

EAST AFR PROT.

No 1346

APR 08

No. 1908
address July 27

(Subject)

1908

Customs question

Previous Paper

Under proceedings of late Conference ordered by
for to consider question also report of delegation
of cattle & means of their sale has resulted to
formation of temporary board of officers & heads of
Customs employing Dept to consider terms on which
Custom will be supplied by port & to require who

(Minute)

PRINTED FOR PARLIAMENT

Ed. 4122 JULY 1908

Mr. Carters

I deal with this in

the same on 15172

2/5

Part 1

Under paper 27 12 July 1908

W & A G S
LONDON

Integrator

1908

above serial

13763 of
E.A.P.

The Secretary to the Administration, East Africa Protectorate, presents his compliments to the East African Division of the Crown Colonies Department, and would be much obliged if certain errors in typing, which may possibly have occurred in the text of Enclosure No. 2 (to Governor's address) in his despatch confidential (23) of March 26th last, could be corrected, as follows, if necessary:

- Paragraph 7, line 6 - for "another policy"
- and "matter of policy"
- Paragraph 10, line 1 - for "to further"
- details" read "the further details"
- Paragraph 15, line 2 - for "rigidly"
- read "rigidly"

19 May 1918

Governor's Office,

Nairobi.

15 APR 08

Nairobi 20th 1908

EAST AFRICA PROTECTORATE

CONFIDENTIAL (88).

(Incl. 3)

PRINTED FOR PARLIAMENT
C. 4722 JULY 1908

My Lord,

I have the honour to submit the proceedings of a large meeting of settlers convened by me at the Railway Institute on the morning of the 13th instant to discuss the difficulties connected with the labour question and the best means of meeting them. There were about 100 persons present.

3. The spirit in which I and the officers of this Administration were prepared to meet the settlers on this question is shown in my opening address. Naturally no definite ruling could be given on the points raised in Lord Delamere's motion on the spur of the moment; the proceedings were orderly and on the whole passed off satisfactorily.

It was after this meeting that the unhappy incident occurred at Government House to which I have referred elsewhere.

4. The following morning I received at my office at midday a deputation consisting of:

- Lord Delamere
- Lord Curzon
- Mr. Radcliffe
- Mr. Russell
- Mr. Wood
- Mr. Phillips
- Mr. Ward

H.M. PRINCIPAL SECRETARY OF STATE

FOR THE COLONIES,
DOWNING STREET.

LONDON, S.W.

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PROCESSED
ADDRESS
RECORDED
14.5.08

to hear my replies to the matters put before me in Lord
 Delamere's letter of the 27th inst. These are given
 on the attached Memorandum. Whilst not agreeing to the
 formation of a permanent Central Board until experience
 had been gained of the working of the local Boards, I
 saw no reason to dissent from the request made to me by
 the deputation that as the Provincial Commissioners were
 now assembled at Nairobi advantage be taken of their
 presence to form a temporary Board to consider, with
 representatives of the settlers and Boards of labour
 employing departments, the terms on which labour will
 be supplied by Government and to inquire into the
 conditions of labour. To this proposal I gave my
 assent and the Board commenced its sittings at 10 a.m.
 yesterday and is, I believe, working harmoniously. The
 delegates of the settlers are:

- Lord Delamere
- Mr. Watkins
- Mr. Stevens
- Mr. Ward
- Mr. Russell Bower
- Mr. Wood.

5. It will be convenient if I defer considerations
 of the questions involved in the labour problem until I
 am in receipt of the report of the Board.

6. It is to be observed that I have declined to cancel
 the main existing principles of the labour rules, though
 I admitted concessions on the points which the settlers
 attach importance.

I have the honour to be,
 With the highest respect,
 My Lord,
 Your Lordship's most obedient,
 humble servant,

George S. Carter

In Despatch *Bay* of 23 of Mar 26 1908

13763

9 APR 08

PROCEEDINGS OF THE LABOUR CONFERENCE.

Uganda, 1908

MR. EDERSON, stated that he had been an employer of native labour for eight years - sometimes in large, sometimes in small quantities. He did not represent the Umutu Planters' Association, but had been asked by many planters to ask His Excellency to call a similar meeting to the present one at Vomhassa.

The country, he said, owed a deep debt of gratitude to those responsible for publishing the Labour Rules, which have been the means of creating a common bond of sympathy between the Heads of Government Departments and the non-official population. The labour question is equally important to the settler requiring four or five natives as to the manager of the Uganda Railway.

He had received an invitation which had been spread broadcast to which His Excellency had asked those interested to express their opinions on the difficulties of the subject. He said that at all present fully responsible they took in giving an opinion on the subject.

Mr. Anderson said that he had prepared a motion which he thought dealt with the question and which, with the permission of the meeting, he proposed to move:-

That in the opinion of this meeting no permanent or satisfactory solution of the Native Labour Question will be possible until such time as the present Native Affairs Department is re-organized and the native population is called upon to contribute, on a more equitable basis, to the Revenue of the State.

Subsidiary

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Subsidiary Motion.

Further that this Meeting respectfully submits to His Excellency the Governor for his consideration the following suggestions for the reorganization of the Native Affairs Department:

(a) The creation of Provincial Native Commissionerships, the new positions to be filled by the present Provincial Commissioners;

(b) The appointment of a Commissioner of Natives of proved ability from an older Colony as Head of the Department; the present Secretary of Native Affairs to act as Departmental Secretary.

(c) The collection of native taxes and the issuing of Native Liquor Licences to be added to the duties and responsibilities at present laid down to be fulfilled by the Native Affairs Office.

Continuing, Mr. Anderson said, he moved this with the idea that the great question before His Excellency should be met in a statesmanlike manner. He did not think it a time to tinker the question, as in the near future an enormous labour supply would be needed. He was very pleased to hear that His Excellency had decided to allow non-officials to sit on the Boards and advise the Government in the matter of labour, but did not see much use in asking them to discuss the matter when there was no labour there. No doubt, he said, His Excellency was aware that there was a scarcity of labour to-day, and strange to say in a country where the labour is most prolific.

Referring to the suggestion of separating the Labour Office from the Native Affairs Office, he trusted it would not be done, as the labour question was tied up in the greater question of Native Affairs. He did not think that the blanket question or boiling water affected the supply and failed to see that further legislation would help there.

The Master and Servants Ordinance was a good Ordinance but the Act does not seem to have been tested in the

highlands

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highlands but in the lowlands it had been found satisfactory. In any case, an Act itself, unsympathetically rendered by Magistrates was practically useless, and would not prevent an employer robbing his employee or the employee from deserting when he wanted.

Expressing himself, subject to His Excellency's correction, he went on to state how the Native Affairs Office is constituted; viz:-

That the Secretary for Native Affairs is called upon to protect the rights of the natives, collect statistics, particulars as to their manners and customs, and advise the Government on the subject of Native Reserves, and it is further laid down that he has to superintend taxation. In other words the weakest department has to do the work which is beyond the power of any official of this country, in fact, he believed it would be necessary to go outside the country to do the work.

