

1932.

Kenya

1

No. 18108

SUBJECT

C0533/423

Native Affairs Department.

Annual Report. 1930

Previous

17323/A/31.

Subsequent

Sub file 1. (Local publication
arrangements)

1 for Kenya — 63. Conf — 28/4/32
Submits Comments on the Annual
Report 1930, Native Affairs Dept.

1a — I submit a summary of the Governor's comments in his despatch at 1.

There are comments on the report itself at 2a and 2b in 17323/A/31 and in Sir C. Bottomley's minute of 6/11/31 in that file.

Favourable reference might be made in replying to paragraphs 4 and 5 of pages 24 and 25 of the report dealing with the growing tendency for Native Councils of neighbouring districts to meet and discuss matters of mutual interest and ~~with~~ the progress in the improvement of water supplies.

Agreement might be expressed with the Acting Chief Native Commissioner's conclusion on pages 95 and 96 of the report where he expresses his appreciation of the work of the officers of the Administration and of technical Departments and to Missionary Societies and members of the general public.

Mention might be made of the suggestion at 6 in 17323/31 regarding the inclusion of further statistical information in future reports on native affairs.

The following should see for any observations:

Dr. Stanton paragraphs 7 and 20 of the despatch, and Chapter VII and the Labour section of the Report.

Mr. Stockdale paragraphs 5, 6, 9 and 10 of the despatch and Chapters V, IX, and X of the Report.

Mr. Vischer paragraph 6 of the despatch and Chapter VI of the Report.

J. H. P. Smith
30/4/32

The Visits
In 1912
The 1912

May we have you comment on the
paragraph indicated at the end of the
foregoing minute?

A. H. H. H.
2/1/12

I have no observations to make

Hamm Kisch
2/1/12

With reference to para 7 of the
Governor's report & would it not be
possible for the ^{medical} nurses trained
at the Nairobi Training School
to undertake the work that
the Gov. proposes should be
done by Hospital A.C.S.

A. H. H. H.
11/1/12

Yes, I think the employment
of trained African nurses, when they
are available, would be
desirable.

A. H. H. H.
15/9/12

The movement from communal tenure towards
individual ownership is bound to occur with
the increase of population and economic
development. Such a movement however
requires guidance and the proposal of the
Governor to frame simple rules to meet
the necessities of modern economic
conditions is sound.

The provision of bullocks in the Ukamba
Province may lead to encourage the use of
fresh meat and thereby do something towards
the utilization of surplus stock. The
present conditions of world trade are most
unfavourable for the establishment of a
meat factory with any hope of commercial
profitability.

The marketing of native produce has received
attention and go-downs have been established.
Co-operative societies are being formed and
I understand that in certain areas these
Co-operative societies have appointed selling
agents who work on commission. I believe
that it is intended to see for further
particulars of the system which is
being experimented with.

A. H. H. H.
23/1/12

The Hood
This paper, which has been in my
custody for three years, may now be

partly
Almont
11/12.
100000
100 55
alone

lt

1004

Memorandum.

The references in this memorandum are to the pages of the Governor's confidential despatch of 28th April. (No. 1 in this file).

Page 1. Proposals are now under consideration to expedite the publication of the annual report on native affairs by publishing it in Kenya (see 18108/32).

Pages 1 - 2. Comments on the tendency in published reports of ^{Commissioners} ~~campaigns~~ and committees of enquiry to speak of natives in Kenya in terms of the Kikuyu.

Also mentions the strain imposed on administrative officers by the enquiries and criticism of recent years.

Page 2. Nyanza Province.

In the Nyanza Province there was unrest owing to - (1) intertribal difficulties between the Bantu and Luo resulting from the 1921 boundary demarcation which left certain of these people intermingled, and (2) the agitation against alien chiefs. The Governor attaches no particular

importance

100000
100 55
alone

importance to (1), but (2) presents difficulties which have not yet been solved.

Page 3. Land tenure questions are being investigated.

A rectification of the Kenya-Tanganyika boundary was about to be discussed with Sir Stuart Symes based on agreed joint recommendations of the provincial authorities of the two Territories.

It has not been possible to arrange for the transfer to other districts of the witch doctors mentioned in the previous year's comments. The proposal now is to divert their influence towards assistance of the tribal administration.

Page 4. Kikuyu Province.

Except for the unrest caused by the attitude of the missions, the Province was politically quieter than usual.

Land disputes continue to abound. A movement exists towards the transition from communal to individual

5
individual tenure of land and it is proposed to introduce simple rules which will be susceptible of adaptation to these changed conditions.

Page 5. Ukamba Province.

The outstanding problems are those of over-stocking and erosion for which no satisfactory solution has been found. It is considered that the first essential is to reduce useless stock and then to tackle the question of the reconditioning of the area.

Pages 5 - 6. Coast Province.

Investigation of native affairs on the island by a District Officer showed that the position was unsatisfactory. (See the report enclosed with 23 in 16309/30 Part 2). An Administrative Officer has since been appointed to be in charge of the Arab and African ^{affairs} in the township of Mombasa.

Page 6. Nzoia Province.

A model native location was opened at Eldoret.

The re-organization of the administrative machinery of the Province has not yet been effected. (see previous year's report)

Pages 6 - 7. Masai Province.
Stock theft was not so serious during the year.

A raid by the Akamba on the Masai took place owing to stock thefts by the latter but no further trouble between these tribes has arisen.

The local native councils show progress.

Page 7. Rift Valley Province.
The amalgamation of the Eastern and Western Suk is under consideration.

