

KENYA GOVERNMENT ARCHIVES
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SECTION 7

REEL No.

19

KENYA NATIONAL ARCHIVES

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KENYA GOVERNMENT ARCHIVES

PHOTOGRAPHIC SERVICE

SECTION 7.

CONTINUED FROM

REEL No.

18

Wednesday, 26th May, 1954

The Council met at thirty minutes past Two o'clock.

[Mr. Deputy Speaker in the Chair]

PRAYERS

ORAL NOTICES OF MOTION

SUPPLEMENTARY ESTIMATES No. 3 OF 1954

(Governor's Consent Signified)

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:

BE IT RESOLVED that a sum not exceeding £5,047,085 be granted to the Governor, on account, for or towards defraying the charges of Supplementary Estimates of Expenditure No. 3 of 1954, Part I.

BE IT RESOLVED that a sum not exceeding £32,537 be granted to the Governor, on account, for or towards defraying the charges of Supplementary Estimates of Expenditure No. 3 of 1954, Part II.

BE IT RESOLVED that a sum not exceeding £116,566 be granted to the Governor, on account, for or towards defraying the charges of Supplementary Estimates of Expenditure No. 3 of 1954, Part III.

DEVELOPMENT SUPPLEMENTARY ESTIMATES No. 2 OF 1954

(Governor's Consent Signified)

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, I beg to give notice of the following Motion:

BE IT RESOLVED that a sum not exceeding £14,651 be granted to the Governor, on account, for or towards defraying the charges of Development Supplementary Estimates of Expenditure No. 2 of 1954, Part I.

BE IT RESOLVED that a sum not exceeding £81,100 be granted to the Governor, on account, for or towards defraying the charges of Development Supplementary Estimates of Expenditure No. 2 of 1954, Part II.

BE IT RESOLVED that a sum not exceeding £11,880 be granted to the Governor, on account, for or towards defraying the charges of Development Supplementary Estimates of Expenditure No. 2 of 1954, Part III.

FINANCIAL ASSISTANCE TO MESSRS. CAPRICORN FILM PRODUCTIONS, LIMITED

THE ACTING CHIEF SECRETARY: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:

WHEREAS on 23rd February 1954, this Council approved that the Kenya Government should guarantee a bank loan of £10,000 to Capricorn Film Productions, Limited, to be used specifically in the production of one initial film; and

WHEREAS a further sum is needed to enable the film to be completed:

BE IT RESOLVED that this Council approves that the Kenya Government guarantee to Capricorn Film Productions, Limited, to be increased by £3,500.

MEMBERSHIP OF THE SESSIONAL COMMITTEE

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:

BE IT RESOLVED that the Membership of the Sessional Committee be increased by the addition of—
the hon. M. Blundell, M.B.E.
the hon. A. B. Patel, C.M.G.

ORAL ANSWERS TO QUESTIONS

QUESTION No. 87

MR. SLADE asked the Minister for Legal Affairs to state:—

1. Is there any reason to believe that the self-styled "General China" was accessory to the murder of the Meloncelli family?
2. If so, will he be tried on that charge?

THE MINISTER FOR LEGAL AFFAIRS: There were grounds for suspicion that the self-styled "General China" was a member of the gang which murdered the Meloncelli family but the evidence was insufficient to justify instituting criminal proceedings against him in respect of that crime.

MR. SLADE: Arising out of that answer, Mr. Deputy Speaker, if and when further evidence is forthcoming which would justify a charge, will this man be charged with that murder?

THE MINISTER FOR LEGAL AFFAIRS: I would invite the hon. Member's attention to Standing Order No. 36, which states that questions should not seek an expression of opinion or contain hypothetical matter.

MR. SLADE: On a point of order, Mr. Deputy Speaker, I am not asking for an opinion on hypothetical matter; I am asking what is the policy of Government in this matter. Will the hon. Minister answer?

THE MINISTER FOR LEGAL AFFAIRS: In my submission the question is clearly hypothetical—it begins with the word "if".

THE DEPUTY SPEAKER: I think the question is founded on an hypothesis and the hon. Minister cannot be compelled to reply.

QUESTION No. 106

MR. E. W. MATHU asked the Minister for Commerce and Industry to state what action he has taken or is going to take on the Machakos African District Council—Resolution No. 5/54 which reads—

"That Council urges the Government to take steps to increase the supply of sugar available for sale in the reserve which at the present time amounted to only some eight ounces of sugar per head of the population every month."

