

1921

KENYA

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33755

GOVERNOR

619

DATE

10TH JUNE 1921

NORTHEY

6 JUL 21

OF CIRCULATION -

Mr. 11

SUBJECT

NATIVE AFFAIRS

Tra 5 copies of Report by Sub-Committee of Convention of Associations in reply to press attacks on Govt Labour Policy. Submits comments Does not recommend any modification of Native Authority Ord. States as to appt of Native Punishments Commission.

MINUTES

Sir M. D.

This will present report
Announcement for Thursday's debate
- on Rep. passages which I have underd.
The impatience of the public
his in the first two is inspired
by Archbishop Owen, the Vicar
General to the R.C. Bishop of
Zanzibar, & the Rev. W. S. Wagner
Chaplain of Nairobi, and I
gather from para 4 that the
Report has been brought to the
attention of Archbishop Owen &

Yes.
H. J. M.

Subsequent Paper

A 2362

MINUTES.

MINUTES NOT TO BE WRITTEN
ON THIS SIDE.

32755 K.

120

13th July, 1921

My dear Mr. ...

You asked two questions in the House about native labour in Kenya on the 12nd of March, and Colonel Amery in his replies said that the Governor of the Colony would be consulted on certain points raised. We have not received a despatch from Sir Edward Northey which enables me to give you further information.

As regards exemption from compulsory labour under the Native Authority (Amendment) Ordinance, 1920, the Governor states that if a native can show that he has been fully occupied for three continuous months either in agriculture, stock tending or other legitimate village employment during the last twelve months, he would be considered exempt from citation under the Ordinance. But obviously some proof of full employment would be required beyond a native's bare statement to this effect, not only because of the desultory nature of the work performed at a village by the average African male, but also because natives have not the

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I will add information

contains ...

for the ...

M.D.

9. 11. 21

Very ...

* J.S.

9/11/21

Nov. 11.7

Nov. 11.7

10th June, 1921.

Sir,

~~Report~~
~~Standard~~
~~Contract~~

In accordance with the request conveyed in your telegram of the 17th May, I have the honour to transmit six copies of the report on Native Affairs in Kenya which was prepared by a Sub-Committee of the Convention of Associations as an authoritative reply to the attacks made in the home press and elsewhere on the Government Labour Policy in this country.

2. I was approached by the Convention with a view to permitting official representation on this Sub-Committee, but felt unable to accede to their wishes, though I caused them to be informed that there was no objection to officials attending before the Committee and furnishing them with such facts or particulars as were at their disposal. This concession was accepted by the Committee and their report was taken home by Archdeacon Owen for presentation to the various bodies who had come forward as critics of local conditions and champions of the natives rights against the alleged oppression now said to be countenanced by the Government. No

copy -

THE RIGHT HONOURABLE

WINSTON CHURCHILL, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON, S. W.,

copy was submitted to

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to this effect owing not only to the desultory nature¹²⁴ of the work performed at the village by the average African male but also to his slight regard for the virtue of truth.

With regard to the machinery set up for substantiating the rights of natives to exemption, I agree in the terms of Colonel Amery's reply: I have only to add that there is nothing to prevent a native being represented legally before any Tribunal, but there is no intention of offering such assistance at Government expense.

5. I would invite your attention to a Resolution of Executive Council dated 5th March, 1920, with which Sir C. C. Baring concurred as to the intention of the Ordinance under review; this reads as follows:-

* Council agrees with the principle that the Native Authority Ordinance should not be used as the primary means of recruiting labour for Government Departments.*

It is interesting to note in connexion with the inquiries referred to in the previous paragraph that in December and January no natives claimed exemption on the grounds that they had been occupied fully with the cultivation of their own crops.

6. I have to observe further that desertions of natives impressed for this compulsory work are almost unknown, a valuable testimony to the considerate application of the Ordinances. I understand that in the evidence recently given before the Labour Bureau Commission it was the general opinion that once a native has been induced to go out to work he tended more and more to gravitate to the ranks of habitual workers appreciating the additional luxuries obtainable by the wages earned and also the fact that conditions

in the labour market are far more congenial than he was led to imagine.

7. The advantages of the Ordinances are that provision is thereby made for the construction and continuation of necessary Public Works which result in benefit no less to the Native than the Non-Native, that the burden of these needs can be distributed equally on the Native population and that a salutary disciplinary remedy is to hand which may be applied to the licentious idleness in which the young males are apt to indulge in certain places. These points are mentioned in the Convention's Report and I do not deem it necessary to amplify the existing provisions.

8. As (see Report) is concerned (to which allusion is made in the accompanying Report) I may state that for that inquiry have now been appointed and been furnished with the following

- (1) The existing system of punishment inflicted on native offenders framing recommendations for amendments therein and for the crime.
- (2) The methods whereby labour offences committed by native employes may be dealt effectively.
- (3) The method in which sentences of imprisonment are carried out in prisons.

I need only add that the pamphlets referred to in the third paragraph of Colonel Amery's despatch of the 24th March were appended to my despatch of the 21st May.

I have the honour to be,
 Sir,
 Your humble, obedient servant,
 Sd. EDWARD NORTHEY,
 GOVERNOR.

THE CASE FOR KENYA

Reply to Slanderous Statements from Home Critics

BRUTALITY CHARGES ANSWERED

VALUABLE MEMORANDUM

The following is the concluding chapter rather than the embryo of the memorandum of the Colonial Office, which has been prepared in reply to the charges made against the Kenya Colony by certain Home Critics, and is published as a valuable memorandum for the information of the public.

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BRUTALITY CHARGES ANSWERED.

There have been, under the European constitution of Africa, cases of brutality of the Government towards the natives. It is not necessary to refer to the numerous instances of brutality of the Government towards the natives. It is not necessary to refer to the numerous instances of brutality of the Government towards the natives.

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With reference to your letter of 1/1/21, I regret it is impossible to get you that information within the time. Further, most cases of appeals must wait the results of the various Courts. It is not possible to have information in 10 days. I am sure that you will wish to have information as to the results of the various Courts. It is not possible to have information in 10 days. I am sure that you will wish to have information as to the results of the various Courts.

APPENDICES.

Attached to the above memorandum are certain letters from various Government departments, written in answer to questions put by the Hon. Commissioner. These letters are referred to in the body of the memorandum, and are as follows:

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NOTICE.

TO EX-SOLDIER SETTLERS.

A copy of the Discharged Soldier Settlement Ordinance 1921, embodying the revised conditions will be forwarded free to allottees on application to the Land Department, Nairobi.

LABOUR BUREAU COMMISSION

Will sit at Nyeri March 10th, Thika March 11th and 12th. Those wishing to give evidence are requested send in their names and written statements of the main points in their evidence to the nearest District Commissioner's Office (Nyeri or Fort Hall) not later than March 9th. The Commission will sit at Kymbu at a later date.

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"A. G." BRAND.

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