

EAST AFR PROT

7

4032

4032

Governor
Balfour

Conf
146

1914

REPORT OF LABOUR COMMISSION

1st September

Submits details of proposals for reorganising administration so as to provide a special staff for the control of native affairs. Requests may enclosed may be returned.

Last previous Paper

36042

Map (for return) to be 23/10/14
Map returned (for District) 4/11/14
And conf convs 15 Dec 14
Map for conf convs 26/Jan 15

Mr. G. Fuller

The present is scarcely the time for embarking on a new venture of this kind, & I think that the bones of the scheme should stand over until the situation is more normal. If, the Govt accordingly, get the C.A.'s drawing office to make a copy of the map & return the original.

14/11/14
Subsequent Paper
59289 (M) (P)
10455/14

You will see from Enc. E that the Govt hopes to make a survey of £2,500 by adopting the new scheme - but this is the assumption that Mr. Hobley

can be provided for elsewhere + that
Mr. Hinde + Mr. Lane will also compulsorily
retire. It remains to be seen whether
Mr. Hobley can be so provided for, &
if Messrs Hinde + Lane are retired, their
positions must be deducted from at
least against the saving question.

J. R.

27/8/4

Agree.

27. 10. 14

7

28. 11. 14

Think it is a question of
conceding to various interests
which are to be met
+ cannot be met by
any one person

107

Mr. G. Fildes.

8

The one in the deep deal
with various matters but the pr^o:

tells us in para: 10 that his deep:
is devoted only to the question of the
reorganisation of the adminⁿ service

The proposed scheme appears to
follow the S. African model, but you
will see from the passage which I
have recalled on p. 133 of Africa N^o
954 that Mr P. Forward told us
that the aims of the two countries

were different, that a strong Native
affairs Dept^t is not met S. Africa
requirements, that if we relied upon
inspiration in the white areas + native
commⁿ in the native reserves, especially
to different dept^s at Headquarters, the
two authorities wd^d inevitably clash, &

I think that we sh^d. call the
attention of the pr^o to the passage
& ask him to explain in what
respect the position has been
modified since 1909.

As regards finance, a saving of

2,885 is shown in Enc. E, but
from this we must at any rate
deduct the provision of Mr. Hinde +
his share which wd amount to
£387-6-8 in each case, assuming
that they arrived on 31 March/15.

Total £734

This is owing on recurrent expend^{re}.
It appears from para: 4 of
the 2nd one that there may be
considerable capital expend^{re}
for office + house accommodation at
headquarters + for accomm^{ts} at the
district stations. It is anticipated
(see para: 5 of same one) that there will
be some saving on the clerical staff
but we ought to have details.
Also para: 9 (ii) suggests that some
add^l ap^{ts} will be required,
with a corresponding increase in the
recurrent expend^{re}.

The annex proposals for dealing
with the Coast staff (p.p. 8 + 9
of Enc: 1) appear to be somewhat

reluctant + I doubt whether Mr.
Ameswith, speaks whose service has been
almost entirely in the Interior, speaks
with much authority in the matter.
Ack: say that it wd not be
any case be possible to bring the
scheme into operation until the
situation had become more normal
but that in the meantime Mr. H:
wd be glad to receive further
info on certain points in the letter
in the sense of the foregoing -
+ return asap. Keeping copy.

W. J. H.
24 Feb/15
W. J. H.
Remind for: 28
Ltd 25.6.15

Conversation with MR. ISAAC, Saturday September 11th.

Mr. Isaac was anxious to impress upon me the desirability of keeping the present system of Provincial Commissioners over a Province instead of transforming them into Native Commissioners and bringing the Province generally under the secretariat. He said that the inevitable tendency would be to create a sort of dualism between the interests of the natives and other interests which might very likely lead to encroachments on the existing native reserves and so to trouble.

It is made clear that there is friction both there and that Mr. Isaac was representing his side as contrasting with Mr. Vering's. It is interesting, however, that the same point was just made up in Rhodesia.

A.S.C. 189

PUBLIC RECORD OFFICE

11

One Document, being *general plan of East Africa*
Interstate.

has been removed to *MPCS 59*

16.9.68

A.H. Knightbridge

35° 36° 37° 38° 39° 40°

ENCLOSURE No 3
D. H. ...



