

EAST AFR. PROT.

C. O.  
38293RECEIVED  
3 DEC 12

38293

 The Syndicate  
Company for  
the...

Date:

1912

See

previous Paper.

87980

Native Labour

Submit memorandum dealing with supply and regulation of native labour in East Africa, & asks that O.A. may receive a reputation on the subject.

To Read

For information and definite statement of my duties the representative suggest that they not make any reference to the question of wages, which is a matter of importance as regards the production of rubber labour on the Coast, see 3480 for the reasons. That telegram shows that the last labour was, but relaxed for good reason. In any case, the evidence shows that it is not possible to get inland labour for the coast plantations.

We have not heard officially of the Local Labour Commission referred to at the end of the report except for the Gazette notice of (Oct. 1912), which gives the terms of reference.

The representative proposed that they should give evidence before O.A. officials and that their evidence should be reported to the Commission.

Subsequent Paper

74



... to make him poorer.  
In the great majority of the provinces a  
badly paid either hut tax or, if he is  
not a hut-holder, a poll tax. This  
individual taxation is extended to a province  
as its development allows.

As to a collective tax on or because of land,  
I think that a very serious matter, such a  
proposal would want to be set up. If  
there were a revenue collected  
to it, why because the land would be  
taxed because it is wanted for the  
European. To tax him or that is left to  
him seems unreasonable.

I do not know what the last part of  
the section of the new one is. I did not  
suggest, perhaps, perhaps, perhaps, the  
footpaths of the new one will not be done.

3. Registration ...  
should be put ...  
to receipt of poll tax ...  
the poll tax ...  
the ...  
to show that the ...  
was ...  
before the ...  
allowed.

As to the ...  
by which the contract must be entered into

before a magistrate, this would entirely  
defeat the main object of the present  
plan, which is not merely to ensure  
that the terms are just but that the  
labourer knows & agrees to abide by  
them.

4. Peasants ...  
(1) ...  
(2) ...  
(3) ...  
(4) ...

There would not be all right with  
limits but I don't think a ...  
be ...

5. ...  
the ...  
present restrictions ...  
which ...

If the Govt. appear to receive them I think they might be told that any detailed statement they may wish to make on the basis of reference to the Commission will be sent out but that no undertaking that Govt. through its officials will take an active part in recruiting <sup>can</sup> be given? And they might be asked for what delivery certain of the amount from the proposed Employers Federation and what they would submit to [the profit of a government agency recruiting for individual employers competing as we should be impossible]

W.C.S. 4/1/1908

Mr. Ballinkee has drawn my attention to two important papers which had not been put up & of which I was ignorant of the existence

The labor yearbook 1907 reviewed labor study on Gov/21093/08 and the policy to be adopted was indicated in the despatch of 27th August 1908 in that paper

Para 2 At present there is an understanding that the Govt. will assist the settlers as far as possible in finding labor for their farms. It appears from the 11th page of your paper that you have some doubts as to the wisdom of this arrangement and there are limitations to consideration also, in regard

3 The paper comes down to appear to be for the Govt. to ~~introduce~~ legislate laying down the conditions for the employment & proper treatment of the workers. Subscribers... and then to stand aside

W.C.S.  
H. 2. 11

leaving the settlers to make their own arrangements for procuring the labour.  
6. A review of the books & servants' issue was recommended. This was done & the result was the Order of 1910 (read, referred to in my first memo etc. 213

1. <sup>was</sup> Poll Tax <sup>sh</sup> approved for all all...  
notices who do not go, but can...  
to be exposed who work for a...  
for themselves as an employer...  
to be... the...  
can be carried out...  
that...  
that...  
with...  
down...  
the badge proposal...  
that...  
Engany...  
as...  
receipts for tax...  
one of the form of receipt...  
the fact that...  
the tax is...  
badge system would not be sufficient for purposes of identification

at 05  
14/3/08  
pg 3

Public...  
(d. 51)

The other paper Gov/3008/08...  
question of...  
the Coast...  
w/...  
not act as labor recruiting agents...  
The... (para 7) draws attention to

The possibility in those districts of illegal  
trading in palm wine, and it was hardly  
less a view to stopping this that the  
extension of administration in those parts  
was approved.

