and, if carried out by compulsory retirements, the savings would be off-set to a large extent by additional expenditure on pensions and gratuities as was shown by the reductions of staff effected between 1922 and 1924. In any case the reduction of three posts in the Secretariat and of ten of the nineteen posts in the District staffs can only be carried out gradually, as time would be necessary to train the Secretariat clerks and the Tax Officers for the duties which they would be required to undertake. The anxiety of the Government of Kenya in respect of the reductions proposed in the Central Provinces has been referred to in a previous paragraph, and the Government view some of the other proposed reductions with similar misgivings on account of the present difficult stage in the development of the native population. Other difficulties would arise from the want of balance in an official cadre which must result from irregular recruitment for a considerable period. The proposed reductions of establishment cannot therefore be effected immediately, but I see no reason why they should not be attained within a reasonable period without causing any lowering of the standard of administration. In fact, by reducing the amount of laborious routine work carried out by Administrative Officers, and providing a wider scope for both Provincial Commissioners and District Officers, the proposed organization should, while providing increased opportunities for locally recruited

255

recruited officers, give an added stimulus to the work of the Administrative staff.

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LABOUR SECTION.

220. The remaining sections under the head of Administration are the Labour Section, that dealing with Native Registration, and a small section dealing with Fisheries. The Labour Section of the Administration employs four Labour Officers whose duty it is to supervise generally the relations between employers and labour. The average number returned as in employment during the last six years has been as follows:

1930	157,000
1931	141,000
1932	152,000
1933	141,000
1934	145,000
1935 (estimated)	150,000

The task of the Labour Officers is therefore not a light one considering the variety of employment in which the labourers are engaged. Apart from the labour employed by Government in its various departments, by the Railway, and in domestic service, the most important private sources of employment are:

- (1) mining;
- (2) agricultural work generally, including coffee, tea, sisal, and sugar estates;
- (3) saw-mills and other industrial occupations.

The control of resident Native labour, commonly called squatters,

756

squatters, also engages a good deal of their attention. The serious fall in the rates of wages has been discussed in an earlier paragraph.

221. Broadly speaking the relations between employers and labourers are good, and the newest industry, mining, has a very satisfactory record in this respect. The Colony is very fortunate in the type of miner and of manager who are engaged in these occupations; this new form of employment has also had the effect of stimulating the demand for Native artisans of various types.

The spirit in which the African labourers met the heavy fall in agricultural wages was extraordinarily good; they recognized the very serious position of their employers, and the necessity for cutting down both numbers and rates of wages. The signs of improvement in some industries have naturally led them to hope for an increase in rates of wages, but the improvement is unfortunately far from general, and the industries which show such signs, such as sisal, have very heavy losses to make up.

For a considerable time there was a surplusage of labour offered, but there has been a change in this respect during the last few months, and some areas, as well as some industries, sisal and coffee more especially, are complaining of a serious shortage. Others, such as tea, have had no such difficulties, and the personal factor plays a considerable part as is usual in such cases. Sisal work is definitely harder than most forms of agricultural work, and it

has hitherto

has hitherto been mainly carried out by contract labour engaged from the Nyanza province on the payment of advances. There has been a recent tendency on the part of labourers to break these agreements and to disappear. This tendency has been promoted by the willingness of other employers to engage labour offering locally without asking any questions, and possibly to offer somewhat higher wages because they have not to bear the expense of transporting the labourers from Nyanza Province, or of fitting them out with blankets, etc. An increase in the rates of wages will be the only real solution of this difficulty, but another aspect of the question will be dealt with in connection with the Native Registration Ordinance.

228. A Labour Section of the Government organization plays a useful part both from the point of view of the employers and from that of the natives. In other Colonies this work is carried out by District Officers, and to some extent this is also done in Kenya. Their many other preoccupations would however make it very difficult for them to give the necessary time to work which must be gone into in detail, or to deal with some forms of labour, more especially that under contractors. Labour Officers have been instrumental in recovering a considerable sum of unpaid wages, and the figures under this head for the last five years are as follows:-

Table.

155

has hitherto been mainly carried out by contract labour engaged from the Nyanza province on the payment of advances. There has been a recent tendency on the part of labourers to break these agreements and to disappear. This tendency has been promoted by the willingness of other employers to engage labour offering locally without asking any questions, and possibly to offer somewhat higher wages because they have not to bear the expense of transporting the labourers from Nyanza Province, or of fitting them out with blankets, etc. An increase in the rates of wages will be the only real solution of this difficulty, but another aspect of the question will be dealt with in connection with the Native Registration Ordinance.

822. A Labour Section of the Government organisation plays a useful part both from the point of view of the employers and from that of the natives. In other Colonies this work is carried out by District Officers, and to some extent this is also done in Kenya. Their many other preoccupations would however make it very difficult for them to give the necessary time to work which must be gone into in detail, or to deal with some forms of labour, more especially that under contractors. Labour Officers have been instrumental in recovering a considerable sum of unpaid wages, and the figures under this head for the last five years are as follows:-

Table.

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Year	Claimed £	Recovered £	Outstanding £
1931	3,892	3,212	680
1932	5,065	3,759	1,306
1933	2,753	2,337	416
1934	4,188	2,081	2,107
1935	4,299	2,821	1,478

The retention of four Labour Officers appears to be necessary but the post of Principal Labour Officer may remain in abeyance.

It has been mentioned in connection with the work of the Native authorities that a certain amount of compulsory tribal labour has been employed on roads. There has however been a great reduction in the amount of labour of this type, as may be seen from the following statement drawn up by the Chief Native Commissioner giving the figures for nine years:-

Year	Number of men ordered out.	Number of Men - days	Average No. of days worked by each man called out.
1927	12,809	95,975	7.49
1928	12,897	86,587	6.71
1929	9,663	64,657	6.69
1930	9,098	37,465	4.12
1931	5,682	12,265	2.16
1932	7,381	13,779	1.86
1933	4,507	11,270	2.50
1934	3,534	5,950	1.68
1935	3,814	77,112	1.83

This form of employment has practically disappeared in the more advanced districts.

As has been said by Lord Moyne in paragraph 90 of his "Report on Certain Questions in Kenya", this form of labour does not appear to conflict with the International Convention concerning Forced and Compulsory Labour if the work is of a kind which can "be considered as normal civic obligations incumbent on the members of the community provided that the members of the community or their direct representatives shall have the right to be consulted in regard to the need for such services." In Kenya the representatives concerned are the members of the Local Native Councils, and the essential matter is to make certain that the type of work carried out, such as petty repairs and purely local roads, is for the special benefit of the Native community.

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NATIVE REGISTRATION.

224. The next section under Administration to be taken up is that of Native Registration with its subsections dealing with (1) Births, Deaths, Marriages, and Immigration; and (2) the Registration of Domestic Servants. The system of Native registration in Kenya is a very elaborate one. Every male Native of the age of 16 is obliged to take out a certificate (called a "kipandi") attested with his finger prints; if he leaves his Reserve he is obliged by law to carry his "kipandi" with him. When he enters into an agreement as a labourer the employer is obliged to enter on this certificate the dates of commencement and termination of his employment, whether rations are given, and the rate of wage paid. When outside his Reserve he is obliged to carry his "kipandi", as explained above, and it is an offence to be found without it for which he can be summarily arrested by any police officer. In recent practice the latter provision has been modified by executive orders, and it is only applied at night.

The system was first started in 1919, and by 31st December 1920 180,537 registrations had been made, on 31st December 1931 this had risen to 1,019,912, and it is now 1,191,467, but it is not possible to say how many holders of "kipandis" have died.

Under a system introduced in 1920 a Native who had lost his "kipandi" could apply for renewal  
and



and was given a temporary certificate, followed later by a copy of the original certificate when the necessary details had been ascertained with the aid of the clue given by the finger prints. When the original registration number was known, the record of service could be completed from the monthly labour statements given in by employers. These returns do not however give the rates of wages, so that the renewed "kipandis" were defective in this respect. The cost of renewal was Sh. 2/- with Sh. 17/- for the case. The central registration necessary for the <sup>? delete</sup> completing the renewed certificate was abolished in 1934 on the recommendation of the Expenditure Advisory Committee.

225. The present position is therefore that a Native who applies for renewal is given a completely fresh certificate without the record of service. This is very probably issued under another name as Natives constantly change their names if this can be done with impunity.

From the point of view of Government, the advantage of the "kipandi" system is that it gives the Native an identity which it is otherwise impossible to assure, as there are probably a number of people of the same name in any location and it is not unusual for a Native to have several names by which he is known in different places or in different capacities.

From the point of view of the employer

the

262

the advantages of the "kipandis" are that the entries give some idea of the character of the applicant for work, and that the identity given enables them to find and prosecute any labourer who breaks his labour contract. So long as a renewal certificate was a copy of the old certificate, with the same name and the full record of service, it gave the employer a definite hold on the labourer until he had completed his contract. Under the new arrangement made in 1934, a Native who wishes to break his contract and go to a new employer, or who considers that the entries on his "kipandi" may go against him, need only destroy his old "kipandi" and apply for a new one under another name. The bad character and the good time start level again.

The number of renewals during 1935

was 25,851 during a year of slack employment. In 1930 there were 25,981 renewals, in 1931 20,875, in 1932 16,537 and in 1933 15,336. The actual number of renewals has therefore not increased.

226. Where employers have to engage labour from other areas, and on the payment of advances, this possibility of breaking the contract and simply disappearing is felt as a severe handicap. At one time there was considerable agitation among some sections of Native opinion (more especially among the Kikuyu) against the whole system of "kipandis", but this appears to have died down, and it is now accepted as a part of the

normal

263

normal scheme of things. Whether this acquiescence will be permanent remains to be seen, but the very large majority of European opinion is in favour of the maintenance of the system as advantageous both to Government, to employers, and to Natives of good character.

227. So far as Government is concerned the necessary identity could be given by some form of passport attested by finger prints, (photographs would be of little use in this regard), and this is in fact the practice in the Northern Frontier Area where the tribesmen require a certificate of identity when they go outside the Area for trade or other purposes. They do not however regard themselves as labourers. It is noticeable that the Ordinances for this area use the term "Tribesmen" instead of Natives, and the difference is not merely a verbal one.

For the employer the main advantage of the kipandi lies in the record of service, and the advantages are not all on one side, as the Chief Labour Officer states that he finds this record essential when he has to prosecute employers for withholding wages or for other unfair dealings. He also depends on the record when he has to find the persons entitled to unpaid wages. The general, though not the universal, view is that the Native of good character sets great value on the record of service contained in the kipandi.

228. The cost of working the system as provided for

164

for in the 1936 Estimates is £8,012, less receipts of £1,350 plus £450 for kipandi containers, or £6,212. The real cost is however considerably greater, as this estimate makes no provision for the pensions of some of the officers directly employed, nor for the time of many other officers indirectly connected with this work.

229. Some sections of employers are strongly of opinion that the advantages of the system both to the employer, and to the steady labourer, have been largely nullified by the abolition of the system of renewal of the original document. The cost of its reintroduction is put at £750.

The abolition of the system would be a possible economy, but is opposed by the large majority of European opinion both official and non-official. There is no such system in Tanganyika and the result is said to be that employers are obliged to engage a large surplus of labour to allow for disappearances. A passport system is however being introduced. In Kenya some modifications of the Ordinances are under consideration, and the system of exemptions could also be extended with advantage.

*lect*  
Registration of Domestic Servants.

230. The ~~Registration of Births, Deaths, and Marriages~~ requires no special attention, and the next provision requiring consideration is that for the ~~Registration of Domestic Servants.~~

Under this system a man who wishes to enter domestic service applies for a pocket register, either personally or through his employer. His finger prints are taken and are sent to the Police for examination. If he has been convicted, the Police report the character of the offence and the sentence. If there has been no conviction within three years, the register is usually given unless the offence was of a very serious type. If there is a bad criminal record, a conditional registration may be given to a special employer who desires to take the man in spite of his record. The duty of the employer in either case is to enter his own name in the register. When the employment ceases, the employer is bound to enter a character in the register. A bad entry can be appealed against and an enquiry is then made into its fairness. An amendment of the Ordinance is under consideration which will make the entry of a bad character permissive. If this amendment is adopted, it will be possible to prosecute an employer who has recorded a bad character if there is reason to suspect malice on his part.

Before the present Ordinance was brought into force an executive order laid down that any person who wished to ascertain the character of an applicant for employment could apply to the finger-print bureau and be told whether the applicant was suitable for employment or not. In fact very few people availed themselves of this opportunity. In 1910 an Ordinance on the subject was passed, but it fell into

disuse

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disuse and was repealed in 1924.

231. There are now in circulation 26,872 books, and 1,053 have been either refused initially or withdrawn. The Ordinance is in operation in the districts of Nairobi, Uasin Gishu, Trans Nzola, and in the Municipality of Nakuru. It does not operate in the rest of the Colony, including the town of Mombasa. Even in the areas to which it has been extended it does not operate without difficulty, as many employers try to evade the fact and have to be prosecuted. In the year 1934, fifty-four prosecutions were instituted, and the Chief Registrar states in his report for 1934 that "it is greatly to be regretted that the financial success of this measure appears possible only at the cost of constant inspections and frequent prosecutions."

232. The abolition of the system was proposed in the report of the Expenditure Advisory Committee of 1933, but it was subsequently decided, with the assent of the Finance Committee on estimates, to continue it for 1934, provided that it could be made self-supporting. The actual loss was £185 on the year's working, and the Select Committee on Economy of 1935 renewed the proposal for its abolition.

233. It is somewhat unusual for a government to undertake the registration of domestic servants, but Kenya is not unique in this respect, as Ceylon has a similar arrangement in certain of its towns, carried

carried out by the Police.

The reason for its introduction in Kenya is the danger of assaults by Native servants on European women and girls. That this fear is not groundless is unfortunately only too true, as there have been various cases of this type. The representatives of the East Africa Women's League feel very strongly on the question, and their feeling is one to be respected. If the system of registration gave effective protection against such offences the argument in its favour would be strong, even though the system involves bringing up a man's criminal record against him. In fact, however, the protection given is very partial.

The Ordinance only operates in a few districts, and although this could be cured by its application to the remainder of the Colony, the extension would be against the wish of a large proportion of the European residents, while in any case on the more lonely farms the servants would generally be non-resident on the farm or in the neighbourhood. Further, the possession of a register is no real guarantee of security, since in several of the cases of assault which have occurred the offender was in possession of a register. The provisions of the Ordinance can be evaded by signing on applicants as shamba boys, or in the towns as shop boys.

The possession of a register with good entries is said to be highly valued by Native servants, and this is no doubt true, though a good "ohit" would probably be equally valued. On the

other

268

other hand, the compulsory entry may be a real difficulty to a conscientious employer, and, as noted above, it is proposed to make these entries voluntary. Unfortunately it is also true that the opportunity of making entries is sometimes unfairly misused to the prejudice of the servant. If the kipandi system is retained, a mere stamp or entry on it would fulfil the main purpose of the pocket register.

234. The sum involved is so small that no strong recommendation is called for on the ground of economy, and it is for Government to consider whether the advantages of the system are sufficiently great to justify its retention. Its abolition might apparently even lead to extra immediate expense to Government, because unless the Deputy Registrar who manages the department could be transferred to some other post he would be entitled to a pension exceeding the net cost of the Department.



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243

FISHERIES PROTECTION.

235. A minor section appearing under Administration is that connected with the fisheries in Lake Victoria Nyanza. This is an industry of considerable potential value but requiring regulation and development. The estimated recurrent expenditure of £973 under Head II, Administration, and the non-recurrent expenditure of £1,000 for the purchase of a new boat under Head IIIa, Administration Extraordinary, need no comment.

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CHAPTER VIII.

DEPARTMENTAL ESTIMATES.

36/11

236. This concludes the sections of the estimates which come under the general head of Administration. It remains to deal with the expenditure of the various Departments, and the first of these is the Department of Agriculture including Veterinary.

AGRICULTURAL DEPARTMENT.

237. Kenya Colony and Protectorate is at present, and, so far as can be seen, will always be, a predominantly agricultural country. It is on the basis of Agriculture taken in the widest sense that the country has been developed, that the Native has been able to provide for his subsistence and to pay his taxes, and that European enterprise, capital, and direction, have produced the specialized agricultural industries which are the predominant feature in the exports of the Colony. The problem is a dual one, that of providing the conditions necessary for a prosperous agriculture, both in the European areas with their specialized crops and many requirements for scientific assistance, and in the Native areas in which the scientific problems are more limited, and the main needs are to see that scientific principles are put into practice, and that their standards of living

36361- 12 Gallies  
Kenya

36361- 12 Gallies

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living and of production for the markets are raised. In both areas, but more especially in the Native area, there is the pressing problem of the gradual destruction of the fertility of the soil by unsound methods of cultivation and by overgrazing.

In one sense, therefore, the problems are of a dual character, but in another the sharp distinction which is drawn between European and Native production is misleading. The whole of European production rests ultimately on the basis of Native labour, though the production either would not exist, or would have had a very different character, without the stimulus of European energy and organizing capacity. The Native on the other hand, though his own production is mainly in the Reserves, owes much to the lessons which he has learned on European farms, and depends largely on the wages for his labour paid by farmers, by industries, and by the transport and marketing organizations, both for his own subsistence, for the payment of his taxes, and for the satisfaction of his ever-increasing wants. The ultimate interests of both communities, and also of the resident Asian community, are closely intertwined.

238. In dealing with the many aspects of these fundamental problems the assistance of expert advice has been essential and I am indeed fortunate in having had the advice of Mr. Milligan. All the recommendations in this section of the report are based on his wide knowledge and experience, and are for the most part in his own words. I agree with all his recommendations.

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recommendations.

239. The proposals which we are required to make are for the reorganization of the Agricultural and Veterinary services so as to deal with the great variety of conditions in Kenya. Before entering on this subject it is advisable to give a brief description of the agricultural conditions with which they have to deal and of the major problems on which the Department of Agriculture has been engaged. Mr. Milligan has summarized them in the following paragraphs.

The country may be divided into rainfall zones with a corresponding response in vegetation running more or less parallel with the sea-board, passing from the fertile coastal strip of about 20 miles in depth through a diminishing rainfall area to conditions again improving with increased altitude, finally reaching the Kenya highlands and Lake shore tracts where good land and abundant moisture are the rule rather than the exception. The principal agricultural and stock areas are thus to the west, but are bounded on the north by the sudden drop in the rainfall beyond, roughly, the line Mt. Elgon to Mt. Kenya; bounded to the south by Tanganyika, and to the west by Uganda, they form on the map a fairly compact block. European settlement is to be found mainly along the Kenya-Uganda Railway and in the sub-montane tracts of Kenya and Elgon. Lying mainly in the districts of Nairobi, Machakos, Thika, North Nyeri, Laikipia-Samburu, Nakuru, Uasin Gishu, Trans Nzoia, Kericho, they

274

they are, with some exceptions fairly easily accessible. The Native Reserves lie mainly in North, Central, and South Kavirondo, Kericho, Samburu, Nandi, Elgeyo, Baringo, West Suk, Neru, Embu, South Nyeri, Machakos and Kitui districts, and the Masai Reserve. The Northern Frontier Area and Turkana are also in Native occupation. The greatest concentrations of population in the Reserves lie in the Nyanza Province, in the Central Province occupied by the Kikuyu and related tribes, and it is in these tracts that the most intensive cultivation is to be found. Examples of extensive non-agricultural areas are in the Masai Reserve, the Nandi, Talkepia, Samburu, Elgeyo, and Baringo districts, and in Turkana and the Northern Frontier Areas. Agriculture looks insignificant on the crop map appended to this report but, relatively to stock, it is, for the present at any rate, of much greater economic

~~importance.~~

The distribution of the population follows the rainfall very closely, as may be seen from the maps appended to this report.

Although metamorphic rocks are exposed over more than one half of the Colony, volcanic eruptions have covered a large tract of the Rift Valley zone and of the adjacent highlands, resulting in soils which, although poor in lime and magnesia, are capable of yielding good crops under proper treatment. Such soils require a considerable rainfall owing to their physical properties, but this is normally forthcoming, although its concentration into two main

seasons

seasons (called the long and short rains), with comparatively long dry intervals between, makes a well regulated cropping programme a more difficult matter than might appear. There being no definite winter, growth is accordingly governed more by rainfall than by season. Droughts do occur, as has unfortunately been the case during the last two years, but these cannot be compared in intensity to those experienced in places like South Africa.

Plant Industries.

240. The principal crops of the Colony are coffee, sisal, tea, and wattle, with the annual crops of maize, wheat, sesamum, millets, and cotton. Of these coffee, sisal, and wheat, are grown in the European areas, maize and wattle are common to both, while sesamum, the millets, and cotton belong almost exclusively to Native agriculture.

Maize.

Maize is probably the most widely grown crop in the country. It grows readily from the coastal belt up to almost any altitude, provided that the rainfall is adequate; it is easily handled, and can be farmed on a large scale by Europeans. It is, moreover, becoming increasingly popular amongst the Native cultivators. Kenya is outstanding as far as maize growing is concerned, both as regards yield and cost of production on the farm. A large proportion of the crop has, however, to be sold outside the Colony, and, owing to the distance from markets and the high cost

of both

of both railway and ocean freights, it is only when world prices are reasonably good that export is profitable. Although average outturns per acre grown by Europeans, as shown by the crop statistics, appear to be maintained, this must be at least partly due to the considerable reduction in acreage which has taken place during the last few years. The crop has in the past received considerable attention from the Agricultural Department mainly with regard to varieties, sowing, and cultivation. An attempt is now being made to check Fusarium and White Blight diseases through plant breeding and selection of seed. The work has been done mainly at Njoro and its outstations, and at the Scott Laboratories.

Wheat

Wheat is grown mainly at the higher altitudes in Nakuru and Uasin Gishu districts, but is also to be found at lower levels and as far south as Machakos. The crop grows well, but is subject to severe attacks of rust which are mainly responsible for the low average yields recorded. The Department has for long been engaged in attempting to breed rust-resisting varieties, but great difficulty has been experienced in obtaining strains resistant to the four different forms of rust encountered. The problem is further complicated by the varying altitudes, and by considerations of "quality". The plant breeders, however, feel confident that they are within measurable distance of success. This is greatly to be hoped for as the crop is capable of yielding up to 40 bushels

per acre on the best lands, and in the absence of disease, but unless resisting varieties can be obtained its future is uncertain.

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Sisal:

→ Sisal has been grown in the Colony from its early days. It has a wide range of altitude from sea level upwards. The coastal crop is a heavier yield than that up-country, owing partly to a longer producing period. One great advantage possessed by sisal is that it can be grown on the less fertile soils, and it is thus a most useful crop for the Colony in more ways than one. So far it has given little or no trouble, growing well and remaining relatively free from both disease and insects. The industry has thus made few demands on the Department and it does not appear likely to do so to any large extent.

The Kenya Sisal Growers' Association, a representative body possessing funds of its own, to which its members and Government contribute equally, is gradually building up reserves with which it hopes to found an experimental station. This scheme is to be commended as an example of self-help on the part of a planting industry dealing with a highly specialised crop.

Coffee:

→ Coffee is claimed by its growers to be the premier crop of Kenya, and there is no gainsaying its supreme importance to the Colony. It was first grown at Kiambu, but owing to the initial success in producing both yield and quality, the crop has spread throughout the highlands; in some cases to

areas



areas where it can only be grown with special precautions. Coffee grows well within well defined limits of altitude, but climatic factors have introduced special problems. In the lower areas for example, the mealy bug is a dangerous enemy and special precautions have to be taken against the pest. While at higher and colder altitudes "berry" disease is a real menace, and will have to be combatted through "resistant" varieties.

The crop has suffered badly during the last few years through shortage of rainfall which has affected both yield and quality. The general fall in world prices has, however, called attention to the importance of the latter as a supreme factor in profitable production. Due to a variety of causes, mainly economic, many coffee estates have been allowed to deteriorate through inadequate maintenance on the part of their owners, but there is an observable movement towards "reconditioning", and as the principles involved appear to be now thoroughly well understood by the great majority of planters, this may be considered as being mainly a matter of finance.

Remedies for insect pests have been worked out by the Agricultural Department, but there appears to be still a good deal to be learned regarding "shading" and its effects on yield, and there still remains the question of varieties. The most important problems remaining to be tackled are, however, those referring to quality, more especially with regard to the influence thereon of agricultural and horticultural operations.

The

The growing of Arabica coffee by Natives is at present permitted only in two experimental areas in the Meru and South-Kavirondo districts. The maximum for each area is 100 acres but up to the present only about <sup>100</sup> ~~35~~ to <sup>100</sup> ~~40~~ acres have been planted in each area. There is also one small plantation in the Teita hills.

Tea: Tea is also an important European industry, growing exceptionally well in the Kericho area, and capable of considerable expansion. Development is, however, at a standstill ~~due to~~ international acreage control measures. No serious trouble with the crop has yet been encountered. ~~The~~ industry is well conducted ~~and is likely to be~~ <sup>likely to be</sup> ~~able to~~ look after itself.

Sugar: Sugar is also important, but its troubles are economic, and it makes few demands on the agricultural Department. The tendency in some of the Native areas to use sugar ~~and~~ almost exclusively for the manufacture of liquor makes it difficult to encourage its cultivation.

Pyrethrum: The future of pyrethrum growing, a new industry, and of much importance in the higher altitudes, will depend mainly on markets, although Kenya is said to produce a higher percentage of pyrethrin than its chief rival, Japan. It has had considerable support from the research officers who are in a position to give help both from the Scott Laboratories and from Njoro.

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Essential  
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Essential Oils:

The essential oil industry is also being assisted through investigation. Kenya appears to be well suited to the growing of a variety of essential oil plants, and it is hoped that the industry, properly controlled, will become of real importance to the Colony. It is of the type that is wanted to mix with the more extensive operations of wheat and maize farming, and is suited to the smaller holdings.

Crops Grown in the Native Areas.

Maize:

241. Maize has already been mentioned as one of the crops grown by Europeans and Natives. It yields well under suitable conditions and in the case of the latter has the additional advantage of providing a useful food crop, both for the grower and for sale to some of the pastoral tribes who are not self-supporting as regards grain. There has been a marked tendency towards expansion, but it seems doubtful if this will continue under the prevailing low prices obtainable for the product. "Grade" has been considerably improved through the efforts of the Agricultural Department by the introduction of more marketable varieties and through control of marketing:

The most important food stuffs are, however, the millets and sorghums, which are to be seen growing everywhere in great variety. In this field too the Agricultural Department is in evidence, more especially with regard to the production of earlier maturing types to suit the peculiar two-season rainfall conditions

conditions of the Colony.