U C A N D A

A B Y S S I N I A

S E Y Z

BOUNDARY

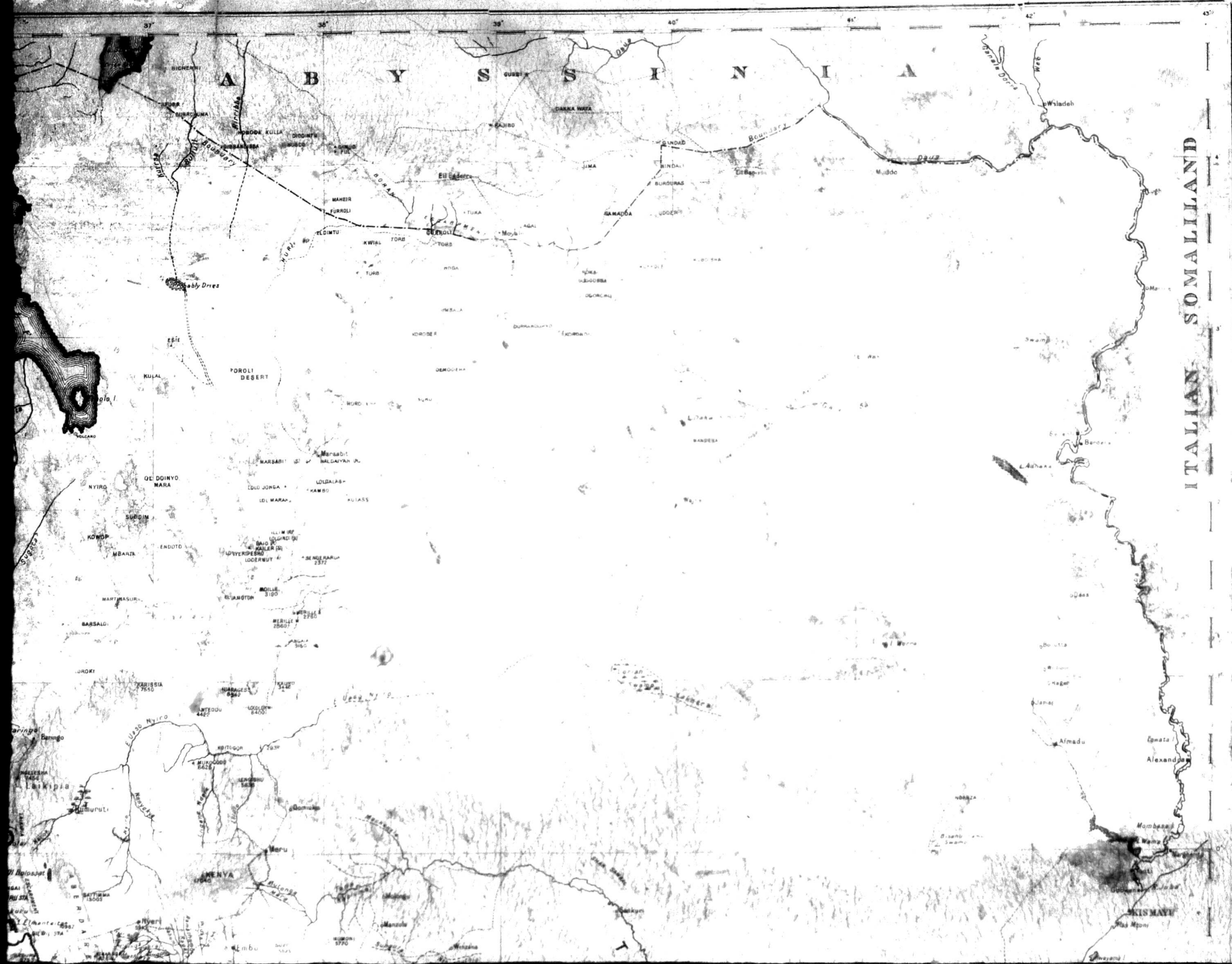
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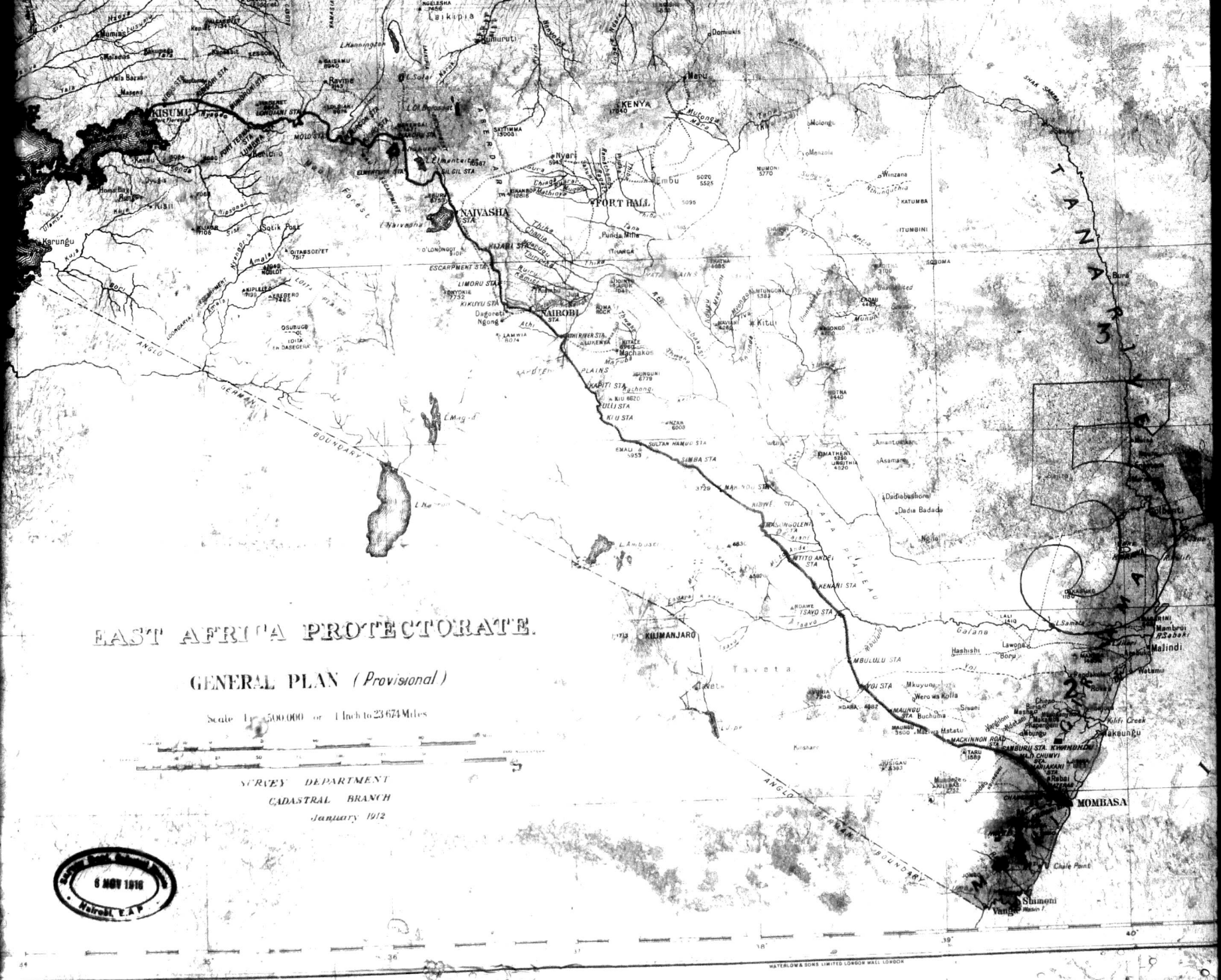
BOUNDARY

KENYA

A B Y S S I N I A

ITALIAN SOMALILAND





EAST AFRICA PROTECTORATE.

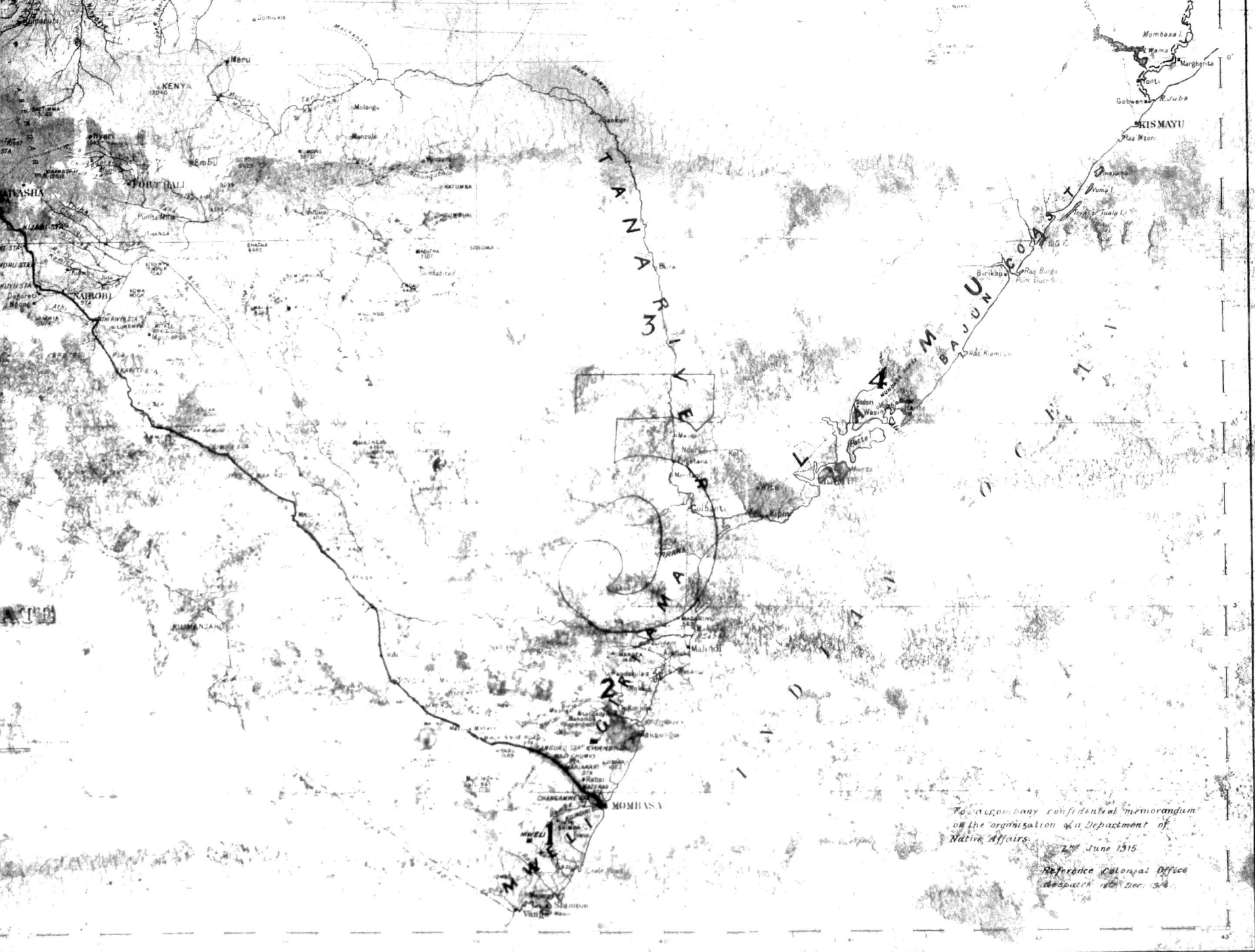
GENERAL PLAN (Provisional)

Scale 1" = 500,000 or 1 Inch to 23.674 Miles



SCREY DEPARTMENT
CADASTRAL BRANCH
January 1912





To accompany confidential memorandum
of the organisation of a Department of
Native Affairs.

2nd June 1915.