Mr. Anderson said that he had never advocated going outside the country to fill a post, but as the Commissioner of Public Works had proved such a success, he had no hesitation in asking His Excellency to recommend to the Colonial Office that a Commissioner of Native Affairs of tried ability be appointed in such the Government and the settler would have entire confidence. With regard to the Provincial Commissioners he asked that they might be relieved from all the detail that had hampered them in the past, and which had in many instances made them undeservedly unpopular.

Mr. Anderson thought that if his motion was accepted at this meeting and recommended to the Colonial Office the question would be solved. He also believed that if

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the Provincial Commissioners had no other work than to look after the natives, the natives would look upon them as advisers and friends. And that 50,000 might be forthcoming.

He was not in favour of increasing the taxation, as he did not think it a good policy to take one lot of natives and let another lot go free. Looking at the Kenya District 200 million natives £26,000 Hut Tax he thought the amount should be £100,000. But nobody could call it a just taxation when one man pays Rs. 27 and five others laughed at him.

In his action, Mr. Anderson said he had made no mention of a remedy for the present circumstances which were very serious at this moment; but personally he did not believe it was possible to improve them without going down to the root of the matter.

He thought that the Governor should instruct his officers to assist the settler, while the settler on his part should remember that if he does not "play the game" no Government in the world can help him. He added that the Planters' Association regarded any man abusing his labour as the common enemy of the planter and settler alike, and took prompt steps to bring him to book.

Mr. Anderson said that he believed that this resolution, if tempered with the Exchequer's administration, would have solved the only problem which lies in the way of progress.

MR. WATKINS in seconding the Motion said that he had had with Mr. Anderson that it was a most crucial question. They were endeavouring to develop the resources of the country, but without unskilled labour it was impossible to do so.

The Government, he said, had not hitherto helped them but had put every possible difficulty in the way of obtaining labour.

Mr. Anderson

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Mr. Anderson rose at this point and disclaimed responsibility for everything his Recorder said.

Mr. Watkins accepted full responsibility and proceeded to say that the Government at this juncture in the history of the country ~~must~~ should assist in every possible manner in getting labour for the settler. How can the settler obtain labour? By several methods, which should have been tried long ago. There was the Pass system, in vogue down south. They should insist on natives clothing themselves and increasing their requirements.

He cited an instance of his own, where some Kikuyus who had worked nine months, had received blankets, advances, 7 lbs. food (mealies and rice) daily and had after being taken to Nakuru deserted suddenly because the place did not suit them. Their railway fares had cost him Rs. 9/-. He had no address as the Police could not help him. Was that a condition, he asked, that should prevail in a British Colony which should depend on native labour for its development?

The appointment of boards, he thought, would probably improve matters but some drastic measure should be at once introduced.

He quite agreed that there were many settlers, probably responsible for the situation to-day. The Government should protect the native and the settler alike, and best to give the native no cause for complaint.

Mr. Watkins said that he had been sent down to represent the Pastoralists' Association with no other instructions than to listen to what took place, as the notice was so short that they had been able to formulate no proposals

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to put forward. No shape of salary was asked for, nor even compulsory labour, but he wanted something by which the native labour would not be allowed leave at will as they have done.

Finally he urged the settlers to speak out their minds at the meeting and not simply grumble outside.

MR. STEVENS asked for the total number of adult natives who could work in this Colony and the total number of adult natives who are actually employed so that the meeting could have some idea of the number of natives working and those who were not working.

HIS EXCELLENCY drew attention to the Motion before the Meeting which had not yet been carried.

Mr. Stevens thought that the figures might assist them in voting on the motion.

His Excellency said that as no census had yet been taken, it was very difficult to arrive at the figures asked for, but statistics were gradually being obtained.

Mr. Stevens said that he was a new-comer here, and did not propose to address the Meeting at this stage, as he imagined that there were many men of more experience than himself, and he would speak only if no one took up the running he would speak. He had only been here for close on three months, he had experience and had studied the native question in various other colonies and he would confess that he had never seen the labour question in such a disorganised or chaotic position as in this Colony.

Mr. Watkins had had similar experience to his in South Africa and had mentioned the Pass System. A great many people on present were South Africans who knew that for a hundred years the question has been studied and the result

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of the hundred years experience is the Pass System. Under that system you get a disciplined native; you know where every native is, what his wages are and his employment and any instance of irregularity comes to the notice of the Government.

Mr. Stevens was not able to associate himself with Mr. Anderson's suggestion that the Labour Department should not be separate from the Native Affairs Department. He said that there should be two departments, as the Labour Department and Native Affairs are in direct conflict. One department could protect the interests of the natives while the other could look after the employers and the people he employs.

Mr. Stevens had had three gardeners engaged for six months at the beginning of this month. After a week one disappeared without complaint or warning; some days ago another disappeared, and he was daily expecting the third to disappear. His Excellency in his address had referred to a better check on wilful desertion; he added that His Excellency was consulting his legal advisers as to what better check could be provided; it appeared to him that any man with average intelligence could draft one or a dozen rules more or less drastic and surely the first thing the Native Affairs Department should do in this colony would be to put a check on wilful desertion. In his experience he had found that the only way of handling a native was to temper severity with justice.

Mr. Stevens agreed with Mr. Watkins that grumbling at the Government outside was useless and that any one with grievances should state them before his Excellency.

MR. HOWITT said that for four years spent in this country he had employed on an average 50 natives a month

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on his farm. For some unknown reason he had had no natives for the last three months. He had not ill-treated them and had always paid them their full wages, as his wage-book would show. The natives having suddenly decided not to work for him and his brother-in-law had been planting and hoeing on their own land after the fashion of native women. Much of the land under cultivation was going bad, his pigs were without a herd and his cattle were roaming. Things were bad, but were getting worse.

MR. J. R. FORD (Lilongwe) said he had been in the country over six years and had cultivated over 650 acres of land at Njoro. His present manager, after managing over 2 1/2 years wished to take his farm over and just as all arrangements are practically completed the labour supply fails. The natives absolutely refuse to work and the land has to be thrown out of cultivation. He had always had a little trouble, but this year he cannot carry on.

Mr. Ford complained that when sharply spoken to the natives walked into their Reserves and took as much land as they liked. On his land he had to limit them. He said that the Labour Regulations not having reached Njoro during the last fortnight he had had to refuse 180 applications. He had not a name, though he made his labourers do a fair amount of work.

MR. J. C. H. referred to the Pax Britannica before which the Kikuyus and other semi-pastoral tribes were continually harassed by the Massai, their flocks, women and children being carried off. The Kikuyu were then confined to a circumscribed area. He had often been accused, he said, of taking away so much land from the Kikuyu but he really thought they had a much larger area

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under cultivation than in the past, together with large native reserves allotted to them by Government. They now enjoy peaceful occupation, are increasing in numbers, flocks and herds and have good markets for their produce. With such prosperity and with wives to do his work - legalized slaves - as Mr. Gaine remarked, there was little inducement for him to work except under compulsion. There was certainly an unpleasant sound about the word compulsion but after all the majority of people throughout the world had to work from compulsion and often take up work that is distasteful to them in order to obtain the necessities of life.

The hut tax hardly touched the male Kikuyus, 10 men often living in one hut, and in some cases he had known of natives taking down or burning down their huts when the hut collection commenced and put them up afterwards.