Beans and pulses form an important group mainly consumed in the country, but showing a small though steady export. Efforts are being made to introduce varieties suitable to the South African market. These mark a considerable advance on existing types so far as appearance is concerned; and are said to give higher yields. An effort is also being made at certain centres to secure a higher degree of purity in the samples offered for sale.

Sesamum

Sesamum is mainly exported. It is most prominent mainly in ~~the~~ Province and there is a tendency towards increase in area. It grows readily in certain areas and, apart from its well known irregularity of ripening, which is not so great a drawback where labour is plentiful, appears to give little trouble of any kind.

Cotton

Cotton is grown chiefly in Nyanza Province and along the Coastal belt. The crop has had a chequered career in Kenya, but the fall in prices of competitive crops, and the energetic efforts of Administrative and Agricultural Officers alike, have contributed to a large increase in acreage and output. It may be said to have now become established in the two areas mentioned, but a great deal more knowledge of local conditions is required before it can be safely extended in the Lake Shore area. An attempt has been made to keep abreast with Uganda as regards "grade" and "class" of lint. This has been quite successful, but an impending change of variety in the

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in the neighbouring Eastern Province of Uganda, which has been decided upon after very careful field tests over a wide area, demands similar work in Kenya. The crop may still be said to be on trial in the Central Province, where boll disease and seasonal difficulties present a serious obstacle to its extension, and the position with regard to both factors requires clearing up.

Wattle.

Wattle-growing is mainly in the hands of Native agriculturists in Kiambu, Fort Hall and Nyeri districts. The trees require fairly cool and moist conditions, and plantations are thus generally to be found on the higher altitudes. The crop is one of great importance providing both revenue in the shape of bark for sale and wood for domestic purposes, and is capable of considerable expansion, there still being extensive areas over which it can be grown. The main difficulties appear to be in getting the growers to cut and market the bark in proper condition, but these are being gradually overcome through the establishment of inspection posts, and the posting of inspectors at the buying stations under the supervision of the Agricultural Department.

Cotton is the chief cash crop of the Native for altitudes up to about 4,000 feet and wattle above about 6,500 feet. For altitudes between about 5,500 and 6,500 feet no special cash crop has yet been developed. The most obvious crop for this zone, coffee, is as yet only permitted to be grown in the two small experimental areas mentioned previously. Apart from these special crops, maize has a wide range



up to some 6,500 feet.

Soil Conservation. (Revised)

242. The above are the main crops in the Native Reserves in the development and improvement of which the Department is actively engaged, but it is acknowledged on all sides that the real problem for the future lies in the preservation and maintenance of soil fertility alike in the pastoral and agricultural areas. In the former the question is mainly one of reconditioning eroded lands and the prevention of further damage from that source. It is a problem common to most parts of East Africa, and ultimately resolves itself into control of grazing. But before any wholesale operations are advisable, much careful investigation must be undertaken as to the best methods of reconditioning, and as to the real carrying capacity of the land. Experiments are already in progress in the Kamasia and Kamba Reserves, but these will require to be continued and expanded before reliable results can be hoped for.

The position in some of the arable areas is scarcely less serious. Owing mainly to the shape of the fields, and to the almost entire absence of protective banks, "sheet" erosion is all too prevalent and will tend to increase rather than diminish. Remedial measures are being taken in some areas, but there exists a danger of the question being relegated to one of secondary importance owing to the efforts at present being made towards an increase

of area

of area under Native grown crops.

243. To summarize the position, the Plant Industry Section is engaged in the Native Reserves in introducing new crops and extending the area under existing crops, in the introduction of new varieties of maize, millets, sorghums, and beans and in the marketing of agricultural produce generally, but the question of conservation and improvement of the soil has yet to be taken up seriously. In the European farming areas it is mainly concerned with problems affecting coffee, maize, and wheat, and with new crops such as brassardm and essential oils."

Animal Industries. *Circle*

244. Turning next to the other main branch of Agriculture, that connected with Animal Industries, the position is as follows:

Although domestic stock do well in Kenya when kept free from disease, the Colony is in many respects unfavourably situated for a live-stock industry. On the one hand, the limited local demand for meat and dairy produce makes the flooding of the markets an easy matter, while the cost of transport to Europe, and absence of other foreign markets of any importance, constitute a serious handicap on export.

There is normally no export of meat, and the internal trade consists of supplies for local markets to which both European and Native stock owners contribute.

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Animal Industries

244. Turning next to the other main branch of Agriculture, that connected with Animal Industries, the position is as follows.

Although domestic stock do well in Kenya when kept free from disease, the Colony is in many respects unfavourably situated for a live-stock industry. On the one hand, the limited local demand for meat and dairy produce makes the flooding of the markets an easy matter, while the cost of transport to Europe, and absence of other foreign markets of any importance, constitute a serious handicap on export.

There is normally no export of meat, and the internal trade consists of supplies for local markets to which both European and Native stock owners contribute.

contribute. Few cattle are specially reared for beef purposes, there being only a limited demand for meat of the first class as supplied by the Europeans, while the Native trade consists of surplus stock from their own herds. That this is capable of considerable expansion has been demonstrated during the past year, during which a marked increase in beef consumption has taken place in Nyanza Province to the benefit of neighbouring cattle owners, and to the relief of considerable stretches of over-grazed lands.

Exchange of products between the pastoral and agricultural areas, which appears to offer some mitigation of the overstocking problem, is severely handicapped by the restrictions on movement imposed by the Veterinary authorities in the interests of disease prevention. Great stock-breeding areas such as the Northern Frontier Area and the Masai Reserve are in a position differing little from a permanent blockade.

Dairy produce may, however, be considered the chief animal product of the country. In addition to the home consumption of milk (which must be large), in the Native areas, dairying forms the main activity on the European cattle farms. The supply of milk for butter making has outstripped local demand, and the latter product is now exported in considerable quantities. Creameries have been established at suitable centres and, so far as the European producers are concerned, no assistance is required from the Department.

In the Native areas, ghee making, has been encouraged and organized by the Animal Industry

Division through the establishment of separating and churning depots. The movement has made considerable progress, especially in Nyanza Province, but may be checked through competition with imports from Tanganyika which have, I am told, recently had the effect of lowering prices considerably. Kenya ghee when made under proper supervision is of a very high class, and, if produced in sufficient quantity, is likely to meet a ready market abroad. India is indicated as a buyer on account of the difficulty of obtaining a really pure product in that country.

12/16

Hides and Skins. Hides and skins occupy a prominent place on the list of exports. The improvement of former through shade drying has for some time past been given considerable attention by the Animal Industry Division, with excellent results more especially in Nyanza Province, where the higher price obtained for shade dried hides has led to the erection of a large number of drying sheds. An extension of the system would undoubtedly lead to a marked increase in revenue from this source.

Wool. The wool trade is mainly, if not entirely, of an export character. The only "wool" sheep in the Colony are those belonging to Europeans, and are mostly to be found on the large sheep farms in the drier areas such as Naivasha, which are more suited to "merinos" than those of higher rainfall. There they have been found to do well and to give quite a satisfactory clip. For the wetter tracts, the favourite breed at present is the Romney Marsh, which is being

258  
260  
244.

is being used for "grading" with the native sheep. There does not appear to be much "natural" country in the highlands for a wool breed, but they might do on some of the lower tracts in places where water is available.

Cattle

The cattle owned by Europeans are mainly "grades" e.g., the first or subsequent cross between the native cow and the European bull. There are, in addition, some herds of pure bred stock, generally of high quality, and for these there exists a good demand for grading purposes. The British dairy breeds are nearly all represented. There is the usual divergence of opinion as to what is the best for the country; each breed has its strong supporters. The extent to which grading can profitably be carried can be settled only by experience. And here again there is a wide difference of opinion. As regards the Native areas the indigenous cattle compare very favourably with those to be met with as far south as the Union of South Africa. They belong to the Zebu class and although there may be said to be different breeds such as the Boran, Masai, and Nandi, as seen at the Veterinary Training Schools, their general characteristics are much the same. Some very fine types are to be seen in the Reserves, and if these were isolated and kept pure, the establishment of excellent breeds would be possible. They appear, however, to mix well enough, and the intermediates are themselves of a good stamp. The Kenya native cattle are small in size but none the worse of that for meeting the local conditions. There

has, in

284

has, in general, been little admixture with imported breeds, and the absence of this complication makes it easier to proceed with selection for milk qualities. This is being done at the Veterinary Training Centres, but the difficulty of obtaining a sufficient number of good milking animals as foundation stock converts a normally slow process into one of interminable length. A much speedier and just as effective method would be for the people themselves to retain as bulls, males from good milking cows only.

Departmental Staff.

These are the conditions which have to be dealt with and which have governed the development of the Department. Its history has been summarised as follows by the Director:

1903-1917.

3/2

The Department of Agriculture was established towards the end of 1903, and its duties in the first period of its existence were mainly devoted to experimental work in connection with economic plants. By 1907, experimental farms under the Department had been established at Malindi, Mazaras, Kibao, Naivasha, and Kabeta. At the two latter places stock, both pure bred and half bred, were kept. In 1908 the staff was increased by the appointment of an Entomologist and a Plant Import Inspector, the Veterinary Staff by this time consisting of six Veterinary Officers, eight Stock Inspectors, and four Indian Veterinary Assistants. In the following year a Plant Breeder was added to the staff, and the

Veterinary

560  
265.  
162

3/2

Veterinary Research Division was started by the appointment of a Veterinary Pathologist. In 1910 the building of the Veterinary Research Laboratory at Kabete was begun, funds being obtained from the proceeds of large sales of anti-rinderpest serum to other African Colonies, and in 1911 an Assistant Veterinary Pathologist was appointed, while a Tobacco Assistant was added to the Agricultural side. In 1913 the Entomological Laboratory was established as a separate unit on the Kabete Farm, and an Assistant Entomologist and a Coffee Inspector added to the staff, also a Mycologist and two more Veterinary Officers. During the War period no new posts were created and the department carried out its functions under great difficulties, more than half of the staff being on active service.

The Veterinary Department had been established about 1897 when Veterinary Officers' services were required for the maintenance and disease control of animals used for transport of food supplies during the construction of the Uganda Railway, and in the following years the staff was organized into a civil department under the East African Protectorate Government for the control of animal diseases generally. From 1904 the Veterinary Department was administered at various times as an independent branch, as a branch under the Director of Agriculture, and as a branch under the Commissioner of Lands, until, in 1917, the complete control of the Veterinary Division was again vested in the Director of Agriculture.

1918-1929.

290



261  
-257-  
163

1918-1923.

3/2

After the War, on the return of more settled conditions, the late Director Mr. A. C. McDonald, retired and his place was taken by Mr. Alex. Holm. During 1918 and the following three years the staff was further increased, and by 1921 the Agricultural Division consisted of the Director, Deputy Director, 3 Entomologists, a Mycologist, a Plant Breeder, a Foreman Plant Instructor, <sup>three</sup> 3 Flax Officers, Tobacco and Coffee Officers, a Plant Import Inspector, and the managers of the departmental farms at Embete, Naivasha, Mazarau, and Kiboa. The Veterinary Division consisted at this time of the Chief Veterinary Officer, Deputy Chief Veterinary Officer, <sup>11</sup> 11 Veterinary Officers, <sup>13</sup> 13 Stock Inspectors, <sup>1</sup> 1 Veterinary Research Officer, <sup>3</sup> 3 Veterinary Research Officers, with a total clerical and laboratory staff of <sup>37</sup> 37.

In 1921 and 1922 the financial position of the Colony was such that a drastic cutting down in the expenditure of all Government departments took place, in which the Agricultural Department shared, and a large number of officers were retrenched. The farms at Kiboa and Mazarau and the Naivasha Stock Farm were closed, and the Department was left without any experimental stations with the exception of the Scott Laboratory, which was a sanatorium handed over for Native agriculture and research.

During the period from 1923 to 1929 the following developments took place:-

5  
/4

- (1) The inauguration of a service for the improvement of Native Agriculture, including Agricultural Education. Up to this time practically nothing had been done by the Department for Native agriculture.
- (2) The establishment at the old Scott Sanatorium of the Headquarters of the laboratories of the Agricultural, Chemical, Entomological, and Mycological sections, of the experimental work in connection with variety trials and imported plants, and of the Headquarters of Native agriculture in the Kikuyu Reserve, with a native school; this followed on the giving up of the Sabete experimental farm.
- (3) The establishment of a grading service, first for maize and later for potatoes and wheat, and of a grain conditioning plant, all situated at Mombasa.
- (4) The development of the plant breeding section from a single unit, with headquarters at the Scott Agricultural Laboratories, to <sup>three</sup> 3 units with a complete station for the purpose at Njoro.
- (5) Extension of advisory services through Agricultural Officers, including experimental work on farms.
- (6) The establishment of a Chemical Section under the Agricultural Department.

Previously

Previously the work of the Chemical Section was done at the general chemical laboratory.

5/4

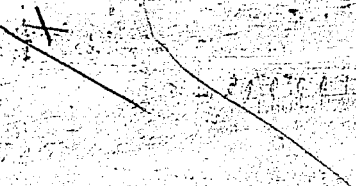
- (7) The establishment of a temporary organization to deal with locusts.

1929-1935.

3/2

An Agricultural Commission, under the chairmanship of Sir Daniel Hall, sat in 1929. In its report, published in October 1929, the Commission recommended that the delegation of responsibility within the Department should be secured by the two Deputy Directors, one dealing with crop husbandry and the other with animal industry. The Department was accordingly divided into two Divisions of Industry and Animal Industry, administered by Deputy Directors under the Director of Agriculture; this has remained the structure of the Department up to the present.

The organization and personnel of the Department since the War are perhaps best indicated by the following diagrams which show the staff in 1920, at the period of maximum development in 1931, and in 1935 respectively. The diagram relating to 1935 gives its present strength and organization.



Diagram

Diagram No.

STATE AT MARCH (31st, 1920.

DIRECTOR OF AGRICULTURE.

ADMINISTRATIVE	ECONOMIC PLANTS	NAIVASHA STOCK	KABETE EXPERIMENTAL FARM	ENTOMOLOGICAL DIVISION	VETERINARY DIVISION
Personal Assistant	Chief of Division	Manager	Manager	Entomologist	Chief Veterinary Officer
Finance Officer	Tropical Agricultural Instructor	Asst. Manager	Station Assistant	Asst. do.	Deputy Chief Veterinary Officer
Physiologist	Foreman Plant Instructor	Stockman	Storekeeper-Clerk	Plant Import Inspector	
Adviser on Coffee				Clerk	14 Veterinary Officers
Agricultural Superintendent					Permit Officer
3 Agricultural Inspectors					19 Stock Inspectors
Horticulturist					3 Veterinary Assistants
Dairy Officer					Office Superintendent
Cerealist					Registrar of Brands
Accountant, Clerks, Draughtsman, Telephone Operator - 8.					Storekeeper & Clerks - 2.
		TOTAL Agricultural Staff = 24			
		plus Clerical Staff = 9			
		TOTAL Veterinary Staff = 39			
		plus Clerical Staff = 8			

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STATE AT MARCH 31st, 1920.

DIRECTOR OF AGRICULTURE.

<u>ADMINISTRATIVE</u>	<u>ECONOMIC PLANTS</u>	<u>NAIVASHA STOCK</u>	<u>KABETE EXPERIMENTAL FARM</u>	<u>ENTOMOLOGICAL DIVISION</u>	<u>VETERINARY DIVISION</u>
Personnel Assistant Officer	Chief of Division	Manager	Manager	Entomologist	Chief Veterinary Officer
Flax Instructor	Tropical Agricultural Instructor	Asst. Manager	Station Assistant	Asst. do.	Deputy Chief Veterinary Officer
Myologist	Foreman Plant Instructor	Stockman	Storekeeper-Clerk	Plant Import-Inspector	
Adviser on Coffee				Clerk	14 Veterinary Officers
Agricultural Superintendent					Permit Officer
3 Agricultural Instructors					19 Stock Inspectors
Horticulturist					3 Veterinary Assistants
Dairy Officer					Office Superintendent
Cerealist					Registrar of Brands
Accountant, Clerks, Draughtsman, Telephone Operator - 8					Storekeeper & Clerks - 2
		TOTAL Agricultural Staff plus Clerical Staff = 24			
		TOTAL Veterinary Staff plus Clerical Staff = 39			

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DEPARTMENT OF AGRICULTURE ESTABLISHMENT, 1931.

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DIRECTOR OF AGRICULTURE

Deputy Director (Plant Industry)

Deputy Director (Animal Industry)

<u>Administrative and General</u>	<u>Sub-Division of Native Agriculture</u>	<u>Plant Breeder Services</u>	<u>Veterinary Services (Executive)</u>	<u>Veterinary Research</u>
1 Assistant to Director 1 Agric. Economist 1 Accountant 1 Office Superintendent 6 Clerks Grade A 2 Clerks Grade B 7 Clerks Grade C	9 Agricultural Officers	1 Senior Plant Breeder 1 Plant Breeder 1 Agricultural Officer 1 Laboratory Assistant	3 Senior Veterinary Officers 13 Veterinary Officers 25 Stock Inspectors	1 Chief Veterinary Research Officer 1 Asst. Chief Vety. Research Officer 2 Veterinary Research Officers 1 Entomologist 1 Laboratory Superintendent 8 Laboratory Assistants 1 Yard Foreman 1 Stockman 3 Clerks, Grade A 2 Clerks, Grade B 1 And-Learner 1 Librarian 1 Mechanic 1 Horsekeeper 1 Asst. Storekeeper 2 Laboratory Students
<u>Division of Plant Industry</u> 1 Senior Coffee Officer (Cofic 0.144 below 4 panels)	<u>Soil Agricultural Laboratories</u> 1 Senior Entomologist 4 Entomologists 1 Insectaries Manager 1 Senior Mycologist 1 Mycologist 1 Senior Agricultural Chemist 1 Soil Chemist	<u>Grading Services</u> 1 Chief Grader and Inspector 1 Asst. Grader and Inspector 1 Clerk 1 Mechanic	<u>Animal Husbandry</u> 1 Livestock Officer 4 Instructors in Stock	
TOTAL Agricultural Staff = 46 plus non-technical = 9	1 Agricultural Officer 1 Clerk Grade B 4 Junior Lab. Ass'ts. 4 Learner Lab. Ass'ts.			
TOTAL Veterinary and Animal Husbandry Staff = 63 plus non-technical = 10				

260

Diagram (A)

DEPARTMENT OF AGRICULTURE ESTABLISHMENT 1935.

Co. 11/10

268  
296

Deputy Director ~~(P.L.)~~ DIRECTOR OF AGRICULTURE

Deputy Director ~~of Agriculture (A.I.)~~

Administrative and General

- 1 Agric. Economist
- 1 Accountant
- 15 Clerks
- 1 Learner

Sub-Division of Native Agriculture

- 1 Agric. Officer
- 4 Assn. Agric. Officers

Plant Breeding Services

- 1 Senior Plant Breeder and Experimentalist
- 1 Plant Breeder
- 1 Agric. Officer
- 1 Senior Lecturer

Division of Animal Industry

- 2 Senior Veterinary Officers
- 11 Veterinary Officers
- 14 Stock Inspectors
- 1 Asst. Stock Inspector
- 6 Instructors in Stock

Division of Food Industry

- 1 Senior Coffee Officer
- 4 Agricultural Officers & Experimentalists
- 5 Plant Inspectors

Scott Agricultural Laboratory

- 3 Entomologists
- 1 Senior Mycologist
- 1 Mycologist
- 1 Senior Agric. Chemist
- 1 Soil Chemist
- 1 Agric. Officer & Experimentalist
- 2 Clerks
- 6 Jnr. Laby. Assts.

Green Conditioning & Cool Storage Services

- 1 Chief Grader and Inspector
- 1 Grader & Inspector
- 1 Asst. Grader & Inspector
- 1 Supt. Maize conditioning Plant
- 1 Mechanic
- 1 Clerk

Veterinary Research

- 1 Chief Vety. Research Officer
- 1 Asst. Chief Vety. Research Officer
- 3 Vety. Research Officers
- 1 Entomologist
- 1 Laby. Superintendent
- 10 Laby. Assistants
- 1 Overseer
- 3 Clerks
- 1 Clerk-Librarian
- 1 Mechanic
- 1 Storekeeper
- 4 Laby. Students

TOTAL Agricultural Staff = 52  
 plus Clerical Staff = 21  
 (17 Head Office).  
 TOTAL Veterinary Staff = 56  
 plus Clerical Staff = 7

10/11/35  
1/1/36  
& 1/1/36

*Henry*

246. In considering the strength and character of the Agricultural and Veterinary staffs required to assist the progress of the fundamental industries of the Colony, it is necessary to commence by setting out what appear to be the essential requirements of the European and Native areas respectively. These requirements may be summarized as follows:-

2 (a) Plant Industry

*1/2*

(1) For the European areas an adequate scientific and advisory staff, with a proportion of field Agricultural Officers to be employed only in connection with scientific enquiries.

(2) For the Native areas, a basic instruction and supervisory staff, the Agricultural Officer class, with, as far as possible, practical agriculturists of lower scientific qualifications for executive duties. The main difficulty in these areas lies not so much in the direction of suggesting improvements as in having them carried out.

2 (b) Animal Industry

*3/2*

(1) The provision of an adequate headquarters Veterinary Research Staff; and

(2) in the absence of a policy of disease eradication, a field staff for prevention and control of outbreaks of disease.

It is recognized that the field staff of

the

294-296  
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*Handwritten signature*

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(a) Plant Industry

- (1) For the European areas an adequate scientific and advisory staff, with a proportion of field Agricultural Officers to be employed only in connection with scientific enquiries.
- (2) For the Native areas a basic investigation and supervisory staff of the Agricultural Officer class, with, as far as possible, practical agriculturists of lower scientific qualifications for executive duties. The main difficulty in these areas lies not so much in the direction of suggesting improvements as in having them carried out.

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- (2) in the absence of a policy of disease eradication, a field staff for prevention and control of outbreaks of disease.

It is recognized that the field staff of the

294-296  
memo

the Division has initiated and carried on valuable work in connection with ghee making and hide drying in the Native areas, but this would be more conveniently dealt with by the Agricultural Section in districts other than pastoral, and in such areas a centralization of Agricultural and Veterinary Training Centres is necessary.

247. In the estimates of the Agricultural Department for 1936 are found the following groups:-

3  
1  
2

- (1) Administrative and General, in which are placed the Director, the Agricultural Economist, and a clerical staff of seventeen.
- (2) Plant Industry, including the Deputy Director of Plant Industry, the Senior Office Officer, 4 Agricultural Officers and Experimentalists, and 5 Plant Inspectors.
- (3) Soil Laboratories. 5 Entomologists, 2 Zoologists, 2 Chemists, 1 Agricultural Officer and Experimentalist, 5 Junior Laboratory Assistants, and 3 Clerks (1 senior).
- (4) Planting Breeding Services consisting of 2 Plant Breeders, 1 Agricultural Officer, 1 Junior Laboratory Assistant, and 1 Clerk (Asian).
- (5) Grain Conditioning and Plant Breeding Services. 1 Chief Grader, 1 Grader, 1 Assistant Grader and Inspector, 1

Temporary

Temporary Grader, 1 Superintendent  
Maize Conditioning Plant and Cool  
Stores, 3 Mechanics, and 1 Clerk.

3 (6) Native Services.

- 14 Agricultural Officers,
- 5  
7 4 Assistant Agricultural Officers,
- 1 Agricultural Assistant, and
- Native Agricultural Instructors.

3 (7) Animal Industry.

- 1 Deputy Director and Chief Veterinary Officer,
- 7 1 Senior Veterinary Officer,
- 2 Veterinary Officers (One part time),
- 10 Stock Inspectors,
- 2 Assistant Stock Inspectors,
- 5 Instructors in Stock,
- 1 Veterinary Inspector,
- 5 Veterinary Assistants,
- 2 Asian and 10 African Clerks.

This staff deals with both the settled and the Native areas.

3 (A) Veterinary Research.

- 1 Chief Veterinary Research Officer,
- 4 Veterinary Research Officers,
- 1 Entomologist,
- 1 Laboratory Superintendent,
- 8 Laboratory Assistants,
- 1 Overseer and a ministerial establishment of 4 Clerks and 1 Clerk-Librarian, 1 Mechanic, 1 Storekeeper and 4 Laboratory students.

248. These groups of officers may be conveniently divided into:-

Administrative including Head Office Organization.

3/2

Research and Investigation including Plant Breeding.

Field including Veterinary Field Services generally and Agricultural Native Services.  
Grading.

ORGANIZATION.

249. The Department is now divided into two main branches: (1) Plant Industry, and (2) Animal Industry, with a Deputy Director in charge of each. Prior to 1930 the Director was administrative head of the Veterinary Department, the executive control being vested in the Chief Veterinary Officer. The reorganization effected by the Hall Commission thus did not immediately affect the Veterinary Department except through a change of designation, although the suggestion that the Deputy Director of Animal Industry might be either the Chief Veterinary Officer or the Director of Veterinary Research raised the possibility of a reorganization of that Division in the future. - The Agricultural Section was, however, directly affected through the raising of the status of the Deputy Director to that of a "co-ordinating" officer, with the inevitable result that the Director has become more and more a purely administrative head. In Mr. Milligan's opinion it would be

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3/2

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better

better to have two Directors rather than one Director and two Deputies. If the grouping of departments under three Secretaries to Government as proposed in this report is carried into effect, and the principle of allocating Animal Husbandry work in arable areas to the Agricultural Section is accepted, the two main objections of the Hall Commission to having separate departments would be fully met. The possibilities of economy will depend on the type of headquarters Organization ultimately decided on, a question which will receive further consideration later.

Agricultural Economist.

This post is attached to Headquarters. The appointment was strongly supported by the Hall Commission from the point of view of having an officer well qualified in costings, marketing and co-operative subjects. Such services have, it is informed, been most useful in many directions, but he has been given many outside duties which, although more or less connected with agriculture, have interfered with important work such as agricultural surveys. At present with his duties as secretary of the Standing Committee on Economic Development etc., he cannot be considered a full time Agricultural Officer. The present holder of the post has qualified in Agriculture and specialized in Economics. He has several years of useful work ahead, but should be allowed to get on with it.

Clerical Staff.

In the estimates the sanctioned posts at  
headquarters

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#### Clerical Staff

In the estimates the sanctioned posts at  
the headquarters

*(incomplete)*

Headquarters are 23 in number. of these 17 are attached to the Head Office in Nairobi, 3 to the Scott Laboratories, <sup>one</sup> 1 to the Plant Breeding Services, and <sup>five</sup> 5 to the Veterinary Research Laboratory.