Reference Colonial Office
Despatch 180 Dec. 1914.

~~620~~
~~17789~~
REC'D
APR 17 1915

12

1st September, 1914.

EAST AFRICA PROTECTORATE.CONFIDENTIAL No. 146.

Sir,

42
12092

With reference to paragraph 3 of your despatch No. 479, dated May 20th, 1914, in which you dealt with the various proposals made by the Labour Commission and with my comments thereon, I have the honour to report that the question of so reorganising the administration of the Protectorate as to provide a special staff for the control of native affairs has formed the subject of long and careful study and consultation between Mr Ainsworth and myself, and that as the result of such deliberation I now find myself in a position to submit to you proposals in detail which have been elaborated in accordance with our joint views.

2. Mr Ainsworth has, at my request, embodied the results of our conferences in the memoranda and tables which are forwarded herewith, which documents I submit to you as an expression of my personal views regarding the lines on which we should proceed. It appears to be unnecessary

Memoranda
Tables.

THE RIGHT HONOURABLE

LEWIS HARCOURT, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON, S.W.

that

(2)

that I should elaborate these proposals by further comment in this despatch, but it may be convenient if I offer certain observations explanatory of the general lines upon which the scheme has been prepared.

3. A general comprehension of the proposals will best be attained if commencement is made by an examination of the enclosed map. The reorganisation will involve a considerable rearrangement of the existing provincial and district boundaries. The result of such rearrangement is delineated on the enclosure, the native and non-native divisions being shown in green and red respectively.

The groups of districts which are shown as divisions have been so connected for purposes of inspection only. In practice, the Native Commissioner in charge of each district will correspond direct with the Chief Native Commissioner at Headquarters, and the grade of Provincial Commissioner will disappear.

I shall be obliged if the map may be returned to me as it is at present the only one in existence.

4. The scheme aims at effecting reorganisation by the following means:-

- (1) The establishment at headquarters of a central department of native affairs, which will deal with all questions arising in native areas or connected with native administration, under the control of a

Chief

Map.

Chief Native Commissioner, who should be a member of the Executive and Legislative Councils and by whom all questions for decision by Government will be communicated to the Chief Secretary.

(ii) The appointment of Travelling Commissioners, who will not be vested with executive functions but will continually visit and inspect all native areas and report thereon to the Chief Native Commissioner.

(iii) The appointment of Native Commissioners in charge of native districts, and of other areas in which the white population may not be numerically sufficient to justify the appointment of a District Officer, with Assistant Native Commissioners under them.

(iv) The appointment of District Officers, in the white settled areas, who will communicate direct with the Chief Secretary regarding matters relating to administration and with the Chief Justice in matters concerning their magisterial duties.

The work of both branches will thus pass through the hands of the Chief Secretary, as at present, but it may be anticipated that the presence of the Chief Native Commissioner will relieve the Secretariat of much of the detail work regarding native administration which is now put up to that Office by the Provincial Commissioners.

5. The detailed lists which are attached to

to the enclosed memoranda have been so arranged as to show the manner in which it is considered that the present staff can best be distributed and utilised. It will be understood that it may be necessary to effect some modification later on when the new organization has been subjected to the test of experience.

6. It has not been found possible to find any place in the scheme for three of the senior Provincial Commissioners - Messrs Hobley, Hinde, and Lane. Mr Hobley is somewhat senior to Mr Ainsworth, and neither of these officers can be placed to work under the other. I am recommending Mr Ainsworth for the post of Chief Native Commissioner because he is the stronger officer of the two and has made deeper study of the native question than any other present member of the service. Mr Hobley is, however, an industrious and painstaking officer, with much experience, and it is with regret that I have to point out that no post exists in the scheme which he could be expected to accept. He is deeply interested in his work and has years of valuable service before him. If therefore you see fit to approve the general lines of the proposals now submitted, I strongly commend Mr Hobley's name to you for promotion elsewhere equivalent to that which is being recommended for Mr Ainsworth. It is possible that you may shortly be able to make use of his services in some neighbouring territory.

7. Mr Hinde has presumably done useful work

in

in the past, but he is tired of his present duties and realises that he has nothing further to expect. I have nothing to say in favor of Mr Lane. He is wholly wanting in energy and interest in his work, is occasionally obstructive, and is generally unpopular. The service will be far better without him. I recommend that both these officers be retired on pension upon abolition of appointment.

8. The question of labour is one of the most important features in the problem of native administration in East Africa. The existing methods of dealing with it are admittedly ineffective, and in some particulars are objectionable. A general consensus of opinion exists that the practice of licensing individuals as recruiters is undesirable, and it is most necessary that no time should be lost in substituting for it some more acceptable and more effective procedure.

I am most strongly opposed to any system whereby the duty of recruiting labour is imposed upon the Government, and I hold the opinion that Government intervention should be limited to supervising and regulating the machinery by which recruitment is effected.

I favor the establishment of licensed labour bureaux at the principal centres of supply - the members of these bureaux to be nominated by the principal firms interested in the exploitation of labour and associated with a Government labour officer, four of whom are provided under the scheme

scheme, who should be entrusted with the duties outlined in the enclosed memorandum on the labour question.

I had called a meeting of the representatives of the firms interested in the labour supply to discuss the formation of such bureaux but unfortunately the declaration of war necessitated its indefinite postponement. I shall hope to be able to hold it in a few weeks' time when the situation has again become more normal, and I fear that I must defer submission of details in the meantime.

9. The question of the identification of natives, which is closely associated with that of labour, is now being considered by the Convention of Associations, to whom I have intimated my desire to be furnished with their views. When next addressing you upon this point, I shall hope to be able to put up a draft bill for your consideration.

10. Mr Ainsworth has included in his memorandum some valuable observations on native education, but I do not propose to enlarge upon the subject here because consideration of such questions must come at a later date. This despatch is concerned only with the reorganisation of the administrative service, and education is one of many matters which it will be the duty of the native department to consider when its formation has been completed and it has settled down to its work.

11. It was my desire that this scheme of reorganisation might have been settled in time to
arrange

arrange the next Estimates accordingly, but I am doubtful whether it will now be possible to bring it into force at the commencement of the financial year unless I receive your final instructions by the end of October next. I realise that so extensive a scheme will probably present points of principle and detail on which you may desire to comment, and I have been at pains to elaborate it as fully as possible in order that the necessity for further reference may be reduced. I do not desire to effect the change with undue haste, but I should regret to be compelled to defer its introduction until April, 1916.

I have the honour to be,

Sir,

Your humble, obedient servant,

A. Lindsay Beckett

GOVERNOR.

9 OCT 14

NATIVE AFFAIRS

29

Reorganization of the Administration of Native
Affairs in the East Africa Protectorate.

Proposals for the institution of a
Department of Native Affairs.

1. Present system of native administration.

A number of districts comprise a Province. An officer styled Provincial Commissioner is in charge of the province. Each District Commissioner corresponds with the Provincial Commissioner, the Provincial Commissioner in turn corresponds with the Chief Secretary to Government. The Provincial Commissioner under the present system is required to carry out the duties of a District Commissioner, which is practically a heavy work comparatively large clerical staff and a Provincial Headquarters, and in addition carries out inspection of districts. Provincial Commissioner reports to Chief Secretary for information of Government.

2. Suggestions for the formation of a Native Department.

(I) A Department of Native Affairs to be instituted when the present system of Provincial Administration would be abolished.

(II) District Commissioners would then be styled Native Commissioners and would correspond direct with the Native Department.

(III) The different Native Districts in the Protectorate to be regrouped where necessary and then placed into Administered Divisions or Provinces. Each Administered Division to be numbered and named.

Two or three senior Administrative Officials, e.g., officers at present holding the position of Provincial Commissioners to be posted to Headquarters and to be available for inspection visits of the Administered Divisions. Such officers to have no executive functions in such Divisions. They to submit reports to the Chief Commissioner, (the position of these officers as regards their inspection visits would be somewhat analogous to the position of the Inspector General of Police).