The only remedy was then in compulsion by either insisting upon the head chiefs in native areas finding sufficient labour at the market rates or imposing either a fairly heavy poll tax or a reasonable land rent. It was necessary, he said, to make the native realize that he owed some obligation to British rule and the sooner it was impressed upon him the better (himself and everyone).

Mr. Gaine regarded the Labour Regulations as hopelessly unworkable for monthly labour. They were too elaborate. All that seemed requisite to him was to fix the standard rate of wage for unskilled labour in each district and to provide that the employed as well as the employer fulfils the agreement, with some conditions as to diet, the labourer of course paying for his food out of his wages. The blanket should be paid for by the native when his engagement was for a shorter period than three months.

MR. MCKEAN speaking as the only representative from the rubber and fibre parts of Ukamba said that he was living amidst of those of Ukamba who never did. Hands turn for any white men, most of their labour being recruited from Western East Africa, which he thought was a reflection on a country dealing with natives. He referred to the amount of drunkenness amongst the male Ukamba. There certainly appeared to be no need for them to work as they were able to buy their blankets, wire and beads so cheaply owing to the absence of any import duty on those articles. The natives were enjoying such benefits under the British Rule and paying nothing for it, that Mr. Morgan suggested that an import duty be put on blankets, wire and beads so that there would be an additional inducement for them to work for the white man.

MR. SWIFT (Punda Vilia) said that he had been told that it might be of some use in arranging labour rules for the future to give a rough sketch of his experience in Kenya Province and the relationship existing between officials, settlers and natives.

They had employed on an average from 70 to 80 natives a month and very often 250. No whill headmen superintended them. The first time they were there they first went there. The District Commissioner had evidently told the chief that they would require labour. This was apparently ignored. If the chief had not insisted on their coming in, they would have received none. The natives finding that they had earned a certain number of rupees did not object so much, and no trouble was experienced for about 18 months until the new road to Fort Hall was made. At this time the Executive Engineer of the Public Works Department was obliged to get labour quickly.

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The current rate of wages was then Rs.3, but the Executive Engineer found it impossible for him to get the necessary amount of labour in the district, started giving Rs.4. He then obtained what labour he wanted - at the expense of the settler in the district. "At the time we felt this a great injustice, but we found that he had many Indian families, so, receiving high wages who were necessarily idle through the lack of natives to work under them so that the settler had to make his own arrangements".

"But what we felt afterwards about the matter was that the officials in our district might have helped him. He had to get his own labour entirely and had to pay the Rs.4".

"We received at that time a letter from an official in the District informing us that he understood we might have trouble with our labour, adding that several other farmers had complained of the same thing. Then we had to apply to him for labour for safaris to go into Nairobi. We had two safaris, but on writing for the third he said he was sending, but the natives of the two former safaris complained that they had not received their fair wage, and that the chief of the District told him that his natives were not anxious to work for us at all."

"If I hear further complaints of this sort, I must refuse further labour. I am sure we were not with him beyond doubt or if I find any other settler but if he heard from a weak vacillating untruthful people like Wikuyu of any similar complaint, he would refuse to supply us with further labour. This correspondence I forwarded to His Excellency; it ^{was} then referred to the District Commissioner and I heard nothing further of it, but that young man got promotion shortly afterwards."

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"Then we were advised at that time that the only course we could adopt was to pay the men Rs.4 - 85% increase. Can you imagine what that meant to us, after working 21 years? I would not say reduction of profits but increase of losses.

"We did not take the advice given us; we did not raise our wages. He paid Rs.5, struggled on, but could not get the natives to go into Nairobi. We told the natives that the road would soon be finished, that the safari work would be taken away and we managed to get on and still pay Rs.5.

"We went on for another year with comparatively little trouble till a Labour Officer was appointed to our district. At that time a young man who possessed eccentric ideas or who put his own construction on his orders was turned into our Province. He has been removed, but I am afraid he was there sufficiently long to do us lasting harm."

Mr. Swift said that one of the local chiefs had informed him that he and his men had been told that they need not work unless they thoroughly wanted to. This kind of thing, he said, had naturally done a lot of harm, the results of which were being felt now, but he hoped in time things would be produced. Also, he said, the natives would understand that it was necessary for them to work.

Regarding the labour conditions, Mr. Swift, from his own experience that at Rs.3 it is fair labour if looked after closely; at Rs.4 poor; at Rs.5 it is unworkable. With regard to the relationship of officials with the settlers and the natives, he thought that the officials had not shown the amount of sympathy and enthusiasm as they should have done. They were too ready

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to say after receiving a complaint from a native; "it is no use our trying to supply this settler with more labour."

There must be some complaints of ill-treatment.

Mr. Swift added that his interpretation of the duties of an official, rightly or wrongly, was that if they differed the employer ill-treating natives not to cut off his supply without a word, but to go to him and say: "You have made a very poor hand of your labour; you must treat them fairly. Try and help him and not block him by refusing to supply him, however bad he is." The experience of Messrs. Swift and Rutherford was that the natives were weak, untruthful, vacillating people, who yet seemed to have a certain sense of justice that was very strongly marked. If their wages were paid and they were treated firmly, rather than kindly and knew that what the white man said he would not go back on, they got to know exactly what to expect of him. At first they tried every trick in their power to take advantage of their employer, and in fact were always trying to take advantage of him, but by treating them fairly they had very little trouble with them.

Mr. Swift deprecated raising the pay of the natives; it was much better, if they behaved badly, to kiboko them, for they know then what to expect. So long as an employer made up his mind to always keep his word in every single arrangement with them.

Mr. Swift had recently about 200 natives working, who were very dissatisfied and has threatened the headmen, who were quite afraid of them. His partner kiboked them and they worked with a marked improvement in their behaviour.

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In conclusion Mr. Swift said he only expressed these views because he was told that their experience in Kenya district might be of some service to other people. The reason they were to get labour was because they lived on the border of a large African country, but he did feel that in the past there had been a great want of help from the officials.

Mr. MacLellan Wilson addressing the meeting said that 12 years in this country had given him a little understanding. Besides working with natives in their country he had worked with the natives of other countries and even in ship's holds and he knew their minds and talk.

He quite agreed with His Excellency that when the Railway was built it was impossible to get labour. Then when people began to settle and take up farms the natives found that with a rupee they could buy something, and after that discovery were not at all particular where they got the rupees from with which to buy. At any rate they found it policy to work and came in five years ago, four years ago and three years ago to seek work before there was any interference on the part of the Government. Then settlers increased in the country, Government officials tried to get their way to get settler's labour and there was very little trouble with it. One thing the price was kept uniform. Later on an official dared not send out natives to work, as it was forced labour.

Quoting instances of theft Mr. MacLellan Wilson said he had four sheep stolen lately during the night. He sent the herd up to the boma where the District Commissioner retained him for four or five days though nothing was proved against the boy. He had after-

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afterwards to release him because it was forced labour! The District Commissioner said that many of his cases where he had convicted and put natives into prison had been quashed in Mombasa. What must the natives think in the case of a man whom they know is guilty and whom the Administration know is guilty and released?