I am sorry to read on two minutes on  
the subject, but the later papers I have  
now annexed only confirm my previous  
idea that Govt intervention is unnecessary  
with the gun boat.

1890

Dr G. Fuller

I do not remember to say whether  
to order to see them.  
in the case who before the publication  
I suppose in all about the case.

H. J. H.

5/21

Q. M. 6

For Harcourt

If you are to see these specimens  
you will want a memo prepared. But  
in any case I hope there will be no loud  
gears to Govt recruitment. After the recent  
experience of S. Rhodina we have had  
enough of that. It would be equivalent  
to a system of forced labour - not for  
Govt purposes or under Govt

211

Deputation to Mr. Harnett  
on East African Labour

---

Major the Hon. H. Guest M.P.

Major G. H. M. Leggett (representing  
British East Africa Corporation)

Lord Cranworth

Mr. Phipps C.M.G.

Mr. A. & B. Wavell (representing Nyala Sial  
Planting)

Colonel Owen Thomas (representing East African  
Estates)

A representative of the Magadi Soda Company.

Mr. Laurence Phillips (representing the  
London Chamber of Commerce)

Carlton House  
Regent Street  
London SW 16th Jan 1913

TELEPHONE  
GERARD 794

Dear Sir,

Entire Labour in B.B.A.A.

Major Guest has asked me to decipher a signature on the enclosed sheet which accompanied the memorandum in connection with the recent deputation to the Secretary of State. The signature is "L. Collings Wells"

Yours faithfully,

J.C.C. Davidson Esq

Harvard University  
J.P. Steppud } Magazine  
Syracuse

the right could make that the is  
something by submitted only as  
to the end of those who  
they upon the question

J. Peffer }  
Edm. Brand } The much like Rubber Hides  
688

Samuel Redden } George Redden  
Candross } 688

Westwood & Co. Boston

Wm. G. Wells }  
H. G. Wells }  
C. G. Wells }

Edw. M. Wells }  
Campbell & Co. }  
Sawyer & Co. }

Wm. G. Wells }  
H. G. Wells }  
C. G. Wells }

Wm. G. Wells }  
H. G. Wells }  
C. G. Wells }

Wm. G. Wells }  
H. G. Wells }  
C. G. Wells }

Wm. G. Wells }  
H. G. Wells }  
C. G. Wells }

1881

LIST OF NAMES

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... ..



supervision, but for planters work and  
under planter supervision.

217

Not should be under any circum-  
stances agree to contracts being signed except  
before a God officer responsible for seeing  
that the terms of the contract are ex-  
plained to the native.

After all the country belonged to the  
natives & the doctrine that they must  
be compelled to work furnish labour to  
enable the white man to develop the  
country is not one to which we can  
subscribe. It may be very irritating to  
see the natives idle & the land lying fallow  
but if he can afford to be idle, must we  
get the ideal Socialist State, he has as  
much right to do as the white man.

As proposed at A

14  
6.12.12

I have not had time to read all the  
old corr: in it signed; but my views  
are in accordance with Sir P. Anderson's.  
If you doubt object I think it would be better  
to see these first.

I am as before & must go. No 10  
ago has had see the grounds if they  
would accumulate their views on it.  
I entirely agree with Sir P. Anderson's  
views & shall tell them so

Done  
HAB  
Dic

Ask W. Guest, if Tuesday 17<sup>th</sup>  
at 11.30 at C.O. will suit  
them - and prepare memo for  
me before then

Bill Zidler 17/12/11

~~Bill~~ I understand news  
re: Howard the Governor that has caused  
much talk & will have to be  
settled - but before for some time  
has been a matter for the D.C. as for now  
it is

Some of the news, reading part of the  
Some of the news, reading part of the  
to include labour, and some of the  
I suggesting that some of the news  
decrease in the D.C. has been  
might be that what news is

Howard's part for the D.C. that  
engagement for the D.C. has been  
is definite - will be in the  
I understand that attendance

17/12  
1911  
HAB  
12/11

Done  
HAB  
Dic

LABOUR SUPPLY FOR THE EAST AFRICA PROTECTORATE.