The reconditioning of the Kamasia reserve was taken in hand. The remainder of the Uasin Gishu Masai do not desire to remove to the Masai reserve.

A committee reported on the future of the Dorobo peoples but no action has been taken as the Governor proposes to submit the question for consideration to the land commission.

Pages 8 - 9. Northern Frontier Province. Stock diseases were prevalent.

It was decided to introduce poll tax at the rate of 10/- per head from the 1st Jan. 1931.

The

The Governor attached great importance to the inauguration of the *ferret* stock route to rail head at Nanyuki and to the completion of the Wajir-Lamu road.

The *ferret* boring campaign proved unsuccessful as water could not be found at a reasonable depth.

The Degodia-Ajuran-Boran *ferret* developed and it was considered that great care would be needed to prevent its spread among contiguous Somali tribes.

Page 9. Turkana Province.

Immunity from raids is attributed to (1) satisfactory rainfall, (2) close administration and (3) the efficient military patrolling of the boundary.

The occupation of Hamarupus two miles south of the frontier by Abyssinian soldiery had a disturbing effect. The Governor considered that this occupation should be terminated by diplomatic intervention at Addis Ababa.

The general administrative progress of this province is considered remarkable.

Pages 10-11. Local Native Councils: have increased from 21 to 24.

The surplus balances amounted to £118,196 on the 31st December 1930.

The revenue which was mainly derived from rates had grown from £3000 approximately in 1925 to £66,747 in 1930.

The range of the activities of these Councils is greater than that of similar but subsidized bodies in the European districts.

Pages 12-13. Native Tribunals are stated to be in reality, the only courts with a real understanding of the complexities of native law and custom. The Native Tribunals amendment ordinance was imperative owing to the absence of rules but these were made in 1931.

The original side still leaves something to be desired.

Pages 13 - 14. Trade.

Crops in general were good but the fall in prices caused a decrease in trade.

The marketing of native produce was facilitated by the extended road system.

Enhanced

Enhanced prices for better quality produce were not obtained because of the flat rate system of purchase favoured by Indian traders, and because the produce was offered numerous small parcels. This latter difficulty it is hoped to overcome by the provision of go-downs at rail centres and by encouraging the growth of co-operative societies.

A draft bill was under consideration dealing with the unsound system of credit. The veterinary quarantine measures applied to native areas are a factor in the hindrance of trade.

Page 14. Education.

Statistics of numbers and comparative cost are supplied.

Political issues influence the demand for schools independent of mission control.

The Governor considers that education should have a definitely vocational basis.

The aims of the schools to be erected out of local native council funds are recapitulated and the Governor agrees generally with the principles laid

laid

laid down in the despatch at 19 in 17110/31 for the financing of Government African schools from local funds.

It is considered that the dangers in the way of native education can largely be overcome by means of Jean teachers.

Page 16. Medical and Public health. The aim of medical work in native areas is to provide 1 bed per mille of population.

In 1930 there were 18 Government hospitals with 886 beds and in addition 274 beds in mission hospitals, a total of 1,060 beds.

It is proposed to consider the utilisation of travelling dispensaries, in charge of unqualified R.A.M.C. orderlies, to overcome the difficulty caused by the fact that European medical officers are unable to tour away from their hospitals.

Pages 17-19. Forestry. Afforestation continues to receive attention.

Agriculture

8
Agriculture. The fact that in places maize could not be sold produced a serious effect on the native mind.

It is hoped that the co-operative movement will result in greater export activity.

The development of native reserves is continually scrutinised at periodic conferences of heads of departments. It is hoped to utilise in development projects officers becoming available because of the moratorium *no hgr*

Notable features of the year were the increasing use of mechanical aids; the use of water boring for milling, and the increasing growth of crops by the Masai.

Live stock. The outstanding problem is over-stocking. The meat factory project has not progressed owing to the refusal of funds by the Committee of the Colonial Development Fund. *referred to the Committee*

A campaign to increase ~~the~~ ^{the} consumption of fresh meat is advocated as a solution of over-stocking.

Police. Gave in the Northern Frontier Province, improvement in the organisation of the tribal

tribal police has permitted reduction of the regular police in the native reserves to a minimum.

Pages 19-20. Crime. There was a marked increase in the number of cases in which detention was levied in lieu of imprisonment. Native tribunals appear to make full use of the Detention Camps ordinance which was extended during the year.

The new penal and criminal procedure codes became operative on the 1st August 1930.

An unsatisfactory feature was the increase by 15% of the number of natives imprisoned for contravention of local ordinances.

Page 20. Prisons. The construction of a central prison for the Nairobi area was postponed for lack of funds.

Pages 20-21. Public Works. There was great activity in the construction of roads and bridges.

Water Boring continued.
(It appears from the Akamba and Masai Provincial reports that the excessive weight

of the plant and the cost of transport hindered the native councils from fully utilising this service)

Pages 21-22. The Native Lands Trust Ordinance was passed and a Native Lands Trust Board was set up.

The Native Tribunal Ordinance was amended to confer jurisdiction on native tribunals over all natives and also over Arabs; to prevent advocates from appearing before native tribunals on appeal; and to provide that appeals from native tribunals should ordinarily apply to District and Provincial Commissioners.

Page 22. Land. Gives the total areas of the native reserves and the density of population.

The number of native squatters in non-native areas including those in forest reserves increased to 119,849. It is considered that the problem of the native squatter and his stock must be faced in the near future and that eventually he must return to his

his reserve where there may be no room for him or his stock.