Referring to forced labour, Mr. Wilson said that we read in the annals of history that man had a cross put upon him and by the sweat of his brow he must live. That is so as regards the white man so that the man who does nothing to induce the native to work, or who goes out of his way to tell the natives not to work was in his mind originally culpable. The best thing for the natives was work, and as they work they improved.

It was Mr. Wilson's experience, and he had worked in steel works at home, that the same trouble was to be found amongst white men in the matter of disinclination to work. But there, if the man did not work, he remained at the same level and made no progress. There were at home a certain sort of people, good and conscientious people - and some personal friends of his own, who believed that it was wrong to induce the natives to work. It had taken many many years for us to attain our stage of civilisation and now we wanted to do in five years here what it had taken us thousands of years to do at home. He quite agreed with Mr. Anderson that we may frame all the laws or Ordinances that we can, but they will avail nothing unless there is a proper sympathetic administration not in the letter but in the spirit.

Mr. Wilson advocated the treatment of a native as that of a child, and as such he said must not be allowed to do exactly

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exactly as he likes. The rod was necessary in its early stage, and the kiboko might be possibly needed, but the necessity would not be for long. The white man that had to kiboko daily was a fool and had no personality. Unfortunately the native came in as a rule for a month and during the first fortnight was trying all he could to get the best of his employer, but if he were induced to stay longer he generally acquired a respect for his employer and would perhaps be with him for a very long time.

Some of the suggestions for improving the labour conditions were:-

Peas Law
Poll Tax
Increased Hut Tax
Better collection of Hut Tax.

In addition we should give native chiefs power to do as they like with natives - "barring murder." The chief is the father of his tribe. We had introduced an individual law, said Mr. Wilson, which had broken the tribal laws. An instance of which he quoted the case of the prevalence of drunkenness amongst the young men about three years ago. There were not the same number of white men as now and there was likelihood of some trouble. The chiefs were however called to call these young men together and by some play of their positions had managed to obtain their promise that they would not drink for a period of two years. The attitude of the Government unfortunately had at the end of this period robbed the chiefs of much of their power and it was found impossible to obtain a renewal of the promise for another two months; since then Mr. Wilson had seen in one native hut 30 to 40 men sitting together drinking. The man responsible for this was the man who told the natives he need not work for the white man.

45 Mr. McLeellan

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Mr. McLellan Wilson cited instances of the theft of sheep and a heifer recently, though he said for the last five years he only knew of one case of theft of his stock.

Finally he said that it was hard when a man comes to this country with a few hundred of pounds, has to slave from 5.30 a.m. to 8 or 9 in the evening and finds that all the fruits of his labour are lost because the native has been pampered and spoiled. Every year, he continued, adds a year to a man's life, and at this high altitude his heart may be affected or his liver may have some cancerous growth. It was alright for salaried gentlemen who went home periodically, but what did it mean for those who had to sell a farm to go home. He believed that six settlers had applied for land since September. That could not be considered a sign that the country was going ahead but when we got sympathy from the Administration that was something, and he felt that the holding of that meeting was a step in the direction of sympathy.

Dr. SCOTT (Scotch Mission) said:-

"I represent the Church of Scotland in Kiruyu. I have been in the country only three months, but I have been about 18 years in Nyassaland and seen the native question pass through many stages. We have heard a good deal about forcing labour. While I as a Minister would protest against all means of forcing labour (for one thing arbitrary methods never pay in the long run) yet I sympathise with the Commissioners who at times have to resort to irregular methods, which afterwards come to light and rouse protests from the other half of the community. Therefore, to ask Commissioners to use forced methods is not fair to the Commissioners but let us legalize methods we would all approve of."

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"To think that the natives have not a duty to the country as well as to the Revenue is short-sighted. Every man in the country should do duty, not only by paying, but by working. How best to get them to work for their good as well as for the good of the country it is difficult to say, but work would undoubtedly be beneficial to them and in developing the country they would assist to develop themselves. Work supplied to natives is therefore a most excellent thing. What is wanted is some principle, some legislative measure to encourage natives to work. In Nyassaland, some years ago, they adopted a principle which has done more to solve the labour question than anything else.

"Their tax is a month's work. In Nyassaland their month's work is three shillings and their tax is three shillings, and I would suggest that the tax here is a month's work Rs.4 and their tax Rs.4, because it would associate labour with the tax in their own minds.

"In Nyassaland the Commissioner said: "We shall raise the tax to double in certain prescribed areas where there is a circulation of money, and where there is therefore labour. But if a man work for a month for a European and gets a certificate to that effect, then he may pay three shillings along with his labour certificate."

"The result was that a man who did not wish to work paid six shillings."

"But the man who worked a month got his labour certificate for three shillings and went straight to the Boma to pay his tax, and the result has been a very considerable increase in the labour supply without any arbitrary methods and pressing men to work. I think that might help towards the solution here. Then it might occur to many that

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that, supposing this were adopted, you will have in certain districts a surplus of labour. The result of that would be that these men would have to go elsewhere to search for work, or in districts where there were no Europeans natives would have to go in to European districts for labour service, and the result would be a better distribution of labour throughout the country."

Dr. Scott, in conclusion, said that taxes should not be paid in through chiefs. He believed that there was abuse where chiefs collected two or three taxes from the people, and ^{he} thought most distinctly that all taxes should be paid to the District Commissioner direct which he thought ^{also} would have a beneficial effect.

In Nyasaland there were much fewer men to a hut and the tax therefore amounted to a Poll Tax.

MR. WILLIAMS (Kibwezi) said that the question as affecting the fibre people in the country between Voi and Makindu was important. Personally he had found no difficulty in getting as much ^{labour} as he wanted. They stayed with him for considerable periods and when returning ^{found} from holidays generally brought other boys to work for him. They never asked for blankets or supplies, and even when there was a temporary scarcity of food a small temporary ^{planned} they was generally sufficient to meet the difficulty. The demand for labour was going up, as so many new companies were starting and the local labour supply was useless, ^{so that the} ent rely dependent on labour up and down the line.

The labour, in his opinion, required very careful managing, and the differences between the various tribes had to be studied, viz: Mwanuwezi, Wachaga, Wakamba, &c.

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He have generally put up their own huts.

(Remainder of speech drowned by 11 o'clock hooter)

MR. BLANDIN TAYLOR said that since 1904 he had employed between 500 to 600 men a month at a wage of Rs.4. He received Rs.40 per 1,000 cubic feet. The time had now come when he was paying Rs.14 a man and receiving Rs.50 per 1,000 cubic feet. He was unable to get Kikuyu now, but on one occasion was sent 307 men. The railway provided a train for them, he passed them on arrival and gave 200 of them blankets. Later they all deserted.

The Honourable Secretary for Native Affairs asked Mr. Taylor if they did actually desert, as from certain letters written by Mr. Taylor it would appear that he ~~sent~~ them to the Labour Office as unequal to the work.

Mr. Taylor submitted that it amounted to the same thing - desertion. On another occasion, he said, 85 and 41 men deserted from him. He spoke at the meeting ~~and~~ ^{now} because, being unable to furnish the quantity of fuel required by the railway he expected his contract - which had been threatened to be taken away from him.

Mr. PATERSON (Limuru) spoke to having had at the beginning of one month close on 100 boys; half-way through the month he had 5; now he had 2.