DEPUTATION FOR 17th DECEMBER, 1912.

I. Present conditions.

The existing law on the subject is "The Master and Servant Ordinance of 1910". Labour Agents must have a permit from a Provincial Commissioner and are liable to punishment for breach of the Ordinance. Contracts must be made in the presence of a Magistrate or Justice of the Peace in order to make sure that the labourers understand the terms and must contain full details of the nature and duration of work, wages, etc.

We have little direct information as to the present position in regard to labour supply but it is clear that not only the planters but also the Government have great difficulty in obtaining native labourers. The situation has been intensified by the fact that the introduction of Wakikuyu labour to the coast area has been prohibited for reasons of health but we have learned from the Governor that this prohibition may be relaxed where he is satisfied that the men will be properly housed, etc.

The Governor has appointed a local Commission to enquire into the subject, consisting of official and representative non-official members and the terms of reference are as follows:-

To inquire into

1. The reasons for the shortage of Native Labour, obtaining information from the Employer and Employee.
2. The effect of District Administration upon

the Labour Question.

3. Wages.

(a) The amount paid for different classes of work in different parts of the Protectorate.

(b) The system of payment, e.g., for piece work or by time.

(c) Generally.

4. Accommodation supplied to Native Labour, including the kinds and quantities of food and also privileges and rights given.

5. Medical Attendance as supplied.

6. The transport of and facilities for Native Labour travelling long distances.

7. The probable effects and desirability of indentured labour.

8. The effects of Native Reserves on the labour supply.

9. The effects of Kaffir Farms on the labour supply.

10. The effects of Taxation on the labour supply.

11. The effects of the present system of recruiting labour.

12. Remedies suggested for the shortage of labour.

The local papers contain evidence given before the Commission. The witnesses are by no means unanimous in their recommendations. Apparently those employing labour in the highlands or close to a native reserve find little or no difficulty in getting men, while it

appears

appears that for a three months contract men have readily been obtained for the Magadi Railway from Meru, a fairly remote part of the Kenya Province. The witnesses are agreed that the Wakamba are too well off to need to work, and one witness says that if they could be induced to work they would provide sufficient labour for twenty years. Generally, the witnesses recommend that the native reserves should be cut down at least to the immediate requirements of the tribe, and that the hut or poll tax should be materially increased subject to a remission of a part to those natives who had done say three months work. One witness, however, Mr. Russell Bowker, considers that increased taxation would be of little use and that the native must be made to work by the Government. He sees no reason to import labour and thinks that the matter is really one for local adjustment. The views expressed on the introduction of labour from outside are extremely varied.

In a recent case, at the request of the allocation of the administrative staff, the Governor is pleased that a few stations should be opened in the coast districts where the indigenous tribes, generically known as the Wanyam, he stated that they could not be got to perform any sort of manual labour and that their only occupation is the exchange with the coast natives of grain for palm oil, which they illegally hawk about in their own villages. He represented that it was our duty to remedy this evil by stationing an officer among these people and anticipated satisfac-

satisfactory results both in the improvement of the natives and in an increased supply of labour for the coast towns and plantations. The reply to this despatch, while approving of the new Government station, made it clear that it was not to be assumed that one of the main duties of the new recruiting officer should be to act as a labour recruiting officer, and referred to the previous correspondence on this point.

A suggestion has been made that labour may be obtained from Somaliland, and a telegram has been received from the Commissioner showing that he anticipates no difficulty in securing a number of families who could be sent to East Africa for purposes of experiment.

It would be understood that the employment would not be under indenture but the contract would be an annual one with options, repatriation, &c. The matter is still under consideration.