THE MINISTER FOR COMMERCE AND INDUSTRY: The monthly allocation of sugar to the Machakos Native Reserve was increased by 50 per cent with effect from 1st April, 1954.

MR. MATHU: Arising from that reply, Sir, does the hon. Minister imply that every African adult in the Machakos district is now getting a pound—one pound—only of sugar, including children, in the whole of the Machakos district?

THE MINISTER FOR COMMERCE AND INDUSTRY: I do not imply anything more than I said.

MR. MATHU: Arising from that reply, Mr. Deputy Speaker, Sir, the complaint of the African District Council in Machakos under Resolution No. 5/54 was that eight ounces per person in the whole of the Machakos District was insufficient per month. If the hon. Minister

does not imply that they are getting a pound now per month, then he is not meeting the point of the Resolution of the African District Council at Machakos.

THE MINISTER FOR COMMERCE AND INDUSTRY: I do not say that I was meeting the Resolution. I stated what the facts were. If the hon. Member wishes to make a speech I suggest he puts down a Motion.

QUESTION No. 113

SIR EBOO PIRHAI (Nominated Member) asked the Acting Chief Secretary to state if he is in a position to make an official statement regarding the composition and functions of the Public Service Commission the proposed establishment of which was reported in the *East African Standard* of the 26th June, 1953, and indicate when it is expected that the Commission will start functioning?

THE ACTING CHIEF SECRETARY: Owing to the difficulty of securing a suitable chairman, the establishment of the Public Service Commission has been considerably delayed. One has now been obtained in the person of Mr. W. D. Gossall, C.M.G., who has accepted the appointment.

Mr. Gossall was first appointed to the Colonial Service as an Administrative Officer in Ceylon in 1923 and served with that Government as Controller of Establishments, Controller of Finance and Supplies and Acting Deputy Finance Secretary until 1945. He was then commissioned to the Civil Affairs Service for service with the Malayan Planning Unit prior to taking over the post of Financial Secretary, Malaya, in 1946. He retired from the Colonial Service on the 3rd February, 1954. He was a member of the East African Salaries Commission. He is at present in the United Kingdom. He is due to sail for Kenya at the end of July, 1954, and the Commission should start functioning after his arrival in the Colony towards the end of August, 1954.

In addition to the Chairman, the Public Service Commission will consist of two Government nominees (one of whom will be a serving officer or will have been a public officer within the five years immediately preceding his appointment) and the other an unofficial and one European, one Asian and one African to

[The Acting Chief Secretary] be selected from a panel of names to be submitted by the European, Asian and African Civil Servants' Associations respectively. Serving public officers and members of Legislative Council will not be eligible for selection. All appointments will be made by the Governor. To date no appointments other than that of the Chairman have yet been made but names are being submitted to the Governor and it is hoped shortly to announce the people appointed to serve as members of the Commission.

The main functions of the Commission will be to advise the Governor—

(a) regarding the appointment, promotion and transfer of officers to posts within the Colony carrying pensionable emoluments of less than £1,000 per annum excluding posts in the Unified Services; and appointments which may be made by Heads of Departments in accordance with authority already delegated. The following posts will also be excluded from the scope of the Commission:—

The Governor's personal staff;

The Judiciary;

Posts in the Unified Audit Service;

The Clerk and Assistant Clerk to the Legislative Council;

All ranks of any Naval, Military or Air Forces; and

All ranks of the Kenya Police and Kenya Police Reserve;

(b) regarding the promotion of officers above promotion bars, cases of accelerated promotion and the confirmation of officers provided that in the case of officers in posts of Unified Service level such recommendations will be subject to confirmation by the Secretary of State; and

(c) regarding any matter affecting the public service which the Governor may refer to the Commission provided that this in no way detracts from the functions and powers of the Central Whitley Council.

QUESTION NO. 111

Mr. C. G. USHER asked the Minister for Legal Affairs to state

whether his attention has been called to a sentence in the first leading article in *The Times* of the 6th of May, referring to the execution of the death sentence upon persons convicted of certain offences against the Emergency Regulations, which suggests that the authorities may not always draw a distinction between offences which are "murderous" in motive and those which are described as "technical".