Mr. H. S. BUCKLAND said that they had had an excellent speech telling how things were managed in Nyasaland. For many years he had lived in Rhodesia, a new country, where they had the master mind of Cecil Rhodes, who was able to cope with the question.

After the Matabele rebellion Cecil Rhodes appointed headmen throughout the country - every native being registered under them. Every district had a native Commissioner who had magisterial and judicial powers over the

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the native, and he had of course complete control over the headmen; then by instituting the pass system, they got every control over the native who, if found outside ~~his~~ his district, was immediately sent back. Natives deserting were easily traced and made hands on. When Mr. Buckland left it was practically a working system.

Mr. Rhodes adopted an Act called the Glen Grey Act, by which a native, if he could produce a pass from a white employer need not work for one two or three months and was relieved from a certain amount of taxation. It certainly took ~~some~~ time to bring this measure in, as they were hampered by Exeter Hall.

Mr. WARD then addressed the meeting on behalf of the Anglo-American Store Company. He said that at the present time they were working one half of the ~~missionary~~ ^{missionary} for three days a week for ~~the~~ five hours, and had been doing so for the last four months. He pointed out what an uncomfortable position it was for him, a responsible officer answerable to his Board of directors.

He admitted that Voi was not altogether a health resort and further more did not suit the highland native, possibly because of the heat, the difference in temperature between noon and 4 o'clock in the morning (something like 25 to 30 degrees) or the water. However, between September 6th until January they had ~~had~~ ^{had} ~~had~~ ^{had} then, as the Labour Department knew, 248 were called back to Nairobi at Government expense every man sick. These men had been housed and blanched and every thing that could possible be done for them was done. The Government compounder was at the camp daily, but so sudden and pronounced was the sickness that in certain cases men working at 11 o'clock, died at 12. Thus highland labour

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did not and Mr. Ward had to turn to the local labour. "I could rely on but the E. African Handbook gives the number of the population to 5 thousand - but we know for absolute fact that there are 8 to 7 thousand able bodied men". My colleague went out to the hill on a three weeks' safari, going to all the huts and villages as it had been always impossible to get the men to stay longer than one month, I told him to try and find out what complaints they made. We had either to get a labour supply or shut down. My colleague returned with 150 men stating that they had two complaints:-

- (a) it was too far for them to work from their camp to their work;
- (b) they did not want headmen over them who did not belong to their tribe.

With regard to (a) I had a special camp made and there wood and water was sent to them while as concerned (b) men chosen by themselves were appointed headmen, there being only one stranger, a capable Anyawenzi."

Mr. Ward asked what was the rock bottom cause of the scarcity of labour, was it a sheer laziness? If so, some system should be introduced to combat this, such as exemption from taxation through work, i.e. that the native should be taxed inversely proportionate to the amount of work he did for European. Speaking to Mr. Churchill with regard to the forced labour he was told that "they would not like that at home". If the Government could give him some advice as to how to get labour it was said he would be glad to accept the same. The only solution he personally thought was taxation, but so arranged that the more a man worked the less he should pay to the Government. Expressing this idea to Mr. Churchill that gentleman said "but what is to become of the Revenue?" To which Mr. Ward replied that with an export duty of £1.15.4 a ton on fibre the increased quantity of fibre exported would more than make up for the deficiency on native taxation.

51 Mr. Ward

Mr. Ward proceeded to explain his position with regard to his Board of Directors. He has postponed his Mail until the conclusion of this Meeting in the meantime cabling them to expect important advices by the next mail. In this position he was necessarily the financial adviser of his Board, and could he honestly tell them that a suggested outlay of \$5000 on new plant, etc. was justifiable in the present condition of things?

The problem so far as the Afro-American Fibre Company was concerned, had to be solved within the next month or they had to pay their debts and go home. Mr. Ward realised that from the Government point of view the question was exceedingly difficult, but he wanted 500 men tomorrow and did not know from where to obtain them. He stated that he had a ~~chat~~ chat from Mr. Wachter, who said "Please regard your interests as your interests". Mr. Wachter has at present sufficient labour because they have a class of work which they cannot put out in piece-work (the only profitable manner of working labour here). He prophesied the same trouble later for Mr. Wachter as he was experiencing today as they were at present on the easy work and must shortly come to the harder tasks.

The Rt. Honourable Lord Delamere said:-

"We were told that we were making an agitation on an unsound basis: that we were not representing the country; that we were trying to make a name for ourselves; and that the people did not feel these things as they were stated.

His Excellency interposed and said that the Government had not queried any labour representations.

Lord Delamere accordingly withdrew his remarks and proceeded:-

"At any rate I hope Your Excellency is now of opinion as to the matter being of vital importance to every body, and that unless we take some steps to remedy it, there are a large number at present on the brink of ruin while if this state of affairs continues there will

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not be a soul left with any money in a few months.

"Now, if, we have heard what provisions have been working in the country have either 'Personality' have on stock and it does not affect me to any extraordinary extent. There seem to me to be two points.

1. To meet the trying needs of those who have to get labour at once and the only way to do this is to withdraw the rules & let matters go on as before.

"Within the last three or four months there has been a great deal more difficulty with labour. It seems to me a matter of suggestion to the native. If officials go into Kikuyu country and tell the native that they have no obligation to work, they interpret ^{it} as the wish of the Government that they ^{to} not do so. Another reason for their not working is that while looking for voluntary labour they are caught on the road and sent into the Labour Department. The labour department takes them and decides who is to have labour and who is not to have labour. If a man is not good to his natives he obtains no boys, but if he is not quite as good as he should be, he should be given more labour and the matter brought into a Court of Law. He may possibly be new to the country and not understand the natives.

"I think that the present question is purely whether the Government is in sympathy with it or not. It should carry out until we find a legalized method to meet this question's have always been to labour as far as possible of voluntary labour, but if it is found that voluntary labour cannot be obtained, then pressure should be put on them - the same measure as anywhere else in the world, that of being forced out into the world to earn one's own living.

"I think that the legalized methods should be these - You have to create wants as far as possible.

want in this country - the blanket. But by the new rules the employer has to pay for this, and therefore that want is done away with.

"The price of labour must be lowered, and the lower you keep it (not raising it artificially) the man can buy less with that money and so has to work longer to get what he wants."

"I think that the amount of land that natives are allowed to hold should be absolutely limited, as long as the natives may take their cattle away and put them on new land, you will not get a supply of labour. A Kikuyu reserve is being formed north of Kenya on Masai land, the object being presumably to encourage the Kikuyu to become pastoral, with no inducement to work.

"The method of the Government has been right through to encourage the native not to work. If you cannot get labour by voluntary means put a tax on. An indirect taxation such as a tax on blankets, etc. would certainly bring more into work and they would not attribute it to the Government. We have not to come to legalize methods and force the native to work; I hope that we may rely on the Government to meet the case. At the present time we want the labour rules to be withdrawn and to go back to where we were before, and we want the Government to issue strict orders that we are to have every assistance to enable us to get labour.

I think that Your Excellency will admit, after the speeches from practical men that you have a great responsibility in this matter and that means must be devised to meet the case.

"I feel so strongly about this matter that I cannot speak about it.