#### II. Previous enquiry into labour supply.

In 1898 the Governor sent home the results of a local enquiry as to the supply of labour. In connection with this correspondence the question of importing Indian indentured labour or labourers from Nyasaland was considered. Nyasaland labour, apart from the difficulties of obtaining it, was clearly prohibitive in cost, and the question of Indian indentured labour was negative. The despatches on these general points are printed in Part 3 of the Indian Emigration Committee's Report. Apart from this question of out-

*Low 3-00*  
*the contract for*  
*the whole amount*  
*of the contract*  
*is in the hands*  
*of the*

outside labour the discussion chiefly turned upon the conditions of employment (on which the Governor's recommendations were adopted and incorporated in the "Master and Servant Ordinance" of 1910) and the question of taxation. It was proposed to substitute for hut tax an individual poll tax on each native male adult. The Governor was unable to recommend this in its entirety, but he proposed to impose the poll tax on those able-bodied males who did not pay hut tax, and proposed that those who could show that they had done a month's work for the Government or an approved private employer should be exempt from this tax. This recommendation was approved as a tentative measure but it does not seem to have been carried into effect, except in the modified form that a native who cannot pay his tax may work it off by a month's labour for Government.

In replying generally to the Governor's proposals the Secretary of State observed on the question of Government intervention in labour recruitment as follows -

"At present there is an understanding that the Government will assist the settlers as far as possible in finding labour for them. It appears from the 11th paragraph of your despatch that you have some doubts as to the wisdom of this arrangement, and I have no hesitation in condemning it as unsound.

"The proper course would appear to be for the Government to introduce legislation laying down the

conditions

*with the important addition that work for other settlers was also to qualify for remission*

*MSD 20 2 10*

"conditions for the employment and proper treatment of  
 "the native labourers, with suitable penalties for the  
 "contravention of the regulations, and then to stand  
 "aside leaving the settlers to make their own arrange-  
 "ments for procuring the labour".

III. The proposals to be put forward by the Deputation.

The persons who have signed the memorial on this subject recommend -

(i) The formation of systematic machinery for recruiting labour, consisting of a recruiting agency actually in Government hands, and of an Employers' Labour Federation which should administer the labour when recruited, they are not, however, unanimous in regard to this Federation. The question of Government intervention in recruiting was sufficiently negatively in the 1908 despatch referred to above, and it is contrary to the policy which the Secretary of State has insisted on in other places. Such a system is always particularly liable to be confused in the eyes of the natives, and more particularly of minor native officials, with a system of forced labour. The memorial does not go into the question how the Employers' Federation would be financed, but that is not a matter which need be considered here.

(ii) Taxation. They propose not only that the individual native should be taxed but also that a collective tax should be levied on tribes in proportion to their landed advantages. This recommendation is

based



based on the great prosperity of the natives and the benefits they derive from administration, but, like the similar proposals which have been put before the local Commission, it amounts to saying that the native must be taxed in order to compel him to work. As to a collective tax on or because of land, such a proposal would in any circumstances have to be watched. If native tribes have reserves allotted to them, it is because the land over which they used to move is wanted for the Europeans to tax them on what is left to them seems unreasonably.

The suggestion that the natives who reach a certain standard of technical proficiency should be granted a distinctive privilege needs explanation.

(iii) Registration. They propose that natives should be given a numbered metal disc as a receipt for poll tax which would serve for identification. This implies, as they admit, the universal application of the poll tax even in the poorest parts of the Protectorate and, therefore, the departure from the principle hitherto recognised that the imposition of the hut or poll tax is only extended to a Province as its development allows. It is not clear why the difficulty of identification is especially serious in the East Africa Protectorate but, as the Governor, in replying to the members of the 1908 Enquiry expressed himself as agreeing to individual receipts for tax, the question is only one of the form of receipt. A numbered badge may well be as useful as a printed receipt in the case

of

of a man who cannot read.

Under this head the memorial also suggests the substitution of standard forms of contract approved by the Government for the present arrangement by which the contract must be entered into before a Magistrate. This would entirely defeat the main object of the present plan, which is not merely to ensure that the terms are just, but that the labourer knows and agrees to abide by them.

(iv) Facilities for natives to work.

(a) Facilities for families to accompany labourers. (It is not suggested by whom the facilities should be given).