The Director proposes an amalgamation of the posts of Head Clerk and Chief Accountant, also of that of Librarian and Despatch Clerk and, contingent on the removal of the office of the Chief Veterinary Field Officer and Deputy Director Animal Husbandry to Kabete, the reduction of the posts of one typist and of the Veterinary and the Stores Clerk. The amalgamations proposed can, however, be carried out in any case. In the case of the Head Clerk and Chief Accountant, the scheme provides for a salary of £600 - £720 for the holder of the two posts in place of two salaries of £600 and £500 respectively. This may be accepted. The possibility of further reductions in the clerical staff should be considered, but no definite recommendation can be made at present. It will partly depend on the type of headquarters organisation finally decided on.

RESEARCH AND INVESTIGATION.

250. This group does not refer to posts connected with work carried on by Agricultural Officers in the Native Reserves. On the Plant Industry side it includes the posts at the Scott Agricultural Laboratories, at the Njoro and Kitale Stations, and those connected with Animal Industry at the Kabete Laboratory. The nutrition

investigations



Investigations at Naivasha are supported from the Colonial Development Fund.

X 22

(a) Plant Industry.

In considering this section the necessity of providing a scientific staff to deal adequately with the problems already in view, especially as regards the cereals and coffee, has received first consideration.

The number of officers engaged in research and investigation under the scientific sections is 15 distributed as follows:-

- 5 Entomologists ) At the Scott
- 2 Chemists ) Laboratories.
- 2 Plant Pathologists )
- 1 Chief Coffee Officer )
- 2 Plant Breeders ... at Njoro.
- 1 Agricultural Officers attached to Kitale, Njoro, Scott Laboratories and Kabete.

Chief Coffee Officer.

The coffee crop has all along occupied a major place on the Research programme of the Plant Industry Division. The Director estimates that part-time of no fewer than 12 units is taken up in coffee work. A proposal, which Mr. Milligan supports, has been made to group a number of these officers under the Senior Plant Breeder so as to fill in the gaps in the investigations which have occurred through lack of coordination, paying special attention to "quality". It is proposed that the Senior Plant Breeder should have to assist him a full-time representative team consisting of:-

1 Chemist

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- 1 Chief Coffee Officer )
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- ) Njoro, Scott
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1 Chemist

- 3 1 Chemist
- 1 Entomologist,
- 1 Plant Pathologist,
- 1 Agricultural Officer,
- with Assistants.

An immediate economy will follow through the reduction of the post of Chief Coffee Officer. This will leave 1 Chemist, 2 Entomologists, 1 Plant Pathologist, 1 Plant Breeder, and Agricultural Officers, to deal with problems relating to other crops.

Entomologists:

There is now little to justify a permanent staff of Entomologists. Owing to the successful work of the Section, coffee insects are no longer the menace which they formerly were, although one of the remedies, burning against mealy bug, is still expensive. Outstanding pests amongst other crops are few in number, but cotton insects are likely to be a difficult problem. After two years the Department ought to be in a position to deal with the remaining problems with 2 Entomologists, one on coffee and one general.

Agricultural Officers:

Of the Agricultural Officers, in addition to one for the Coffee Section, one will be required for Kitale Station, and one for Njoro. The Scott Agricultural Laboratories should have one Agricultural Officer attached to it for dealing with special problems as they arise, as for example, the question of grasses which is at present being investigated at Kabete. No appointment such as that of a special Grassland Officer should be

entertained,

entertained until it is clear that this work cannot be finally handed over to Agricultural Officers in the Districts.

The number of posts for Agricultural Officers in the Section of Research and Investigation should thus be four.

Assistants.  
Laboratory.

Six of these appear on the Staff List, one stationed at Njoro, and <sup>five</sup> at the Scott Laboratories. The numbers are not excessive.

Plant Inspectors.

Five of these are employed in connection with coffee investigations, 1 as Assistant to the Chief Coffee Officer, 1 at Solihon, "berry" disease, 1 at Kiambu, and 2 at the Scott Laboratories. Three will be necessary for some time to come for the Coffee Section. It would be better to abolish the grade of Plant Inspector and bring the Inspectors under the class of Assistant Agricultural Officers. They are practically all on the same scale of pay, and doing much the same work, and should be interchangeable with Assistant Agricultural Officers. The total Investigation Staff would, therefore, ultimately be:-

Specialist Officers.

- 2 Entomologists
- 2 Chemists
- 2 Plant Pathologists.
- 2 Plant Breeders
- 4 Agricultural Officers

12

Assistants.

- 6 Laboratory
- 3 Plant Inspectors.

9

(b) Animal

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Specialist Officers.

Assistants.

2 Entomologists

6 Laboratory

2 Chemists

3 Plant Inspectors.

2 Plant Pathologists.

2 Plant Breeders

4 Agricultural Officers

12

9

(b) Animal

X

(b) Animal Industry.

Considering next the Research and Investigation Sections of the Veterinary Division the functions of the Kabete Laboratory are:- (a) Research, and (b) production of sera and vaccines for use in the districts. A considerable revenue accrues from the latter, the receipts from which are estimated at £3,000. The sanctioned estimates of expenditure for the year 1935 were £22,869 and for 1936 are £22,460, showing a reduction of £409.

It is difficult to suggest further economies without reducing production or increasing the danger of impairing the efficiency of the Laboratory. The Research Staff must obviously stand, unless it is supported by an adequate number of assistants, its potentialities cannot be fully utilized. Apparatus and machinery play an important part in an institute of this kind and a large number of cattle have to be used on the production side with a corresponding amount of labour. One heading in the estimates appears heavy, viz., Upkeep (£1,550) but last year's actuals amounted to £1,692 and included such items as power and lighting, £219; water supply, £97; medicines, drugs and instruments, £351; upkeep and maintenance of buildings, £752; fencing materials £125.

I have no suggestions to make as to economies in the future.

X.

(b) Animal Industry.

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It is difficult to suggest further economies without reducing sera production or incurring the danger of impairing the efficiency of the Laboratory. The necessary staff must obviously stand, and, unless it is supported by an adequate number of assistants, its potentialities cannot be fully utilized. Apparatus and machinery play an important part in an Institute of this kind and a large number of cattle have to be used on the production side with a corresponding amount of labour. One heading in the estimates appears heavy, viz., Upkeep (£1,350) but last year's actuals amounted to £1,692 and included such items as power and lighting, £219; water supply, 297; medicines, drugs and instruments, 2351; upkeep and maintenance of buildings, 2752; fencing materials £125.

I have no suggestions to make as to economies in the future.

(Encls)

FIELD SERVICES.

(a) Plant Industry. →

251. This Section refers to services in Native areas only, field services in the European farming districts being supplied where required by the specialist staff already dealt with. The Estimates provide for 14 <sup>fourteen</sup> Agricultural Officers and 4 <sup>four</sup> Assistant Agricultural Officers for the Native Areas (in addition to ~~10~~ for Non-Native Services). The existing organization provides for an Agricultural or Assistant Agricultural Officer to each District other than ~~the~~ purely pastoral, with ~~an~~ Agricultural Officer in each ~~of~~ as supervisor of the district staffs. There is ~~no~~ proper provision, however, for experimental and plant breeding work except in the Coast Province. There are two Provincial Agricultural schools, one at the Scott Laboratories and one at Bukura dealing with agriculture only, but both are inconveniently situated, and the Director proposes to establish two new combined Agricultural and Animal Husbandry schools for the Nyanza and Central Provinces respectively, one at Maseno and one in the Embu or Machakos district, attaching them in each case to an experimental and plant-breeding farm. There is already an experimental farm at Kilifi for the Coast Province. Such stations are very badly needed in both Provinces, more especially for investigating soil fertility in addition to plant breeding, and the prevention of erosion. They are a necessary preliminary to the employment of a cheaper agency

for



*(circled)*

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for executive duties in the Districts. Each such station will require an Agricultural Officer in charge, another for plant breeding and experiments, with an Assistant Agricultural Officer possessing experience of stock capable of giving instruction in the school. In the Coast Province only one Agricultural Officer will be required at the station, because the headquarters of the Chief Agricultural Officer is at the experiment station and he will be able to deal with plant breeding. They will draw this staff from existing sources including the Scott Laboratory. The two Stock Instructors should be transferred from the veterinary training centres which will be dealt with later on. In effect it means a concentration of, not an increase of, staff.

With reference to field work in the districts, the existing organization has been described above. It is capable of economy without impairing efficiency by adopting a policy on the following lines. It is necessary to have a Chief Agricultural Officer for each Province who would frame and control policy in co-ordination with the Provincial Commissioner.

Under him there should be a proportion of trained Agricultural Officers. The main difficulties in Native areas are however not so much scientific as what may be termed executive. They consist in the application of comparatively simple scientific principles which will be worked out at central stations, in the improvement of crops, varieties, and of methods of cultivation, and, perhaps most important of all, under existing conditions, of preventing the

destruction of the soil by surface and by gully erosion. For these purposes Assistant Agricultural Officers are entirely suitable. The higher scale of salaries of the Local Civil Service should secure men of the required type.

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On this basis the staff which appears to be required is as follows; it is assumed that the Central Farm and School in each Province will deal with the district in which it is situated. In the Coast Province in addition to the staff at the experimental station only one Assistant Agricultural Officer is required in the Digo district. In the Central Province either Machakos or Embu district will have the experimental farm and the additional staff required in <sup>the</sup> Agricultural Officers, and 3 Assistant Agricultural Officers. This assumes the combination of districts as proposed in an earlier chapter.

The Nyanza Province, in addition to the staff at Mkeno, will require 1 Agricultural Officer and one Assistant Agricultural Officer. The total field staff will thus be three Chief Agricultural Officers, eight Agricultural Officers, and eight Assistant Agricultural Officers. It is possible that special work may be required in areas such as the Tana River valley and the Masai Reserve. This should in the first place be arranged for by recruiting temporary Assistant Agricultural Officers, who can, if necessary, be finally placed on the permanent staff if continuation of the work for a prolonged period appears necessary. The Development Officers already employed

employed in certain areas should be coordinated with the proposed organization wherever this is possible.

For the whole of the Plant Industry Branch of the service a leave reserve of three Agricultural Officers will be required, giving a total strength of eighteen Agricultural Officers.

(b) Animal Industry.

The field strength of the Division for the years 1920, 1928, 1931 and 1935 is to be found in the Director's note. The following extract is given for the sake of clarity:-

Veterinary Field Services (sanctioned posts).

Year	Chic. Offi-ces.	Veterinary Offi-ces.	Stock In-pector & Instruc-tor in stock	Veterinary Asst. Vet.	Asst. Stock In-pectors.	Veterin-ary In-pectors.	Totals
1920	1	15	19	5			35
1928	1	19	36	6			62
1931	1	13	30		4		50
1935	1	14	28	3	3	1	42
1936	1	15 <sup>x</sup>	16	3	2	1	36

<sup>x</sup> One post unfilled.

The present postings are as follows:-

36361 - Kenya

Deputy

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Deputy Director Animal Industry

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- 1 Senior Veterinary Officer, at Nairobi
- 1 Veterinary Officer, at Nanyuki
- 1 Veterinary Officer, at Eldoret
- 1 Veterinary Officer, at Lumbwa
- 1 Veterinary Officer, " Eldama Ravine
- 1 Veterinary Officer, " Sangalo
- 1 Veterinary Officer, " Maseno
- 1 Veterinary Officer, " Machakos
- 1 Veterinary Officer, " Masai Reserve
- 1 Veterinary Officer (part time) " Nakuru.

As already stated the strength of the field services is intended to be based on the staff required for the prevention and control of outbreaks of disease. A scheme for the eradication of disease in any area should be carried out by recruiting temporary additional staff. It is further proposed that the Veterinary Staff will continue to deal with Animal Husbandry in the pastoral areas and they will thus continue in control of the training centres in Ngong and Baraton. The training centres at Sangalo and Machakos will be absorbed in the proposed provincial agricultural schools. On this basis the staff required is as follows. The Nairobi post at Headquarters is more or less personal to the present Deputy Director Animal Industry, and should be unnecessary after his retirement. Further two posts, one in North and the other in Central Kavirondo ought not to be necessary. They should be reduced to one at either Maseno or Sangalo. The retention of an officer at Eldoret also appears to be of doubtful necessity.

necessity. The reduction of two posts makes it possible to do with one leave reserve, the part time officer at Nakuru not counting in this connection. I do not consider that the field work would suffer to any considerable extent by these economies.

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Stock Inspectors and Instructors in Stock (16) - Assistant Stock Inspectors (2). The numbers of the former have been recently reduced from 28 to 16, and of the latter from 3 to 2. This Section is now standing at less than one-half of its strength in 1928. No further reduction is recommended, except in the case of two Instructors in Stock to be transferred, as previously mentioned, to the Agricultural Schools.

Veterinary Inspector (1) and 3 Veterinary Assistants. This staff is employed entirely in the Coast Province. It is proposed to reduce the numbers of the Veterinary Assistants to 2 on the retirement of one of these in the immediate future. This may be accepted.

The strength of the Veterinary Field Services would thus be:-

- 1 Chief Veterinary Officer,
- 8 Veterinary Officers (1 Senior),
- 3 1 Part Time Veterinary Officer,
- 14 Stock Inspectors & Instructors in Stock
- 2 Assistant Inspectors,
- 1 Veterinary Inspector,
- 2 Veterinary Assistants.

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involving

involving reductions of 3 posts of Veterinary Officers. These should not, however, come into effect in (1) the Nyanza Province before the amalgamation of the schools, (2) at Nairobi until the retirement of the present Deputy Director of Animal Industry. The third reduction is contingent on the first two being brought about.

Grain Conditioning and Cool Store Services.

252. This Section is administered by the Director of Agriculture and exists mainly for grading and conditioning export products. It is, in fact, a necessary adjunct to grain export, especially the export of maize and wheat from a country possessing a more or less humid climate. Charges for services have normally been based on a scale estimated to render the operations self-supporting. The Estimates for the year 1936 show that this principle is no longer being adhered to.

The staff can be considered more or less a specialized one, and has to be retained at full strength throughout the year in order to meet the demand for services during the busy seasons. No economies can be suggested.

*cc. C.A.S.* Summary of Proposals.

253. In the foregoing paragraphs the numbers of posts necessary to carry out the work of the Department in an efficient manner in accordance with the principles indicated have been set out in detail. The effects on the Staff List will be as follows:-

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Nature of Post Headquarters.	Numbers at present	Numbers Proposed	Reductions	Remarks.
Director	1	1	-	
Deputy Director	2	2	-	
Agricultural Economist	1	1	-	
Clerical Staff	To be reduced by two through amalgamations already referred to.			
Agricultural Officers	20	18	2	
Agricultural Officers & Experimentalist.		(including 3 Senior Agricultural Officers)		
Assistant Agricultural Officers	4	8	Increase 4	(3 by transfers)
Senior Coffee Officer	1	1	-	
Plant Pathologists	2	2	-	
Plant Pathologists	2	2	-	
Agricultural Chemists	2	2	-	
Entomologists	3	2	1	(After 3 years)
Plant Inspectors	5	4	1	(transfer to Assistant Agricultural Officers)
Junior Laboratory Assistants.	6	6	-	

Animal Industry Division.

I. Veterinary Research - no reductions on provision for 1936-37.

II. Field Services

Deputy Director of Animal Industry & Chief Veterinary Officer.	1	1	-
Senior Vety. Officer	1	1	-
Vety. Officers	10	7	3
Part time Vety. Officer	1	1	-
	13	10	3



The ultimate savings will be as follows:-

<u>(a.) Plant Industry Division</u>			
(1)	Reduction of post of Senior Coffee Officer, average pay Hidden emoluments .....	$\begin{matrix} \text{£}720 \\ 320 \\ \hline \end{matrix}$	$\begin{matrix} \text{£} \\ 1,040 \end{matrix}$
(2)	<del>X</del> Post of Entomologist Average Pay .....	$\begin{matrix} \text{£}600 \\ 270 \\ \hline \end{matrix}$	870
(3)	<sup>X</sup> Reduction of one post of Agricultural Officer and Experimentalist, average pay... Hidden emoluments .....	$\begin{matrix} \text{£}546 \\ 245 \\ \hline \end{matrix}$	
	Less substitution of 1 post of Assistant Agricultural Officer, average .....	$\begin{matrix} \text{£}450 \\ 110 \\ \hline \end{matrix}$	$\begin{matrix} \text{£}251 \end{matrix}$
(4)	Reduction of one post of Agric. Officer, average pay Hidden emoluments .....	$\begin{matrix} \text{£}516 \\ 245 \\ \hline \end{matrix}$	
(5)	Reduction of one post of Plant Inspector, average pay Hidden emoluments .....	$\begin{matrix} \text{£}500 \\ \hline \end{matrix}$	$\begin{matrix} \text{£}560 \end{matrix}$
(6)	Office reductions through amalgamations (a) Head Clerk & Accountant (b) Library and Despatch (say)	$\begin{matrix} \text{£}350 \\ \text{£}150 \\ \hline \end{matrix}$	$\begin{matrix} \text{£}790 \end{matrix}$
			$\begin{matrix} \text{£}4,282 \end{matrix}$
	Less additional pay of 3 Senior Agricultural Officers say $\text{£}145$ p.a. each		$\begin{matrix} \text{£}435 \end{matrix}$
		net saving	$\begin{matrix} \text{£}3,847 \end{matrix}$

<sup>X</sup> refers to Officer acting temporarily in the grade, engaged in Native areas.

<u>(b) Animal Industry Division</u>			
<sup>Three</sup>	Posts of Veterinary Officers Average pay .....	$\begin{matrix} \text{£}720 \\ 320 \\ \hline \end{matrix}$	$\begin{matrix} \text{£}1,040 \times 3 \\ \hline \end{matrix}$
	Hidden emoluments .....		$\begin{matrix} \text{£}3,120 \end{matrix}$
<sup>Two</sup>	Instructors in Stock transferred to Plant Industry Division	$\begin{matrix} \text{nil} \\ \hline \end{matrix}$	
		$\begin{matrix} \text{£}3,120 \end{matrix}$	
	Estimated total savings in the Department		$\begin{matrix} \text{£}6,967 \end{matrix}$

254. It is advisable to emphasize again certain aspects of the present position. The maintenance of the fertility of soils, and the prevention of soil erosion, are fundamentally the most important of all agricultural problems in East Africa, alike to the European and Native agriculturists. The former are now fully alive to the danger of soil exhaustion both by over-cropping and surface wash, and it may be said that, so far as Kenya is concerned, the subject is receiving increasing attention in the European farming areas. It is far otherwise in the Native areas where, through want of knowledge and lack of interest, rapid deterioration is to be seen over large stretches of country. Measures will sooner or later have to be taken to deal with this serious state of affairs, but any real advance must rest on the secure foundation obtained only through experiment and investigation. It is hoped that the subject will be given the first consideration at the new Provincial experimental stations and that it will be adequately dealt with. The policy of exerting pressure for the extension of cultivation in the Native areas, more especially of cash crops such as cotton, for the purpose of increasing Native resources and taxable capacity, involves dangers of its own. Not only is there a risk of denudation and of erosion but where the maintenance of fertility depends on periodical fallowing for considerable periods cultivation may be expanded to such a degree as to reduce the period of fallow below that which is essential for the maintenance of fertility.

The proper

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The proper training of the Native staff to work under the District Agricultural Officers is another matter of great importance as it is upon this agency that success in the introduction of improvements will ultimately depend. The necessity of an increasing use of the African in his own areas should not be lost sight of.

255. The proper grading and marketing of crops produced in the Native areas is also a question of much importance. A great deal has been done in this direction with regard to cotton, and the results are to be seen in the fact that Kenyan cotton is no longer placed on a lower level as regards grade than that of Uganda. Other crops are now receiving attention. The work is perfectly straight-forward and can be supervised by the existing District Agricultural Staff. The proposal to appoint a special officer for the organization of grading and marketing in Native areas does not thus appear to be justified.

256. As regards the European areas, the recently formed Coffee Board of Kenya on which all sections of the industry are represented has recently made representations to the Director for whole time, instead of part time, workers from his scientific staff in order to secure greater concentration on the more important problems connected with the crop. Although the matter has not been finally decided the scheme has met with general approval and is likely to be accepted. The requirements of this section have been

been therefore taken into consideration when estimating the total scientific staff necessary to carry on the work of the Department. In doing so the requirements as regards other crops, more especially the cereals, and as regards mixed farming have been borne in mind.

257. It remains to make some mention of a scheme of reorganization brought forward by the Director in the interests of economy. The proposals in brief amount to:-

- (1) The abolition of the two Divisions and a reversion to the old Agricultural and Veterinary Departments, the latter to be administered by the Director of Agriculture.
- (2) The transfer of "Animal Husbandry" to the Department of Agriculture.
- (3) The placing of the Veterinary Department under the Chief Research Officer at Kabete, and the transfer of its headquarters to that Institute.

Dealing with these in reverse order, there appears to be no difficulty in the Chief Research Officer being placed at the head of the Veterinary Department as a temporary measure. There is indeed much to be said for it in the present instance, but as a permanent arrangement it is open to objection on account of possible difficulties in the future in obtaining a first-class Research Officer possessing the dual qualifications necessary for a post of the kind.

As regards

As regards (2) it is clear that the subject of Animal Industry belongs exclusively neither to the Plant nor to the Animal Industry Division, although the name of the latter would appear to indicate otherwise. The suggested via media, namely through the allocation of development work according to the character of the area concerned, whether arable or pastoral would seem to offer a way out of the difficulty.

With regard to the proposal to abandon the existing organization in favour of that which held good before the time of the Hall Commission there is a strong case for doing this from the point of view of the Agricultural side. The proposal, however, does not go far enough as it would still leave the Veterinary Division under the Director of Agriculture with, if anything, reduced status.

258. Reference has been made to the tendency of the present system to separate the Director from direct contact with the working of the agricultural section of his Department, the co-ordination of whose activities is in other Colonies by far and away the most important of the duties of the Director of Agriculture. Evidence of such lack of coordination in Kenya is to be seen in the absence of any definite policy with regard to soil erosion, in the haste to increase crop areas in the Native Reserves without corresponding measures to counteract soil deterioration, and, in the special case of cotton in the Central Provinces, without a sufficiently long experience of a crop new to the area. It has probably

probably also contributed to the absence of any real policy for the development of large areas in the Native Reserves. The Masai Reserve is an outstanding example, and, although it cannot be laid down as a general principle that the expenditure in any district should be proportionate to its contributions in taxation, other areas appear to have some ground for complaint in this respect. Financial difficulties are doubtless responsible for this position. The Veterinary Division appears also to suffer from a want of policy with regard to disease control, more especially in its effects on the areas directly concerned. The whole question of quarantine, and other forms of restriction of movement, investigation, also the constructive development of animal husbandry in certain areas such as the Masai Reserve. There appears little chance of much improvement so long as the head of the Division is merely a Deputy Director and not directly responsible to Government.

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259. The present organization will always tend towards producing results similar to the above, and the only real solution appears to be as has been already suggested to have two Departments, Agricultural and Veterinary, with a Director at the head of each, independent of each other, but linked together through the same Secretary to Government. This would bring the Director of Agriculture into real touch with the working of his Department as he is in other Colonies, and result in better coordination and in closer acquaintance with the important questions with which

he has

he has to deal. On the Veterinary side the change would lead to increased responsibility and a more intimate touch with the Administrative point of view, both of which are necessary in a department whose policy has a direct effect on large sections of the community.

The final anticipated savings £6,967 on estimates amounting to £123,643 may seem small, but Agriculture is not only the main occupation of the people, both European and African, but also the mainstay of the Colony; and more substantial economies would have led to the abandonment of many lines of work directly affecting the welfare of the industry.

It remains to consider two subsidiary, but nevertheless essential questions closely connected with agriculture. They are cooperative sale and purchase and land tenure.

(C. C. C.)

Co-operative Sale and Purchase.

260. The general question of the development of Co-operation will be dealt with under the head of Education, but in the early stages, at any rate, the main field of advance will be in the development of co-operative marketing and co-operative purchase of agricultural requirements. All the main products of the Native areas including maize, cotton, hides and skins, and ghee, should provide a field for development on these lines. If properly organised and carried on such a movement will help to inspire the Natives with the idea of progress, and the advantages to be obtained from more scientific methods of working.

of working. It will moreover provide a field for the activities of the educated section of the tribes, who are tending to drift away from the general tribal organization. It will be for the Administrative and Agricultural officers to develop and control these activities.

The realization that there are other ways of employing money than using it to purchase largely useless, and possibly destructive, stock may also help indirectly in effecting the reduction in the total number of stock which will have to be taken in hand sooner or later in many areas.

Land Tenure.

281. In any consideration of the main factors in agricultural advance it is impossible to exclude the question of Land Tenure. An adequate degree of security of tenure, and the diminution of sub-division and of fragmentation, are as essential to Native agricultural progress in Kenya as they are in any other country of small holders. Native custom appears to be in a state of flux in relation to these questions, and there are wide differences in such matters as the tendency to individual tenure, as against family tenure, both among different tribes and even in different areas occupied by the same tribe. This is especially marked among the Kikuyu. A good deal of consideration has been given to this subject in connection with the valuable Report on Land Tenure among the Kikuyu, but it still remains to work out a definite policy in this regard.



regard. Individual tenure is no panacea in itself, as experience in the Transkei in South Africa has shown. It may operate so as to hasten the production of a large landless class, and to provide no place for the family dependents. If only the arable land is held in individual tenure, the grazing areas, remaining common, it will do nothing to diminish, and may even accentuate, an improvident increase in the numbers of stock, with the inevitable results in the shape of the destruction of pasture, denudation, and erosion.

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AUDIT.

262. The audit staff includes an Auditor, Deputy Auditor, two Senior Assistant Auditors, seven Assistant Auditors, and two Examiners of Accounts, with three European clerks (one only being a man) and 42 Asian clerks. Two Europeans are women clerks dealing with typing and registration. The total budget provision is 219,732. Against this has to be set the following refunds:

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- (1) 23,525 from the Kenya Uganda Railways and Harbours;
- (2) 2800 from the Uganda Government on account of Customs Audit;
- (3) 2559 from Uganda and Tanganyika on account of audit Posts and Telegraphs;
- (4) 2350 from Uganda on account of the audit of K.A.R. Northern Brigade Accounts.

The net

The net cost to Government on account of Audit is therefore £14,498.

263. The Expenditure Advisory Committee were of opinion that the cost of audit is too heavy in the present circumstances, and recommended the abolition of the posts of Deputy Auditor, and of five clerkships, even if this should entail some diminution in the intensity of the check applied. They were satisfied that in some departments, particularly self accounting departments, a satisfactory system of check is maintained, and that therefore the intensity of the audit check could be safely relaxed, though other Administrations might have to be consulted so far as joint services are concerned. They proposed to limit the cost of the Audit to £19,347. In fact, the present estimate approaches this figure fairly closely.