3. Constitution of a Native Affairs Department

Chief Native Commissioner

Deputy Chief Native Commissioner

Assistant to the Chief Native Commissioner

Travelling Inspectors

European Office Superintendent

Two European Clerks

Three 2nd Grade Non-European Clerks

Two 3rd Grade Non-European Clerks

Two 4th Grade Non-European Clerks

with miscellaneous native staff.

District Commissioners (Native Commissioners)

Asst. Dist. Commissioners (Asst. Native Commissioners).

Necessary Clerical assistance and native staff.

Labour Inspection Officers

Necessary Clerical Staff.

Headquarters
Staff.

District
Administration.

Labour:

4. Areas and People to be subject to the Control of a Department of Native Affairs.

(I). All Native Districts or Reserves, Town Settlement Areas, and District Station Areas and the Native people therein.

(II). All African natives residing in towns and townships, trade centres, on farms, plantations and elsewhere in the Protectorate.

Provided, however, that the Governor may by Proclamation declare any particular tribe, part of a tribe, or any particular people to be either temporarily or permanently removed from the control of the Native Affairs Department and may in like manner rescind such proclamation.

(III). Native Reserve Protected Forests.

(IV). Mission Locations in Native Districts.

5. Areas to be excluded from the Administered Divisions.

All areas in the Protectorate which by proclamation in the Official Gazette shall be declared to be non-native areas, provided, however that for purposes of inspection of Africans employed or residing therein a Travelling Inspector or other officer appointed by the Chief Native Commissioner may include them within the area of inspection.

6. A map is attached shewing the proposed Administrative Divisions coloured green. There are five such divisions. These divisions have been constituted with a view to grouping the different districts together for purposes of inspection only.

The proposal removes us from the present Provincial boundaries. With Native Commissioners corresponding direct with the Central Department the rearrangement of the Provincial boundaries will not matter. Under the proposed arrangement the whole of Kamasia, Elgeyo, Maraquet, Suk and Turkana are grouped with "Nyanza" (Administered Division No.1), such an arrangement would do away with Naivasha as a Province. The Kenya Province would, under the proposals, be known as Administered Division No.2 and be named either "Kenya" or "Kikuyu". The Division would include all the present districts plus the Kyambu district with Dacoratti at present forming part of the Ukamba Province, and, because of its proximity and its comparative unimportance if left to itself, Mamoni, now in the Kitui district, should be included as a sub-district of Embu and come within Administered Division No.2.

The present Province of Ukamba re-grouped as follows:-
Ulu, Kitui, Kikambaliu, Teita and Taveta, would become Administered Division No.3.

In this connection the question of Nairobi requires dealing with; the present proposals would mean that there would be no necessity for posting a Native Commissioner or Assistant Native Commissioner to Nairobi. It is intended to deal further on with the general question of the effect on towns, &c, of these proposals.

It will be noticed that the Masai Reserve (the whole) has been shown on the map as an Administered Division, No.4. This division is sparsely populated but owing to its extensive nature it is difficult

to include it in any of the other Administered Divisions.

Administered Division No. 5 is made up by the re-grouping of districts in the present Seyidie and Tanaland Provinces (Teita and Taveta have as previously shown been taken out of Seyidie and grouped with Ukamba, No. 3)

7. The Northern Frontier and the Jubaland Districts are not included in these proposals, it being understood that they are regarded for the present and possibly for some time yet to come as districts being subjected to some form of military occupation, and that, therefore, it is undesirable to include them for some time yet under the ordinary Native Administration of the Protectorate. The proposal then in this connection would be that they should be termed Special Districts. The officers serving there would not for the present come under the Native Department.

8. The attached map shows the interior areas now occupied by non-natives coloured in red and numbered one to seven as follows:-

- No. 1 Trans-Nzoia.
- 2 UasinGishu.
- 3 Londiani-Kisumu.
- 4 Elburgon-Elementeita (Nakuru)
- 5 Gil-gil-Kikuyu (Naivasha)
- 6 Kenya, Nyeri, &c.
- 7 Athi-Kiu-Kikumbuliu.

It is suggested that the arrangements in these areas should be worked out as follows:-

(I) In the locations occupied by non-natives only and when the number of settlers warrants the appointment - A Resident or Travelling Magistrate or an official to be termed a District Officer and where necessary a combination of a Magistrate and District Officer

(II). In similar locations, but where the non-native population is too small to allow for the provision of a Resident Magistrate or separate District Officer and where the area is too far away from another magisterial section to allow of the sections being joined, and where such location is adjacent to a Native District Station, the location to be under the Native Commissioner.

In working out the details for such arrangements it will often be found necessary to name the particular farms which are in the different Magisterial Divisions.

The foregoing is mainly intended as a reference to this matter, to give any effect to it a good deal more detail will be necessary particularly so with regard to Nyeri, Fort Hall, Kyambu, Limuru, Machakos, Kiu and down to Kikumbuliu.

The departmental services in such areas to be worked as they are at present.

Justices of the Peace to be appointed at regular intervals, with Police Officers, &c.

As regards the area in the Teita District which will be noticed has not been numbered, it is proposed that the Native Commissioner should attend to matters therein as the non-native interests are comparatively small while the Native District is not large.

The non-native settlement located west of the Lumbwa District, also the area coloured red lying East of the Kericho-Sotik Road, but at present unoccupied on the Lumbwa side, will require for the present to be dealt with by the officers in charge of the Lumbwa and Sotik stations on present lines. The European settlement East of the Lumbwa-Kericho Road would come within No. 3 Division.

The non-native (European, Indian and Arab) lands in the Coast Provinces are somewhat more difficult to deal with. Procedure in this connection would probably work out on the lines as proposed in the next paragraph.

9. In the East Africa Protectorate there are three classes of Towns and Townships, which, because of the natives either permanently residing or working therein in addition to the other populations require special consideration under these proposals.

(a) Mombasa, Takapana, Malindi, Lamu, Vanga, etc., with comparatively large indigenous land owning or holding African populations, existing in such places before the non-native occupation.

(b) Kisumu, where a system of zones (European and Asiatic, and Native) has been established and where in the Native Zone Africans hold yearly agreements for plots.

(c) Nairobi and other towns in the strictly non-native areas, and into which the native has only entered as a worker, a trader or an unattached or non-descript person, and where they are not, it is believed, in occupation of land as tenants.

In (a) and (b) in so far as the Native populations are concerned, we must, so long as the present conditions remain, retain a representative or representatives of the Native Department to deal with Native interests in the areas. Normally all magisterial work in such towns should be performed by the Town Magistrate where one is appointed, but the Magistrate's jurisdiction in so far as natives are concerned to be confined to the native residents of the town and not to extend to the natives of the district, except in respect of natives from non-native areas in the district, of which the town happens to be the centre of Administration.

In such towns where there is no Town Magistrate, the magisterial duties will require to be performed as they are at present, viz; by the District Commissioners (Native Commissioners) or whatever other means are employed. It might, however, be possible to appoint a Travelling Magistrate where places are reasonably adjacent to admit of such procedure.

The conditions of the Coast are in many instances considerably different to what they are up-country. Apart from Europeans we have Indians and Arabs who are non-natives. All their occupation and interests are, however, very much scattered and mixed up in the native areas, thereby rendering it difficult to definitely define separate areas. It will, therefore, be necessary to deal with native matters in such places much on the same lines as the mixed conditions in the Towns. It is, therefore, only by experience in the actual working that we shall

shall be able to arrive at a satisfactory solution of this part of the problem. Once in practical touch with the matter I do not anticipate it will present many difficulties.

Any towns under (c) should be definitely included in the term "white area" and dealt with under a system of Municipalities or Town Magistrates. A town like Nairobi might have a bench of Magistrates as well as a Stipendiary Magistrate. Native Commissioners would not eventually be appointed to such places. The Native Department should, however, appoint officers as Native Location Inspectors, where in such towns Native Locations have been established. District and Assistant District Commissioners are at present employed at Nairobi in connection with the Municipality, the collection of taxes, issuing of license, &c., a great deal of the work so performed is not connected with Native Affairs. Eventually it may be possible to provide for the appointment of Tax Collectors in places like Nairobi, also the issue of licenses, permits &c., might be undertaken by other means than by officers attached to the Native Department (See separate memorandum attached hereto).