The desire to avoid tribal ~~the~~ sanctions and obligations is considered to be a contributing cause of the squatter system.

Page 23. Taxation.

The estimated native population in 1930 was 2,951,025 who paid £591,424 as hut and poll tax in addition to rates levied by local native councils.

Labour. For the first time for many years the supply of native labour exceeded the demand.

There was little difference in wage rates for labour on long contracts.

The criticisms in the draft 1929 report on native affairs regarding labour conditions had either been remedied or were being met by the introduction of draft legislation save as regards the suggested introduction of a specified scale of rations for native labour which it was considered must be provided by investigation into diets.

The criticism on page 160 of the report for 1930 of the provision in the Registration

of Domestic Servants ordinance, preventing the registrar from granting registration to any convicted thief etc. has since been remedied by ^{amending} ~~Indian~~ Legislation.

Prosecutions have been instituted in respect of the heavy mortality on the Nanyuki branch line extension.



KENYA.

No. 63

CONFIDENTIAL.

GOVERNMENT HOUSE
NAIROBI.
KENYA

25th APRIL, 1932.

Sir,

With reference to your despatch No. 812

3h 17 323 A/421

See 18/10/32
and 2/11/32

of the 8th December last, relative to the Report of the Chief Native Commissioner for the year 1930, I have the honour to state that in my despatch No. 22 of the 14th January, to which I await a reply, I have dealt with questions concerning the printing and publication of the Annual Report on Native Affairs in this Colony and that I am now in a position to comment upon the 1930 Report requested in paragraph 7 of your despatch under reference as follows.

Report - pp.4-23

2. Political and General.

The year 1930 has, you will observe, been one of peace with a measure of prosperity and a considerable degree of progress. There has been little political agitation, but the restlessness and suspicion noted in the Reports of recent years has not died down; neither was it expected that these manifestations would subside at once. Two matters I would, however, emphasise:-

First, I have noticed a tendency in the various published reports of Commissions and Committees of Enquiry to speak of the natives of this Colony in terms of the Kikuyu, that is wrong, the races of

THE RIGHT HONOURABLE
MAJOR SIR PHILIP CUNLIFFE-LISTER, P.C. G.B.E. M.C. M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S.W.1.

of this Colony are far more divergent than those of Europe though the numbers and political mindedness of the Kikuyu tribe have naturally brought them into prominence. The second matter to which I invite your attention is the effect which the inquiries of recent years have had upon the Administrative Officer; I think that His Majesty's Government will agree that in few, if any, parts of the Colonial Empire is there a body of men that is required to do their every day work in the glare of such continuous and varied criticism both locally and at home. That work involves the handling of many different and antagonistic tribes, on which is superimposed the problem of meeting without fear or favour the administrative needs of the European and Indian communities. As a result the calls made upon the devotion and sense of responsibility of the Administrative Officer are of no mean order and I look forward to the time when the work which they have done will be realised outside this Colony.

I now turn to the events in the Provinces.

(a) Nyanza Province.

There was a certain amount of difficulty during the year under review as a result of Bantu Kavirondo being included in the Central Kavirondo District. It was impossible when the division between the Bantu and the Luo Kavirondo peoples was made, entirely to differentiate between the areas, so greatly had the tribes interpenetrated, and I attach no particular importance to the obstructive attitude of the Bantu in the matter of the district boundary which is noted in the Report under review.

The movement in the North Kavirondo District to remove alien headmen related in the 1929 and in the 1930 Reports is natural, and a satisfactory solution

has been reached in the North Kitosh Area. Further investigations into land tenure questions in this district are being made.

In the South Kavirondo District constant difficulty is experienced on account of the arbitrary nature of the Kanya-Tanganyika boundary. The impracticability of rectification of the boundary of a Mandated Territory is realised, the two Provincial authorities concerned have met and have submitted agreed joint recommendations to their respective Governments and the subject is one which I hope to discuss with Sir Stewart Symes in the near future.

In his comments upon the 1929 Report of the Native Affairs Department, the then Acting Governor, Mr. H. M-M. Moore, remarked upon the difficulty in finding a solution of the problem of the so-called witch-doctors, or Orkoik, in the South Lumbwa District. The removal of this priest-kingly class was requested by the tribe and even by the Orkoik themselves, but it was not found feasible because of the difficulty of finding an area suitable for them outside the reserve and of their affirmation that they would use their influence to prohibit stock thefts; accordingly they were allowed to remain under surveillance.

It will be observed that the Orkoik promised to do all they could to prevent stock thefts and there was a decrease of thefts during the year under review. As Mr. Moore stated, stock-theft amongst the Niloto-Hamitic peoples, although a crime, has certain sociological aspects and I trust it will prove possible to direct the inherited influence which the Orkoik have in all matters appertaining to stock into the channels of tribal administration.

Throughout

Throughout the Nyanza Province during the year under review the crops have been good, but the serious fall in the prices of all primary products had a bad effect.

(b) Kikuyu Province.

Good harvests were also obtained in this Province, but were offset by the prevailing fall in prices. Politically the Province was quieter than usual, but the unrest in connection with female circumcision of recent times has had a permanent effect upon the activities of religious bodies. New sects and independent churches have become established and with them an increasing racial consciousness is manifest.