They reached the further conclusion that the degree of check, to which the allocations of Customs receipts between Kenya and Uganda are subjected, is unduly meticulous in view of the comparatively small adjustments which have had to be made in the past as the result of that check. They recommended therefore that the Government of Uganda should be approached with a view to relaxing the severity of that check.

The Economy Committee of 1935 realized that the position was complicated by the fact that the Auditor is, in certain respects, answerable to the Director of Colonial Audit, and that in respect of joint services he is also responsible to the

Governments

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Governments of the other two Territories as well as to the Kenya Uganda Railway. Care must therefore be taken that the reductions carried out should not affect the check in respect of joint departments, as this might lead to a reduction in reimbursements. Two members of the Committee disagreed with this proviso. The final proposal of the Committee was that a reduction of £1,000 should be made in the estimates, leaving it to the Auditor to distribute this reduction, and merely calling his attention to the proposals of the Expenditure Advisory Committee.

264. The distribution of the audit staff is as follows. In Nairobi the staff includes the Deputy ~~Assistant~~ one Senior Assistant in charge of the Railway audit, with one Assistant Auditor, and eleven African clerks, including two clerks in the Railway Stores. In Mombasa one clerk is engaged on Port and Harbour Accounts. Twelve clerks are in the general office including the head clerk. They deal with the accounts of the Colony. Seven are in the Post Office under an Examiner of accounts. One man is employed on Police and Forestry accounts, and one is continuously employed at the K.A.R. Headquarters. One Assistant Auditor and three clerks are employed on the accounts of the Public Works Department, and two Assistant Auditors are in the Central Revenue Department. The Land Bank and Agricultural Advances Board employ one Assistant Auditor who is also engaged on other work; an Assistant Auditor or European Examiner is employed on judicial accounts and on those of the Registrar General.

General. One clerk deals with pensions and with matters affecting the Ministry of Pensions. One deals with the accounts of the Local Native Councils. These two are in the general office. A senior Assistant Auditor and an Assistant Auditor with seven clerks deal with the Customs and other local accounts at Mombasa. At the time of writing, the Deputy Auditor, an Assistant Auditor, and an Examiner of Accounts, were on leave.

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In addition to this work at Headquarters and at Mombasa, the Auditor and Deputy Auditor try to inspect every district headquarters once a year, and the more important twice a year, including Nyeri, Nakuru, and Eldoret. Other senior officers assist in this work.

The majority of the Government departments are audited on the usual lines, but there are six self-accounting departments, the Customs, Post Office, Public Works, Forestry, Military, and Police. This arrangement implies an audit staff actually working in the department who send up a monthly statement of account after checking with the vouchers. These monthly statements are accepted by the Treasury. The vouchers remain at the branch audit office and those which raise any point of difficulty are examined by the Auditor or Deputy Auditor when he visits the branch office. The number of self-accounting departments is larger than is usual.

Certain requirements<sup>are</sup> laid down by the Secretary of State for a self-accounting department, but it seems doubtful whether they are completely fulfilled.

fulfilled in the case of some of these departments.

265. There are certain special features which increase the complexity of audit work in Kenya. There is in the first place the attempt to distinguish between Native and non-Native services in connection with the proposed Native Betterment Fund. This causes some increase of work but it is not very material.

The main complications are in connection with the method of allocation of Customs receipts to meet the requirements of Uganda. This is further explained in connection with the Customs Department. Two years ago the Uganda Government asked for a 100% check of their allocations instead of the 50% previously required, and this was agreed to. The audit report for 1934 shows that 192 queries were raised resulting in direct recoveries of £237.2s.0d. There were also overcredits to Uganda and Tanganyika of £1,855 and £75 respectively and under credits of £4,647 to Uganda; and £135 to Tanganyika. The increase in queries was put down to the discontinuance of the previous internal Customs check. This check consisted partly of the "jerquing" of manifests, that is to say checking each item in the manifests against the bills of entry or the warehousing entries so as to see that nothing landed at the port has evaded the Customs. This is the smaller part of the internal check in the Customs Department. The larger consists of checking the bills of entry or warehousing entries themselves to make sure that the duties

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The main complications are in connection with the method of allocation of Customs receipts to meet the requirements of Uganda. This is further explained in connection with the Customs Department. Two years ago the Uganda Government asked for a 100% increase of their allocations instead of the amount previously required, and this was agreed to. The audit report for 1934 shows that 192 queries were raised resulting in direct recoveries of £237.2s. 0d. There were also overcredits to Uganda and Tanganyika of £1,855 and £75 respectively and under credits of £4,647 to Uganda; and £135 to Tanganyika. The increase in queries was put down to the discontinuance of the previous internal Customs check. This check consisted partly of the "jorquing" of manifests, that is to say checking each item in the manifests against the bills of entry or the warehousing entries so as to see that nothing landed at the port has evaded the Customs. This is the smaller part of the internal check in the Customs Department. The larger consists of checking the bills of entry or warehousing entries themselves to make sure that the duties

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fees charged to the importer are the correct ones, and that they have been duly received and brought to credit. The Audit at present normally jerque four manifests a month, or probably under 10% <sup>of the total</sup> of the total number of manifests. The purpose of these checks is to make certain that each item in the manifest pays the correct duty or is rightly admitted free, or is warehoused, including warehousing in Uganda. A separate check is necessary of the total weight of cargo on which agents charges are collected, and also of the values on which wharfage charges are based. When the Customs check is made in the office of the agents (at present the Ken <sup>ya</sup> <sup>India</sup> <sup>Shipping</sup> <sup>Co.</sup>) lists of these dues are not available. When the contract of this company expires, the Railway may take over this work through their Port and Harbours department, which will simplify the work to some extent, but will not reduce the cost.

A recent change which has affected the Audit to some extent is the abolition of the examination division in the Treasury and the resulting necessity of a more meticulous examination by the Audit Department. In the three largest self-accounting departments, the Public Works, the Post Office, and the Customs, the internal checks have been similarly either abandoned or greatly relaxed as the result of reductions in staff. The result has been largely to increase the number of Audit queries and of recoveries. Further the existence of so many self-accounting departments necessitates more Audit staff than if these departments were not self-

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self-accounting, and also requires that the staff should be more experienced, that is to say in general of higher grade.

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266. In considering the question of possible economies it may be said generally that all the branches of work undertaken by the department appear to be necessary, and that, having regard to its responsibilities to the other two territories, the methods of work do not appear to be unduly meticulous.

On the other hand it is a somewhat striking fact that the provision for Audit in Tanganyika is £11,785, to which has to be added £6,215 passagage and £450 for contributions to Audit, raising the total to £12,850. Deducting a contribution of £3,905 from the Railway the net cost is reduced to £8,945, £1,264 more than the provision in Uganda which was £7,667 in the estimates for 1935.

The total net Government income in Kenya for 1936 is estimated at £2,168,355 and the net expenditure after deduction of £178,725 on account of Public Debt Funded at £1,979,880. This deduction is made because the expenditure on Public Debt Funded involves practically no work in Audit. The Audit expenditure represents a percentage of .35 on the total sum audited, including both income and expenditure. The corresponding figures for income in Tanganyika is £1,946,231 and for expenditure £1,732,427, after deducting from expenditure the charges on account of Public Debt and the Railway deficit; the Audit costs represent .24% on the total sum audited.

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It is somewhat surprising in the first place that the Railway contribution should be £3,905 in Tanganyika as compared with £3,525 in Kenya. The Kenya contribution excludes an allowance paid to the Auditor and it also does not take into account house allowances, pensions or passages. I understand however that the fairness of the contribution has been recently enquired into and accepted. Further, apart from the special circumstances already alluded to, the Kenya Audit has a number of special types of work which either do not exist, or are on a smaller scale, in Tanganyika. In Kenya the accounts of the Local Native Councils and of the Native Tribunals give a large amount of work, which is understood to be carried out by other agencies than the Audit Department in Tanganyika. The Land Bank and Agricultural Advances represent another considerable addition, and large centres of accounts such as Kisumu, Eldoret, Nakuru, and Kitale, are more developed in Kenya. Meteorology and Currency again give more work in Kenya, as do the accounts for the Ministry of Pensions. These requirements, together with the Customs complications previously referred to, are sufficient to account for a considerable disparity in the audit charges of the two countries.

Other factors in increasing audit expenditure in Kenya are the number of self-accounting departments with their special requirements alluded to above, and the large proportion of European staff. Kenya has two Senior Assistant Auditors as compared with one in Tanganyika, two Examiners of Accounts

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(there used to be five), and three European clerks. Tanganyika has no Examiners of Accounts and no European clerks. In the Asian staff Kenya has at present one Special Grade and fourteen First Grade (nearly all of whom are on their maximum pay) out of a total Asian staff of 19, as against two Special Grade and three First Grade clerks out of twenty four Asian clerks in Tanganyika. All these factors taken together are sufficient to explain a considerably higher scale of Audit Charges in Kenya. The Director of Colonial Audit went carefully into the whole question of staff in 1931, and was satisfied that the strength of the department was not too great for the work which has to be done. While the total cost does appear to be somewhat heavy, there do not appear to be sufficient grounds for recommending any reduction of staff, though some economy should be possible by gradually reducing the proportion of very senior officers. Establishment decreases could only be effected by radical changes of system, such as finding a substitute for the present method of allocating Customs receipts. This would only be possible with the assent of the three Territories concerned.

COAST AGENT.

267. This Department has come in for considerable criticism, but the Expenditure Advisory Committee was of opinion that any possible alternative arrangement through private agencies would lead to greater expense.

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The duties are multifarious but the most important is to deal with imports and exports on Government account. These have been as high as 20,000 tons in 1927-28 but are now about 6,000 tons. The Passages branch deals with some 2,000 applications annually, and in both of these classes of work the question of rebates brings in complications which would cause difficulties if private agencies were employed. A fee of Sh.5/- is paid by every officer on arrival at Mombasa for services which may, or may not, be rendered.

The work of the legal Treasury has been made over to the Coast Agent, and the Assistant Agent in this connection replaces a sub-Asiatic clerk and two clerks. The budgeted cost of the Department in 1936 is £5,231, against which was to be set £2,000 received from the Government of Uganda, £70 from the Government of Tanganyika, and £180 received from fees, leaving the net cost of £2,981.

The organization in its present form appears to be efficient and economical, except that it seems doubtful whether it is necessary to maintain two lorries for its work in addition to six lorries of the Public Works Department. It should be considered whether the transport for both Departments could not be coordinated under one control with the view of reducing one lorry.

CUSTOMS AND EXCISE.

268. The earlier sections of this report have shown the importance of an efficient Customs Department to the finances not only of Kenya but of the two adjacent territories. It has, however, been attacked as unduly expensive in proportion to the income derived from it.

The total budget estimate for 1936 is £47,740 or £865 less than the estimate for 1935. Against this has to be set a reimbursement of £19,488 received from Uganda, reducing the net cost to £28,252. The highest net cost was in 1931 when it amounted to £35,863, so that there has been a substantial reduction since that time. The net cost depends partly on the proportion borne by Kenya receipts to the joint receipts for both territories.

Taking the estimated revenue from Customs and Excise of £682,500 the estimated net cost of £28,252 represents 4.2 per cent. Comparisons with the great ports of the world are of little value, but the corresponding percentage for the Tanganyika Customs in 1936 is 5.5 per cent. The comparison is not altogether fair because of the more scattered character of the Tanganyika system, and the fact that a material proportion of the external trade of Tanganyika passes through Kilindini. The percentage for Zanzibar in 1932 was 2.88, but here again the comparison is defective because of the large proportion of the income represented by clove

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duties. None of these figures take into account "hidden encumbrances".

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269. Appendix XXII classifies the expenditure on Customs at various stages from 1914 onwards. Appendices II, III, IV, V, and VI have illustrated the trade history of Kenya and Uganda, and Appendix XVI has given the history of the revenue collections and allocations made through the agency of the Customs Department. Its main functions are the safeguarding of Customs and Excise Revenue, the compilation of external and internal Trade statistics, and the control of prohibited and restricted imports and exports. In addition it undertakes a considerable range of subsidiary duties such as the sale of Government Ivory, the collection of Government royalties and export levies. It is in the nature of these functions that the history of the department has been largely shaped by the development of trade and the evolution of fiscal policy. As, moreover, there exists the closest commercial relationship with Uganda and Tanganyika, with customs and excise agreements which have established a virtually free trade zone operated under a common tariff, it follows that it is East African trade and fiscal policy which has regulated the growth and organization of the department.

270. Before the outbreak of War in 1914 Uganda had a separate Customs Administration, and the duty leviable on goods passing through Kenya to Uganda was assessed on a somewhat arbitrary percentage basis.

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basis. In 1917 the two customs services were amalgamated, and an agreement concluded that the two territories should form one administrative unit for purposes of Customs, and that Uganda should receive <sup>per cent</sup> 33% of the common customs revenue. That percentage was maintained up to 1921, but was increased to <sup>per cent</sup> 34% for 1922. In the following year an investigation was made, and as a result the system of allocation was altered, the principle adopted being that each territory should be credited with the net duty collected on goods consumed within its area, and the cost of collection shared proportionately to the net duty credits. This system was elaborated in 1927 by the Customs Allocation Ordinance, and the application of a procedure under which all goods transferred between the two territories are subject to traders declarations of value, submitted on transfer forms which are analysed and tabulated at the Customs House.

The importance of the transfer form system, both in relation to the stability of the Kenya Uganda Customs Union, and that of the Customs agreements with Tanganyika, requires to be stressed. The port of Kilindini controls practically the whole external trade of Kenya and Uganda and a material proportion of that of Tanganyika. In the absence of a federal Government, and the federal use of the Customs revenue going into a common pool at first collection, it is clearly a matter of vital importance to each territory that it should receive an equitable share of the customs revenue based on the

actual

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actual quantity of dutiable goods consumed within its frontiers. It is almost equally essential that each Territory must be in a position to compile adequate trade statistics and this is only possible if a detailed check is kept over the trans-frontier movement of goods within the area covered by the Customs agreement. The present system of Transfer Form records imposes on traders the observance of formalities which are often irksome. It is probably not altogether fool-proof, but, if competently operated, it ensures fair treatment to each of the participating territories, and, what is equally important, each of them can satisfy itself that this result is attained.

The operation of the system is a vitally important responsibility resting on the joint Customs Department of Kenya and Uganda. It involves the collection and analysis of over 300,000 transfer forms yearly, and the number is increasing. This activity, together with the preparation of general trade and revenue statistics, is said to absorb about 25% of departmental expenditure, and is therefore an important factor in regulating the cost of collection. It certainly involves a more complex organization than would be required if there was a closer union between the territories, or some form of percentage allocation such as obtains in the Union of South Africa, but, as history has shown, it would not be easy to evolve any simple system which would be accepted as permanently fair to each of the parties concerned.

271. The Customs relations with Uganda have been dealt with above; those with Tanganyika may now be summarised. When during the War that Territory came under the Colonial Office, a fiscal barrier between it and Kenya-Uganda was maintained, but uniformity of tariff policy, and a large measure of uniformity in administrative procedure, were established. The principle of a common tariff for both Customs and Excise has been maintained throughout, and in 1926 a uniform Customs procedure was arranged.

The fiscal barrier was partially broken down in 1923 by an agreement which allowed reciprocal free trade in articles the growth, produce, or manufacture of the three Territories. In 1927 a further agreement was entered into under which free exchange was allowed by the application of the Transfer Form procedure previously referred to. Appendix IV has shown the considerable and expanding trade which has developed largely as the result of the measures explained above. This trade development has placed on the Kenya Customs Department, as the agent in this regard of the Tanganyika Government, a responsibility which must be adequately met if the policy so established is to be accepted as regulating the trade relationships of the future.

272. The history of the development of Tariff policy and of the introduction of Excise has been dealt with in Chapter III of this report. These developments have added to the work of the department, while at the same time sacrificing to a considerable extent



extent a class of revenue which was easily assessed and collected. The more complex the tariff structure and the character of the trade, the greater must be the relative cost of collection, a cost moreover which cannot be reduced in proportion to diminishing receipts in periods of reduced trade.

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Further complications have been introduced by the development of an Excise Department which has to cover both Kenya and Uganda, and includes the administration of the Industrial Alcohol Ordinance in Uganda. The development of road traffic and then of air traffic has widened the area of Customs supervision without adding to the receipts. New duties are being added in connection with the regulation of gun licences and the administration of a Merchandise Mark Act.

Last but perhaps not least the Customs Department has to deal with a growing public demand for information and assistance, more especially in connection with statistical data which it may require a good deal of time and labour to collate.

273. The staff history of the department is set out in Appendix XXIII. The expenditure is almost entirely in respect of personal emoluments, the scales of which are not regulated departmentally but are of much wider scope. The general organization is modelled on the lines of the United Kingdom, and is governed by the Customs Management Ordinance of 1926, which adapts the British Customs Consolidation Laws to local conditions. The senior staff has also been largely recruited from the Imperial Service, so

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keeping the administrative practice up to date both as regards Customs and Excise.

The general administration is centred in the Mombasa Customs House, executive business being transacted by the following branches:- (1) the Long Room Custom House, (2) Kilindini, (3) Nairobi, (4) Kampala, (5) the Accounting and Statistical Branch, and (6) the Prevention Service. There are also a number of smaller units including outposts and frontier stations. As may be seen from the Appendices, the European staff is approximately the same as in 1931, but the Asian Staff has been partly reduced and partly replaced by Africans. Miscellaneous expenditure has also been reduced.

274. The Expenditure Advisory Committee felt that there was considerable room for reduction in the expenditure of the department, and advised a joint enquiry with Uganda for the purpose of effecting such reductions. They also proposed the abolition of one post of Collector of Customs, eight posts of clerks (six of which were in abeyance), and one post of junior clerk, so reducing the provision to £47,377.

The Select Committee on Economy of 1935 followed this up by proposing that the Nairobi bonded warehouse should only be opened on two mornings each week so abolishing one examining officer; they also proposed the abolition of two Asian clerkships and the substitution of Arabs or Africans, and a reduction of £500 in the cost of the Preventive Service. The total reduction proposed was £1,382. The estimated cost

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cost for 1936 in fact approximates very closely to that proposed by the Expenditure Advisory Committee.

275. A comparison of the staff distribution list with the total staff shown in Appendix XXIII does not suggest that there is any excess in the superior staff, allowing some margin for sickness and leave requirements, even if the Main branches are made inter-changeable as far as possible. The position as regards the clerical staff is similar. The leave moratorium of 1932-33 reduced the difficulty of staffing, but this was only temporary, and the department does not appear to be overstaffed at present if its efficiency is to be maintained and the new duties now devolving on them through recent legislation properly performed.

Recent audit reports suggest a doubt whether the economy effected by the relaxation of internal checks, and more especially by the discontinuance of the "forquing" of manifests, is not more than offset by the loss occasioned by an understaffed and overworked Customs Department.

There appears to be no definite evidence of any such deterioration at present, but the position will have to be carefully watched, having regard not only to the interests of Kenya itself, but to the importance of meeting the responsibilities undertaken in regard to the adjacent Territories.

276. The possibilities of economy appear to lie in the following directions, as suggested by the Collector of Customs:-

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(1) The overhauling and reorganization of the Preventive Branch; and in this connection it might be considered whether the work at small outposts such as Malindi and Lamu, and outstations such as Wajir, could not be carried out by the clerical or other staff of the district.

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(2) The replacement of higher by lower grade posts, i.e., of overseas European officers by Local European Civil Service officers; of European Officers by Asian Officers; and of Asian Officers by Arabs or Africans. Some replacement of Asian Clerical Officers by Arabs and Africans has in fact already taken place in the course of normal wastage as the number of African posts has been raised from three in 1934 to ten in the Estimates for 1936. The extent to which it can be carried depends largely on the number of recruits with the necessary educational qualifications, but the process will have to be carefully regulated. The replacement of Europeans from overseas by those locally recruited can only be economically effected by normal wastage; here also caution is necessary, as recruits must be fully tested before they are given positions of responsibility.

The remaining possible exchange, that of Asians for Europeans, would produce substantial economies, but is largely a question

a question of Government policy in this regard. The proportion of Europeans in the Customs Service is lower than that in most other services.

It is not possible to make any reliable estimate of the saving which can ultimately be effected by working on these lines over a considerable period. The course of action which holds out a prospect of really substantial economies is that of simplifying the procedure for allocating the total Customs receipts to the three Territories concerned, and this, as history has shown, would not be an easy task.

EDUCATION.

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277. The problem of Education in Kenya is an exceedingly difficult one owing to the existence of four distinct communities, European, Indian, Arab, and African, at very different stages of development, and, so far as the African, and to some extent the Arab, communities are concerned, with very different requirements. The history of the development of education for the four communities is as follows.

European

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European Education.

278. European education in Kenya was first seriously taken up in 1904 when the Kenya and Uganda Railway opened a school in Nairobi. It became a boarding school in 1910 under Government control. The formation of an Education Department in 1911 was followed by development in the Settled Areas. Two small day schools were opened, one at Nakuru, the other a farm school on the Usija-Gishu Plateau. A school for boarders was opened at Eldoret with a connected group of day schools, and in 1918 Nakuru also became a boarding school. Since the War many other schools, Government and private, have been opened. During the period from 1927 onwards the older Government schools were rebuilt, free loan funds and new buildings were provided at other centres. The loan expenditure on these schools amounted to 2236,692 including 270,199 on the Prince of Wales School at Kabete. The details have been given in an earlier paragraph. There are now in the Colony twelve Government primary schools, four of which contain Government boarding houses, and two of which have aided hostels attached to them. The average number of pupils on the roll was 909 in 1934. Two Government schools, the Prince of Wales School and the Girls' Secondary School at Nairobi, with 227 pupils in 1934, are of proved secondary status. There are also two excellent private preparatory schools for boys with about 100 pupils, besides a number of private day schools.

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Indian and Coan Education.

279. The Indian School in Nairobi was founded by the Railway in 1906. It was taken over by the Education Department in 1912 and soon became overcrowded. Development since that time has been rapid and continuous as to be embarrassing to a small country, but it has been helped by the traditional zeal and generosity of the Indian community in the education of their children. Government schools have been provided in the more important centres including Nairobi, Mombasa, Kisumu, Eldoret and Nakuru, and assistance has been given to private schools by grants-in-aid. The sum of 252,472 was spent from Government funds on the Indian School at Nairobi. The Allidina Viera High School at Mombasa was presented by an Indian and named after the donor. It cost about the same amount to build. The two secondary schools at Mombasa and Nairobi are among the largest schools in the Colony.

There are eleven Government primary and elementary schools with an average attendance of 1822 in 1934, and two secondary schools with an attendance of 1201; the educational requirements are growing steadily.



Arab Education.

280. The history of Arab Education on the Coast is of a struggle between those who desire nothing more than traditional teaching based on the Koran, and the more enlightened section of the community who have pressed Government to provide schools of the western type. The Arab School at Mombasa was opened in 1912, and that at Malindi in 1919 with the aid of substantial financial help by Sir Ali bin Salim, K.B.E., C.M.G. In 1929 a school was opened at Lamu and in 1931 the Coast Secondary Boarding School was opened at Shimo la Tewa.

There are now five Arab elementary and primary schools with an average attendance of 446 pupils; the secondary school has 82 pupils. In fact, however, some 80% of the pupils in the latter cannot be classed as Arabs.

African Education.

281. The development of education for Africans has been by three stages:-

- (a) before the British occupation 1846-1890;
- (b) from the beginning of the British occupation till the setting up of the Education Department 1891-1911;
- (c) from 1911 onwards.

During the first and second stages a few Christian missions were the only educating agents; indirect help being given in the later stages by grants of

grants of land.

The Education Department began work in 1911 when the first Director was appointed; from that time Government has increasingly subsidized approved mission schools, and has also built up its own system of Government African schools. The first Government subsidies were per caput grants earned on test of pupils; but from 1918 a system of inspection was brought progressively into operation. It was codified by the Education Ordinance of 1924 and the Grant-in-Aid Rules of 1925. In these two years the Native Industrial Training Depot and the ~~Native~~ ~~School~~ were opened, followed in 1928 by the Alliance High School.

During this time, in the Local Native Councils of the Native Reserves a keen interest in education has grown up; for this reason amongst others a new Education Ordinance was passed in 1931 embodying the Government policy of co-operation with Missions and Local Native Councils in all branches of African education.

Besides the Jeanes School, the Native Industrial Training Depot, and two Agricultural schools, there are now eleven Government African primary plus elementary boarding schools with an average attendance of 1225 in 1934. One of these schools (at Maa) is being made over to a mission, but another has been newly opened. There are also <sup>Highly</sup> 33 village schools with an average attendance of 2360 pupils in 1934. All of the primary schools have been built wholly or largely from Local Native Council

Funds.

Funds, the staffs are paid by Government, but the boarding costs, and in a few cases also part of the tuition costs, are met by Local Native Council grants. The Local Native Councils have hitherto contributed £41,000 for buildings. For the year 1936 they have allotted £15,119 for educational purposes. In 1934 they allotted £19,077, of which £9,909 was for recurring expenditure and £9,169 for non-recurring. Apart from the <sup>by the</sup> 35 village schools mentioned above, elementary education is entirely in the hands of the Missions, excluding a certain number of independent schools in the Kikuyu Reserve. Some 300 recognized schools are supported by grants from Government, from the Local Native Councils, and from Fees, with some aid from mission-ary funds. The only two secondary schools are carried on by Missions, and post-secondary education, including courses in Agriculture, Medical Veterinary Science, and Pedagogy, is carried on at Makerere in Uganda. In Kenya there are post-secondary courses for clerks at the Alliance High School, and for technical training at the Kenya and Uganda Railway. There are also a number of post-primary training courses in different subjects.

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The Present Position as regards Education.

282. The approximate total number of children in the schools is now as follows:-

	Government Schools	Aided Schools	Unaided Schools	Total
European	1,136	49	605	1,790
Indian & Goan	2,830	3,213	322	6,365
Arab	528			528
African	3,911	22,615	61,451	87,977

This is not a large proportion of the children of school going age who may be estimated at 500,000. Further, only about 10,000 of those children are in schools teaching up to the primary standard.

The budget provision for Education in 1935 is £178,438 as against £177,855 for 1934.

The following statement shows the educational expenditure and revenue for the seven years up to 1934:-

	Grass Expenditure	Educational Revenue	Net Expenditure
1928	162,385	16,302	146,083
1929	180,786	19,463	161,263
1930	190,482	20,984	169,498
1931	184,809	24,021	160,848
1932	174,605	28,667	145,938
1933	166,791	26,563	140,128
1934	170,271	25,667	144,604

The net

348

The net expenditure has therefore fallen considerably since 1928. The number of pupils has, however, increased during the same period from 89,013 to 111,862 in 1934. The decrease in the recent figures is almost entirely due to a fall in the numbers in African aided and unaided schools.