What are the processes which follow conviction in such cases?

What publicity has been given to such processes with a view to correcting the unfortunate impression created by this article?

THE MINISTER FOR LEGAL AFFAIRS: Yes, Sir. The Governor or the Deputy Governor considers every case in which a sentence of death has been pronounced after consultation with the Executive Council, personally decides whether the sentence is to be carried out or commuted to a term of imprisonment.

Following upon the publication of this article, the Kenya Public Relations Officer in London provided the Editor of *The Times* with information on this subject; in addition the Nairobi *Times* correspondent sent clear, concise and well-informed message to his Editor which appeared in a prominent position in *The Times* of 8th May, 1954. This action will, I think, have removed the possibility of any misunderstanding or misapprehension in connexion with the matters raised in the original article.

MR. USHER: Mr. Deputy Speaker, Sir, I am most obliged. Could the Minister say whether the Governor can exercise, in such cases, free pardon—a grant of clemency—give a grant of free pardon?

THE MINISTER FOR LEGAL AFFAIRS: Unless it was clear that there had been a miscarriage of justice, the pardon granted by the Governor would not be a free pardon but a conditional pardon; that is to say, the convict would be pardoned from the sentence of death on condition that he served a term of imprisonment.

THE DEPUTY SPEAKER: I understand that the hon. Mr. Okwiry wishes to make a statement.

MR. OKWIRY: Mr. Deputy Speaker, Sir, with your permission, I should like to make a personal explanation. Last Thursday, in this Council during the

[Mr. Okwiry] made certain remarks concerning the hon. African Representative Member, Mr. Mathu, which, it appears, have been interpreted in some quarters as to contain a personal imputation against my hon. friend. I should like to make it clear that no such personal imputation was intended add to the extent to which it may have been inferred from my remarks, I unreservedly withdraw it (Applause).

MR. MATHU: Mr. Deputy Speaker, Sir, I am most obliged to my hon. friend for the statement which he has made. (Applause.)

BILLS

THE MINING (AMENDMENT) BILL
Order for Second Reading read.

THE MINISTER FOR COMMERCE AND INDUSTRY: Mr. Deputy Speaker, I beg to move that the Bill entitled the Mining (Amendment) Bill be now read a Second Time.

I think I can say that the amendments in this Bill are largely formal and arise from administrative experience that has been gained through the operation of the Mining Ordinance. However, Sir, I would like to draw attention to one or two points that perhaps could not be referred to as formal.

First of all, there is an amendment to section 18, reducing the fee payable for an Exclusive Prospecting Licence, from Sh. 100 to Sh. 40 per square mile. The reduction has been recommended to ensure that the higher fee would not, or could not, in any way act as a deterrent to prospecting. In point of fact, I should say that in agreement with my hon. friend, the full fee has rarely been charged; nevertheless, we felt that to reduce the fee would be a step in the right direction, inasmuch as it might offer some further incentive to prospecting by private people. The same provisions, I may say, for waiving the total fee in suitable cases are maintained. (Hear, hear.)

Sections 43, 46 and 56 are suggestions for amendments to enable Mining Leases and Special Leases to be granted for such terms as may be thought suitable, instead of for a term of 21 years. The particular object of this amendment is

again to encourage the full investigation of prospects which might require a very considerable time to bring to fruition and the expenditure of a large sum of capital which, unless there was greater security than the original maximum of 21 years, might not take place.

As regards the other proposed amendments, they are detailed in a somewhat lengthy Memorandum of Objects and Reasons. I have studied them carefully and have come to the conclusion that I think I would be trespassing on the time of the Council if I went through them one by one. In saying that, however, I wish to make it clear that if any hon. Member wishes to raise any point on the Bill, I will do my best to reply to him at the end of the debate on the Second Reading.

I feel that I can commend the Bill to the attention of hon. Members and recommend that it be passed with one or two minor amendments that will be enforced at the Committee Stage.

I beg to move.

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING seconded.

Question proposed.