Lord Delamere then read the resolution which he desired to put to the meeting. (Copy attached), and added:

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Mr. Anderson in his motion brought before this meeting said that among other things we wanted a Commissioner for Native Affairs from some place where they know how to work natives. It is not a personal thing; we want such a man, and this clause we have added to the motion. I cannot agree with Mr. Anderson that the Secretary for Native Affairs should have control of the Labour Bureau or that the Secretary for Native Affairs should hold a position under the new Commissioner for Native Affairs."

Mr. Scott (representing the Limuru farmers' Association) said that they needed a strong man for the native question and one who could make the native work. At Limuru there was no lack of natives, who however preferred to loaf on their ~~and~~ ~~shambas~~ ~~instead~~ of working. He considered that registration would be a step towards the Pass System at present in vogue in South Africa. He read a list of resolutions passed at a meeting of the Limuru farmers' Association held on the 18th March, as follows:-

1. RESOLVED that a deputation from this Association urge upon the Government at the meeting to be held on the 27th March in Nairobi the advisability of instituting a system of registration upon natives not only on private farms but throughout reserves.
2. That the Pass System as at present in vogue in the South be put into practice in the Protectorate.
3. That no natives registered on a private farm be allowed to quit such farm or be ejected without giving three months notice on either side.
4. That Government be asked to induce natives on vacant farms to reside on occupied farms or to insist on all owners of farms to occupy same.
5. That the deputation be asked to point out to the Government that the rules at present governing native labour are not considered practically, and with a view to bettering the labour supply they impress upon the Government the necessity or advisability of instituting measures as outlined in the foregoing resolutions.

Mr. P. A. Wood rose to second Lord Delamere's proposition. He said he had very little to add but would emphasize one or two points.

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Personally he thought that the Government departments had not received all the money as they deserved for pushing up the price of wages. The F.W.P., he thought, was the cause of most of the trouble. The settler pill the native from his hard earned money, but the F.W.P. say out from the British Taxpayers' money, which, he said, was always reckoned at "so much per-bucketful".

Mr. Wood said that at the present time 80% of the settlers would willingly and suitably leave the country if they could get back a fair proportion of the capital they had invested here, which was not a healthy state for a country.

With regard to taxation, he said that it did not matter how sympathetic a legislation we had on the spot here if we were spoiled by Exeter Hall. Exeter Hall and the Liberal Administration should only legislate up to a certain point in matters the burden of which is borne by other people hundreds of miles away.

We were told, said Mr. E.A. Wood, that the Master and Servants Ordinance was very effective; he had not found it so - the point being that deserting boys could never be caught. He supported Dr. Scott's views, as amplified by Mr. Bradford. He said that it was not so long ago that we were a lawless, and lawless have since appeared. At the beginning of stated periods they had revenue. He suggested a taxation of 7s. 12 per bush - not 14s. - 2s. 6 of which could be repaid for work done. We had got to educate the native to work. We were educated years ago to work, it was therefore our duty to teach the natives to come into line as well.

Referring to the number of desertions Mr. Wood said that any man working for another man who does not perform his duty is a thief, and as a thief should be punished - not necessarily under the Master and Servants Ordinance.

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There should be some registration enabling
a native to be traced, to know where he runs from
or where he runs to, and bring him back as is done in
the Transvaal.

There seemed to be some little doubt as to the
meaning of the word "luxury". Mr. Wood contended that
a blanket is a luxury to a native who never had one
before we came here. As concerned the 2 lbs. of posho -
personally he thought he could not eat it, and doubted
whether a native could eat two lbs. of meal. In any
case he thought that they should be paid a rate of wage,
the food to come off their money.

The Secretary for Native Affairs, said Mr. Wood,
was an officer appointed to look after the native.
He could not subdivide himself to represent the poor
unfortunate employer as well as the employe. The Labour
Bureau should look after the interests of the employer
while the Secretary for Native Affairs looked after the
native.

Mr. Wood thought it would be rather difficult
to alter the conditions now, as the Rules had laid down
a sort of minimum that the native may not expect. He
did not regard the employment of labour, though as a matter
of fact he had had some time wanted to get his
net get them.

Finally Mr. Wood agreed in coupling Mr. Amerson's
clause suggesting the appointment of a capable Native
Commissioner.

Mr. Clutterbuck agreed with Lord Clarendon's proposition
he had employed a good many men and formerly used to
rely practically on Kikuyu. The Kavirondo were useless.
For the last six months the supply has dwindled but for
the last three months had had no men at all. The Labour
Department had helped him but he had not been able to
get any more to go up.

At Kisumu the difficulty to hinge on the word

"voluntary". Mr. Hutterbuck pointed out that if one got a number of men into a home and asked "would you like to work to-day?" the number of "yes" answers is usually very small. If the Collector said to them "it is my wish that you should go to work", and if they knew that it was the wish of the Government that they should work, he believed they would go.

His Excellency said that it was the wish of the Government that they should work.

Mr. Hutterbuck said he did not think it was put to them in that way and said that they should be persuaded as schoolboys are persuaded to go to school. How many school boys, he asked, would go to school if it were for them to choose?

Referring to the Kafirondo Mr. Hutterbuck said that as a "bergi" labourer he was the worst in the world, but after he has worked for about two months he is about as good as any in the country. The only instance in the first instance is to persuade him to work.

Apparently under the rules of the native comes to you and says he wants work you write him on, but if you do not write him on in the presence of a Magistrate he can run away at the end of 14 days and turn round and demand his 14 days wages.

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To bear this out Mr. Flutterbuck quoted an instance where some of his men deserted after 14 days work. He caught them and put them into prison but on reporting this to Mr. Ainsworth that gentleman said that he had not only committed an illegal act in putting them in prison but they could sue him for 14 days' wages.

There ensued some discussion over this incident, Mr. Ainsworth stating that some proof of contract was necessary before proceeding against the deserters. The Honourable Secretary for Native Affairs stated that an oral contract up to one month was binding, being a complete contract when the employe intimated his intention of working.

Mr. Flutterbuck admitted that Mr. Ainsworth helped him as much as possible and the principal reason he understood that an oral contract between employer and employe was not binding was that Mr. Ainsworth immediately registered his deserters for the 14 days' balance of work (but) they had to perform.

Lord Delamere

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(3)

LORD DUNSTON'S RESOLUTION.

That this meeting of Settlers and Employers of Labour is of opinion that the present state of Native Labour is one which, if allowed to continue, is disastrous to the development of the Country and ruinous to those who have invested their capital in Agricultural, Stock-raising and Planting ventures, and that no satisfactory solution of the Labour Question can be arrived at unless the Rules promulgated by the Secretary for Native Affairs are immediately withdrawn and the following principles adhered to in any future course of action:-

1. That the framing of New Rules shall be by a Central Board on which employers of labour shall be adequately represented, and that after such general rules have been framed, District Boards be formed to adapt the working of the same to the requirements of the particular district.
2. All contracts for labour to entail obligations on the part of both parties and to ensure a minimum term of service - provided that adequate machinery be employed enabling the terms of the contract being enforced.
3. That all luxuries to be supplied to the Employee shall not fall on the employer, but must be paid for by the employee in the course of his employment.
4. That the Labour Bureau shall not be under the control or in any way part of the Department of the Secretary for Native Affairs.
5. That the rate of wages for unskilled labour shall not be fixed at less than the existing rate in existence 18 months ago.
6. That all Government Departments conform to the Rules which may be so framed.
7. That all Government Officers be directed and be strictly required to encourage the native to seek labour, and to do their utmost to assist those who require it in recruiting the same.