Land disputes amongst natives of this Province are of frequent occurrence and the Rules framed as a result of the 1929 Inquiry into Kikuyu systems of land-holding are still the subject of consideration. The problem is one of great difficulty. There is among the Kikuyu a definite but almost unconscious movement from clan or family tenure to individual ownership of land. This movement is consequent upon the natural increase in the population, the awakening realization of the value of production over and above the amount required to feed the tribe, and the effect of the example of the neighbouring European owned farms. This movement is all to the good and is in fact a necessary process in the economic development of the Kikuyu Reserve. The obvious danger in introducing any Rules at such a time is that they may tend either to accelerate or to retard this process unduly or may have the effect of crystallising a system which is not static. It is my intention to publish Rules which will be as few and simple as possible and which

which will not interfere with the natural adaptation of unwritten and changing tradition to meet the necessities of modern economic conditions.

(c) Ukamba Province.

This Province is now, by reason of the reversion of the Teita District to the Coast Province, almost entirely occupied by the intelligent Bantu Akamba, and has always been singularly free from anything in the nature of agitation. The outstanding problems of the area are over-stocking and erosion, various methods of control have been explored as you will be aware from correspondence terminating with para 3 of my despatch 677 of 26th November, 1931. No satisfactory solution has been found. It appears to me that the first essential is to reduce the numbers of useless stock and that the feed values so obtained should be utilised by the tribe in the form of fresh meat. This object having been attained the re-conditioning of the area should present no great difficulties; encouragement in the establishment of butcheries is now being given by the Local Native Councils.

Drinking and dancing are the vices of the Akamba and I have no doubt that these excesses can only be cured by education of the right type.

(d) Coast Province.

The control and guidance of the polyglot native population of Mombasa estimated at 35,338 and the 7,300 odd Arab and Swahili has been a problem for some years and it was possible in 1930 to appoint an Administrative Officer to the District Commissioner's Staff to investigate native affairs on the Island. The state of affairs revealed by his report was not satisfactory and in this connection I would refer you

11/23
11/30/30

to para 10 of confidential despatch No. 170 of 18th November, 1931. Since then it has proved possible to carry out the chief recommendation by appointing an Administrative Officer to be in charge of Arab and African affairs in the township.

Remarkable progress has been made by welfare schemes and the improvement of water supplies in the Kilifi District where the Wakyika tribes are in danger of demoralisation, the progress made continues.

(e) Nyasa Province.

This Province, containing the closely settled areas of the Uasin Gishu Plateau and the Trans-Nyasa, as well as the native districts of Nandi and Elgeyo-Marakwet, was severely affected by the general economic depression. Crops were good, but low prices were obtained and the European areas suffered more than the native.

During the year under review a model native location was opened at Eldoret, the headquarters of the Province. It is entirely self contained and is now complete. It provides accommodation for 300 single men, 15 married men with their families and special provision is included for a further 100 native Government employees. The construction was undertaken by the Eldoret Municipal Council from Loan funds made available by Government.

The difficulties of administrative machinery in this Province remarked upon by the then Acting Governor in his comments upon the 1929 Native Affairs Report remained during 1930 and await the decision upon the question of Provincial re-organisation.

(f) Maasai Province.

In general the relations between the Maasai and Government improved, and the visit of His Royal Highness the Prince of Wales on a hunting trip to the

the Province did much to arouse a sense of loyalty.

Despite the Bunoto ceremonies, the customary outbreak of stock-theft was not as serious as upon former occasions and the young men of the more troublesome tribal sections (the Purko and the Loita) were conspicuously well behaved.

Towards the end of the year 1930 an incident occurred between the Masai and the Akamba; following upon a theft of stock by Masai some 300 head of Masai stock were raided by the Akamba and one Masai elder was killed. Owing to lack of evidence it has not been found possible to punish those responsible. No further troubles between these tribes has arisen.

The Local Native Councils in the Province are increasingly progressive and I agree that in education, with an emphasis on animal husbandry, lies the salvation of the Masai.

(c) Rift Valley Province.

This Province now contains the settled districts of Nakuru, Naivasha, Laikipia and Eldama Ravine and the Native Baringo District in which are the Eastern Suk, the Kamasia, the Njemp, the remainder of the so-called Usin Gishu Masai and some Dorebo in the Forest Reserves.

A suggestion to amalgamate the Eastern and the Western Suk in one district has been under consideration for some years, the difficulties are geographical, and will be considered by the Committee upon Provincial re-organisation.

The reconditioning of the Kamasia Reserve is a serious necessity, the district has been in veterinary quarantine for some ten years and so has suffered from over-stocking and erosion. The measures taken were to plough and to plant some 500 acres with grass and

to prepare a further 500 acres for planting in 1931 as object lessons to the Kamasia.

The remnants of the Uasin Gishu Masai show no desire to remove to the Masai Reserve whither a number of their fellows have migrated. It is possible that these natives, who in fact hail from various Nilote-Hamitic areas, will reconsider their decision. Certainly they cannot hope to progress as a tribe in their present area.

A Committee has reported upon the future of the scattered Dorobo (or Oggiek) peoples, relicts of an aboriginal race of hunters inhabiting the high-altitude forest areas. No action has yet been taken on the Report as it is my intention to submit it to the Land Commission for consideration.

(h) Northern Frontier Province.

The rains were plentiful in 1930 and there was no sign of famine, but stock diseases were more prevalent trypanosomiasis, pleuro-pneumonia and rinderpest causing the greatest mortality.

Politically the important event of the year was the decision to impose taxation on a Sh. 10/- per poll basis from the 1st January, 1931, and the present position is that the principle of taxation was accepted without trouble and £4732.11 was paid by the tribesmen on a commutation basis.