10. The next areas to consider are those comprised within the terms District Stations and Trading Centres in the Native Districts wherein there are mixed populations and where non-natives and natives are tenants of Crown lands, and where it may be impossible to station ordinary magistrates. These places to remain, until otherwise ordered, under the jurisdiction of the respective Native

Commissioners on the same working arrangement as is the case at present.

11. As regards Mission Stations and Mission lands the same procedure as provided in paragraph 10 to appl

12. The term Crown Settlement Area has been mentioned. This to mean an area of Crown land set aside for the use of detribalized natives wherein such people can lease land from the Crown.

13. Native Reserve Protected Forests to be those forests in Native Districts as shall be included by the Governor within the control of the Native Department.

14. All Native Commissioners and Assistant Native Commissioners to exercise magisterial functions as at present.

15. Matters concerning Native Education to be under the control of the Native Department.

16. A fairly important matter for consideration is the institution of a regularly issued Official Newspaper, to come out, say, once a month, to be printed in Swahili and to contain all Government Notices, Ordinances, &c. affecting natives and any items of news considered desirable to publish for native information. This may be well carried out by the Native Department.

17. The foregoing puts forward the general outline for the formation of a Department of Native Affairs; a certain amount of detail has been inserted in order to explain the position in particular cases. The general scheme of reorganization will involve a considerable amount of detail in connection with general policy, education, the training of a Native Civil Staff and many other matters which, I assume,

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I assume, His Excellency does not require me to deal with in this paper.

30

18. It is believed that while the proposals put forward will not prove in the aggregate more costly than the present system, we shall obtain more efficiency by their adoption.

(Sd). John Ainsworth,
PROVINCIAL COMMISSIONER,

Kisumu,

8th. May, 1914

2
NATIVE AFFAIRS.

INCLOSURE

In Dispatch *Sub of 10th Sept 1914*
Amide

Reference my Memorandum of 8th May, 1914, with enclosures.

31

This is an additional memorandum submitted after further interview with His Excellency the Governor, when His Excellency desired that a full list of Officers now serving in the Protectorate Administration should be compiled showing their present posts and the proposals for their employment under the scheme of reorganisation; also a list has been framed giving numbers and salaries of Officers to be posted to headquarters and to each Native District, the distribution of Labour Officers and the Officers to be posted to the non-Native areas. These are appended hereto as also is a summary showing the number of Staff available and how it is proposed (in a pro-forma manner) to distribute the same. A comparative statement showing salaries under the present arrangements and under the proposed reorganisation scheme is attached. The lists and statements now submitted are as follows:-

- (A) List of Officers now employed with corresponding list showing the Officers required for the Native Department.
- (B) Reorganisation scheme showing No. of Officers required, their salaries, &c.
- (C) List of Officers and salaries for the non-Native areas.
- (D) Summary showing number of Officers available and how dealt with.
- (E) Comparative statement of salaries under existing arrangements and under scheme of reorganisation.

2. As it is understood that the areas comprised in what is known as the Jubaland Province and in the North Frontier District (N.F.D.) are not to be included in the present proposals, Officers now serving therein or who are understood to be destined for those Districts on their return from leave have been omitted from the staff proposed for the Native Department.

The formation of a Native Department.

1. Headquarters Staff.

(i) Chief Native Commissioner.

Deputy Chief Native Commissioner.

3 Travelling Commissioners.

Superintendent of Native Settlements,

and an Assistant to the Chief Native Commissioner

who would also be the Editor of a Native Gazette

(which it is proposed to institute), are provided for.

(ii) The names of the Officers shown in connection with the posts are those approved by His Excellency, as also is the salary inserted in respect of each post.

(iii) The reason for the proposal to constitute a Superintendent of Native Settlements is because large and increasing numbers of detribalized and other Africans have become detached from the Native Reserves and are scattered all over the country; they are under no definite control and require organising into settlements and taught to become useful members of society. If these people are left to themselves they will remain an unproductive and unemployable part of the population. They are

at

at present becoming a distinct danger inasmuch as their inclination is, in many cases, to prey on society generally. So far these people are in great part of no use to either themselves or to anyone else, whereas if properly organized they will become a valuable asset. The intention is that they shall be dealt with on lines of control and betterment.

Success in such a scheme can only be achieved by co-operation of all Officers in charge of non-Native divisions. The scheme must, however, have someone responsible for its general working and consistency.

- (iv) An Assistant to the Chief Native Commissioner will be particularly necessary during the first year of organization of the Department and it is very probable that the necessity will continue. It is proposed, however, that a Native Gazette should be published by the Department and that the Officer appointed as Assistant to the Chief Native Commissioner should act as Editor.
- (v) What is intended by a Native Gazette is a periodic publication - say once a month, in Swahili, in which would be announced those Ordinances, Rules, Proclamations, etc., affecting the natives, all appointments of Officers to Native Districts, appointments of Chiefs and Headmen, and other matters directly concerning the native populations. Copies of the Gazette would be sent to Liwalis and Mudirs at the Coast

Coast and to each Native Council in the interior. There would be no intention that this publication should in any way replace the Official Gazette; the Official Gazette would simply be quoted from but in a language understood by the people. (Please see further para on this subject.)

2. Grouping of Districts.

The proposals in this connection were explained in the Memorandum of the 8th May, when also a map was submitted showing thereon the position of the Districts and their grouping into divisions.

3. Administration of Districts.

- (1) Native Districts or Reserves. List marked B gives the European Staff for each District and also the Labour Officers. There are 28 Districts, each in charge of a Native Commissioner with 45 Assistant Native Commissioners. In certain cases the actual number of men employed in a District will be able to carry on when not more than one Officer is absent on leave from such District. Normally, however, there should be something like 25% additional Officers available to provide reliefs for Officers proceeding on leave; on the surplus Staff available only 8 Assistant Native Commissioners are allowed for as available for reliefs: this number works out at nearly 12%.
- (2) The list submitted is, of course, purely pro forma in order to show how the distribution of Officers works out.
- (3) The Department would, of course, make every possible effort to increase the utility of the Native Chiefs, Headmen and Councils in connection with the Administration of the Reserves. As the Native Authorities become more reliable they can, of course, be made more use of.

Coast and to each Native Council in the interior. There would be no intention that this publication should in any way replace the Official Gazette; the Official Gazette would simply be quoted from but in a language understood by the people. (Please see further para on this subject.)

2. Grouping of Districts.

The proposals in this connection were explained in the Memorandum of the 8th May, when also a map was submitted showing thereon the position of the Districts and their grouping into divisions.

8. Administration of Districts.

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(4) At the Coast, the Arab and other Native officials will be utilised as much as possible in the general work of Administration, and the policy would be to make them a real adjunct to the Native Department.

(5) While dealing with this matter I would remark that it should be part of our policy to endeavour under a system of education to bring into existence a capable Native Administration properly graded, etc. (This matter I will deal with later in this Memo.)

4. The scheme of reorganisation will necessitate

(a) Proper Office accommodation at Headquarters for the Staff. It is possible that the New Offices erected for the Provincial Commissioner at Nairobi may meet the requirements for some time.

(b) House accommodation at Nairobi for

(i) Chief Native Commissioner,

(ii) Deputy Chief Native Commissioner,

(iii) Three Travelling Commissioners,

(iv) Superintendent of Native Settlements,

(as Mr. Tate already lives in Nairobi, it may be that this accommodation is already provided.)

(v) Assistant to the Chief Commissioner.

(vi) A Labour Officer should be stationed in Nairobi; a house will be required for him.

(vii) Clerical Staff.

(c) Information is at present being sought as to what accommodation is available at the various District Stations for the full Staff shown in List B.

5. The Clerical Staff required under the reorganisation scheme has not been scheduled. This is one of the details which can be gone into later. I anticipate that the

salaries

salaries in the aggregate under this head will be less under the reorganisation scheme than they are at present.

6. There are many other matters of detail requiring attention which can only be adequately dealt with when the general scheme of reorganisation receives full authority to proceed.