283. The situation may then be summed up as follows for the three communities in relation to the financial position.

So far as the European community is concerned, it is of vital importance to the future of the Colony that European education should be of such a standard as to fit their children for the part which they must play in the development of the country. The manner in which it has been carried on have however involved very heavy expenditure. The educational report for 1934 estimates the gross cost per pupil receiving secondary education at £51/12s. and the net cost at £25/13s. This, however only represents the cost of tuition, and taking into account the overhead charges including pensions and interest on loan expenditure, the net cost per pupil to the Colony at the Prince of Wales School is approximately £100. At the Girls' Secondary School the cost to the Colony is similarly about £64 per pupil, and, adding the interest on the loan expenditure proposed for increased boarding accommodation, it will be over £70. The same report for 1934 gives the net cost per pupil in primary schools at £19. This again is for tuition, and the total cost

total cost per pupil in the three primary schools at Nakuru, Eldoret, and Kitale, is approximately £49. For a community as scattered as the European community in Kenya it is inevitable that the schools should be boarding schools, but even allowing for these conditions the cost to the Colony is very heavy.

Even with this expenditure there are no post-secondary training institutions for boys, though learners are accepted in some Government departments and in some branches of the Kenya-Uganda Railway. There is also no farm school to which boys who are unlikely to profit by secondary education could be sent from the primary schools. An experiment on these lines was at one time made by Government, but proved a failure as no candidates were forthcoming. The question is again under consideration in connection with the proposed memorial to Lord Delamere.

For girls there are two business training colleges in Nairobi preparing for the Pitman examinations, and a scheme for training as teachers has been initiated.

The most obvious remedy for these financial difficulties would be an increase in the present scale of fees, which include boarding fees of £45 in all schools, and tuition fees up to £15 per annum in Secondary Schools with lower rates in Primary Schools. It was on the recommendation of the Expenditure Advisory Committee that the tuition fees in Secondary Schools were raised to £15. For primary schools the remedy would be difficult to apply, as even with the present fees over £10,000

had to

had to be remitted last year, equivalent to 40%<sup>of cost</sup> of the total amount due. In secondary education there is a larger percentage of remissions in the girls school than in the boys school. In the mixed primary schools the percentage differs largely from place to place. At Nanyuki and Rumuruti, and to a less extent on the Eldoret plateau, there are impoverished groups of Europeans who pay practically no fees, and, if a proposed combined school is constructed at Nanyuki, the losses will be greater.

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The necessity of meeting educational expenditure as far as possible was recognized in 1927 when the Elected Members of the Legislative Council agreed that the cost of European and Indian education should be met from special taxation, excluding, however, loan charges and those on account of administration and pensions. The special taxation took the form of education poll taxes and a wine and spirits consumption tax.

Even on this artificial basis the receipts do not cover the expenditure, and in 1933 the European deficit was £12,000, and the Indian £26,000. In 1934 the corresponding figures were £14,400 and £15,000. If pensions were taken into account the deficits for the two communities would be approximately the same.

284. It is difficult to suggest a remedy for this state of affairs apart from the general question of salaries which will be dealt with later. A large part of the deficit is the result of the heavy expenditure

expenditure on buildings which cannot now be changed.

An economy could be effected by closing the Government European Secondary School for girls in Nairobi and subsidizing the two denominational secondary schools for girls, while maintaining the Nairobi Government European primary school. This proposal has, however, been rejected both by the European Education Advisory Council and by the Select Committee on Economy. The latter considered that the saving would be extremely small, and out of all proportion to the harm which would be caused by closing an institution which has proved its value. Taking into account only salaries of the staff required for standards IV and V with the immediate loan expenditure, and excluding the other capital expenditure which seems likely to be required to make an adequate secondary school, the probable savings do not appear to be negligible in the present circumstances of the Colony. This more especially considering the proportion of fees likely to be paid. Girls of a type able to profit by secondary education, but genuinely unable to pay the fees at the denominational schools, could be assisted by bursaries.

Another proposal for the closing of the school at Kilimani has not been accepted by Government. The maintenance of small scattered schools at the expense of Government is certainly far from economical, and, if the school meets a genuine want, the possibility of transferring it to private agency might be considered.

A matter to which serious attention should be devoted

352



be devoted in the realization of a larger proportion of the fees. While much can be said in favour of free primary education provided that the country can afford it, the principle is not one which can be confined to one community, and, so long as fees are imposed, it is hard to believe that, except in special areas, the low fees obtaining in Kenya cannot be more fully collected than they are at present.

285. As regards Indian education the position differs only in degree, mainly because the majority of Indian children in the primary stage attend community or public schools financed by donations and by grants in aid from Government. The grants to Indian schools are in general based on 23 pence annum per pupil in average attendance. This is far more economical than the provision of schools by Government, as in such schools the gross cost per head was 29.5s. in 1934, and the net cost 26.1s. The rate of fee in the secondary schools had been raised from 23.12s to 26.15s., and the total fees amounted to 24.8% of the expenditure, as compared with 13.3 per cent in European primary schools, and 15.3 per cent in secondary schools. Here again it would not be easy to raise the fees in primary schools. The total remissions of fees were insignificant, but it has to be remembered that Indian schools are day schools. The problem of Indian education is a growing one, and if Government accepts its responsibilities in this regard the cost will be considerable, even on the comparatively economical lines of grants in aid.

The increasing

The increasing difficulty of finding employment for Indians is likely to affect the assistance from private sources which has been of much value in the past.

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286. Arab education is in some respects more difficult than that of any other community, as the desire for secular education has first to be created. Even allowing for these special difficulties, however, it seems out of proportion that, taking loan expenditure and pensions into account the average annual cost per pupil at the Shimo la Tewa secondary school is approximately £60. This more especially when <sup>some</sup> of the pupils are not Arabs, but Coast Africans and Swahili. The cost of the Malindi school is not <sup>mentioned</sup> by Sir Ali bin Salim.

287. Turning next to African education the same problem of costs presents itself. As has been already stated there are eleven Government primary schools; one of them at Kisii being a purely elementary school and was entirely premature as a primary school. In 1934 they contained 1,225 pupils. In addition there are two secondary schools and 50 <sup>141</sup> primary schools carried on by Missions, raising the total number of pupils to about 10,000 including those who are in elementary classes. In addition there are <sup>also</sup> aided girls boarding schools which undertake a special girls school syllabus. The total number of boarders is about 800. The standard of education in the remaining schools is very low, though 300 schools with some 630,000 pupils are classed as sector

schools

354

schools and are up to the elementary standard. Below them are the "bush" schools in which the teacher is usually a catechist, and the purpose is a dual one.

The cost to the Colony of each pupil in one of the two Mission Secondary Schools is about £30 and in the second it is £16. In the Government primary schools it varies from £20 in one school, and £18 in two schools to £12 at Narok. These figures exclude boarding expenses amounting to about £4, which are met by the Local Native Councils. In addition, at three schools the Local Native Councils contribute a portion of the tuition expenses amounting to £5.10.0. per pupil in 1935. Even in the Mission Secondary schools the cost per pupil to Government varies generally from £16 to £12. In some cases it is lower. The average cost per pupil in aided Mission elementary schools is Shs. 5/80 including the grants for salaries of Jeanes teachers.

Obviously there can be no wide extension of education on these lines. Apart from the cost to Government the Local Native Councils cannot spend large sums on the boarding charges for the pupils in Government primary schools.

The two main reasons for the heavy expenditure are (1) that all the primary schools are boarding schools; and (2) the high rates of salary of the European teachers. These considerations apply not only to African schools but also to European schools, and to a lesser extent to Indian schools.

It was probably essential in the early stages that the African primary schools should be

boarding

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boarding schools, as it was only by keeping the boys permanently under the influence of the teachers that their standards of conduct and of life could be raised. There has been in recent years a certain divergence between the aims of the Government and of the Mission primary schools. Some of the Government schools have concentrated attention either on agriculture or on technical training of some kind, and in several cases they clearly fill a very useful place in the life of the tribe. In other cases this is not so clear.

The Mission schools used formerly to attempt technical training, but since 1933 this has been given up, and their aim is now stated to be the development of a broad course including some agriculture and technical training but not of a vocational type.

288. The stage has, however, now been reached when financial limitations make it impossible to develop much further on the old lines; and the extension of education will depend on the training of African teachers at Makerere or elsewhere to a stage when they will be capable of being placed in charge of these elementary schools which it is proposed to develop into primary day schools. In the direction of producing teachers capable of this training boarding primary schools can serve a useful purpose, and they can also be of value in training boys to a standard qualifying them for the various courses, educational, medical, and veterinary, which are intended to fit Africans for filling posts in the various departments of Government.

So far as

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So far as Native Education is concerned, the fundamental defect of the present position is that the facilities for training teachers are utterly inadequate in most parts of the Colony, though the province of Nyanza is better off in this respect. Better training of teachers is the first essential in Kenya at the present time, and the cost of the organisation necessary is put at £3,600.

289. The second cause of heavy expenditure, the high salaries paid to European teachers, applies equally to the educational system of all four communities. In Kenya the general principle has been that the standard of pay of all the main services have been based on those of the Administrative Service, because it was held that officers of the same general standard were required in all services.

So far as the Education Department is concerned there can be no doubt that the supervising and inspecting staff must be of the best type that can be obtained, and the same criterion might be applied to the senior staff in secondary schools. When, however, the same principle is applied to primary schools, and it is laid down that the heads of all primary schools must be of the same university standard, the principle is of more doubtful application in a poor country with a very low taxable capacity. The position which then arises, and which has arisen in Kenya, is that it is a choice between restricting the extension of education by maintaining the present high standards of pay (already modified to some extent on the report of the Biss Committee), and of appointing

357

of appointing teachers of a somewhat different type on lower standards of pay and allowances. The argument in support of the present policy is that it is necessary to give the African of the best that Europe can produce, because it is not a question merely of teaching him, but also of affecting his whole outlook on life; and it is urged that only teachers with a wide educational background, and the broad sympathies which should result from this background, can be expected to fulfil this difficult role. An attempt to develop education through teachers of somewhat lower calibre is said to have had unfortunate results in one Colony. While it must be fully accepted that special qualifications are required to develop an African school in such a way as to extend its influence not only among its pupils but in the wider circles of the tribe, it is hard to believe that these qualities are only to be found in those who have had a special kind and degree of educational training. They may be developed by such training, and may therefore be more easily found among those who have received it; but there are certainly examples of teachers who have not received this type of training, but who are nevertheless conspicuously successful in their difficult task. Selection becomes more difficult, but it should not be impossible if a sufficiently wide search is made.

To some extent the same considerations apply to Indian education, but the problem in this case is not of much importance as the number of teachers concerned is very small. So far as European education

education is concerned, the problem is being gradually solved by the replacement of masters recruited from overseas by others on Local Civil Service terms. A similar problem on a smaller scale is presented by the clerical staff in the head-office. The scale of their pay appears to be high even in comparison with the teaching staff, and a reduction should be possible by the gradual substitution of cheaper agencies.

290. The action taken on the reports of the Expenditure Advisory Committee and of the Economy Committee appears to include all the minor economies possible at the present time, but it remains to consider very briefly the Jeanes School and the Native Industrial Training Depot. Both of these were opened in 1924/1925 largely as the result of non-official suggestion and support. The Jeanes School received liberal assistance from the Carnegie Corporation. The former was intended to train teachers with the wide conception of their duties and possibilities which is the basis of the Jeanes system. The main purpose of the latter was to train Africans to fill the places of Indian artisans. It has been largely successful in this aim, but it appears to equip the pupils only with purely technical qualifications; they are thus suited for working directly under supervision; there is, however, nothing in the nature of an "improver" class designed to fit the artisan for setting up a business on his own account. The ordinary African is especially deficient in the capacities needed <sup>to</sup> form an estimate of the cost of a proposed job. The raising of the educational standard

standard for admission to the school mentioned in a later paragraph is a step in the direction of turning out boys better trained in this direction.

23 X Both institutions are very expensive to maintain and both are now in a state of transition. The Jeanes School was opened in 1925 and the buildings cost 27,700 paid from loan funds. The Carnegie Foundation gave a grant of 27,700 towards the salaries of the staff, and this continued for six years. During the same period Government spent some 227,300 as a result there are now about one hundred Jeanes teachers in the field, and courses of training have also been given to thirty health workers and twelve agricultural instructors. Government pays two-thirds of the salaries of Jeanes teachers in the field, the balance of their pay being met either by Missions or by Local Native Councils.

The results have naturally varied considerably, but a number of these teachers and health workers are reported to have done excellent work. Difficulties have, however, been experienced because those trained in the earlier years had character and experience but inadequate academic qualifications as visiting teachers, while those trained later had academic qualifications but inadequate experience. It is now proposed to organize the training on the lines laid down by the recent Salisbury Conference so as to comprise all the qualifications necessary for a fully trained Jeanes teacher.

During the last year the expenditure on the school was 24,000 for a number of teachers under training

Kenya



training varying between 44 and 54. In addition £1,750 was paid in salaries to teachers in the field, the average cost being £20 per man.

Much importance is attached by the Educational authorities to the maintenance of the school and the provision of a European staff adequate to preserving the necessary personal touch with the teachers under training. If the results approach the ideal which is aimed at they will be such as would justify considerable expenditure. Whether, however, adequate results can be secured at a somewhat lower cost for the Government to consider in the light of actual experience, but some reduction in expenditure will appear to be possible.

The Native Industrial Training Depot was founded in 1924 and largely increased in 1926-27 when African artisans were required for the buildings to be constructed from loans. The number of pupils in 1927 was 570. It was then a five-years course and no educational qualifications were required for admission. The system was changed in 1927 to a course including three years half time at a Government or Mission primary school and two years at the training depot. During 1935 one hundred boys were taken in on the later and 60 on the earlier system. It is now proposed to make a further change by as far as possible only taking in boys who have reached Standard VI; they will be given a four-years course and they will sign an indenture for four years. At the time that the institution was visited there were 147 boys, in the depot and 120 in six gangs out on various works under

the supervision of instructors. The average number of pupils is about 350. About 950 boys have passed through the school, and in 1933 it was reported that the smiths and painters had 100% employed, carpenters 75%<sup>and</sup> and tailors and masons 50%<sup>but</sup>. These figures are possibly not reliable, but the school has filled a useful purpose; it supplies Native artisans for work in the European areas on wages considerably lower than those paid to ~~European~~ artisans; and if mining develops, the demand for craftsmen should increase. There appears, however, to be no scope for them at present in the Native Reserves.

It is somewhat striking that the school appears to have no connection with the Public Works Department as regards opportunities for employment, though some of its former pupils have been employed by the Department. A scheme is under consideration for bringing them into more definite relation with each other.

The staff is a large one, including a Principal on a salary of £840, sixteen other Europeans of whom twelve receive £340; besides twelve Native instructors drawing from Shs. 50/- to Shs. 100/- per month. One receives Shs. 140/- per month. The average cost per boy is £38.10s. per annum, or £46 including boarding and overhead charges.

Economies appear to be possible in two directions. In the first place it should now be feasible to make an advance in the direction of replacing European by Native instructors, until ultimately there are not more than one or two

Europeans

Europeans per section. This change can however only be gradually effected. The other change which should be considered is that of reducing or abolishing pocket-money. In all the Government training schools, Agricultural, Veterinary, and Medical, as well as in the Jeanes School, the practice still continues of giving not only free boarding, lodging, teaching, and clothing, but also pocket-money, the amount varying from one institution to another. In this training depot it was formerly Shs.4/- rising to Shs.9/- per mensem, and it is now Shs.5/- rising to Shs.6/-

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While all these schools were in their early stages this practice was necessary for the purpose of attracting pupils, but now that the advantages of training are realized the time seems to have come for a reconsideration of the whole question, and the change of system which is being introduced in this depot provides an opportunity for reconsideration. The same question should be considered in other schools. Teachers receiving a Jeanes training are in a special position as they have wives and families; on the other hand their training does in due course qualify them for a higher salary.

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CO-OPERATION

292. In dealing with Agriculture it was said that the general problem of the development of cooperative organizations would be dealt with under the head of Education and this subject may now be taken

taken up.

In Africa, even more than in countries like India and China, Education must include a great deal more than school teaching, and it is for this reason that the Education Department in Southern Rhodesia has been re-named the Native Development Department. The Royal Commission on Agriculture in India described the essence of the rural problem as psychological rather than technical, spiritual rather than material. They held that "no substantial improvement can be effected unless the cultivator has the will to achieve a better standard of living, and the capacity in terms of mental equipment and of physical health to take advantage of the opportunities which science, wise laws, and good administration, may place at his disposal. Of all the factors making for prosperous agriculture by far the most important is the outlook of the peasant himself." This in the main is determined by his environment, and it follows therefore that the success of all measures for the advancement of agriculture must depend upon the establishment of conditions favourable to progress. Village life must be improved in all directions, and not only the agricultural but many other departments, including more especially the medical and the educational, are concerned in this all-embracing work. Good health is quite as necessary to the cultivator as knowledge of his craft.

293. The Co-operative movement, taking the word in its widest sense, can be an essential factor in promoting

promoting this advance. Though originally confined to the economic sphere it is now recognized as having a much wider scope in re-making rural life, and in assisting and guiding the peasant peoples of the world during the difficult transition period from the old to the new social economies. In Africa there is no hope that advance may be promoted, as in China and to a lesser extent in India, by the voluntary settlement in the villages or groups of selected persons from the towns. The task must for a long time be undertaken by Government. In one sense the Native family in the larger meaning of the word is a ready-made co-operative unit, and, unlike the European who finds a main obstacle in his unwillingness to lose his individuality in the group, for the African Native the difficulties lie the other way, so long as the family system retains its force.

The instinctive structure of the Native family is however very different from a co-operative society for the realization of definite aims of a progressive character, whether economic or social.

294. The first essential is to create the conception of progress as the essential preliminary to its realization in practice. This can be best secured by the development of associations for the sale of produce, the purchase of agricultural requirements, and the improvement of agricultural methods, which have been recommended in dealing with the Agricultural Department. Co-operative groups of this kind would provide the necessary support and stimulus to the individual of more advanced views, and would make

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365

it easier for the scientific departments of Government to get into touch with the mass of the people. By combining the produce of a number of cultivators they would make it possible to dispose of their products in the markets of the world, and a good example of successful work in this direction is furnished by the Kilimanjaro Coffee Growers' Association with its 82,000 members. Such associations, and similar organisations for various forms of agricultural, social, and hygienic progress, such as are found in various parts of India, would also provide a sphere for the more educated sections of the community who find little scope for their energies in the tribal organisations. This is the more necessary owing to the growing tendency towards the break-down of the family system.

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295. The first stage in the rural areas will thus be that of concentrating on the creation of the idea of progress, and of securing economic or social advantages by the adoption of new methods and new aims. The African has the great advantages that he cannot waste much money on litigation, and that he is not in bondage to any money-lender. The freedom from this bondage is not due to his strength of character, but to the fact that he cannot pledge his land or give security of any kind. For a considerable time to come it will not be advisable to create under Government auspices organisations introducing the principle of any serious individual or collective financial responsibility. Co-operative credit organisations and co-operative stores should be the

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last and not the first stage of development. When that time comes they will require a skilled organizing staff trained in co-operative methods, with Government assistance and control. Even in the earlier stages it would be advisable to train one of the Administrative officers in co-operative methods of working. Progress cannot be hurried, and if co-operation is expanded beyond the capacities of the members of the Associations the result will be, as has been illustrated in many countries, a severe set-back to the movement. Thrift societies can be developed with great advantage in the towns and the figures of the Post Office savings bank given previously show that a good head has already been done in that direction.

296. Up to the present practically nothing has been done in Kenya in developing native co-operative organizations, and what little has been attempted appears to be on doubtful lines. In the Jeannas School a co-operative store is carried on for the purpose of training Jeannas teachers in co-operative methods. The store may have some value for purposes of training when carried on under the close supervision of the School authorities. If considered however to be a form of co-operative activity which Jeannas teachers should be encouraged to imitate throughout the country the position is very different. The promotion of shops on these lines by inexperienced and untrained persons is definitely dangerous as has been shown in many places. Even in Kenya one or two regrettable incidents have in fact already occurred

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in this connection, and the Director of Education has been obliged to issue orders that no such shops should be opened without the previous approval of the District Commissioner, and then only if proper supervision can be guaranteed. Even with these limitations it does not seem desirable for Government to promote advances in this direction. The first stages should be those suggested above, in which the Administrative and Agricultural officers must play the chief part. The Education Department can give material assistance by propaganda in the direction both of economic, social, and hygienic advance, in co-operation with the Administrative and technical officers. In this Jeanes teachers can play a valuable part. Conversely Administrative officers can do work of great value in promoting Education, and this has been recognised by the establishment of District Boards of Education. The close connection of education with all forms of advance might be better recognised if the Boards were constituted as District Development Boards with the District Commissioner as Chairman. Their work would however have to be co-ordinated with that of the Local Native Councils. Their general policy would be laid down by the Provincial Commissioner under the Government. An essential aim would be to secure the full co-operation of all the departments concerned, and to prevent the overlapping of departmental activities.

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FOREST DEPARTMENT.

297. The Forest Department has been the subject of some controversy. On the recommendation of the Expenditure Advisory Committee the number of Foresters and of clerks was reduced in 1933, and on a further recommendation by the Select Committee on Economy one Assistant Conservator has been reduced in 1936. The same Committee recommended a reduction of the departmental estimates to £27,290 by cutting down the allotments for reforestation and nurseries. They accepted the principle that reforestation was both necessary and desirable, apart from the vital importance of preserving existing forests, and considered that the areas being planted were so disproportionate to the areas which are being destroyed that the new plantations were of little effect in preventing denudation or conserving water. How far these economies would assist in remedying the situation is not clear. They also referred to the smaller expenditure in Tanganyika, Uganda, and Southern Rhodesia.

298. In the first place a comparison with other countries as regards forest expenditure is not of much assistance. The requirements of Kenya must be considered with reference to the local conditions. Of the importance of the forests to Kenya there can be no question. Even those whose memory does not go back very many years are unanimous in considering that the destruction of forests and of smaller trees has been on a large scale. This destruction has not, however,

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however, affected seriously the main forest areas, and has been chiefly confined to forest alienated on farms and small patches scattered in Native Reserves. Many agencies have contributed but the fuel requirements of the Kenya-Uganda Railway have probably been the most important factor in the bush area between Nairobi and the coast, and on a limited number of farms near the railway. The areas cut in the actual forest reserves have been replanted. The demands of the Railway have now diminished. The disappearance of forests, for the most part prior to British occupation, has been an important factor in causing erosion and in reducing the period of flow of the rivers and streams on which the country so largely depends. The most important areas as catchment areas for the rivers are the forests on the eastern and western slopes of the escarpments bounding the Rift Valley, including the Aberdare mountains; other important areas are the forests on Mount Kenya and Mt. Elgon, and there are many minor catchment areas.

209. The total area under the nominal control of the Forest Department is 5,600 square miles, but of this 1,000 square miles has not yet been demarcated. This latter area is mainly in the Native Reserves including the Masai and Suk Reserves with the forest in the north east of Meru district. Of the 4,711 square miles which have been proclaimed a considerable proportion has good stands of timber, but much of it is inaccessible as it is too far from the railway and has no means of water transport. The forests on the eastern

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370

eastern slopes of Mt. Kenya are of this type. Only about 1,700 square miles are at present merchantable and accessible, including parts of Mt. Elgon, the forests on the western slopes of Mt. Kenya, the north and south Aberdares, and the Elgeyo forests, with those of the Mau shading off into the Masai forests. There is one large forest concession of 200,000 acres finally issued in 1912, and a number of small saw-milling licences have been granted at various times. A royalty of 6 cents per cubic foot is paid on the output with a minimum payment of 2000. The forest area in Nyanza Province has assumed a new importance with the development of mining, and the net receipts in Kakamega are credited to the Local Native Council which received £1,400 in 1935. The Elgeyo Local Native Council also received £725 in the same year. In the Native Reserves, the Forest Department manages the main forests on behalf of the Natives. The net proceeds are made over to the Local Native Council, but overhead charges, including pensions, passages, and expenses of supervision, are borne by Government. Working plans have been drawn up for the Nairobi district and Kikuyu escarpment forests, and for those of the Londiani division; wherever cutting is going on replanting is being carried on simultaneously. The actual area being planted is less than that on which felling is being carried on, but it is believed that the yield of timber will be more than that which has been felled. Replanting is mainly carried out by the aid of Kikuyu squatters and the cost is from Sh.5/- to Sh.10/- per acre, or adding nursery and all other costs including overheads, not more than Sh.30/- per acre

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per acre up to complete establishment. This cannot be considered excessive.

The type of trees varies with the altitude and the rainfall. Cedar (juniper), podocarpus, and olive (musharagi) grow together at a height of from 6,500 to 9,000 feet; the wetter forests of the eastern Aberdares and of south and east Kenya produce another type of podocarpus and camphor. 'Mvule, the most valuable timber in East Africa, as a whole is rare. The cedar forests in the dryer areas are very badly affected with fungus and it is often difficult to find a sound tree. Up to the present the market has been in the main a local one, but there has been a small regular export of cedar slats for pencils for some years; it is believed that this can be greatly increased. Podocarpus, olive, and camphor, also appear to have possibilities in this direction. The total cost per cubic foot to England is from Sh.5/- to Sh.6/- according to the species and the locality where it is cut.

The planting which is being carried on is of different types in the various areas. Near Nairobi and also in the Rift Valley it consists mainly of guma and wattle for firewood of which the Railway is a large purchaser. For the more distant future and in other areas the planting of soft woods is of cypress (macrocarpa and lusitana) which it is estimated will produce sawable timber in forty years. Podocarpus, at present the main soft wood of the Colony, is not considered such a satisfactory timber, and, as it requires a rotation of at least 120 years,

120 years, it is not being planted except to a small extent in mixture in the cedar plantations. Cedar is being planted to a considerable extent in the less fungus ridden areas. Very little planting is being done in the minor catchment areas such as those in Machakos and Kamasia where denudation is very serious. Apart from timber and fuel the remaining income is mainly from grazing fees and from poles. The sale of plants and ~~crafts~~ brings in £2,000 in an ordinary year and will probably increase. In recent years the income from fuel has approached that from timber. The total revenue exceeded the expenditure from 1925 to 1930, and in 1935 again there was a small profit.

300. While forests may ultimately yield a large profit, as they do in India, the test to be applied to the strength of the department is not mainly, or even primarily, that of profit, but of the staff required for the work which is essential in the interests of the country, both the present interests and those of the future.