Veterinary matters have been placed on a more satisfactory footing and I am confident that the well-being of the stock in the vast cattle areas in the Northern Frontier Province is essential to the Colony. I attach the greatest importance to the success of the inauguration of the fenced stock route to rail-head at Manyuki, vide my despatch No. 677 (para 1 and 2) of 16th November, 1931, and to the completion of the

Wajir-Lamu Road in this connection.

A water-boring campaign was inaugurated in 1930, but I regret to state that, contrary to all expectations, it has proved a failure. The reasons are said to be no water or almost no water has been found at a depth from which it would pay to pump it but there is the ocular evidence of many large, and now dry, water courses throughout the Province.

Unfortunately the Degodia-Ajuran-Boran feud which is noted in the Report under review has developed vide my confidential despatch No. 9 of 18th January, 1932, and the greatest care will be needed in preventing its spread among the Somali tribes on both sides of the boundary near Wajir.

(1) Turkana Province.

In 1930 the rains were satisfactory in this very arid area and the Province was no longer the focus of the locust infestation.

An immunity from raids was the most noticeable political feature of the year; this was due to the satisfactory rainfall, sound administration and efficient patrolling of the boundary by the military authorities.

The occupation of Hamarupus, two miles south of the frontier, by Abyssinian soldiery had a disturbing effect, which continues, and I take this opportunity of restating that this occupation should be terminated by diplomatic intervention at Addis Ababa.

The general administrative progress which has been made in Turkana of recent years is remarkable, the Province was once the most turbulent in the Colony; this advance is due in no small measure to the ability of Government to furnish an adequate administrative staff and to the co-operation of the military

Report p. 24

military authorities.

3. Local Native Councils.

These Councils are now one of the most important factors in the administration of the Native Reserves. The number of them has increased from twenty-two to twenty-four; of these however the Southern Turkana Council is in its infancy and can hardly be said to have functioned.

The surplus balances of all Local Native Councils on the 31st December, 1930, was £118,196 an increase of £17,513 upon the final figures for 1929. During the year under review the following sums have been expended:-

Education.....	£7,348
Medical	4,866
Agriculture, Veterinary and Forestry measures	6,526
Roads & Bridges	11,395
Water supplies	4,890
Famine Relief	729
Other Works	<u>£88,224</u>
	£46,976

and the revenue was derived from :-

Rates	£40,069
Land (Rents & Fees, etc.)	18,771
Other Sources.....	<u>7,907</u>
	£66,747

Of the variety of activities the following are examples:-

Nyanza Province.

Erection of two concrete bridges, of three dispensaries; of a Rest House for members of the Local Native Council and school buildings; provision for a motor lorry and a sailing boat; reafforestation work.

Kilovu Province.

Famine relief; the completion of a large Council Hall at Nyeri; the construction of a permanent provincial Show Ground with sheds, a medal shop and a house; reforestation work; funds for football competitions; the purchase of a motor ambulance; the maintenance of a 30 acre seed raising and experimental plot.

Uamba Province.

The construction of eight dams; the building of one dispensary in the Kitui District and the planting of 15 tree nurseries and 67 plantations.

Coast Province.

The sinking of three bore holes; the construction of wells and dams, of permanent buildings for a social centre and dairies.

Nesia Province.

Educational and medical works.

Nyasi Province.

Road construction; the maintenance of schools, dairies and water supplies and the provision of funds for District Sports.

Dakawa Province.

The building of a school in Suk. In no case was the rate levied more than Sh. 2/- per head.

During the five year period 1925-1930 the revenue of the Local Native Councils has grown from £2,955 in 1925 to £66,747 in 1930 and the expenditure from £2,318 to £46,976. The range of the activities of these local Government bodies in native areas is greater than that of similar, but subsidized, bodies in the European districts. In this connection I would refer you to my despatch No. 488 of the 21st August, 1931.

17/10/31

Report pp. 31-36.

4. Native Tribunals.

During the year the Native Tribunals Ordinance was passed providing for appeals from Native Tribunals to go through administrative channels, but, pending the promulgation of Rules this Ordinance was inoperative. The necessary Rules were made on 16th April, 1931, and the measure should give an impetus to the growth of native judicial institutions and ensure that native law and custom is not abrogated by Supreme Court decisions.

Each year an improvement in the business of these native courts has been noticed and, despite the provision in Article 20 of the East Africa Order in Council, 1902, they are in reality the only courts in the Colony with a ready understanding of the complexities of native law and custom. An illustration of the great difficulties under which District Officers work in dealing with the mass of native litigation is given on page 33 of the Chief Native Commissioner's Report.

The volume of the work of the Native Tribunals is shown by the following figures for eight districts:-

	<u>Civil</u>	<u>Criminal</u>
Nyanza Provinces:-		
Central Kavirondo District	4,515	735
North Kavirondo District	9,626	1,955
South Kavirondo District	6,679	1,974
Kikuyu Province:-		
Kiambu District	1,122	808
Fort Hall District	1,245	425
South Nyeri District	1,910	716
Embu District	376	50
Meru District	822	105

The civil duties of the courts have been performed well on the whole, but the criminal work still leaves something to be desired. The native mind does not fully appreciate the interest of the State in the suppression and punishment of a crime.

It is curious to note that among the predominantly pastoral tribes there is little recorded litigation, the fact is that disputes are effectively settled without recourse to the Tribunals.

Report pp. 36-42.

5. Trade.

Good crops were reaped throughout the native areas and the yields were increased, but trade decreased on account of the world depression in prices.