7. It will be noticed that the Schedule showing Officers and posts under the reorganisation does not include the names of Mr. Hobley, C.M.G.,

Mr. Hinde,

and Mr. C.R.W. Lane.

It is difficult for me to express any views in this Memorandum regarding these Officers. I understand, however, that His Excellency has certain intentions regarding Mr. Hobley, which, if given effect to, will clear any difficulty in this connection. As regards the other two Officers I do not see how they can be absorbed in the new scheme. Mr. Hinde has arrived at the retiring age, while Mr. Lane will have completed twenty years' service on June 30th, 1915.

8. The Labour question is very much wrapped up with the Native question. Certain Officers have been detailed for duty in this connection. The development of any Labour scheme will, however, depend upon His Excellency's decision as to the methods to be employed for its adjustment. As this matter will entail separate consideration and discussion I am submitting a special report on the subject as an annex to this memorandum.

9. The Administration of Non-Native Areas.

- (1) Schedule (C) gives the details of the Administrative staff with salaries for these duties.

- (ii) Where possible and where the numbers of non-Native populations warrants the appointments, it is assumed duly qualified Magistrates will be posted. In addition, however, it may be necessary to appoint Administrative Officers jointly with Magistrates to undertake the varied other duties which a Magistrate will have neither the time or experience to allow of him performing.
- (iii) Administrative Officers will require to be appointed to the more scattered areas to which ordinary Magistrates will not, for some time presumably, be posted.
- (iv) It is proposed that while Native Commissioners or Asst. Native Commissioners are serving in non-Native areas they should be styled District Officers. They should all have 2nd class Magisterial powers. A good deal of their work would be connected with inspecting and reporting on the conditions of Native Labour employed in the areas.
- (v) It might be more convenient for these Officers to be under the Native Department for all purposes except Magisterial work, which could be dealt with as is the case at present.

10. In localities where small populations of non-Natives are settled immediately adjacent to or within the limits of a boundary of a Native District and where, because of their comparative unimportance from a point of view of numbers, it is not considered necessary to post a District Officer the area to remain under the Native Commissioner as is the case at present.

11. Schedule (D) is self-explanatory.
12. Schedule (E) gives the comparative expenditure connected with the employment of Officers:

- (i) under the present system,
- (ii) under the scheme of reorganisation.

The reorganisation scheme works out at a slightly less sum than the present arrangement.

13. List (A) shows four asst. Dist. Commissioners available, if required, for the N. F. D. or Jubaland; these are Junior men. If it is considered that the men for this service should be more senior a readjustment can be made. This list also shows Mr. H. H. Horne as available for service in the N. F. D. should His Excellency so wish; if, however, it should be decided not to appoint this Officer to the N. F. D. and he remain in the Native Department some readjustment as regards the posting of Native Commissioners will be necessary. It is, however, assumed that a Senior District Commissioner will be appointed to the charge of the N. F. D. Should the choice fall on either Mr. Hope or Mr. R. W. Hamsted in preference to Mr. H. H. Horne, I would propose that this Officer be appointed to take up the post, shown under the proposed Native Department, which would be vacant by such selection.

Government Gazette for Natives.

14. His Excellency has asked me as to whether there is any precedent in any other Protectorate or Crown Colony for the publication of a Native paper. I am under the impression that such papers are published by the Government in other places, but apart from Fiji I cannot find evidence of such a fact. I believe, however, that in German East Africa the Government there did contemplate the publication in Swahili of a Government paper. Anyway I am convinced that such a publication

publication in the East Africa Protectorate would be a wise move. I consider that the Native populations both on the Coast and in the interior, where many are learning to read and write, should have the opportunity of knowing, by means of an official publication in a language they understand, what Laws, Ordinances and Regulations promulgated by the Government concern and affect them, as well as being informed of the intentions and wishes of Government as regards the welfare of the Native people of the Protectorate.

Native Education.

15. A definite system of education should be an important part of the policy of the Native Department. The matter requires careful consideration from various points of view.

(1) First we shall require to bear in mind the desirability of instituting some means whereby sons of leading families at the Coast, sons of Chiefs and Headmen in the interior and other better class and promising youths can, by a process of selection and nomination, be educated with a view to taking an active part in the work of Administration of the Native people of the Protectorate. I would suggest in this connection that a central school or college be created (a sort of cadet school) wherein suitable candidates could be entered with a view of qualifying for appointments to be created in.

- (a) the Native Civil Administration,
- (b) " Police Service,
- (c) " Military Service,
- (d) various Departmental services such as the Post Office, Survey, etc.

The

The curriculum to be arranged by a joint Committee of Education.

- (ii) Further educational facilities should be extended in the way of an industrial education supplemented by rudimentary instruction in reading and writing, to be followed subsequently by a system of apprenticeship to trades in the Railway, Public Works and Agricultural Departments, thereby gradually preparing the African for assured positions in the industrial work of the country and also relieving eventually our dependence on the Indian artisan. There may be some ill-considered opposition on the part of some Europeans to such schemes as herein outlined; that, however, should not be any reason for our refusing to take them into serious consideration. East Africa is primarily a tropical country wherein the brunt of the hard work, technical or otherwise, will require to be performed by Africans or Indians. If we can educate the African to do the work so much the better. If on the other hand we deliberately decide that the African shall not be educated to take his place in the higher and more technical forms of labour, I think we shall regret such decision in the not distant future.
- (iii) It may be considered desirable to separate the question of Native Education from that of European Education; if so the former would be entirely under the Native Department while the latter would remain under the Director of Education as at present.
- (iv) If centres for Native Education are established in the Protectorate it would be possible to concentrate the
European

European Staff for work at the centres; branch industrial schools could be opened in the various districts as trained natives became available. If this idea is deemed worthy of attention, the position of a proposed school at Mumias, etc., could be reconsidered.

- (v) It is a fact that this all important matter of Native Education is either one or both of the branches indicated in sect. (1) of this para is and has been for some time receiving the attention of the Governments of

Sierra Leone,

The Gold Coast,

Nigeria,

of the French and German Protectorates in West Africa and in the German Colony in East Africa.

Sd/- John Ainsworth

Provincial Commissioner.

Kisumu.

July 29th. 1914.

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Sd/- John Ainsworth.

Provincial Commissioner.

Kisumu.

July 29th. 1914.

3

40352

INCLOSURE

In Department of *Labour* of *Kenya*

Annex to additional Memorandum dealing with the organisation of a Native Department, East African

Protectorate.

LABOUR.

42

In schedule (b) attached to the additional Memorandum dated 29th July instant, I have shown four Officers to be detailed for duties as Labour Officers to be attached to the Nyanza, Kenya, Uasin and Seyidie divisions.

(ii) The constitution of a Labour Office in the Native Department will depend entirely on the decision to be arrived at as to whether Labour Bureaus in the country are to be run by licensed private firms or by the Government.

(iii) Assuming it is decided to institute the system of licensed Bureaus we shall not, in my opinion, require to appoint more than four Labour Officers. With a licensed Bureau established in each administered area from which labour can be obtained the following official procedure would be necessary:-

- (a) Native Commissioners would prepare a list of locations giving in each case an estimate of the able-bodied male population which is considered available as a labour supply. These lists would be supplied to the Labour Bureau.
- (b) The Officer in charge of the Native areas would do everything possible to encourage the able-bodied male population to seek work either directly at the Bureau or through the medium of the recruiters employed by the Bureau.
- (c) The District Authorities in the Native areas would arrange, as at present, to register all natives going out to employment, and in the case of it being decided to issue Identification Tickets they would issue

such

such tickets, subject to some modification as proposed in paragraph 30 "Identification" in my Memo of March 30th, 1914. In several cases an additional clerk will be necessary for this work. (The staff in this connection can be found from

amongst the present Clerical Staff in the various Provinces when the reorganisation takes place.)