The divisions are as follows:

- (1) The Coast including 100,000 acres of mangroves and 120,000 acres of dry land forests; an Assistant Conservator is stationed on the Coast except when he is required elsewhere as a leave reserve, or for special work such as working plans.
- (2) The Nairobi division including the South Aberdare Forests, area 248,000 acres; a Senior Assistant Conservator.

(3) Londiani  
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- (3) Londiana division, area 758,000 acres with many saw mills; an Assistant Conservator.
- (4) Eldoret area including Kakamega, area 575,000 acres; an Assistant Conservator.
- (5) Laikipia, area 500,000 acres; an Assistant Conservator.
- (6) Nyeri division, 990,000 acres including the Mt. Kenya forests; an Assistant Conservator.
- (7) One Assistant Conservator is Research Officer, he was trained as an Exploitation Officer but does silvicultural work for the most part. One Assistant Conservator is on leave.

The Foresters are all Europeans. They formerly came from England, chiefly from the Forest of Dean school, but they are now in the European Local Civil Service; several were recruited in Kenya including two learners who came from the Prince of Wales School. One of these learners has not yet been appointed but will be during the year. The Assistant Foresters are no longer Europeans, and include Indians, Seychellois, and five Africans.

It may be said that the staff is adequate for the protection of the main catchment areas, and for supervising the exploitation of the forests which are being worked. Additional subordinate staff will be required when the remaining 1,000 square miles of forest are demarcated and brought under control. Fire protection is difficult but assistance is given by local residents, and though bad fires do occur

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occur they have not been frequent.

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On the other hand, very little is being done in reforestation in such areas as Machakos where it is badly needed. <sup>Three thousand</sup> 3,000 acres have been set apart for afforestation by the Department but only 1,100 acres have been planted as yet. Further nothing has been done as regards the Masai forests though they contain a good deal of cedar, and, as some of the Kikuyu are filtering into this area, demarcation is becoming essential. There has been some consideration of a bamboo concession in the Kikuyu escarpment forest, and there is also a large bamboo area in the Mau and Masai forests which may be considered if the proposed concession proves a success.

In the Kasasia area reforestation should be undertaken as a supplement to the reclamation which is in progress. Further the South Kavirondo and Kisii Native Reserves are practically treeless through deforestation. So far there is little erosion, but afforestation is needed both to prevent erosion, and for the supply of timber to the large population and to the mines.

I see no reason to think that the existing staff is not used to the best advantage, and, considering the vital importance to the future of the country of a consistent and far-seeing forest policy, I do not recommend any further reduction of staff, either superior or subordinate.

The conservator of Forests points out that the sanctioned expenditure is the lowest since 1926,

and

375

and has only been made possible by restricting development, by leaving large areas inadequately protected, and as a result of the reduction in trade. As trade improves and population grows it will be necessary to increase the numbers of Assistant Foresters and of Forest Guards. Also to make additional provision for reafforestation and nurseries if the department is to take its due share in controlling erosion. It should not, however, be necessary to increase the superior staff. The scale of salaries has been commented on by the Conservator but this is a question for consideration by the Government.

301. It may, however, be well to lay stress on one point. There are few departments of Government which can receive as much help from members of the general public as that connected with the administration of the forests. Replanting in particular can be widely promoted by enlisting private enterprise and assisting any efforts made in that direction. In Kenya there are certainly many farmers who both could, and probably would, do more in that direction if they were certain of the best methods to be applied in their special conditions; the Arbor Society is evidence of this interest. Forest Officers are, I am aware, always willing to give what help they can in this direction, but the areas which they have to cover are large and the officers are therefore not always accessible. Small pamphlets dealing with the conditions of the very varied areas

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in Kenya, and recommending suitable types of trees and methods of planting, would be of much assistance in such cases, and would contribute towards a recognition of the value of the Forest Department. A pamphlet on these lines is understood to be in course of publication, but this line of action might be pursued further with advantage.

(cap. clear)

GAME DEPARTMENT.

302. The game in Kenya is perhaps the greatest of its many attractions for visitors from abroad whose expenditure in the country is of considerable importance. With the extraordinarily rapid destruction of game which has occurred in some parts of Africa the importance of preserving this asset in the Kenya Game Reservoir is continually increasing, and poaching both by Europeans and by Natives is not easy to check. Outside the Reservoir, however, where the interests of the farmer come into conflict with those of game preservation the latter must give way, and this also requires the supervision and aid of a competent authority. A Game Department is therefore a necessity, and, considering the very large area to be covered, and the necessity of having a suitable representative in Nairobi to deal with visitors from abroad, it is doubtful whether a combined department for more than one Territory would be a satisfactory expedient.

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Warden, a Senior Assistant Warden, four Assistant Wardens, and two Game and Vermin Control Officers. The Expenditure Advisory Committee recommended the abolition of the Game and Vermin Control Officers and only one temporary officer of this type is provided for in the Estimates for 1936. The Select Committee on Economy of 1935 advised the abolition of the post of this temporary officer, with an increase in the lump allotment for game and vermin control from £250 to £500. They also recommended the abolition of one Assistant Game Warden. Those proposals have not been accepted by Government.

304. The work of the Department is stated to be as follows. The Game Warden is in general supervision, but he has to spend much of his time in Nairobi so as to deal promptly with applications for permits and information for shooting "safaris", as well as to deal with office routine.

Apart from this the work consists in—

- (1) the supervision of white hunting parties;
- (2) The collection of ivory, the receipts from which are estimated at £10,000; and
- (3) the checking of poaching, more especially Native poaching.

Of the four Assistant Wardens, one is a Fish Warden who deals with the taking out of fishing licences, the supervision of stocking rivers with fish, and with fish hatcheries at Naivasha which is his headquarters. The second Warden deals with the Masai Reserve including the Kisii district, South Kavirondo, the Rift Valley,

the Rift Valley, and Lumbwa. The third deals with the whole coastal area, and the fourth at Meru deals with the Northern Game Reserve, and the Tana River, Lamu, and Marsabit areas up to the Abyssinian border. It is no easy matter dealing with these large areas, more especially with the Northern Reserve including the Matthews range of mountains. Information is obtained through scouts, but there are also 75 honorary Game Wardens, and the public generally are as a rule willing to assist in supplying information.

The income from game licences is estimated at 24,500 but there seems some reason for thinking that both fishing and shooting licences are evaded to some extent.

Job. Adequate local knowledge is essential to forming an opinion of any value on the strength of the department, and this I do not possess. An alternative may, however, be suggested to the proposals of the Select Committee on Economy in the shape of the abolition of the post of Fish Warden. The officer holding this post at present is recognized as very competent and with a wide knowledge of his subject. The good fishing rivers are, however, for the most part privately owned, and there are a number of local fishing associations whose members have acquired considerable experience in their respective areas. On this basis it should be possible to organize a combined Association to control the fishing generally in so far as it is privately owned, while District Commissioners could deal with the remaining rivers. The fish hatcheries would be controlled by the Association.

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Association. It would have to be considered whether this arrangement would lead to further evasion of fishing licences, but it might result in an improvement in that respect. The fishing in Kenya is good and is an amenity much valued by the local residents but for visitors from abroad, though it is an additional attraction, it cannot be compared in this respect with the game which it is the main duty of this Department to preserve.

The reduction of the post of Fish Warden would result in a saving of approximately £600, including concealed amounts.

JUDICIAL DEPARTMENT.

306. The Judicial Department includes the Chief Justice, three Puisne Judges, and seven Resident Magistrates. One Puisne Judge remains at Mombasa. The Resident Magistrates are stationed at Nairobi (2), Mombasa, Nakuru, Kisumu, and Eldoret. The seventh Resident Magistrate is practically a leave reserve. The following tables summarize the work of the Supreme Court and of the Resident Magistrates respectively from the year 1930:-

*Small copy*

Supreme Court.

	1930	1931	1932	1933	1934	1935
<u>Original Civil Cases.</u>						
Filed at Nairobi	440	470	363	312	268	236
Filed at Mombasa	184	162	146	93	79	68
Filed Other District Registries	133	129	76	68	71	74
Divorce causes	-	52	35	24	12	13
Probate and Administration	173	176	173	174	150	172
Bankruptcy	141	128	72	68	44	42
Trust Causes	5	8	5	3	5	2
Civil appeals from subordinate courts	24	50	49	48	43	44
<u>Original Criminal Cases.</u>						
(Nairobi)	176	176	171	165	181	174
(Mombasa)	(16)	(24)	(23)	(16)	(24)	(19)
Criminal Appeals from subordinate courts	69	65	35	57	85	80
Criminal confirmation Cases	626	880	812	821	873	867
Criminal Revision cases	46	89	181	259	311	284
<b>Total Cases</b>	<b>2,037</b>	<b>2,164</b>	<b>2,118</b>	<b>2,092</b>	<b>2,132</b>	<b>2,336</b>

*26/9*

The major part of the work is represented by the original Civil and Criminal cases and these show a progressive decline from 1930 and 1931. In Mombasa the original Criminal cases numbered 16 in 1930 and again in 1933, 24 in 1931 and again in 1934, and 19 in 1935. The work in the Mombasa Court is therefore light. The revision cases arise for the most part from the scrutiny of monthly returns.

Resident

36361- Kenya.

251

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(Mombasa)	(16)	(24)	(23)	(16)	(24)	(19)
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Criminal Revision Cases	46	89	181	250	311	664
<b>Total Cases</b>	<b>2,037</b>	<b>2,164</b>	<b>2,118</b>	<b>2,092</b>	<b>2,122</b>	<b>2,336</b>

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Resident

36361- Kenya.

Resident Magistrates.

	1930	1931	1932	1933	1934	1935
<u>Nairobi</u>						
Civil Cases	5,156	5,328	4,848	4,397	4,641	6,263
Criminal Cases	8,358	6,152	6,323	4,292	4,932	4,827
<u>Mombasa.</u>						
Civil Cases	2,107	2,418	2,770	1,329	1,097	1,072
Criminal Cases	3,587	3,601	3,022	2,552	3,573	3,496
<u>Nakuru.</u>						
Civil Cases	905	1,038	774	586	642	697
Criminal Cases	4,052	5,675	3,931	2,424	3,794	4,323
<u>Kisumu.</u>						
Civil Cases	737	737	521	499	556	
Criminal Cases	2,100	2,166	2,457	2,862	2,493	2,561
<u>Eldoret.</u>						
Civil Cases	707	810	716	414	305	401
Criminal Cases	3,954	4,648	3,373	2,872	3,013	3,541
<b>Total</b>	<b>31,663</b>	<b>31,563</b>	<b>29,724</b>	<b>22,019</b>	<b>24,339</b>	<b>27,937</b>

The Civil cases valued over £100 fell from 493 in 1930 to 203 in 1934. Civil litigation has therefore been greatly affected by the economic depression both in the Supreme Court and in the Courts of Resident Magistrates. It is almost entirely supplied by the small European and Indian population numbering little more than 50,000.

As regards Criminal cases a general view is given by the following table showing the number of convictions for various crimes and offences in subordinate courts over the same period:-

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Criminal Cases	3,033	3,675	3,931	3,424	3,794	4,323
<u>Kisumu.</u>						
Civil Cases	727	722	838	721	709	756
Criminal Cases	2,100	3,166	2,457	2,862	2,493	2,561
<u>Eldoret.</u>						
Civil Cases	707	810	716	414	305	401
Criminal Cases	3,954	4,543	3,973	2,072	3,013	3,541
Total	31,603	31,563	30,724	22,249	24,989	27,537

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Table.

	1930	1931	1932	1933	1934
Against the person	1,231	1,130	1,049	1,046	1,034
Malicious Injury to property and cruelty to animals	208	220	152	125	144
Offences under Stock and Produce Theft Ordinance	787	820	1,441	1,141	1,118
Offences against property	2,783	3,175	3,192	3,178	3,846
Highway, Revenue and Social Economy	10,948	13,742	15,004	13,576	16,476
Offences against Township and Municipal Corporation Rules	8,275	9,991	8,997	6,860	9,231
Offences against Native Registration Ordinance	1,059	5,682	5,289	3,532	4,003
Offences against Hut & Poll Tax Ordinance	4,417	4,657	7,583	11,837	10,616
Offences against Payment of Natives Ordinance	1,614	2,100	1,626	1,417	4,095
Offences against Resident Native Labourers Ordinance	3	1,200	1,363	1,095	1,250
Other Offences	488	820	425	546	622
<b>Total Convictions</b>	<b>36,723</b>	<b>43,911</b>	<b>40,951</b>	<b>44,355</b>	<b>50,465</b>

Includes Supreme Court.

Of the total number of convictions in 1934, 2,858 were against Europeans, 2,172 against Asiatics, and 45,435 against Africans. Of the European convictions 984 were under the Traffic Ordinance. Of the Asiatic convictions 855 were under the Traffic Ordinance, and 121 under the Traders Licensing Ordinance. The increase of 6,112 convictions includes an increase of 668 cases in respect of offences against property, but the remaining 5,444 cases is in respect of Statutory Offences, mainly minor.

Taking

383

Taking the return as a whole, it does not suggest any substantial increase in serious crime. Organized crime practically does not exist. Native criminals have, however, learned some lessons. Burglars for example are beginning to wear gloves in order to avoid leaving finger-prints. In 17,969 cases the sentence was to a detention camp, of which 14,108 were in default of payment of fine or security.

307. Apart from the judicial work included in these returns His Majesty's Court of Appeal for East Africa held three ordinary and four special sessions during the year. In 1935 the Court held <sup>four</sup> ordinary and 3 special sessions.

308. In considering the possibility of effecting economies in the Judicial Department the only proposal hitherto put forward is that of the Expenditure Advisory Committee who recommended that the Resident Magistrates at Nakuru, Eldoret, and Kisumu, should be required to undertake administrative work in addition to their judicial functions. In the present report the suggestion has also been made that the Resident Magistrate at Eldoret should be permitted to undertake the administrative work now carried out by the District Commissioner, a large part of which arises from membership of local bodies and committees. Similarly, if the Resident Magistrate in Kisumu could be permitted to undertake the administrative work of the Township this would greatly facilitate the absorption of the present Kisumu-Londiana district

district in the Central Kavirondo and Kericho districts. Magistrates of some executive experience would be required. The main objection put forward to this course is that any connection with administrative functions might affect public opinion as regards the absolute impartiality of the Magistrates. The independence and impartiality of the Judiciary is certainly a matter of cardinal importance, but, if the administrative work to be undertaken is of a suitable character, it should not be impossible to avoid that difficulty. Further, far as I am aware, the impartiality of Administrative Officers in Kenya has never been seriously questioned although they are all magistrates of some kind.

309. As regards the work of the Supreme Court it will be observed that this included a large number of original confirmation cases. In Kenya all cases tried either by Resident Magistrates or by District Officers must be submitted for confirmation if the sentence is over six months. The corresponding limit for first-class Magistrates (including Officers in charge of districts ex officio) is one year in Tanganyika and Zanzibar, and it is not clear why there should be a lower limit in Kenya, provided that the additional powers are limited to District Commissioners and experienced Magistrates approved in this regard both by the Administration and by the Supreme Court. It would seem desirable to adopt the Tanganyika system, though the change would



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385

would probably not result in any substantial decrease of work in the Supreme Court. The monthly lists would in any case afford an opportunity for revision.

310. As regards Civil Cases, again the powers of Resident Magistrates are limited to cases of a value not exceeding £75, and as has been previously noted the number of Civil cases valued at over £100 was only 203 in 1934. In Tanganyika the limit of jurisdiction for first-class Magistrates (including again District Officers in charge of districts) is £200, and for the professionally qualified Magistrate in Mwanza it is £500.

311. From the point of view of economy it is not necessary to go into the general question of the limits of jurisdiction, but the great decrease in the work of the Supreme Court at Mombasa has suggested that if the limit of jurisdiction of the Resident Magistrate at Mombasa were raised to £200 it might be possible to dispense with the Judge of the Supreme Court at that place. Strong objections have, however, been put forward to the proposal. In the first place, it is pointed out that notwithstanding the decrease in civil litigation the Magistrate at Mombasa is already fully employed, and could not deal with the additional work which would result from an extension of his jurisdiction. In the second place both the legal profession and the litigants would resent being deprived of their accustomed direct access to a Judge of the Supreme Court,

Court, and, as litigants would still be entitled to institute their cases in the Supreme Court, if they wished to do so, they would probably either bring their more important cases to Nairobi or would refer them to arbitration. Arbitration plays a wide part in England, but it is doubtful that it would work satisfactorily in Mombasa, so that a feeling of grievance would be created. Further, the initial trial before a Judge of the Supreme Court has the substantial advantage that the appeal lies to a Bench of three Judges, whereas if the initial trial is before a Magistrate the appeal lies to a single Judge, and a second appeal to a Bench can only be made on specific grounds. It is pointed out also that the Judge at Mombasa was fully occupied many years ago, and it is suggested that the present decline in litigation may be only temporary.

Taking all these considerations into account a change cannot be advocated at the present time, however desirable the resulting economy. If, however, there is no revival in litigation, either this proposal or some alternative should be seriously considered. A permanent half-time post is a luxury in the present financial position of the Colony.

A minor part of the department in which some economy might be sought for is the clerical staff. It is almost entirely Asiatic and includes a considerable proportion of junior clerks on low scales of pay. When additional clerks involve little extra expenditure there is apt to be a tendency to yield to the pressure for increases of staff

without

without a very close scrutiny of the necessity for the additions.

LEGAL DEPARTMENT

312. The work of this Department is closely connected with that of the Judiciary. It includes besides the Attorney-General, a Solicitor-General, and three Crown Counsel.

The Attorney-General, apart from his work in connection with the Courts, has very important duties as the legal adviser to Government and as a member of the Executive and Legislative Councils. In particular the large amount of new legislation which has been such a marked feature of the recent history of Kenya must absorb a great deal of his time and attention.

A proposal has been made in a previous paragraph that the work of supervision of the Native Tribunals should be transferred to Provincial Commissioners, so relieving the Attorney-General to a small extent. If further local arrangements could be made for conducting prosecutions during the circuits of the Supreme Court, it might be possible to make some reduction in the staff of the department. This change would not necessarily result in economy; it must be remembered, however, that pensions, travelling allowances and other hidden emoluments would have to be taken into account in comparing the cost of the present system with that of employing private legal practitioners for circuit work.

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LOCAL GOVERNMENT, LANDS AND SETTLEMENT.

313. The history of this composite department has been dealt with in connection with the Secretariat organisation and need not be repeated. The main change there proposed was the absorption of the post of Commissioner of Local Government Lands and Settlement into that of a Secretary to Government, with the transfer of a part of the work now done by him to the Provincial Commissioners, more especially the Local Government work, and to some extent the land work.

314. Taking the organisation as it now exists the Administrative and General section deals with all local government correspondence and control of local authorities, and with the administration of Crown land. It is also closely connected with questions of land administration in Native Reserves, and in that connection the Commissioner has been entrusted with the work of carrying out the recommendations of the Kenya Land Commission, including the preparation of new legislation for the administration of Native lands. In any reorganisation provision would have to be made for carrying out this special work, which is however of a temporary character. Publicity and settlement is also dealt with in this section.

As regards the existing posts it has already been suggested that the post of Local Government Inspector seems to be now of doubtful necessity. Its abolition was suggested by the Select Committee on Economy. It is no longer a full-time post, the work being carried out by an officer lent by the Treasury

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362

in whose place a temporary appointment has been made. Reimbursements by local bodies reduce the net cost to Government to about £100 per annum. It may be advisable to retain the post for a time until the new organisation which has been proposed is in full working order, but it does not appear to be necessary to maintain it after that time. So long as it is retained the officer could perhaps conveniently combine inspection on behalf of the Treasury with the Local Government inspection. As regards the department of Lands the Lands Secretary will remain, and the clerical staff. There are in addition three Land Assistants, two of whom are in Nairobi and Maseru, the third being on leave at the time of writing. The Nairobi post is not a full time post; the occupant also acts as secretarial assistant to the Provincial Commissioner, and, as it has been proposed to give additional duties to the latter officer, the post may remain. When the third Land Assistant is available he is brought in to help in headquarters. When the ~~case~~ in connection with the Land Commission has been disposed of the necessity for this post may be considered.

315. Taking next the Survey and Registration division a series of proposals was made by the Select Committee on Economy; most of them have been carried into effect, including the abolition of one post of District Surveyor, and the creation of a post of Chief Computer to be filled by the promotion of a Computer, so reducing the number of Computers from five to four.

The estimates provide for a Surveyor-General, an Office Superintendent and Accountant with four European

European clerks (one female), two Asian, and two African clerks; also three District Surveyors, and three Staff Surveyors. Two posts of Forest Surveyor have been abolished. The Office Superintendent is responsible for collecting some £42,000 revenue from Stamp Duties, and Registration and Conveyancing fees; he should remain. The three male European clerks are stationed in Nairobi; two should certainly be adequate, and it may even be possible to reduce the number to one later. Assuming a reduction of one post the saving would be approximately £340 per annum, including concealed emoluments.

~~The Survey staff provided in the Estimates includes the Surveyor General and six Surveyors but in fact there are only five Surveyors; if one of them is transferred, as is possible, the post will not be filled, leaving four Surveyors in all. The Surveyor General retires in December 1936 and this post also need not be filled. A Chief Surveyor should be appointed from among the Surveyors and a salary of £920 seems suitable. The resulting saving will be approximately £3,370, including concealed emoluments. There is at present little survey work in connection with settlement, and the survey work arising from the recommendations of the Land Commission is being dealt with by two special officers paid from the Parliamentary Grant of £50,000. A certain amount of work is required in connection with town planning in Nairobi but there appears to be no reason why the Municipality should not pay for it.~~

The position at Mombasa requires special consideration.

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consideration. The titles to land on the Coast are in a state of great confusion. In the year 1908 the Land Titles Ordinance was enacted, and from that date until 1922 enquiries into Coast titles were carried on by a special Recorder of Titles assisted by an Arbitration Board. About 217,000 claims were enquired into, and 10,000 titles were issued giving an indefeasible title subject to an appeal to the Judge of the Supreme Court. Some 4000 of these titles were never taken up, either because identification was not possible, or because the cost of doing so would have been more than the claims were worth. In 1922 as a measure of economy the post of Recorder of Titles was abolished, and since then the whole question has been in abeyance. The Land Commission recommended that the adjudication of titles should be resumed; but in view of the expense entailed in resuming the previous system Sir E. Dowson was lately employed on an enquiry into the whole subject. His report has not yet been received. If on his report it is decided again to take up the general problem of coast titles the necessary staff will have to be employed, but if this is not done the staff in Mombasa is capable of substantial reduction. It consists at present of a District Surveyor (who is also Assistant Land Officer), a Staff Surveyor, and a Registrar of Titles, with three clerks and two African Learners in the Registration Office and one Asian clerk in the Survey Office. In the earlier stages of carrying out the town planning scheme at Mombasa the survey staff had a fair amount of work

to



to do, but this is now carried out by the Municipality though the department is consulted. There are also occasional claims of other kinds to be dealt with. Unless the general question of Land Titles is to be taken up on Sir Ernest Dowson's report, one at least of the three superior officers now at Mombasa should be retrenched and probably one Asian and one African clerk. The resulting saving will be £1,170. Some rearrangement of work with headquarters might even make it possible to reduce the three superior officers to one.

The reduced staff of ~~surveyors~~ and draughtsmen is probably required because the Surveyor-General finds that much of the private work sent in for check has been badly done. The posts of Junior Staff Surveyor and Junior Draughtsmen are not of the same necessity. They are posts in the European Local Civil Service created in the year 1936 for two cadets who were engaged at or seven years ago with a view to training them to succeed the present survey staff. It should now be possible to judge of the capacities of these officers. If they are capable of filling the more responsible Surveyor posts later on, and in the meantime of filling leave vacancies so far as the more routine work is concerned, they may be kept on. Failing this, the abolition of the posts may be considered.

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316. In the Registration Division the staff at Nairobi includes the Principal Registrar of Titles and one Registrar, with four European clerks, two of whom

whom are learners, and three Asian clerks. This staff is probably not excessive.

317. The remaining subhead of the budget with which this department is concerned is that of contributions to local authorities, including the Municipal Council (Nairobi), three Municipal Boards (Mombasa, Nakuru and Eldoret), and six District Councils. The distinction between the Municipal Council and the Municipal Boards is that the annual estimates of the latter have to be approved by the Governor in Council, and that they are not automatically Public Health Authorities. In fact the Municipal Boards have been declared Public Health Authorities but they do not engage their own senior public health staff.

The question of Government contributions to local bodies was examined in detail by the Expenditure Advisory Committee. Those to Municipalities include:-

- (1) contributions in-lieu of rates;
- (2) contributions on account of Public Health staff;
- (3) contributions on account of Public Health services;
- (4) contributions on account of Municipal staff;
- (5) contributions on account of roads.

The contribution in lieu of rates given to Nairobi, Mombasa, and Eldoret, is of a normal type except in one important respect. Under the Local Government Ordinance 1928 every interest in land has to be rated separately, the sum of the values of the individual interests

interests being the freehold value of the land. The Crown having exempted itself from rating, and giving instead a contribution in lieu of rates, is legally unable to recover this contribution from its lessees in the case of leases granted under the Ordinance of 1902 which comprise the bulk of the leases granted. If the Crown had accepted liability for the payment of rates this situation would not have arisen. In the case of leases under other Ordinances the liability has not been passed on although this would be legally possible, as it was considered that all should be on the same footing. The loss to Government, and gain to the lessees (on the basis of the present rates), is about £1,600 in Nairobi and Mombasa together. Legal complications are involved, but there seems to be no adequate reason for delaying to rectify the position, more especially as the same situation will arise in connection with the three other Municipal Boards. It is the more necessary to adjust the position because, as a result of the method of rating, the assessment of the Crown's residuary freehold interest in plots will increase as the date of termination of the leases comes nearer. The ratio of interest between lessee and lessor is however not likely to change materially until the balance of the term of the lease is reduced to some twenty years.

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The contributions on account of Public Health staff are also normal, but it is not clear why Government should pay half of the cost of the Public Health services in Nairobi, though in Mombasa and Eldoret this is reasonable. The proportion of

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the salaries of the staff to be paid by Government is laid down in the Local Government Ordinance 1928, but the proportion of the cost of services is fixed by the Governor in Council. Child Welfare and some other Public Health services which had been performed by the Government were transferred to the Nairobi Municipal Council in 1935 and involved the Council in a net liability of some £800 p.a., after taking into account the Government contribution to the Council in respect of these transferred services. The Government contribution is at present half the cost of the services as indicated above. The contributions on account of Municipal Staff represent one-third of the salaries of the Town Clerk, Town Treasurer, and Municipal Engineer. This is a statutory obligation, but the Expenditure Advisory Committee recommended that the law on the subject should be changed, and that these payments should cease. This is largely a question of policy and no recommendation is called for.