The marketing of native produce was greatly facilitated by the extended road system, the provision of bridges and the use of motor traffic. Good prices were not, however, obtained for better quality produce on account of the flat rate system of purchase favoured by Indian traders; and on account of numerous small parcels of produce being offered for sale. It is hoped to remedy this latter defect in native marketing organisation by the provision of go-downs at railway centres and by fostering the growth of co-operative societies.

The unsound system of credit, noted by the Acting Governor in his despatch upon the 1929 Native Affairs Report has been discussed by the Provincial Commissioners and the Tanganyika Territory and Basutoland Ordinances examined by them with a view to amending the present legislation. A Draft Bill is now under consideration.

A depressing feature in the trade conditions of the native areas is the necessary veterinary quarantine

quarantine measures which have been almost universally in force for more than a decade. The problem is one which is under constant investigation, and until it is solved a reserve of great economic value to the country is being wasted. You will be aware of the remedial anti-rinderpest measures which have been inaugurated recently in the contiguous Masai areas of this Colony and the Tanganyika Territory.

Report pp.43-49.

6. Education.

The number of Arab and African Government Schools in 1930 was 33, of Mission Central Schools 33, of Mission Village Schools 2008 and the numbers of pupils were 2479 in Government Schools and 83403 in Mission Schools. There were 583 teachers in training.

The average cost per Arab and African pupil in Government Schools, exclusive of the Jeanes School, was Shs. 335/05. At the Jeanes School the average cost was Shs. 1054/-. The Recurrent Expenditure of the Colony on Arab and African Education was £83,086 and the Extraordinary Expenditure £8,772. £42,899 was voted by Government and £3,965 by Local Native Council in grants in aid to Missionary Societies for educational purposes in 1930. During the period 1926-1930 inclusive some £132,168 has been voted by Local Native Councils for educational purposes.

There are signs, they are instanced in the Chief Native Commissioner's Report, that political issues have played a part, particularly in the Kikuyu Province, in the demand for the establishment of Schools independent of Mission control. Whether the demand is merely due to local politics or to a growing racial consciousness the fact remains that it exists, is increasing and has shown itself in other native areas in the Colony.

This

This desire for education cannot be wholly denied, but it is, I fear, prompted more by a wish for a purely literary education than by the desire for knowledge. There is in this Colony all the material for the creation of a malcontent intelligentsia and it is hard to disabuse the native mind of the belief that reading and writing are the summits of learning. For this reason I am of opinion that the educational processes of the Colony should have a definitely vocational bias and I observe that in his comments upon the 1929 Report of the Native Affairs Department the Acting Governor stated the aims of the schools to be erected out of funds provided by Local Native Councils should be:-

- (a) General education up to the completion of the primary school course.
- (b) Facilities for the training of teachers in the lower classes of the primary school.
- (c) Preliminary artisan training in the trades taught at the Native Industrial Training Depot.
- (d) Preliminary agricultural training leading to the specialised courses of the Department of Agriculture.

In your despatch No. 181 of 4th March, 1932, you have indicated the principles which should be observed in financing Government African Schools from local funds. With these principles I am in general agreement.

That there are grave dangers in the path of native education in the Colony is, I am sure, realised by all and I agree with the Chief Native Commissioner

1079
17/11/31

in thinking that they may be largely overcome by the work of the Jeanes teachers.

Report pp. 49-53.

7. Medical and Public Health.

The general scheme for medical work in the native areas is shown in Appendix E to the report under review, its basis is one bed per mile of population. The actual number of hospitals so far provided by Government is 18 and their capacity is 786 beds; in addition there are 274 beds in Mission hospitals giving a total of 1,060 beds. Already in native areas there are 25 Medical and Health Officers, 13 European Nursing Sisters, 8 Sanitary Inspectors, 1 European Dispenser, 1 European Ward Master, 13 Assistant and Sub-Assistant Surgeons, 4 Asiatic Compounders, 4 motor lorries and 88 dispensaries.

A difficulty consequent upon the "hospitalisation" of native areas is the number of European Medical staff who are unable to leave their stations for work among the general native population. I propose instituting enquiries to ascertain whether it would not be economical to utilise men of the type of non-commissioned officers of the Royal Army Medical Corps, in preference to qualified doctors, to travel with vans equipped with drugs for the treatment of simple ailments in native areas.

On the whole the year 1930 was healthy, but plague broke out in all the Districts of the Nyanza Province and this disease also increased in the Kikuyu Province. More attention has been paid by natives to public health measures, pit latrines are coming into general use, houses are better built and the surroundings kept clean. A notable feature is the growing popularity of maternity and child welfare work.

Forestry

Report pp. 54-55.

8. Forestry.

In the Ukamba Province, where the problem of erosion is a serious one, the value of reforestation is understood by the natives, but in many parts of the country the strictest supervision is necessary in order to prevent denudation. The Kikuyu, however, who have almost entirely obliterated the forests which once clothed their country, have in recent years planted their homesteads with gums and black wattle for fire-wood and for building materials. The latter tree incidentally is likely to prove of great economic value for tanning purposes, provided more care in preparation of the bark can be ensured. I trust that in time the planting of indigenous trees like the juniper and podocarpus in the native areas will prove possible.

Report pp. 55-67.

9. Agriculture.

The rainfall throughout the Colony was plentiful in 1930, but, as I have already stated, the general economic depression affected all areas adversely and in places maize was unsaleable. The effect of so unprecedented a state of affairs upon the native mind can be imagined.