- (d) Labour Officers would be located at the principal points of labour exit or entrance where, amongst other things it is expected the head Bureau of the area would be located. The duties of such Officers would be to see that all Natives concerned are registered, that the facilities provided for, that complaints and requests are attended to, to attend to men recruited for Government works, to see that returning labourers are returned to their homes, to inspect the registration books kept by the Bureau, to collect and tabulate information regarding rates, wages, etc. so, when necessary, investigate complaints made by either employers or employees, to have 2nd class Magisterial powers.
- (e) Each Labour Officer to be directly responsible to the Native Department.
- (f) District Officers in Non-Native areas to combine the duties of labour inspection in connection with labour employed in their areas. Travelling Commissioners would also enquire into general labour conditions in all areas they travel through on inspection.
- (g) Labour required by Government to be notified to the Native Department by the respective Departments as soon as possible after April 1st in each year. The Native Department would then apportion out the

numbers to the different divisions, in proportion to the population numbers and the state of advance under labour conditions of any particular district. The Department would in the first instance inform the licensed Bureau at each centre of the numbers of men required and request information as to their ability to supply, etc. Should the respective Bureau be unable to comply, then the Department would notify the respective Native Commissioners who would request to call upon the Native Authorities to instruct the able-bodied males to go out to work. The Native Commissioners would keep himself informed as to what locations in his District were being more actively drawn upon by the Bureau. Those locations which were not contributing in any marked degree to the Bureau's recruitment would then receive the attention of the Native Commissioner in dealing with the Government requirements.

- (b) At points where a direct inspection of labour is compulsory and detention necessary for inoculation or other purposes, the Government would maintain properly equipped camps which would be under the control of a Medical Officer, and men could only leave such camps to proceed on their contracts on the Medical Officer granting a pass.

At other places i.e., where Medical detention is not compulsory, the Bureau would be required to erect and maintain reception camps to be subject to medical inspection as regards sanitation etc.

A reception camp for returning labour would, where required, be erected and maintained by the Bureau.

- (1) In places like Nairobi the Government should erect
and

and maintain reception camps in the form of a Native location. These locations will require to be properly organised on sanitary lines. A responsible headman, with a clerk, should be stationed at the location, whose duty it would be to see ~~the~~ arrivals packed ^{that} after and that they obtain food and means for cooking, etc., and to, in other ways, see to the comfort of the men. The establishment of stores where food, &c., can be obtained to be arranged.

The Labour Officer stationed at Nairobi to have charge of the location, which would also be subject to medical supervision.

- (j) The Railway Department to see that overcrowding of vehicles by labourers travelling on the line is prevented. Each vehicle to bear in distinct figures the number of passengers allowed to travel ~~with~~ at one time. Labour Officers or employers to inform the Railway Department beforehand of any large number of labourers about to travel.
- (k) Guards of trains conveying labourers to be supplied by the Labour Officer at Bungo with a list showing numbers of men proceeding to any station.
- (l) Should the issue of Identification Tickets be made compulsory in the case of individual natives, it is suggested that the rule might be relaxed in the case of natives engaged on a definite contract of service and who are named and described on the contract, but each contract should definitely stipulate that such natives must be returned by the employer to the place of engagement.
- (m) Medical Officers, Police Officers above the rank of

Inspector, and all Magistrates to be empowered to inspect Labour Camps in their districts.

(iv) Should it on the other hand be decided that the Government is to undertake the recruitment of labour then, of course, we shall be required to find the staff for the complete organisation of labour office. We have not at present a sufficiency of officers available for such an undertaking if at the same time we are to maintain a staff sufficient and adequate for the proper working of the Native districts from an Administrative point of view.

(v) I cannot myself recommend any scheme of this description which would involve the District or Native Commissioners in the work of recruiting for private as well as public undertakings. The very nature of work that involves finding labour for undertakings of private profit must be subversive to the best interest of the Administration of the Native tribes, and must ultimately end in the loss of all sympathetic touch between the Administrators and the administered. The result of such a state of affairs would be chaos in so far as Native Administration is concerned. In other words if we decide to become parties to the wholesale exploitation of the Native Tribes for the benefit of a selected few we can only do so by subordinating the interests of the tribes to the schemes that must be necessary to give effect to such enterprise. It does not require any particular wise man to foretell what we shall reap by such a policy.

I think the tribal authorities realise to an

extent their responsibilities in connection with the Government demands for labour for public works, etc. I do not, however, think that they would view the question of ordering out labour for private work in the same manner.

It has been accepted generally by all thinking people dealing with the question of recruitment of natives that it is most unsound from every possible point of view of good and just administration for Government Officers, and also Native Authorities, to be concerned in the actual recruitment of labour. When, however, actual necessity comes in we cannot perhaps help ourselves. Such efforts, however, should be confined to the actual necessity of the case.

I have gone into this matter at some length because I feel convinced that all labour requirements of private concerns should be dealt with by a private Labour Bureau under Government supervision.

Sd/- John Ainsworth,

Provincial Commissioner.

Kisumu,

31st July, 1914.

18 Dec 1904
15 51
(40352)

DRAFT.

W.P. Conf

For Sir W.C. Balfour

MINUTE.

Mr. Downes 14.12.04

Mr. Wolstencroft 16.12.04

Mr. Reid 17

Mr.

Sir G. Fiddes.

Sir H. Just.

Sir J. Anderson.

Lord Islington.

Mr. Harcourt.

In consonance

See minutes on 40352/14

43
18 Dec 1904
I have etc to ack. the
recd of your conf. disp
of the 1st of September,
and enclosing you find
3 proposals for the institution
of a special staff to
control native affairs
The P.A.P.

2. You will no doubt
agree that it would be
impossible in any case,
to bring the scheme into
operation until the situation
has become more normal.
In the meantime I should

be glad to receive further
info on certain points.

3. In the first place, I
doubt that your scheme
appears to follow the

South African model
recommended by the S.
Africa Native Affairs
Commission 1902

Referring to the S. Africa
model in his chap report
on the P.A.P. enclosed in

this Conf's disp. of the 26th 1904
of May 1910, Sir S.P.C.
Gerrard stated that in

his opinion, the cons. of
the P.A.P. expressed provision
of S. Africa, and that a

strong native affairs Dept
could not meet P.A.P.
requirements. He considered

that if ^{we} ~~we~~ ^{were}
placed upon white magis-
trates in the white areas,

(p. 102 of Ag 954)

and representative commis-
sioners in the native reserves
case, as in the different
departments at headquarters
the two authorities would
naturally clash. I should

be glad to learn the grounds
on which you have formed
a different opinion from
his. It has been indicated
that if your predecessor
had, the Commission

~~had, the Commission~~
~~had, the Commission~~
40

4. With regard to the
financial aspect of the pro-
posal, I note that a

saving of £2885 40
shown in enclosure E of your
disp. but it must be

remembered that from this
saving must be deducted
at least the pensions of

Mr. Shuttle and Mr. Lane
which would amount to

£367.6-8 in each case, assuming
that these Officers retired on the 31st of
March, 1915.

The ^{shown} saving ~~represented~~ in Encl. E
is only affected ~~recurrent~~ expenditure,

and it appears from para. 4 of the
second enclosure to your despatch that
there may be considerable capital expen-

For Officers and some accommodation at
Headquarters, and for accommodation at
the district stations. I observe

from para. 5 of the same enclosure
that you anticipate some saving on
the cost of the clerical staff, but I
should be glad to receive further
details on the subject.

^{with ref. to para. 9 (a) of the second enclosure.}
I presume that the appointment

of additional Officers as well as Magistrates

in certain districts where there is
a large non-Native population will
necessitate some additional expenditure

and a corresponding increase in
the estimate of recurrent expenses.

7. The proposal for
with the least trouble
to be made
I should
think it
well
to
concrete

8. The map which accompanied

your despatch was returned in my ^{copy} despatch (89458)

of \$36 per 6-8 in each case, assuming
that these officers retired on the 31st of
March, 1915.

5. The savings ^{shown} ~~estimated~~ in Encl. E
is only affected recurrent expenditures,
and it appears from para. 4 of the
second enclosure to your despatch that
there may be considerable capital expen-
diture for office and house accommodation at
Headquarters, and for accommodation at
the district stations. If I observe
from para. 5 of the same enclosure
that you anticipate some savings on
the cost of the clerical staff, but I
should be glad to receive further
details on the subject.