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The other contributions on account of main roads and traffic revenue require no special comment, except that the Expenditure Advisory Committee thought it necessary to suggest that the Road Board should scrutinise closely the estimates of road expenditure submitted by the Municipalities so as to reduce the commitment of Government as far as possible.

318. The remaining items under this head representing the basic road grants and other contributions to District Councils will come under consideration in connection with the Public Works Department,

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and need not be taken up in this place. The general principle involved, however, that the local authority is merely a spending agency for funds provided by the central Government and raises no money by local taxation, is one which requires consideration in connection with the small townships.

319. The total of savings actually proposed in this department amounts to £4,880.

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MEDICAL DEPARTMENT

320. The Medical Department in Kenya presents a very difficult problem in the disparity between the ~~stand~~ growing demands and the resources available to meet those demands. Its history may be briefly summarized.

Up to 1913 the primary functions of the Department were the medical care of Government servants, including the troops and police, and the control of epidemic disease in centres of trade or administration. At the same time such measure of medical relief as was possible was provided for the African public at the hospitals and dispensaries which had been established at administrative centres. The establishment of hospitals primarily for the relief of the general public was not undertaken by Government until much later. Even for these limited purposes the staff and funds at the disposal of the Department were far from adequate.

In 1913, owing to an outbreak of plague in Mombasa, arrangements were made by the Secretary of

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397

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State for Professor Sir William Simpson to visit the Protectorate and to report and advise on sanitary questions. On his report considerable increases of staff were made in the Medical Department with a view to building up a "Sanitation Division", and from this time onwards it was clearly recognized that it was a function of the State Medical Department to give close attention to the sanitary development of townships and to the promotion of the public health of the urban populations. It was not, however, until after the War that there was any general appreciation of the fact that there was a great field for public health work among the rural communities in the Native Reserves, and that the prosecution of such work was entirely feasible in those areas. During the years of war many thousands of medical examinations of Africans proved beyond doubt that the state of health in the Native Reserves was very poor, and as a result, in Africa as in England, there was a general broadening in the conception of the duties and responsibilities of public health departments. The Natives themselves had also become less shy and unsophisticated and more accessible. Shortly after the end of the War proposals were submitted by the Department for establishing Government medical centres in the Reserves, and these received ready support both from official and from non-official opinion. At that time the medical services rendered by Government were for the most part limited to African and European hospitals at Nairobi, Mombasa, and Kisumu, with small African hospitals under European Medical Officers at Nakuru,



Lamu, Kismayu, and Fort Hall. There were also a few small independent mission hospitals.

In 1919-1920 two medical centres were established in Nyanza Province, and further proposals were drawn up, but before they could be carried into effect the economic depression blocked all progress.

Only in 1925 was it possible again to consider expansion. The need had become acute and expenditure was rapidly increased each year until 1930. The bulk of the increase was devoted to medical services in the Native Reserves. In 1931 there was a slight further increase in the estimates, but the financial difficulties enforced a reduction of expenditure of £15,000, and the expenditure for 1932 entailed a further reduction of £24,000. Expansion in this as in the other services had outstripped the resources of the country. Since 1932 the expenditure has not varied to any large extent.

321. Expansion had mainly taken the form of additional medical staff. In 1925 the Medical Officers numbered 25, and 25 posts were maintained. Nyanza Province with a population of one million had three Medical Officers; the Central Kikuyu Province with a population of 623,000 only two. The Coast, apart from Mombasa, had none, and the Kerio, Masai, Jubaland, Turkana, and the Northern Frontier Provinces had one between them for a population of 378,000 scattered over a vast area. By 1930 there were 22 Medical Officers, but in 1932 this had to be reduced to 54, and a number of services had to be discontinued.

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The Central Kavirondo district with a population of 343,205 was left with one Medical Officer. Since 1932 further retrenchments have been made but the total expenditure has not been reduced, as the maintenance of the hospitals has required additional provision.

322. The course of events is summarized in the following table:-

Year	Sanctioned Estimates	Actual Expenditure	Staff	Europ- In- Patients	Europ- Out- Patients	Asiatic African In- Patients	Asiatic and African Out- Patients	Out- dispensary Patients
1925	139,031	132,713	40	1,713	1,278	25,618	162,418	153,618
1926	178,964	161,043	48	2,162	1,077	29,051	185,418	
1927	196,265	180,205	50	2,147	1,252	30,000	173,949	
1928	204,801	194,813	61	2,555	1,239	26,915	167,220	
1929	233,506	222,185	70	2,555	1,070	29,088	194,588	
1930	250,834	236,934	72	2,956	2,272	35,691	220,923	
1931	252,061	221,202	66	2,829	1,777	35,551	252,610	534,709
1932	219,352	197,260	53	2,375	1,595	31,382	261,795	646,033
1933	215,116	199,568	35	2,182	1,327	36,445	300,277	774,302
1934	201,286	197,967	52	2,271	1,264	42,938	331,979	851,370
1935	199,817		50					

The budget provision for 1936 is £195,562 with a special provision of £1,500 for a cottage hospital. It is £24,255 less than £199,817 budgeted for in 1935 but the reduction is mainly under Medical and Surgical Stores and Equipment, and is therefore of a temporary character. The provision would, in fact, have been £5,000 more had it not been found convenient to spend

to spend that sum on medical stores by Special Warrant towards the end of 1935. The provision under personal emoluments is slightly in excess of that for 1935.

323. The present organization is as follows. At the Nairobi headquarters the Administrative division includes the Director and Deputy Director of Medical Services, with one Senior Medical Officer and a Chief Sanitary Inspector. Three Senior Medical Officers are said to be required at headquarters because they share the duties of inspection, and the Director attaches great importance to these duties being carried out in such a way as to go carefully into every detail of the medical work in districts, suggesting whatever improvements appear possible. The medical stores are in charge of a capable storekeeper, and appear to be carried on both with efficiency and economy.

The Medical Research Laboratory has a staff of four bacteriologists, one biochemist, and two entomologists, with a laboratory superintendent and eight laboratory assistants six of them Europeans and two Asians. One of the European laboratory assistants is posted at Kisumu and one at Mombasa. Besides carrying on ordinary tests, the laboratory manufactures serum and vaccines of various kinds on a large scale. In addition they are carrying out valuable research work to some extent of a long range character. It is the ambition of the Director to develop it into a Medical Research Institute for East Africa. The laboratory also trains African

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Laboratory Assistants for all district hospitals. The vaccines and sera prepared would, it is stated, cost £22,000 to purchase. The total cost of the division is about £16,000.

The other main Nairobi activities include those connected with the European and Native hospitals with an Indian section, the excellent Mental Hospital with a visiting physician, the Infectious Diseases Hospital, the Prison, the Military and Air Force, the work of Police Surgeon, eye-clinics, the training of compounders and welfare workers, and inspection of schools. These employ six Medical Officers. A new general hospital will be constructed adjoining the Research Laboratory, as the existing hospitals are scattered and are being consolidated.

From 1930 onwards a great deal of attention has been given to the training of Africans to a standard very much in advance of that of the previous years. Three types of training have been carried on so as to provide hospital assistants, compounders, and welfare workers. Up to the present <sup>thirty</sup> 37 hospital assistants have been trained and 65 are under training; <sup>eleven</sup> 11 compounders have been trained and 6 are under training; <sup>twenty-seven</sup> 27 welfare workers have been trained partly at the Jeanes School.

In addition to the three Medical Officers and four Bacteriologists at headquarters there are <sup>four</sup> 4 Senior Medical Officers and Medical Officers giving a total of <sup>forty-nine</sup> 49 whole time Medical Officers. Of this total however, an average of seven are, as a rule, on leave. The staff on local duties including Nairobi and the townships also includes three District

Surgeons,

402

Surgeons, four Assistant and twenty-four Sub-Assistant Surgeons, with the necessary nursing staff. Nineteen Medical Officers are in the Native Reserves or in Turkana and the Northern Frontier Area, with twelve Nursing Sisters and six Sanitary Inspectors. The remainder are in the townships and Settled Areas in which however the great bulk of the work undertaken is in connexion with Native services.

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324. The aim in the districts of the Reserves is to have a medical centre with a hospital of from 50 to 100 beds at the headquarters of each district, with a varying number of dispensaries throughout the district constructed and maintained by the Native Council, but with a dresser paid by Government.

These dressers are supplied with the most necessary medicines and are also able to give simple injections.

In 1934 there were <sup>kind two</sup> 32 Government hospitals with 862 beds in the Native Reserves, with 148 beds in Mission hospitals subsidised on the scale of £26 per bed per annum. There are also various other Mission hospitals in the Reserves which take in Native patients. In all there are eight Mission hospitals which receive subsidies, and their total number of beds is 518. There were in addition 111 Government dispensaries. Maternity and child welfare work is still in its initial stages except in Nairobi and Mombasa but the demand is steadily growing. Health and Welfare activities are still in an early stage, but it is much that a beginning has been made in a society where the opposition to any change was so great a short time ago, and that a willing advance

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has been to some extent secured. The change in the outlook of the African peasant has been extraordinarily rapid, and, among the many agencies official and non-official which have contributed to widening his outlook, the Medical Department must take a high place. Five districts of the Native Reserves with large population have two European Medical Officers each, eight have a Medical Officer and one or two Nursing Sisters, and three have a Medical Officer and a Sub-Assistant Surgeon, while eight Native Reserve posts are in charge of Sub-Assistant Surgeons. An extension scheme which has been approved and adopted by Government in 1936 to be carried out as circumstances permit contemplates increasing the number of hospitals to 29 with 1911 beds, 48 Medical and Health Officers instead of 21, 44 Nursing Sisters instead of 15, and 24 Sanitary Inspectors instead of 8. 16 Motor lorries are proposed instead of 4. It is based on the provision of one bed per 1,000 of the population.

325. The department is therefore one with clear aims and a definite policy, including the development of African capacities to the extent permitted by the conditions and the educational position of today. It has to deal with a population which has begun to appreciate the advantages of European medical science; and fills the existing hospitals to overflowing. Maternity and child welfare work could also be largely extended, and the scope for sanitary improvement is unbounded.

So far as European requirements are concerned the position will be fairly satisfactory when the proposed

104

proposed Nairobi hospital is completed. Several small European hospitals have been constructed and are maintained by private effort with the assistance of Government. For example £1,500 lately collected for a new cottage hospital in Kitale represents a very creditable effort on the part of the local European community. In a country of long distances and a scattered population one of the main difficulties lies in getting patients to hospital, and a very useful sphere for private effort would lie in organizing a method of using the facilities which can now be provided for air transport. Some places complaints have been made that the requirements of the European non-official population have not been sufficiently provided for, and that the scale of hospital charges is too high. The fees actually collected are however very much below the nominal demand as reductions of rates are freely given in the case of persons in poor circumstances.

In the Native Reserves the crux of the problem lies in the poverty of the people and the inadequate resources available, even though these are supplemented so far as is possible by the Local Native Councils. The existing medical organization is in the main an efficient one and it is competently directed and controlled, but it entails large expenditure based as it is almost entirely on European Medical Officers, and with an extension scheme based on doubling their numbers. Tried by the tests of the proportion to the next expenditure of the Colony the percentage of <sup>the total</sup> ~~of~~ is not however high, and,



high, and, on the basis of patients treated the cost of Shs. 3/22cts is below that of most of the neighbouring Territories. The number of patients treated includes however the very large number at out-dispensaries, the organization of which differs considerably in the various Territories. It is nevertheless more expensive than it need have been because, although the old scale of pay was £600 x 30 - £840 x 40 - £920 x 40 - £1,000, reduced in 1926 to £600 rising to £920, with a small proportion of Senior Medical Officers on a scale of £1,000 x 50 - £1,100, yet, at the present time, out of <sup>105</sup> 118 <sup>number</sup> medical officers 19 are drawing £1,000 and <sup>7</sup> more than £1,000. The main reason for this discrepancy is said to be the decision of the Secretary of State made in 1926 that all Officers then in the service might proceed to £1,000 on passing the officinary bar. The most senior of these officers now has <sup>16</sup> 16 years service and the most junior <sup>10</sup> 10 years <sup>senior</sup>.

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326. Any substantial extension on these lines is at present financially impossible. The present policy of the Department with regard to the training of Africans is indeed an indication that it recognizes that any wide expansion in the future must be by means of an African personnel. The argument in favour of largely increasing the European staff is therefore that the highest possible standard must be maintained because only in this way will the Africans, on whom ultimately any large extension will depend

depend, learn to appreciate the necessity of efficiency. This argument certainly applies to all those parts of the organization directly connected with the training of Africans, and to the main centres of medical activity. When, however, it is applied to the service throughout the country, it comes into conflict with the consideration that the African has to pay for it, and that he cannot at present provide more in taxation. The Director is himself of opinion that substantial expansion is not feasible at present, and that agricultural or other economic advance which would raise the standard of living and of the food supply of the Africans to some extent, would do more for his health than an extension of medical facilities.

327. The absence of a Native subordinate medical service is in Kenya, as in most parts of Africa, one of the main causes of a medical expenditure relatively much higher than in the Eastern Colonies. As has been said above strenuous efforts have been made since 1950 in training men up to the standard of hospital assistants and up to the present time 37 Hospital assistants have completed their training. As compared with most of the African colonies the advance in this direction made by Kenya is substantial, but it is very much below the standard reached in the Sudan. In the Sudan apart from a large number of Assistant Medical Officers trained to approximately the Kenya standard for hospital assistants, a course of medical training was instituted in 1924 for the purpose of training

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Sudanese to replace the Syrians who then constituted the subordinate medical service. The training given is approximately up to the standard of subordinate assistant surgeons and up to the present time 53 <sup>with the</sup> Medical Officers of this type have completed their course and joined the service. Most of them serve as assistants to European doctors but some are in charge of small stations. All of these 53 <sup>with the</sup> are however from the northern Sudan and none belong to the Negro tribes of the Southern provinces of that vast territory.

Although therefore an earlier attempt should have been made to train Kenya Natives for medical work, the Colony is educationally in a less favourable position than the Sudan for attempting to develop a Native subordinate medical service. It is only now that candidates of a suitable type are becoming available in any numbers. A course of medical training has been begun at Makerere College, Uganda, and should ultimately make it possible to carry out a considerable part of the medical work of the Colony through a Native medical staff.

328. The expensive staff is, however, in existence and a reduction in numbers can hardly be proposed unless the financial pressure becomes even more serious than it is at present, while it may be expected that the present excess of highly-paid senior officers will diminish gradually. The available resources would go further if greater use could be made of private practitioners, more especially in the larger centres, though this would not

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necessarily be an economy. The Director does not, however, at present see any possibilities in this direction. A minor proposal which might be considered is the reduction of one Medical Officer in Kisumu, possibly by the substitution of private medical agency. Another suggestion which has been made is for the replacement of the Senior Medical Officer at headquarters by a non-technical officer, either lent by the Administration or specially trained for the purpose. Such an arrangement has worked satisfactorily in other Colonies, and it would still leave two officers for inspection work. The Director points out, however, that in Kenya there is no such volume of non-technical work at headquarters as prevail in one Colony at any rate where this system has been applied, and he is convinced that three officers are essential for adequate inspection. A short acquaintance with the country is not sufficient to justify a definite recommendation. Another change which might be considered would be the imposition of small fees both for inpatients and outpatients at the headquarters hospitals and dispensaries, in addition to the charges now made from employers on account of inpatients in their employment. Such fees are now levied at all the Mission hospitals. The main difficulty would be that of discrimination, as really necessitous patients could not be turned away; the missions, however, do not find this difficulty insuperable. There is, in fact, evidence that Native patients sometimes prefer to go to an institution where they pay because they imagine that the treatment will be better. No fees could in

could in any case, be levied at the out-dispensaries. This question has in fact been recently considered, not for the first time, and, at a meeting of Provincial Commissioners, a resolution was passed that the present was not a time for any such proposals. The system is undoubtedly difficult to work satisfactorily and is disliked by nearly all Medical Officers, but, if economic conditions improve, its introduction will deserve further consideration in the interests of extending medical facilities.

329. It remains to consider the possibility of economising in the Medical Research Laboratory, the cost of which is some £16,000. As regards the day-to-day medical work of the Colony it is a valuable and indeed an essential part in the production of vaccines and sera. Part of its work has, however, a much wider scope and is of less direct application to the ordinary activities of the department.

If there was a prospect of developing the laboratory into an East African Institute of Medical Research that aim is one which would deserve the fullest consideration. It is, however, recognized by the Director of Medical Services that the burden of carrying out all the long-range research which is required is not one which a single Colony, or even a combination of African Colonies, can bear, and that any considerable extension of this class of work will only be possible if large funds become available from extra-colonial sources. Even as it is now the Laboratory is a working organization which has produced valuable results, and to which much thought and labour

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and labour and considerable expenditure have been devoted. No large reduction of staff could in any case be proposed without, in the opinion of the Director, imposing such a strain on the remaining staff as might affect the quality of the sera and vaccines, the production of which is of such value to the country both from the medical and even from the financial point of view. No recommendation is therefore made in this regard.

(see cap)

The Coordination of Research in East Africa.

330. The Medical Research Laboratory furnishes a good example of a question of general importance to the whole of East Africa, that is the coordination of scientific research. In some branches of work, more especially those in connection with agriculture, the problems are largely dependant on special local conditions and research may therefore have to be carried out locally. Even in those cases, however, many of the fundamental problems can be dealt with in a central research station, and Amani in Tanganyika territory is already on an East African footing. Similarly, Makerere in Uganda is generally recognized as the centre for the higher education of the East African Natives. In the cases of medical and veterinary research there is no such recognized centre of East African research although the main problems to be dealt with are very similar throughout the whole of East Africa. It should be considered whether the medical and veterinary research laboratories in Kenya could not by agreements between the Governments concerned

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352

concerned be developed so as to deal with these branches of work on an East African basis. If this principle could be established by agreements between the three Governments it should be possible both to increase their efficiency materially and also to effect substantial economies. The geographical situation of their activities in relation to the advantages to be obtained from them by the three Governments principally interested may involve difficulties in arriving at an agreed working arrangement but should not make it impossible to conclude a mutually beneficial settlement.

MINING AND GEOLOGICAL DEPARTMENT.

331. As military expenditure is not within the terms of reference to this Commission the next department to be considered is the Mining and Geological, the newest of the Kenya departments.

Mining was of little importance until the discovery of the Kakamega goldfield at the end of 1930. Such mining as existed was controlled by the Commissioner of Lands as Acting Commissioner of Mines with the Principal Registrar of Titles as Warden of Mines. The industry began to assume importance from 1931 and a stimulus was given by the report of Sir Albert Kitson. The expansion has been traced in paragraph 25 of this report. The expenditure during 1934 was £10,000 and the direct receipts were £17,400; for 1936 the expenditure is estimated at £11,826

416

211,628 and the receipts from Royalties and Fees at 225,500.

For mining purposes there are two Mining Districts only; one district includes Nyanza Province with a Mines Office at Kisumu; a second or General district includes all areas outside Nyanza Province with a Mines Office in the Commissioner of Mines Office in Nairobi. Nyanza, which embraces all the proved goldfields, covers an area of some 6,000 sq. miles, with the exception of the Lolgorien field in the Masai Reserve, is divided into six areas, all of which are being thrown open to general prospecting. Within these areas some 2,320 sq. miles are held under prospecting licences. At present six fair-sized mines are known and there may be fifty to sixty small mines. No further difficulties are anticipated as regards land, and the relations between the miners and the Natives are satisfactory.

332. As a result of the changes in the Secretariat made in 1954, mining was included in the new department of Local Government, Lands, Settlements, and Mines, under a Senior Officer of the Administrative Service as Acting Commissioner. In June of the same year it was made a separate department.

The approved headquarters establishment includes besides the Commissioner of Mines, a Mining Engineer, a Chemist and Assayer, and an Assistant Warden of Mines. The approved field staff includes a Geologist and Assistant Geologist, a Senior

Inspector



Inspector of Mines, an Inspector of Mines, two Assistant Wardens, and a part-time Inspector of Machinery. There is at present only one Inspector of Mines.

There is certainly ample work in prospect for all these officers although development has been hindered by the difficulty of floating companies at the present time. A recent successful flotation has, however, already led to a recrudescence of activity.

Both the Geologist and the Assistant Geologist are at present employed in making a geological survey of the known gold fields so that reliable information may be available for intending prospectors. The concessionaires also employ their own geologists who are doing a considerable amount of work as a condition of their licences the results of that work are communicated to the Department. Both Geologists are liable to be called away to report on any discoveries and as many areas are known to be unexplored in Turkestan, the Northern Frontier Area and on the Coast, the field for reconnaissance is a wide one. The Mining Engineer is Technical Adviser to the Commissioner of Mines and also assists in and supervises the work of the Inspectors of Mines who are responsible for the safety of workers underground. He is also a geologist and in that capacity advises miners on mining development.

The Budget provides for four European Clerks (two men learners, two women typists), and three Assistant Wardens of Mines all included in the Local Civil Service. Of the three Assistant Wardens, one is in

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the Commissioner's Office and two on the Field Staff. Their duties besides registration are also executive and consist to a great extent in acting as arbitrators in field disputes. With the large number of small undertakings scattered over a very wide area their services have been valuable and very few cases have come into the Warden's Court held by Administrative Officers. Field headquarters are being transferred to Kisumu and unless there is a considerable recrudescence of mining activities, it is anticipated that it may be possible to terminate the services of one of the Inspectors of Mines. Further economies are clearly not practicable at present.

Having regard to the fact that the mining developments are in the Native Reserves, and that the relations between the Native residents and the mining community are of great importance, there are very definite advantages in having a senior officer of the Administration as Commissioner of Mines if a suitable officer is available.

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Cap. 200

MISCELLANEOUS SERVICES.

333. The main items under this head are £15,000, the subsidy to Imperial Airways, and the payments totalling £21,354 representing the guarantees in respect of Railway Branch Lines. The former is a fixed payment which will shortly come under review, and the latter are the results of an agreement with the Railway which does not come within the terms of reference to this Commission.

The sum of £1,400 shown under the head Meteorological Services (a) Contribution to Central Fund, represents Kenya's agreed share of the annual cost of the British East African Meteorological Service, which was brought into operation by the Secretary of State for the Colonies in 1929, and the costs of which are met by Egypt, the Sudan, Uganda, Kenya, Tanganyika Territory, Zanzibar, and Northern Rhodesia as follows:

Egypt	£2,400
Sudan	500
Uganda	1,000
Kenya	1,400
Tanganyika	1,300
Zanzibar	500
Northern Rhodesia	1,000

The service is not yet on a permanent basis, the staff being paid consolidated and non-pensionable salaries. Some extension of the services will, moreover, be necessary in connection with the proposed Empire Air Mail scheme. A proposal to place the service on a permanent basis and to develop it so that it may take its part in the network of Imperial Meteorological Services will be considered by the Governors

Governors Conference. If the scheme that has been drawn up is approved, and if the increased cost is shared by all participating countries, except Egypt and the Sudan, in the same ratio as present contributions are made, an additional provision of £4,660 will have to be made in the Kenya Estimates for 1937 under this head.

POLICE

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334. The Police Force in Kenya has had a somewhat varied history. When in 1895 the Foreign Office took over the administration of the East African Protectorate such police duties as existed were carried out by "station askaris" and administrative officers. With the commencement of the construction of the Kenya Uganda Railway a nondescript body was brought into existence for purposes of protection and was called the "camp police" working under the control of the Railway engineers, and in 1902 it had reached a strength of about 400. In 1898 the first police force deserving such a name was enrolled in Mombasa and given the name of "Mombasa Police Force". It consisted of approximately 150 rank and file with one European officer, and when later it absorbed the "camp police" and "station askaris" <sup>it</sup> was known as the "East Africa Police".

By the year 1906 it numbered 12 European officers and 1821 subordinate ranks. In 1907 a number of private soldiers from the British Army were

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seconded for service with the Police and were known as European Police Constables. By 1910 the force consisted of an Inspector-General, a Commissioner, and 52 other commissioned and non-commissioned officers, 18 Indian subordinate officers, and 1,923 Indian and African rank and file. The cost of the force amounted to £49,000.

During the next ten years, and more especially after the War when the European population increased considerably, there was a substantial enlargement of the force, which in 1920 consisted of an Inspector-General, a Commissioner, an Assistant Commissioner, 101 other European commissioned and non-commissioned officers, 40 Indian subordinate officers, and 2,339 rank and file. The cost was approximately £129,000.

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In 1923 the economic depression made economies imperative; the appointment of Inspector-General was abolished, and the force was reduced to 80 European commissioned and non-commissioned officers, 33 Indian subordinate officers, and 1,865 rank and file, while the expenditure was reduced to £107,000. This reduction was followed by an alarming increase in crime, with the result that between 1925 and 1930 substantial increases were made, until in 1930 the establishment included a Commissioner and a Deputy Commissioner of Police, one Assistant Commissioner, 152 European commissioned and non-commissioned officers, 47 Indian subordinate officers and 2,044 rank and file. The cost of this force was £172,000.

In 1931 a new economic crisis enforced

economies

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economies and the force was again reduced during 1931, 1932, and 1933, partly on recommendations made by the Expenditure Advisory Committee. It now consists of a Commissioner, an Assistant Commissioner, 102 European commissioned and non-commissioned officers, 39 Indian subordinate officers, and 1,625, rank and file, for which a provision of £134,773 was made in 1935 and of £135,622 in the estimates for 1936. Of this sum £7,373 is refunded by the Railway and Port Authorities, reducing the net cost to £128,249.

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335. The Select Committee on Economy made no recommendations with reference to the Police Force, and the main suggestions received by the Commission were in the direction of increasing the strength of the European element in the force. Considerable disquietude was for example aroused by the recent Samburu spear-blooding murders.

There has been a substantial reduction in its cost since 1931, but it has to be remembered that it was made possible by practically withdrawing the force from the Native Reserves, and confining its responsibilities to policing the European Settled Areas (including the towns of Nairobi and Mombasa) together with the Northern Frontier Area and Turkana. In general the Native Reserves, including the mass of the population, are controlled by Tribal Police working under the Administrative Officers, and the assistance of the Kenya Police is only required in cases of specially serious crime. The department

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does, however, maintain 167 rank and file at fifteen stations in the reserves. The Tribal Police are a very recent organization with little training or discipline, but they perform useful services in the maintenance of law and order.