According to the census of the Agricultural Department of July, 1930, the estimated area under native cultivation was 1,805,841 acres of which 176,398 were lying fallow. The chief crops grown on the balance of 1,629,443 acres were:-

	<u>Acres.</u>
Milletts	541,980.
Maize	386,310.
Pulse	305,414.
Roots	180,865.
Bananas	50,731.
Sim-Sim	48,459.

	<u>Acres</u>
Cocconuts.....	28,965.
Wattle	20,859.
Ground-nuts	13,077.

Despite the locust infestation and drought of 1929 and the fall in prices of 1930 and after providing the great bulk of the staple foods of the Colony, the value of native agricultural exports during the period June 1929 - June 1930 was estimated to be £450,000. It is hoped that the co-operative movement among natives will result in a greater export in the near future. As you are aware the development of the Native Reserves is the subject of exhaustive scrutiny at periodic conferences of Heads of Department and others particularly concerned under my presidency I hope to be able to use the services of Officers who are overstrength on account of the moratorium on leave in development projects.

Notable features of the year are the increasing use of mechanical aids to agriculture, though this may bring with it special land problems on account of the unsuitability of conditions in Native Reserves for large scale farming; the use of water powers for milling; and the increasing growing of crops by the Masai.

Report pp. 62-67.

10. Livestock.

The number of native livestock in the Colony may amount to as much as 12,500,000 head and the problems due to pastoral customs and the science of modern quarantine methods are fully stated in the Chief Native Commissioner's Report. There is no easy solution to the question of overstocking and I fear it will be many years before the vast herds

of native cattle in this Colony are put to economic use. Owing to financial difficulties and the failure of the application made for funds from the Colonial Development Fund no progress has been made in the Meat Factory project, which was endorsed by the 1929 Agricultural Commission under Sir Daniel Hall's Chairmanship. The Director of Agriculture has, however, pointed out that if the adults of, e.g., the Ukamba tribe ate a small quantity of fresh meat daily the problem of overstocking, and with it that of erosion, would soon disappear, moreover, the food values of the meat would not be lost. An endeavour is now being made to establish butcheries in the Ukamba Reserve.

Considerable progress has been made at the Animal Husbandry Training Centre at Maseno and the opening of a similar centre at Baraton has given much satisfaction to the Nandi. A marked advance has been made in veterinary matters in the Northern Frontier Province and there has been a general increase in the production of ghee, the education of the natives in the shade-drying of hides and skins continues.

Report pp. 68-70.

11. Police.

A considerable, and general, advance, save in the Northern Frontier Province, has been made in the organisation of the Tribal Police, which is maintained on a Provincial basis owing to the diverse conditions of the different provinces. It has consequently proved possible to reduce the regular police in the Native Reserves to a minimum.

Report pp. 70-74.

12. Crime.

There was a slight increase in the number of African prisoners, 6,559 as against 6,233 in 1929, but it is satisfactory to note that the number of cases in which detention, instead of imprisonment,

was awarded increased from 5,431 to 8,746. This letter increase is due to the activity of Native Tribunals and to the extension of the Detention Camps Ordinance by an amendment.

The new Penal and Criminal Procedure Codes became operative on the 1st August, 1930, there was a slight decrease in the numbers of prosecutions under the Code. The total number of natives imprisoned for contravening local ordinances, however, increased by 15 per cent, and this result cannot be regarded as satisfactory. The greatest number of convictions continued to be recorded from members of the Kikuyu tribe.

Report pp. 74-78.

13. Prisons.

During the year 1930 the prison establishments of the Colony were 3 first class prisons, 3 second class prisons and 23 third class prisons. There were in addition 32 detention camps.

It was possible to provide funds for new prisons at Kakamega, Thika, Marsabit and Lodwar and to provide for additions to other prisons.

The Commissioner of Prisons reports that the progress in the manual training of convicts as carpenters and masons has been maintained.

The proposal to establish a central prison for the Nairobi area is still under examination, but the provision of loan funds has not proved possible owing to the general financial situation.

Report pp. 78-82.

14. Public Works.

During the year there was great activity in the construction of roads and bridges, £22,058 was provided out of general Revenue and £11,365 from Local Native Council funds for the purpose. In addition during 1929 and 1930 some £18,000 from Loan funds was spent on communications.

Various buildings throughout the country were constructed during the year and are shown in detail in the Chief Native Commissioner's Report, in addition 18 successful bore-holes for water were sunk.

Report pp. 83-85.

15. Legislation affecting Natives.

The Chief ordinances affecting natives were:-

(a) The Native Lands Trust Ordinance. This Ordinance provides for the reservation of lands for the use of native tribes and for their management and control. The areas gazetted in 1926 have been set aside for the use and benefit of the native tribes for ever and provision is made for the reservation of additional lands. A Native Lands Trust Board has been set up and all matters relating to native lands are under control of the Board. In every administrative district in which there are native lands there is an Advisory Board and it is incumbent upon the Native Lands Trust Board to consult the Advisory Boards on matters affecting the Native Reserves.

(b) The Native Tribunals Ordinance. This introduces three material changes in the law:-

- (1) Jurisdiction is conferred on native tribunals over all natives, including Somalis and Swahilis and also over consenting Arabs. Beforetime a Council of Elders had jurisdiction only over members of their own tribe.
- (2) Advocates are debarred before Native Tribunals on appeals from such Tribunals.
- (3) Appeals from Native Tribunals lie ordinarily to District Commissioners and Provincial Commissioners and thence, with limitations, by way of stated case to the Supreme Court. In cases however

however in connection with marriage, inheritance or land there is no appeal beyond a Provincial Commissioner.