Portion of Mr. Anderson's Motion embodied.

That a Native Commissioner be appointed as head of the Department of Native Affairs, who will be a man of tried Colonial experience.

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LORD DELAMERE rose at this point and asked if he might add something to the Motion before it was put. He said:

"I think besides discussing the Rules, the Central Board ought to discuss measures to be taken for encouraging the native to work and for keeping him to work, and that legal measures should be brought in to carry it out."

The Resolution of Lord Delamere, together with Mr. Anderson's clause re the appointment of a Native Commissioner were put to the Meeting, Mr. Anderson's original motion being withdrawn by Mr. Watkins (Mr. Anderson having left) in favour of that of Lord Delamere.

Carried unanimously.

HIS EXCELLENCY, in conclusion, said:-

"I am much obliged to you for the light you have thrown on this subject. You must not expect me to agree with you on every point.

"You say that the Government is not sympathetic; I cannot agree with you there. Mistakes have been made, and where made have been remedied. The Officers of the Administration wish the settlers well in every respect, and I think this Meeting is very fortunate in that it has taken place when I have been supported by my Provincial Commissioners who have heard what you have said to-day, and who I am sure will do all they can, one and all, to help you in this matter".

"You may take it from me that you will have sympathetic consideration in this matter. I can see your point of view in wishing to adopt the Nyassaland and Rhodesian system, but can say nothing at the moment. Apart from the question of the policy of introducing such a measure into this Protectorate, to my mind it verges on forced labour because

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because you are increasing the tax to enforce labour. I should like to point out that some one has said that there is no check against desertion, which is wrong. There is the Master and Servants Ordinance which provides against desertion. There is however a preliminary to be got through before taking advantage of it, namely to catch your men, and in this country it is not very easy to do so. However, in the last three weeks 87 men have been arrested. They were not tried because the employer did not find it worthwhile to prosecute them.

" I think that as we employ responsible headmen with judicial powers - a matter we are proceeding with now - we shall find many annoying matters, such as desertion, removed.

" I am quite aware that we do not get anything like three rupees for every hut, and for the last six years I have been forcing my views on His Majesty's Treasury to increase my staff because it is practically by the Administrative Staff that the tax is collected. I certainly think that the tax should be paid to the British Officer, and as our Administration proceeds look forward to the final goal when each man pays direct to the officer from whom he will get the receipt.

" As regards the Labour Officer in Kenya, I cannot be responsible for individual officers. If Kibardham is the Chief who makes these statements, we come again to the question of voluntary labour. We cannot force a man to labour, but we do not want to put obstacles in his way. We want the men to work and we shall try and get him to do so.

" I cannot withdraw the rules for the reasons given though several of the conditions are relaxed. I do not believe

believe

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believe, the increase in wages is due to the labour rules, I think it is more due to the high wages paid to porters by the sportsmen. It is not sure how much they spend on a shooting trip, and who within the last few months have taken as many as 3000 natives on safari with them. At the Coast, too, the wages are higher. I saw myself men in the Bazaar at Mombasa who had walked down from Mombasa to get 10/- a month.

" There is much to be said for the Pass System but it is one that would be very difficult to work in this country. While on safari on the Guaso Ngishu plateau it struck me, seeing some natives some hundreds of yards ahead of me, how very difficult it was to keep check over the thousands of natives in such out-of-the-way districts at that referred to, with the limited staff that we have at present."

" In Kyambu and Ukamba we are commencing a census scheme which I hope will gradually be extended into a general registration scheme."

As regards the blankets, these are only lent. The man who has had the loan of the blanket feels the need of it, so that instead of reducing a want we are increasing it.

" I propose that the Provincial Boards which are about to start should also take up the question of the rules as they apply to their districts, but I do not think that a Central Board would be of much use."

" In conclusion I would say that the discussion, on the whole, has been very moderate and put forward in a very good spirit. The Government has been blamed for allowing such a state of things to come to pass which I think is due to the conditions of the country, and I consider that Mr. Hollis and his Assistants have done their best, and have done good work."

The proceedings then terminated.

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INCLOSURE No. 2

In Despatch of 21st Dec 1908

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Enclosure to 10

Gentlemen,

I have asked you to meet me to-day, in the words of the notice convening the meeting, to consider the difficulties connected with the Labour Question and to discuss the best means of dealing with them.

That difficulties and very great difficulties surround this question is admitted on all sides. This is the case in other countries besides ours, and in East Africa the position is complicated by conditions at present existent in it but which I trust will gradually be overcome. The country is new; white settlement is new; and the native tribes upon which we rely for our unskilled labour, are raw and untrained, and in many cases but very recently brought from a state of independence and semi-savagedom under partial administration. Is it then to be wondered at that the labour that has so far come in has frequently been found to be fitful, variable and unreliable?

As a whole the natives are unaccustomed to any form of labour but that of the simple and easy task of hoeing their fields, too frequently left to their womenkind; added to this we have the fact, that whether pastoral or agricultural, the natives live under such natural conditions that there is little in these conditions to induce them to overcome the natural tendency of the African to avoid manual labour.

Now we all want the African to work - to work for the Government, for you and for himself - in a far greater degree than has hitherto been the case. How is this to be brought about? How are the wants of the settlers, of the numerous agricultural and industrial

concerns

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concerns now springing up and of the Government to meet? We cannot have forced labour, we cannot resort to compulsion. I think that the solution - and it must necessarily be a gradual solution - lies in moral suasion in educating the chiefs and through the chiefs the people to the advantages of work, in making the conditions of work as easy as possible so as to retain the labour that comes in and induce other to follow, in careful training of the labour we have got and in creating wants through the expansion of trade, which will oblige the native to earn the wherewithal to satisfy these wants.

I have never taken a hopeless view of the labour question in East Africa, nor am I one of those who hold that the African either cannot or will not work, and I think I am justified by the experience of the last few years. When the Uganda Railway was in course of construction native labour was practically unprocureable; now the natives are doing most of the up-keep and maintenance work on the Railway. Labour is coming in from the Kikuyu districts, from Fort Hall and Kavirondo; while hundreds of labourers have come to Nairobi from the Ruaha district which was only brought under administration 18 months ago. The line extending our influence north to Mombasa and there a further labour supply would be opened. I think you will admit that there are satisfactory signs - unfortunately they do not meet our immediate needs, hopeful as they may be for the future.

During the last five months 25 settlers have applied for 1346 men, of whom 650 have been asked for since the 1st of this month, 696 have been supplied.

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2,042 men have been recruited by Government Departments and 2,893 labourers, out of 3,569 applied for have been supplied to contractors. Unfortunately the present is just the worst season to obtain labour as the natives are preparing their shambas for the rains.