336. In addition to their duties in the Settled Areas the Kenya Police carry out various functions outside their ordinary scope, including the Police service for the Kenya Uganda Railways and Harbours. As noted above the cost of these services is refunded to the Colony, but this does not include any contribution on account of pensions, gratuities, provident funds, the cost of training the personnel, and overhead charges. A recent enquiry into the fairness of this allocation of charges led to the conclusion that on the whole the agreement with the Railway and Harbours Administration was a fair one, and this conclusion may be accepted. Police detachments are maintained in the gold-mining areas, and the force is also charged with the verification of weights and measures, the control of immigration and of passports, and the discovery and registration of firearms.

337. The Commissioner of Police considers that a limit has been reached beyond which further economies will not only gravely impair a reasonable standard of efficiency but will actually endanger public security.

While the strength of the force and its cost are not high if it is considered as operating over the whole of the Colony, the matter assumes a different



different aspect when the limited character of the area and population with which it deals directly is taken into account. The Settled Areas include some 12,663 square miles, and their population including the towns of Nairobi and Mombasa is about 285,500. For this area and population the expenditure is not small, but the strength of the force, and still more its composition, is mainly governed by the special character of its work in the Colony. Broadly speaking the Police problem in Kenya is that of the detribalised Native and this is a growing problem, the solution of which is not yet in sight.

The following statement summarises the position in recent years as regards crime in the settled and urban areas:-

Year	Total true cognizable offenses under the I.P.C. and P.U.	Total true cognizable offenses against property	Honourable breaking and burglary	Thefts Excluding stock thefts	Total prosecutions under local and special Ordinances
1924	3898	3181	492	2066	6793
1925	3926	3409	580	2181	6055
1926	3942	3074	475	2241	9944
1927	3594	3003	373	2000	13706
1928	3010	2488	317	1722	14,289
1929	3769	3199	530	2103	19,770
1930	3982	3114	510	2124	26,343
1931	4977	3808	725	2539	28,590
1932	5370	4364	974	2836	27,402
1933	4601	3763	866	2288	22,574
1934	5281	4361	1068	2737	29,300

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The Supreme Court returns show that Stock and Produce thefts went up from 820 in 1931 to 1441 in 1932, declining to 1118 in 1934.

The above returns illustrate the effect of the recent economic distress in the direction of increasing crime, but except as regards the recent increase in burglary the changes are not specially striking. There is however a tendency towards more organized crime which was previously practically non-existent. Another aspect of this question will be dealt with in connection with Prisons.

The most striking feature of these returns is however the number and character of the prosecutions under Local and Special Ordinances. These are partly analysed in the following table:-

Year	Township Regulations & Municipal Corporation Rules	Native Registration Ordinances	Discusses of Animals Ordinance.	Vagrancy Ordinance.	Resident Natives Ordinance.
1927	3594	-	632	281	696
1928	3710	3306	720	160	678
1929	4149	5166	1279	942	822
1930	7386	5699	1098	1674	1016
1931	8354	5562	1444	1713	1107
1932	8332	4833	1376	2882	1244
1933	7026	2729	1462	1212	1011
1934	9504	3571	2033	1855	1092

These returns include the cases in which bail was taken and forfeited.

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1928	3710	3306	720	160	678
1929	4149	5166	1279	942	822
1930	7386	5699	1098	1674	1016
1931	8354	5562	1004	1713	1107
1932	8332	4833	1376	2882	1244
1933	7026	2729	1462	1212	1011
1934	9504	3571	2033	1855	1092

These returns include the cases in which bail was taken and forfeited.

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338. A great deal of the time of the Police in the Settled Areas is occupied in patrolling farms for the purpose of enquiry into illegal squatting, as it is considered that a large proportion of the crime, and more especially of stock theft, is committed by illegal, or even legitimate, squatters on farms who are removed from tribal control but not brought under any other adequate control. In some areas again, past confiscations have left a legacy of trouble in the shape of trespassing from the adjacent Native Reserves. Similarly in the towns the Police are largely engaged in prosecutions of Natives for not carrying their registration certificates (kipandia), or for infringing regulations restricting visits to towns by unemployed Natives. Here again the purpose is preventive so as to keep out the masterless Native who is believed to be responsible for much of the crime.

Further, as in the Settled Areas the persons to be dealt with on the farms are the European farmers, it is necessary to maintain a considerable proportion of European commissioned and non-commissioned officers, and objections are sure to be raised if a European post is removed. This all makes for expense, and, as a method of dealing with the detribalized native, can hardly be considered as a constructive solution of the problem. If, as seems likely in some areas, the squatters are removed from the European farms the problem will be intensified, as there will be a growing pressure towards the towns.

Working

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Working under these conditions it is difficult to place Natives in positions of any responsibility. The declared policy has been to educate and train the African non-commissioned officers of the force so as to make them capable of filling the posts hitherto occupied by Asiatics. Progress has however been slow, as it was difficult for them to assimilate the necessary training owing to their low standard of education. So far one African has been appointed as Assistant Sub-Inspector, and four others are on probation in similar posts.

An attempt has been made recently to obtain candidates from youths leaving the African schools with a higher degree of education. Two such experiments were made early in 1955, but the main difficulty in their case is the strong disinclination on the part of otherwise promising candidates to submit to the essential preliminary training on the barrack square, owing to an imagined superiority to their less educated comrades who are undergoing the same training.

339. As regards the possibility of economies, the most obvious avenue for substantial economy would be by the substitution of cheaper agencies, a change which would not be welcomed by local European opinion. Regarded from the point of view of India or of the Eastern Colonies, the proportion of gazetted officers is very high as each gazetted officer is in charge of not more than four or five Police stations, and the average total population in such charges is small. The position is the more striking when the considerable proportion

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proportion of European non-commissioned officers is taken into account, more especially as the ranks of gazetted officers are in the main recruited from the subordinate European staff. . Economics might possibly be effected by some reduction in the number of gazetted officers, coupled with giving some increase of responsibility to Inspectors and Assistant Inspectors. A part of the savings could be employed with advantage in improving the training of the subordinate staff, more especially in the direction of so developing the African staff as to fit them for more responsible posts.

340. The Commissioner of Police expresses considerable anxiety with regard to the position in the Native Reserves which in his opinion are increasingly used as centres for the organisation of crime outside these Reserves, while the Tribal Police are as yet not sufficiently organised and trained to deal with activities of this type. This is however a question of Government policy on which I am not qualified to give an opinion.

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POST OFFICE AND TELEGRAPHS.

341. The Postal and Telegraphs service of Kenya forms part, with those of Tanganyika and Uganda, of an amalgamated service under the control of one Postmaster-General who has his headquarters at Nairobi.

Each Territory is credited with its own revenue, and each retains full legislative and budgetary control over its own services and expenditure, and may therefore expand or restrict its services according to circumstances without involving the other Territories, except for minor repercussions on the common expenditure.

The latter expenditure includes headquarters staff, leave pay, passage costs, and charges for "common" supplies such as printing of stamps, stationery, etc. This expenditure is shared by the three Territories in proportion to revenue. Kenya and Uganda were amalgamated on these lines in 1925 and Tanganyika was included in 1933. The latter extension led to economies in the first year of working estimated at £9025 in Tanganyika, £3620 in Kenya, and £960 in Uganda. The total staff of the department includes 141 Europeans, 684 non-Europeans (graded and learner-clerical establishment), with 1167 unskilled non-Europeans. It is unnecessary to discuss its details.

342. The financial results of the whole department were: in 1934

Cash Revenue	£ 300,000
Recurrent Expenditure	245,000
Capital Expenditure	11,000

The free services rendered by the Department are valued at £55,500, and those received (buildings, quarters, medical, etc.) at £30,000. So far as Kenya is concerned, the provisional estimates for 1936 are as follows:-

Cash Revenue	189,093
↳ Recurrent Expenditure	132,792
Excess of Cash Revenue	56,301
Special Expenditure	4,180.

If, however, pensions and other concealed expenditure are taken into account, the balance of income over expenditure is reduced to £23,029. Of the total recurring cost of the Department, viz., £270,962, 49% is borne by Kenya, and it receives 58% of the combined revenue. This percentage is the basis for sharing common expenditure.

345. Of the various departmental rates and charges the only one on which special comment has been made is the letter rate of postage which is fixed at 20 cents (2.4d) for the first <sup>ounce</sup> ~~oz.~~. Prior to 1930 the rate was 15 cents (1.8d), but a return to this rate would involve a loss to Kenya estimated at £8,700 per annum which can hardly be foregone under existing conditions. The telephone rates have also been the subject of some criticism and they are certainly high. Whether they could be reduced without a substantial loss of revenue is however uncertain. Neither the Expenditure Advisory Committee nor the Select Committee on Economy proposed any reductions in this Department, which in fact appears



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appears to be run efficiently and in the main economically. In some respects the service is limited as for example there is no delivery of letters.

As in other departments the possibilities of economy lie mainly in the substitution of cheaper for more expensive agencies, but in order to yield any substantial reduction of expenditure this would involve the replacement of Europeans by Asian or African staff. Otherwise no special comment is necessary.

PRINTING AND STATIONERY

This department has been the subject of consideration by the Expenditure Advisory Committee and by the Select Committee on Economy. The former made certain suggestions which were incorporated in the budget of 1933 following them up by other proposals intended to reduce the cost of the department to £26,634. Only some of these were accepted. They also advised an examination of the arrangements with the Railway for payment in respect of printing carried out for it. Two members of the Select Committee on Economy proposed a lump reduction of £5,000, and the giving out of a small amount of work to contract as an experiment. If the experiment proved successful it could be gradually extended, and the Government Press decreased in proportion. They also questioned the system of coating which had been adopted

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adopted.

345. The Government Press was originally the Railway Press and Government had a separate Press. The two Presses were amalgamated and the Colony spent £12,650 on purchasing the plant and buildings of the Railway Press. £13,215 was spent on new buildings and machinery, some of it specially required for Railway work. The valuation of the plant was £10,170 on January 1st, 1927, and its present value may be estimated at £9,060. The newest machine was purchased in 1931.

The Press also prints for the Customs of Uganda and Kenya, the joint Post and Telegraph Office, the East African Governors' Conference, Local Native Councils and the East African Agricultural Journal. For these branches of work it is reimbursed.

It also carries out a good deal of work in connection with the butter levy, including collecting the cess and stamping some 600,000 wrappers. The only charge made is the actual cost of printing with no addition for the time of the staff employed.

The budget estimates amount to £29,091 and the reimbursements are estimated at £16,500, reducing the net cost of the Press to £12,591. This includes the total Government expenditure on stationery amounting to £3,400, reducing the net cost of the Press to £9,191.

346. The Government Printer, an officer of great experience, has just retired, and there can be no doubt that the work has been carried on with great efficiency.

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One criticism made was in fact that the actual printing was too good. It is also clear that the purchases of paper and of other requirements are made with judgment and economy.

As regards the reimbursements from the Railway, commented on by the Expenditure Advisory Committee, a careful enquiry was made into the method of calculating all reimbursements and it was found to be satisfactory.

The staff employed is also not excessive for the work done, more especially as for the present, at any rate, an Assistant Government Printer is not being appointed. In fact, as remarked by one member of the Select Committee on Economy, Government gets good value for its money.

The main question is therefore whether further economy could be secured by giving part of the work out to contract. It appears that in a number of instances quotations have been obtained from outside firms for printing, and that in each case the quotation of the Government Printer has been considerably less, though it is true that the Select Committee mention instances to the contrary on quotations received in the course of their enquiry. On the whole it does not appear that economy would be secured by action on these lines. There are, however, some minor matters in which economy seems possible.

During 1935 the Press printed over 27 million forms, 13 millions being for Railway use. The different varieties of forms ordered and stocked by Government departments total over 800, apart from those

those required for the Railway, Customs, and Post Office departments. <sup>four hundred and twenty-five</sup> 425 ledgers and registers of <sup>Hurlingham</sup> 39 different types were manufactured in addition to <sup>fourteen</sup> 14 types normally stocked. Thirty annual reports and other publications were printed and distributed by the Press. As regards the forms, it seems probable that more standardization could be effected, and this possibility should be examined. As regards the annual departmental reports, the majority have been reduced to a reasonable length, but some include a good deal of propaganda and accounts of scientific investigations. Annual reports are hardly the place for either of these activities. Scientific enquiries more especially are better dealt with in Bulletins. There is also some apparently unnecessary duplication such as the repetition in the Government Bluebook of a large proportion of the Annual Trade Report. Further, adequate care is clearly not taken by departments in scrutinizing tenders, and several instances were shown of excessive requisitions from three of the major departments which had to be questioned by the Press.

347. If it proves to be possible to dispense permanently with an Assistant Government Printer, the saving will be £1,040 approximately, including concealed emoluments, but this may be partly offset by some strengthening of the office staff.

PRISONS.

348. The Prisons Service was first instituted in 1911 under the control of a Central Prisons Board. The total vote was for £10,441. The daily average of prisoners was then 1346. In 1917 control was transferred to a Commissioner of Prisons. The total vote was then £19,528, the average number of prisoners was 1358, and the estimated income from prison industries was £200. By 1923 the average prison population had risen to 2086, and the Estimates totalled £37,002 including £18,482 for personal emoluments. The estimated revenue from industries was £450.

In 1925 a Bill was introduced embodying the principles of detention in special camps for technical offences involving no moral turpitude. By the end of 1927 twentyseven Detention Camps had been established with a total daily average for the year of 114. The total number of committals was 11,732 to prisons, and 1,421 to detention camps. During the same year Asian Chief Warders were abolished and their places were taken by European Officers. Five European technical instructors were engaged for the training of convict artisans for work on loan fund buildings. Their pay was at first met from the works, but in 1929 they were placed on the strength of the Prisons Department. Four of them were subsequently retrenched, only one now remaining.

The prison population showed little change until 1931 but a rapid rise occurred between that year

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year and 1934, as is shown in the following statement:-

	<u>1931</u>	<u>1934</u>
Committals to Prison	13,928	18,651
Committals to Detention Camps	<u>12,977</u>	<u>22,201</u>
Total Committals	<u>26,905</u>	<u>40,852</u>

Daily average in Prisons	2,508	3,439
Daily average in Detention Camps	<u>798</u>	<u>1,902</u>
Total Daily Average	<u>3,306</u>	<u>5,341</u>

European Staff	20	20
African Warden Staff	396	395
Clerks	10	9
Asian Technical Instructors	4	2

Actual Expenditure (less raw material for prison industries)	241,817	246,319
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Actual Revenue including	28,532	27,406
Hire of convict labour	2,849	765
Industries	5,683	5,771

In 1935 the number of prisoners decreased largely and the average was only 2752 as compared with 3439 in 1934.

In 1931 the revenue shown included that obtained by the hire of convict labour to Government. In 1934 this labour was supplied free in order to enable departments to economize in their votes for labour. In 1935 the actual revenue was £9,517, of which £388 was from the hire of convict labour, and

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£9,129 from prison industries. The expenditure on food rose in the same period from £9,979 in 1931 to £12,597 in 1934. Actual economies were impossible in consequence of the increase in the prison population, but relative economy was aimed at by closer supervision by European officers, and there was a steady reduction in the gross cost per head per annum of prisoners and detainees. This cost was as follows:-

Year	Cost per head		
	£	s	Cts.
1931	12	13	0
1932	11	1	0
1933	6		0
1934	8	13	45

The Commissioner of Prisons lays special stress on maintaining the present number of European officers and their emoluments, as he holds that only in this way is it possible to combine efficiency with economy.

349. The development of the prison population and expenditure has not been accompanied by any corresponding development in the methods of treatment and of training of the prisoners. Both the accommodation and the scope of prison activities are very limited. There are 28 prisons in the Colony and 42 detention camps. The prisons are divided into three classes, with Nairobi, (Kisumu, and Mombasa in the first-class, taking all types of prisoners; four second-class, taking those with sentences up to three years; and twentyone third-class, taking those with

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	£	s	Cts.
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349. The development of the prison population and expenditure has not been accompanied by any corresponding development in the methods of treatment and of training of the prisoners. Both the accommodation and the scope of prison activities are very limited. There are <sup>fourth class</sup> 28 prisons in the Colony and 42 detention camps. The prisons are divided into three classes, with Nairobi, (Kisumu, and Mombasa in the first-class, taking all types of prisoners; four second-class, taking those with sentences up to three years; and twentyone third-class, taking those with



With sentences up to six months. First and second class prisons are gazetted as Lunatic Asylums and Houses of Detention for vagrants. European officers are concentrated in the three first-class and in two of the second-class prisons. Apart from the separation of females and juveniles, all classes of prisoners from long-term convicts and recidivists to first offenders are in the same prisons. Short, medium, and long term prisoners sleep separately, but otherwise are not separated. The proportion of recidivists has gone up steadily from 11.2 in 1928 to 24.4 in 1934. Bad cases of recidivism are practically confined to the towns.

In 1934 the congestion in the Prisons was very great, the daily average in Nairobi was 1067 and in Kisumu 424, though neither of them was intended to take anything approaching that number. For short periods the numbers were even greater, and in June, 1934, Mombasa had 400 with accommodation for only 332. The general death rate, which had been 14.1 per thousand in 1933, rose to 27 per thousand in 1934, and the medical report for that year expresses much anxiety on this account. The congestion would have been greater but for the establishment of temporary-prison camps. Recent numbers have, however, been much lower, Nairobi having 713, Kisumu 350, and Mombasa 164, though the numbers are again showing a tendency to rise.

The main industries taught in the prisons are those of masons, carpenters, and tailors, for each of which there is a European instructor. A considerable proportion of the clothing for Government departments

is made in Nairobi prison. An average of 250 convicts from Nairobi was also employed during 1935 at a Railway quarry camp for medium and long term prisoners, and the establishment of this camp is considered to have contributed to the fall in the number of prisoners. At eleven prisons there are farms for growing food for the prisoners. A farm camp was provided for in the Estimates for 1935, and warders were actually engaged and trained, but the scheme fell through.

The 42 Detention Camps are under the control of District Commissioners with one or two African overseers. Discipline is necessarily somewhat lax, and little work is done except clearing and similar easy tasks in the stations.

The other expenditure included in the Prisons budget is that for a depot for the training of recruits, and an Approved School for the application of Borstal methods to juveniles. This is estimated to cost £3,194 <sup>now</sup> and has 92 inmates but is expected to rise to 150.

350. This short summary of conditions in the Kenya prisons indicates that there are many defects in the existing system. They lie in the character of the buildings themselves; in the association between old offenders and first offenders, which is likely to produce criminals; in the methods of dealing with prisoners; and in the industries or other labour provided. These are, however, matters not of economy but of additional expenditure, and this report is concerned with possible economies. The income could

be increased by the introduction of other industries, but this would probably involve competition with private industries.

351. As regards possible economies, the suggestions so far made are as follows. The Expenditure Advisory Committee made several recommendations with regard to staff, which were accepted. They also suggested that the rations appeared to be unduly generous and could be changed without detriment to health; this has been done. They considered further that the prison population was unduly swollen by Magistrates not making sufficient use of fines.

The Select Committee on Economy accepted the basic principle that the real road to economy is a reduction in the prison population, but made certain recommendations with regard to the scheme for Approved Schools which have been accepted.

At the present time economies which appear to be practicable are:-

(1) If the prison population keeps at its present standard, a number of wardens can be reduced; there appear to be 25 over strength at present.

(2) Consideration might be given to the extension of the farming activities of the Department in order to reduce the cost of food purchased for prisoners and detainees. This measure would combine an extension of the scope of prison activities with effective segregation of first offenders from recidivists. It would be put into practice by means of farm camps for first offenders; the training in these camps would be of practical use for an agricultural

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agricultural community. The Commissioner of Prisons has advanced proposals on these lines on more than one occasion.

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(3) A scheme put forward by the Commissioner of Prisons appears to deserve careful consideration. Under this scheme the Prisons Department would concentrate more closely on the major (I and II class) prisons. The 21 minor (III class) prisons would be styled District Prisons, and would be placed under the officers of the Administration, with staffs of district prison warders recruited, paid, and supervised on the lines of the tribal police. These district warders would be distinct from the warders of the regular prison service.

It is estimated that an organization of these lines would result in a saving of £1,500, against which the Commissioner wishes to set 2480 for two more European officers for Kakamega and Nyeri prisons. These additional officers are, however, not essential to carrying out the general scheme of reorganization. Many considerations have to be taken into account in connection with this scheme, and no definite opinion can be given by a temporary visitor, except that it appears to be worth the attention of Government.

352. The economies possible in this department may be estimated at about £2,000, but unless the prison population falls to a considerably lower level the saving may be only temporary as improvements are required in many directions.

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PUBLIC WORKS DEPARTMENT.

353. The Public Works Department has been the subject of a great deal of controversy in Kenya, largely on account of its relations with the European District Councils established in 1927 on the recommendation of the Feetham Committee. The Department has a fairly long history. It was first established in 1896, but until 1901 its activities were confined to Mombasa. Executive Engineers' offices were opened in Nairobi in 1902, at Kisumu in 1903, at Naivasha and Eyeri in 1906, and at Eldoret in 1910. The head offices were transferred to Nairobi in 1908. In 1926 the Executive Engineers' offices, stores, workshops etc., at Naivasha were transferred to Nakuru, and in 1931 the Nakuru division was absorbed in the division of the Executive Engineer, Nairobi. The history of the Department reflects the progress of the Colony as well as the tendency to concentrate administration in Nairobi. Its activities increased steadily up to the outbreak of War in 1914 but were relaxed during the next four years, as a number of its European staff were on military service.

After the War a large number of projects were set on foot, but the economic depression caused a set back, and retrenchments had to be carried out on a considerable scale. In 1924 the conditions commenced to improve, and various proposals for development were taken on hand including roads, bridges, buildings, water and irrigation projects.

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In 1925 and the succeeding years a number of these projects were sanctioned and were carried out partly from revenue but largely from loan funds. The loan expenditure has been dealt with in paragraph and amounted to £274,431 on roads and bridges, £234,827 on water works, and £1,301,291 on buildings. For the principal buildings the services of the distinguished architect, Sir Herbert Baker, R.A., were employed from 1926 as consulting architect with the assistance of Mr. Hoogterp. Under the terms of their contract they will be employed in connection with the proposed central offices for Government, but all other buildings will in the future be constructed independently. The post of Government Architect was abolished in 1922 but was re-established in 1925, so that the Colony has to pay both the pension of the former architect and the salary of the new officer. The dual arrangement with Sir Herbert Baker and Mr. Hoogterp was bound to be expensive. After 1925 to cope with the requirements of survey, design, and execution, a considerable increase of staff took place in replacement and extension of those retrenched in 1922 and 1923, to many of whom (in addition to the architect) the Colony was paying pensions. Stores which had been sold at heavy loss by auction in 1922 had to be replaced. Retrenchments are sometimes a cause of considerable waste.

354. With the improvement in the financial position new areas in the Colony and Protectorate were brought under administration with a resulting expansion of responsibilities. The mileage of public roads for which the Department is technically road authority

increased

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increased from 3,000 miles in 1922 to 10,500 miles at the end of 1934, with 522 bridges with an aggregate span of 16,223 feet. In addition 1,713 miles were in that year maintained by six District Councils out of Government grants provided for in the Local Government head of the Estimates. These grants were originally fixed at £36,650 on the basis of the provision in the 1927 estimates for the maintenance and improvement of roads and bridges (other than main trunk roads or bridges on such roads) within the area of jurisdiction of a District Council, plus 25 per cent for overhead charges of all kinds. These basic grants could be increased on certain conditions. By successive agreements between Government and the District Councils these grants were reduced to £31,071 in 1935, and to £30,718 in the estimates for 1936. By a recent arrangement about 320 additional miles of main roads are being made over to District Councils with an additional grant of £6,545, of which £918 represents administrative charges. In consequence of the reduction in capital expenditure during the last few years the Eldoret division has been closed down, and the activities which remain under the department in that area have been combined with those of the Kisumu division under the Executive Engineer, Kisumu. These activities now consist primarily of the upkeep of 430 miles of road, most of which are in Suk-Turkana, the maintenance of public buildings, township matters including water works at Kitale, and occasional small capital works.

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The expenditure on new public buildings between

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between 1926 and 1934 has been about <sup>1 1/2</sup> million pounds and on water supplies about half a million pounds. As a result of the financial depression commencing in 1930 the activities of the department on new works began to decline but there was no reduction in the recurrent responsibilities either for maintenance or for other services. Some services have in fact increased, such as those for Local Native Council projects, for aerodromes, for the administration of technical laws (more especially water laws), and for some revenue-earning undertakings. Maintenance responsibilities have necessarily increased.

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355. ~~As regards~~ the financial difficulties of the time there have been several reviews of the organisation of the Department, including the examinations made by the Expenditure Advisory Committee in 1932 and by the Select Committee on Economy in 1935. Between 1931 and 1934 the revenue staff was reduced by 129 (about 46% <sup>of the</sup> including 80 Europeans and 49 Asians, and the temporary staff charged to loan has been almost entirely retrenched, the reductions amounting to 52 <sup>Europeans and 26 Asians</sup> during the same period. So far as its cost is concerned the expenditure on personal emoluments has decreased from £97,225 in 1930 to £65,001 in 1934, and other charges from £52,131 in 1930 to £17,652 in 1934.

356. The latest published report of the Department, that for 1934, shows the following classification of roads:-

Miles

42



	Miles	Expenditure on main- ten- ance and improvement.	Average rate per mile.
Trunk Roads Class I	1,249	30,375	24.32
Class II	1,582	7,045	4.48
District Roads		£	
European areas	523	4,122	7.92
Native Areas	4,851	10,902	2.25
Northern Frontier District Roads	2,306	1,860	0.8
Township Roads and Streets.	88	1,821	20.69
Total	10,519	56,125	-

The recent arrangement with the District Councils for the maintenance of certain trunk roads within their areas is to be a contract between the Director of Public Works and the four District Councils concerned for a period of three years. Under the contracts the Director of Public Works pays to the District Councils each year the sums set forth in the agreements, partly out of the Public Works Recurrent head and partly out of the Public Works Department head to cover the Councils' direct charges, overheads, and administration charges in respect of those roads. The Director of Public Works (or his representative) is required to inspect and to satisfy himself that the work is done properly. The figures in the Departmental estimates are therefore not affected by the arrangement. A similar contract for three years has been in operation with the Nakuru District Council for some time in respect of 103 miles of trunk road, and in this case also the Department carries the Council's direct charges

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District Roads			
European areas	523	4,122	7.92
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# PUBLIC RECORD OFFICE

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I have been thinking of you  
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 well and happy. I am  
 very busy at present but  
 will try to find time to  
 write to you soon. I  
 am sure you will be  
 interested in the  
 progress of the  
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 posted as things  
 develop. I am  
 sure you will  
 be glad to hear  
 from me. I  
 am  
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