The Ordinance also gives powers of revision to Administrative Officers and allows the transfer of cases to subordinate courts.

Twelve other Ordinances affecting natives became law.

Report pp. 85-91.

16. Land.

The gasetted area of the Native Reserves, exclusive of the Northern Frontier Province and the greater part of the Turkana Province (some 117,000 square miles in extent) is 48,295 square miles and the population density varies from 322.6, 273.07, 232.3 and 195.0 persons to the square mile in the Fort Hall, Nyeri, Kiambu and Central Kavirondo Districts respectively to 3.05 and less in the Masai and Northern Frontier Provinces. These figures of native density are average figures for the areas in question and they are much higher in the more favourable portions of these areas.

Descriptive accounts of the various native areas are given in the Chief Native Commissioner's Report, and in two instances the systems of land "tenure", perhaps an unfortunate word, have been investigated by Committees.

Report pp. 91-94.

17. Natives in non-Native Areas.

The number of natives who go on farms as "squatters" has increased and was estimated to have reached a figure of 119,849 in 1930, inclusive of natives living in the Forest Reserves.

The problem of the "squatter" and his stock, estimated at some 224,096 cattle and 519,416 sheep and goats, is one which must be faced in the near future. Eventually the "squatter" must return to his Reserve

where

where it is possible there will be neither room for him or his stock. Moreover, the "squatter" on the farms is very much a law to himself and indeed a contributing cause of the system is the desire to avoid tribal sanctions and obligations.

In Nairobi the appointment of a Municipal Native Affairs Officer has done much to further the proper administration and welfare of a large number of urban natives and a similar appointment on the staff of the District Commissioner at Mombasa is contemplated.

Report p. 95

19. Taxation.

The estimated native population in 1929 was 2,899,261 and in 1930 2,951,025; the amount of Native Hut and Poll Tax collected was £531,016 and £591,424 respectively, exclusive of rates levied by the Local Native Councils.

Report pp. 152-161.

20. Labour.

The average number of natives reported to be in employment during 1930 showed an increase over 1929, but towards the end of the year, owing to the general agricultural depression, many natives were unable to find employment. In addition to the number of natives reported to be in employment there were some 119,000 natives living on farms under the conditions of the Resident Native Labourers Ordinance and a large number were employed as casual labour during harvests and at the port of Mombasa. For the first time for many years the supply of native labour exceeded the demand.

With regard to labour on long contracts of service there was little difference in wage rates as compared with previous years and rations to the value of about Shs. 6/- per month were provided.

The Railway and Marine, Public Works and the Native Industrial Training Depot continue successfully to train apprentices.

In the 1929 Report of the Chief Native Commissioner, as first transmitted to your predecessor, certain criticisms of labour conditions were made and I take this opportunity of referring to the comments of the Acting Governor upon these criticisms:-

- (a) The inadequacy of the number of Labour Officers.

It has now proved possible to second an Administrative Officer for labour work.

- (b) The need for additional legislation covering housing, feeding, sanitation, etc. Draft consolidating legislation upon these questions is under consideration.

- (c) The inadequacy of the housing afforded to Government labour.

The housing provided by the Railway Administration is most satisfactory and that of the Public Works Department is improving as funds permit.

- (d) The necessity for a specified scale of rations for native labour.

I am of opinion that further research into tribal disteries is desirable before legislation is introduced and, in any case, the financial stringency prohibits provision being made.

- (e) The lack of hospital facilities for the labour employed on the sisal estates in the Makindu-Voi areas.

The Railway Administration have built a well equipped hospital at Makindu for its employees and

and admit patients from the neighbouring estates at a nominal charge of Sh. 1/- per diem. The fall in values of produce has, however, caused certain of the sisal plantations to close down and the number of labourers now employed in that area is negligible.

- (f) Inadequate security obtained from Railway Contractors for the payment of wages. Special attention is being given to the labour employed by contractors and the position is now satisfactory except in cases of the contractor's bankruptcy.
- (g) The absence of any need for legislation regarding compensation for injury or death. This question is being reviewed and a Bill will shortly be laid before Legislative Council.
- (h) The necessity for legislation restricting the practice of giving large advances to labourers on recruitment. This matter is dealt with in draft legislation now under consideration.

As stated above the question of "squatters" on farms is a labour problem which is likely to prove the most difficult to solve. I am by no means sure that the existing legislation is satisfactory and further amendments of the Employment of Natives Ordinance and the Native Registration Ordinance are under consideration.

In the Report now under review (page 160) there is a criticism of the provision in the Registration of Domestic Servants Ordinance which prevents

prevents the Registrar from granting registration to any convicted thief, etc. That provision has now been modified and the Registrar has been given a discretion, provided the applicant has a clean record for the past three years.

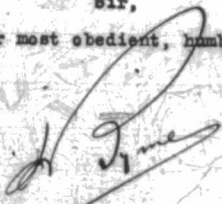
The mortality on the Haro Moru - Nanyuki Branch Line Extension in the June quarter of 1930 was heavy and it was unfortunate that remedial measures were taken too late. I understand that several prosecutions were instituted.

Generally, considering the difficult conditions of 1930, which continue, the relations between employer and employee were good. The economic value of proper housing is now fully realised by employers and its provision, as funds permit, is continuous.

I have the honour to be,

Sir,

Your most obedient, humble servant,



BRIGADIER - GENERAL,
GOVERNOR.