(b) Deferment of a part of pay pending arrival home of a time-expired labourer.

(c) Prevention of exorbitant charges for carrying rupees.

(d) Vagrancy and lawlessness.

These are matters which I have asked to be asked to report on, and I have discussed with the Secretary of State. I have reported that there are traders and money lenders who exact heavy percentages from natives for carrying rupees. The smaller coinage is new to us.

(v) Restrictions on spirits. As to "tembo" (palm wine), the preparation and sale of this liquor is governed by Ordinance. We seem to have no information as to any abuse except that referred to in the first part of this memorandum. With regard to spirits,

the Deputation should be asked to give details. Sale to the natives is of course strictly prohibited and not merely regulated.

The Memorandum contains no reference at all to the rate of wages to be offered to the labourers, and it would appear from the evidence given before the local Commission that in any circumstances the planters are determined to keep wages down. One firm writes to the local newspaper to disclaim the suggestion that it pays its men 7 rupees a month plus food, and a witness before the Commission refers to the harm done by certain employers who give their men 6 rupees a month instead of 4. In 1908 the Governor quoted the existing rates as 6 to 9 rupees and food, while the rate suggested by the Commissioner of Somaliland for any labourers who may be obtained from there is 7 rupees a month for men and 5 rupees for women and children. It seems clear that whatever policy is adopted planters must make up their minds that they cannot obtain labour by levelling down the wages.

With regard to the suggestion in the memorial that the signatories should be allowed to give evidence in this country for transmission to the local Commission for incorporation in their minutes and report, it is suggested that the Deputation should be told that any detailed statement they may wish to make

on

on the different heads of the terms of reference to the Commission will be sent out to the Protectorate. It should be explained to the natives that no undertaking can be given that the Government through its officials will take an active part in recruiting, and they might be asked for what reasons certain of them dissent from the proposed 'Employers' Federation and what they would substitute.

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In his private on the paper Sir John Anderson remarked "I hope there will be no encouragement given to Government recruiting. After the recent experience of Southern Rhodesia we have had enough of that. It would be equivalent to a system of forced labour, not for Government purposes and under Government supervision, but for planters' work and under planters' supervision."

Nor should we under any circumstances agree to contracts being signed except by a Government officer responsible for seeing that the terms of the contract are explained to the natives.

After all the country belongs to the natives and the natives, that they are compelled to furnish labour to enable the whiteman to develop the country is not one to which we can subscribe. It may be very irritating to see the natives idle and the land lying fallow, but if he can afford to be idle, until we get to the ideal socialist state, he has as much right to do so as the white man."

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293



2nd December 1912

C. O.  
38293  
3 DEC 12

To the Secretary of State for the Colonies;

Sir;

I have the honour to forward you the enclosed Memorandum with the list of signatures attached and to ask that you will receive a deputation consisting of the following gentlemen;

- Lord Cranworth,
- Major E.H.M. Leggett,
- Capt. R.S. Grogan,
- Colonel Owen Thomas,
- Mr. E. Powys Cobb,
- Mr. J.W. Raymond,
- A representative of the East African section of the London Chamber of Commerce,
- and myself.

In the event of your conceding us an interview on this subject, I would ask you to forward your reply to me at the subscribed address, stating what day and hour will be suitable.

I have the honour to be,

Sir,

Your obedient servant,

*Henry Guest*

31, Carlton House,  
Regent Street,  
London, S.W.

44348-20

To the Secretary of State for the Colonies

220

C. O.  
38203

Sir,

We, the undersigned, have the honour to submit the following memorandum as representing the views of large interests in British East Africa on the question of the supply and regulation of native labour in the Protectorate.

We further ask that you will be good enough to give a reputation of our number to fully discuss this important question.

The rapid development now taking place in the Protectorate both in Industry and Agriculture renders an early consideration of this important question imperative to our immediate needs, while the uncertainty of the future policy of the Government on the labour question is checking investment and renders further development precarious - in fact, some plantations have actually closed down from lack of labour at the present time, and the hinterland of the Coast has recently been rendered very sterile by the prohibition against bringing slaves and labour into the Coastal area.