Turning to the so called rules, or conditions under which the Government undertakes to assist settlers with labour, I may say at once that the main principles are a ~~rather~~ *matter of* policy, I consider them just and proper and I do not intend to interfere with them. If the Government supplied labour it is incumbent on it to ensure that that labour is properly housed, treated and fed, and unfortunately several instances have occurred where the labour has returned from contractors' camps in a most deplorable state. I need not further allude to these cases because under the system lately introduced they cannot, I hope, occur again, and it was to attain this object that these so called rules were introduced, and I must admit that we then had the question of these camps more in view than the question of small parties of natives working on the farms.

The details such as the necessity to supply blankets and food, the nature of the food and other points are fair matters for discussion, and where they press hardily and be properly altered they will be altered. To commence with, it is admitted that settlers in labour districts need not be required to supply blankets and food to natives working in the district in which they are recruited, where they can obtain their own food and where they do not wear blankets when working for themselves and orders to this effect are now being given. In cases where the farm is situated at a long distance from a food supply, or, for other causes the natives employed are unable to

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supply themselves with food the employer must arrange to see that they get food. We have already initiated Local Boards are being formed in the head quarters of Provinces and in some selected districts on which settlers and employers of labour will be represented there will be Advisory Boards to the Provincial Commissioner and their functions will be to keep in touch with local requirements, with the conditions of labour within their area, and with the views of all interested in the labour question. These Boards will report the conclusions arrived at through the Provincial Commissioner to the Lieutenant-Governor at Headquarters where they will receive the careful attention of the Government.

The concurrence of opinion is, I believe, against having a large Central Board at present, as conditions vary in the different provinces. In any case I propose to give the local Boards a fair trial before considering the question of a Central Board.

~~The~~ further details of the so called rules, other than these I have just dealt with might well be considered by the local Boards; they will then be discussed in the Legislative Council as I have already promised. I repeat that the main principles of these rules do not propose to alter.

As regards recruitment, Government wishes to help in every way it can, but I do not see why it should be called upon to supply 5 or 6 men to farms situated in a labour district for which the settler ought easily to be able to make his own arrangements. Experience has shown that except at certain seasons of the year men who are careful of their labour have no difficulty in obtaining

what they require. But the most important consideration is the supply for contract and industrial work in the non-labour producing districts.

The settlement of natives on the farms under agreement with the settler is for every reason to be encouraged.

The question of private labour bureau has been broached. They exist already in the matter of the supply of porters for sportsmen and tourists. I should have no objection to the system being extended so as to embrace agricultural and other labourers, but doubts have been raised as to whether such a system would answer under present conditions, and it is feared that the tendency would be to raise prices.

Government cannot insist on a maximum rate of wage, though it is quite ready to cooperate in checking as far as may be the tendency of wages to rise. The question is one of supply and demand and is not capable of a definite ruling. And in connection with wages there is no question but that the large number of natives employed as porters on high wages for shooting parties does tend to raise the price, and as the native becomes more civilized he will more and more value his labour in the best market. These are conditions with which it is very difficult for the Government to interfere. In the present state of the labour supply can the Government accept the responsibility that all the labour asked for and supplied is fully equal to the work it is required to do.

The reasons for this are obvious and are in the main due to reasons given at the commencement of this speech.

Take for instance fuel cutting, the most unpopular form of labour with the native. The great majority of them have never seen an English or American axe in their lives.

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and they have no notion as to how to use them, and the first day's work often leaves them sore and dispirited.

All we can at present do is to recruit the labour required and to leave to the employer to deal gently with his men under condition quite new to them, and to train them to the work he wishes them to do. By this means there will gradually be obtained gangs of men more fitted and accustomed to the work required of them, a process which indeed is now in course of being.

rightly Complaints have been made, and in cases I believe ~~made~~ made, of the frequency of desertions. I am in communication with my Legal Advisors as to whether steps cannot be taken to secure a better check against wilful desertions through no fault of the employer, than is afforded under the present law.

I have spoken somewhat at length on this subject of labour, I wish you to hear from me the conditions as they actually present themselves to the Government at the present time, so that we may understand how we are actually situated, and that various misconceptions which have arisen in the population may be cleared away.

My remarks necessarily apply more particularly to the uplands; I shall shortly have more to say in connection with the conditions as they exist in the coast areas.

I will now invite those principally interested in the labour problem to favour me with their views; and any feasible proposal that can be put forward to bring us nearer to a satisfactory solution of the question will receive my most sympathetic consideration.

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In Despatch No. 23 of Mar. 26 1907

HIS EXCELLENCY'S REPLY TO DEPUTATION
AT HIS OFFICE, ON THE MORNING OF THE 24TH MARCH.

Immediate
Withdrawal of
Labour Rules.

I must decline to withdraw the rules referred to. In two points to which importance has been attached by the settlers, they have been modified to suit their interests and further modifications not involving matters of principle will be discussed by the Labour Boards and the conclusions arrived at and the whole question of the rules discussed in the Legislative Council.

It is on the representation of the settlers that the two alterations above referred to have been made.

Central and
District
Boards.

At the request of the meeting His Excellency agrees to a Board of Inquiry commencing its sittings to-morrow composed of the Provincial Commissioners, Heads of Departments or their representatives, meeting under the presidency of the Lieutenant Governor with six unofficial delegates to consider the terms under which labour will be recruited by the Government and to inquire into the conditions of the labour supply.

Arrangements have been made for the creation of Provincial and in some cases District Boards to consider the details of rules for the recruitment and supply of labour on which unofficals will be represented. As I mentioned yesterday I do not propose to consider the question of a Central Board until the working of the Provincial and District Boards have been given a fair trial.

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Labour Contracts.

2. Contracts for labour do entail obligations ~~on~~ ~~both~~ both parties.

As regards the machinery to be employed I have already stated that powers are about to be given to headmen under the Headmen's Ordinance 1902 and I consider that these are sufficient for the present. I am in communication with my Legal Advisers as to the steps that can be taken to secure a greater check against desertions than is afforded by the present law.

Luxuries.

3. As luxuries it is presumed that blankets are ~~supplied~~.

I agree that luxuries supplied to the employee should be paid for by him and the cost deducted from his wages.

Your Bureau
Native
Affairs Department.

4. There appears to be some misapprehension regarding the system of Civil Administration in the Protectorate.

The Provincial and District Staffs form in effect the Native Affairs Department. The Secretary for Native Affairs holds a travelling appointment and is attached to the Governor's Office.

It is absolutely impossible to separate the question of native labour from other questions of native administration and any officers detailed for the recruitment of native labour are and must remain under the orders of the Provincial and District Staff.

Rate of Wages.

5. The Government cannot fix a rate of wages of unskilled labour. It must necessarily depend on the conditions prevailing in the districts

and

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and the class of labour required. When employers apply to the Government for labour they may state the rate of wages they are prepared to offer and the class of labour and the recruiting officer will supply it if possible. The Government will do all it can to check the tendency of prices to rise.

Co-operation
of Government
Departments.

Incentive
of labour.

6. I am quite prepared to accede to this request.

7. This has always been the intention of the Government and a further Circular urging particular attention to this point will not be issued.

8. I fully agree that labour boards to discuss the questions referred to and such legal measures as are possible will be taken.

Commissioner of
Tivo Affairs.

9. I am not prepared to consider this question.

Nairobi,

March 24, 1908.

J. HAYES EADLER.

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