^{with ref. to para. 9 (b) of the second enclosure}
6. I presume that the appointed
District Officers, as well as Magistrates
in certain districts where there is
a large non-Malabar population, will
require some additional appointments
and a corresponding increase in
the estimate of recurrent expenses.

7. The map which accompanied
your despatch was returned in my ^{copy} despatch (89458)

The proposals for the
with the least strips
to be to be considered
repeal. I should
be glad if they can
be addressed to
the concrete

25 Nov 1914

Dear Sir,

I am etc. to

transmit to you

second map showing

the material which of

the P.A.P. and to

request that a copy

of it may be made and

sent to the Dept. with

the original.

MS. 40352

DRAFT.

The CA

for the Colonies

MINUTE.

Mr. Dowson 24/11/14

Mr. Birkman 24/11/14

Mr.

Mr.

Sir G. Fiddes.

Sir H. Just.

Mr. J. Anderson.

Lord Islington.

Mr. Harcourt.

map of P.A.P.
n. 40352

(Signed) H. J. READ,
for the Under Secretary of State

RR

Mr. [Name] Dept

Mr Isaac ab. his recent interview with
 Mr Steel Maitland having raised the question
 of establishing (or re-establishing) a Native
 News Dept in Dept. Mr Steel Maitland
 asked him to put his views in writing, and
 to forward them to the Board. You may
 like to peruse it at your leisure & if you
 see any change Mr Steel Maitland would be
 glad to hear from you.

N.S.

25.5.15.

Mr Steel Maitland
 Mr Butterfield

I had a talk with Mr Isaac to-day
 about this. He simply states the case for such
 a system (Civil Admin. & Native Affairs Dept) without
 expressing

expressing any opinion as to
which he thinks should be
adopted - but I gather

that he rather favors a Native

affairs Dept. The Gov. put forward

a scheme for a Native affairs Dept.

at the beginning of the War & we

referred the matter back for further

info. We have not yet rec'd his reply & I

doubt whether anything can be done till after
the War. Mr. Isaac seems to have some fears

regarding the Native Reserves, but, as I pointed

out, some very definite assurances on this

matter have been given to Parlt. Moreover

the boundaries of the Reserves have been

to be defined by Proclamation, & some cases

they have actually been demarcated - so that

there is little or no risk of encroachment

attached to the Gov. Dept. regarding the
N. A. Dept.?

7/27/15
I refer to the A.S. O. D.

No. in talking to
me he was clear
against it, & the
whether his object
here was to pre-
vent (the + others) I
do not know.

Downing Street,

25 September, 1915.

Dear Mr. Isaac,

52

Mr. Steel-Maitland asks me to thank you very much for your memorandum which he has had typed and has read with much interest. I enclose you a copy as you wish. I have made a note of the fact that you will again be in town in about ten days' time, and should Mr. Steel-Maitland want you again for anything further, I will let you know.

Seeing the address from which you write, I wonder whether you were the person with whom two weary frames, in the shape of my wife and myself, conversed last Saturday week beside the Exmoor Forest Hotel?

Yours very truly,

(Sd.) H.F. BATTERBEE.

Sept 22 - 5

53

Sir

Will you please have the enclosed
and hand a copy to Mr Steel (Maitland)
return original. In so far as I can get
it here but that is impossible, also
at the relay it has been caused
to be illness. I not as usual
you would you send me a copy
my reference to A. Crompton
and A. Crompton

Walter Lee Esq

The notes on Dakota land tenure
were published as an appendix to
the East African Law Reports
of 1912. I can't remember which year
you probably have them at the
law office. I can send a copy
if you still require it.
Mr. Read has asked me to
and see him the next time

in town, this will be in about
days, so if Mr. Steel has
and want me again for anything,
I can't be sure, but I'll
I return to East Africa at
end of next month.

Yours very truly
J. W. Isaac

CONFIDENTIAL.

Memorandum on the merits of Civil Administration,
or Native Affairs Departments, within British
African Colonies.

The question of establishing a Department to deal solely with Native affairs, depends largely on the stage of development the Colony has reached. If native lands have been permanently secured, and legislation prevents their alienation by the Government of the Colony, and if the Colony is financially able to maintain, Medical, Public works, Education and Agricultural Departments under the Secretary of Native Affairs, then there seems no reason why it should not be the best form of Government, but if this cannot be done it is probable that the Natives will suffer at the hands of the Department which is to be set up for their benefit.

African Tribes themselves would never willingly ask for a Native Affairs Department, the demand for its establishment is usually the outcome of difficulties within the Colony, such as shortage of labour or land for Planters, and its true aim is not to better the Native lot, but to solve internal Political troubles. (In this connection "The report of the South Africa Native Affairs Commission presented to Parliament in 1905" is instructive, it shows among other things how difficult it is for an interested Public to separate the questions of native land and labour.

A brief outline of civil administration in
its

its earliest stages and its development will give insight to the situation.

When an area first comes under the British Government it is administered by a Governor, Provincial and District Commissioners, and Military, Medical and Treasury Departments - this is the first introduction the Natives have to British rule and on this they base their ideas, the Provincial Commissioners within the Provinces represent the Governor and in the early stages the Natives are their only care, as the Colony develops and Europeans settle, many other departments spring up, but they are subordinate to the Provincial Administration, and make no difference to the Natives, who in all troubles continue to appeal to the Provincial Staff. As white settlement increases Native difficulties begin, there are constant demands for labour, and when it is not forthcoming, the Public urge a reduction in Native Reserves - such a reduction may be economically perfectly sound, but it must not be made to produce labour, and it should be completed before the Tribes are placed under a Secretary for Native Affairs. A favourite argument in support of a Native Affairs Department is that the Administration will be more efficient (i.e. the natives will produce more revenue and labour) but these are not the only objects, we also require the maximum of satisfaction and contentment among the Tribes, and if these elements are omitted the results may be disastrous, Native wars in South Africa have cost nearly £4,000,000 but they have not solved any part of the native problem.

natives and Government Departments, they can state the native case, but they cannot decide it. 57

The object of this memorandum is not only to show the effect of the change of Administration on Native Tribes, but also to define the differences in the forms of administration. We find therefore on the one hand Provincial Commissioners protecting Native rights, and backed by a large Provincial Staff wielding an influence which is bound to affect the whole Government of the Colony, and on the other, Native Commissioners without these powers, they are simply a Government department organised to develop Native Tribes.

I have not touched on the Mohamedan population of our African Colonies who cannot be classed as Native and who at present come under the Provincial Staff, they could not be placed under the Secretary of Native Affairs because we have special legislation which applies to African natives only, and in most of our colonies the Mohamedan population originally came from Arabia, some form of Government would therefore have to be established for them, otherwise their administration would degenerate into merely Police supervision.

In considering the question it is scarcely just unwise to turn to India and examine their civil service, from there we do not hear complaints of labour and land difficulties and it is recognised that the native lands though taxed are not to be confiscated. Sir James Bonie's book on Indian land settlement describes the methods of the Indian Government, would it not be wise to profit by their experience and adopt the wholly or in part for our African Colonies.

The following instances will show the relations between Natives, Provincial Commissioners and other departments -

1. The Land Office on finding a farm wrongly surveyed, a notice may be applied to the Provincial Commissioner for the amount of land required, but if the native reserve is refused, a reference to the Governor is made.

2. A Native Commissioner and his retainers have been accused of having been in possession of an overzealous policeman's property, the retainer is charged with the offence, the Provincial Commissioner instructs the policeman to withdraw the case, the retainers are released.

3. When the water in the native reserve requires immediate repair, an executive engineer is despatched at the Provincial Commissioner's request to attend to it.

4. On receiving a report of an outbreak of smallpox within a native reserve a medical officer is sent at once to organise vaccination, etc.

Provincial Commissioners had not power to act in such cases, therefore, question must be referred to the Governor, such reference may take weeks, and where telegraphs exist the explanations must be of a scanty nature. For purposes of administration therefore it has so far been found necessary to have some one in authority on the spot who can act.

We have now arrived at this question Are Native Commissioners to be given the same powers as Provincial Commissioners? if so, what is the object of changing their name? if not, they can no longer settle native difficulties, they will become a go-between of