IMITING  
LABOUR.

We submit that no generally recognised system for the recruiting of labour at present exists and that the efforts of the Government towards this end do not achieve the results desired by them, in organising for the needs of the Protectorate the natives who are willing to work.

We are of the opinion that the increasing demand for labour necessitates that the present system should be reorganised and extended in such a manner that it will be

✓

possible for the larger interests to obtain large numbers -  
of labourers without interfering with the individual effort  
to meet the local needs of smaller employers. 230

We suggest that Government activity in this matter should take the form of official recognition and administrative assistance to employers in the formation of Labour Recruiting Offices in selected localities and that this policy should be accompanied by a more rapid extension of Government stations into districts at present only partially administered, thereby enlarging the area from which labour can be obtained.

We submit that the present semi-official system of recruiting labour is inadequate, and that the unofficial labour agents are in many ways objectionable to the Government, the employers, and the labourers. We earnestly believe that the recruiting of labour without the Government's assistance would not be very effective, and lay interfere with the Government's responsibility in their dealings with the tribes. We therefore propose that a system of co-operation between the Government and the employers should come into force, and we advocate the following:

1. That the Government shall allot to each District Commissioner a certain number of labour agents, and that this officer shall have labour agents under his control, who will also be approved by the Government.
2. That an Employers' Labour Federation shall be formed, which shall administer the labour when recruited as regards accommodation, transportation, and allocation, to the various employers; that the entire expense of such an organisation shall fall upon the Employers' Federation, which shall also guarantee the salaries and expenses of the Government Controlling Official and his sub-agents.

ATION. In view of the fact that nearly all the unproductive portion of the increasing expenditure in administration is necessitated by or is incurred on behalf of the native population, we advocate an individual contribution by the native population to the revenue. We submit that such contribution should be more proportionate to the remarkable increase in wealth and prosperity which the development of an organized community has given to the native tribes. In this connection, we also advocate the imposition of some form of tribal contribution based upon the landed advantages secured to each tribe, as a means of obviating the present conspicuous injustice of the incidence of taxation upon differently situated tribes.

We also suggest that a distinctive position or privilege might be accorded to such natives as attain technical proficiency in industrial concerns, Government service, or technical education.

ATION. We are further of the opinion that the advancing development of the Protectorate necessitates a system of registration and identification of the individual native. We suggest that the registration might take the form of a numbered metal disc given to the native as a receipt for his Poll Tax, a system of taxation which we strongly advocate should be extended until it is universally applied throughout the Protectorate. Thus the receipt given for the personal payment of Poll Tax, will be the foundation of the registration system.

The present difficulty of identification renders all attempts at enforcement of contract futile and makes apprehension for desertion and crime practically impossible.

At present, enforcement of contract is only possible if the agreement is made before a Government official; we suggest firstly, that standard forms of contract shall be approved and issued by the Government, which shall be





We submit this memorandum for your consideration and ask that you will receive a deputation to go into this matter more fully. As owners who have put large capital into the country we find ourselves unable to obtain sufficient labour for our immediate needs, and we view the future with grave distrust unless the question receives immediate and careful consideration. 233

As owners, we are willing to co-operate with the Government of British East Africa in their efforts to solve this problem. We are willing to subscribe reasonable fees for labour obtained through an officially recognised organisation and to carry out on our properties such measures for the necessary care of the labour obtained as may be reasonably required.

Further, in view of the Commission now sitting in British East Africa, and taking evidence on the general questions of labour in that country, we, as the owners of large interests, wish to express our desire to give evidence on the question also, and suggest that this might be given before an official of the Colonial Office in London, and that the evidence might be transmitted to the Commission in the Protectorate for incorporation in their minutes and report.

We find it <sup>of</sup> great interest and press on your consideration the urgency of this question both from the extreme importance of it to ourselves and from the steady development of the resources of the country.

We have the honour to be,

Sir,

Your obedient servants,

Henry C. Gault

Edmund Leighton

Managing Director BEA Company