LT.-COL. GHERSIE: Mr. Deputy Speaker, Sir, I welcome this Bill—this amending Ordinance—as it does tie up quite a number of loose ends and clarifies a number of points and it does, in fact, bring the Bill up to date. As the hon. Minister has said, it provides relief in certain respects and it also extends the period for the holding of mining locations and leases which are so essential to the mining industry, and I hope it will—as intended—encourage the mining industry and new enterprise. I know this Bill has been the result of very careful consideration by Government experts and others who are interested in the mining industry, and I have very much pleasure in supporting it. (Applause.)

THE DEPUTY SPEAKER: If no other hon. Member rises to speak I will ask the hon. Member to reply, if he wishes to.

THE MINISTER FOR COMMERCE AND INDUSTRY: I have nothing to say except that I felt, when I was speaking that I should have paid tribute to those Members of the Mining Committee of the Board of Commerce and Industry, of which the hon. Members for Nairobi

[The Minister for Commerce and Industry]
North is one, who have given a great deal of work—and attention to this matter. (Hear, hear.)

The question was put and carried.

The Bill was read a Second Time and committed to a Committee of the whole Council to-morrow.

THE MUNICIPALITIES AND TOWNSHIPS (PRIVATE STREETS) (AMENDMENT) BILL.
Order for Second Reading read.

THE SECRETARY FOR HEALTH, LANDS AND LOCAL GOVERNMENT: Mr. Deputy Speaker, Sir, I beg to move that a Bill entitled an Ordinance to amend the Municipalities and Townships (Private Streets) Bill be now read a Second Time.

This, again, Sir, like the Bill previously moved, can, I think, be covered by quite a brief explanation. For the most part it deals with subject-matter unlikely to arouse controversy. The main Ordinance which this Bill amends provides machinery whereby local authorities are able to regulate the construction of streets and to recover the cost from the beneficiaries. As it stands, Sir, the principal Ordinance has been applied to all municipalities and can, on the order of the Executive Council—now the Council of Ministers—be applied to townships. This Bill, Sir, makes a change in that the provisions of the Ordinance will now apply automatically to all townships and to all urban districts within counties and can, by order of the Council of Ministers, be applied to areas which, in the words of the Bill, are "of an urban character". The intention is, Sir, that the Ordinance shall be capable of application to the suburban areas which are growing up round some of our leading towns, where problems of road construction and road finance are basically similar to the problems of road construction and finance within established towns. This Bill, Sir, will enable the authorities responsible for such roads to act in the same way as if they were fully fledged Municipal or Township Authorities.

I beg to move.

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING seconded.

Question proposed.

THE DEPUTY SPEAKER: If no hon. Member rises to speak, I will put the question.

The question was put and carried.

The Bill was read a Second Time and committed to a Committee of the whole Council to-morrow.

THE MUNICIPALITIES (AMENDMENT) BILL.
Order for Second Reading read.

THE SECRETARY FOR HEALTH, LANDS AND LOCAL GOVERNMENT: Mr. Deputy Speaker, Sir, I beg to move that a Bill entitled an Ordinance to Amend the Municipalities Ordinance be now read a Second Time.

Sir, one of the more important duties of municipal authorities in the protection of the public is the regulation of buildings. It provides protection to the health of the population and protection to the wealth which goes into the construction of buildings in so far as it ensures constructional strength. It is within the power of municipal authorities, where a building is put up without permission, to order its demolition, and as the law stands at present, to recover the cost from the owner of the building. In normal times, Sir, and hitherto, that power has, on the whole, been sufficient protection to the local authority in the exercise of those powers; but there has been a tendency for unauthorized buildings to spring up on land of a character, and owned in such circumstances, that the local authority, on ordering its demolition, is left without any particular person to whom it can attach responsibility. The Council will remember a number of shanty-town settlements on the borders of the City of Nairobi which recently were removed under Emergency powers. Some of those settlements extended to within inside the City Council area and when the Municipal Authority came to order their demolition it found that it could proceed with ordinary demolition but that, when no owner could be discovered, it was left itself to carry the expense of the demolition.

This Bill, Sir, will make it possible for a local municipal authority, where it orders the demolition of unauthorized buildings, to exercise discretion whether to recover the cost from the owner of the building or the owner of the land.

[The Secretary for Health, Lands and Local Government]

The Bill also provides protection for the owner of the land or the owner of the buildings against receiving unreasonable order.

I should mention a formal amendment which is also contained in this Bill—contained in section 2—which consists of the deletion from section 19 of the principal Ordinance of a reference which has the effect of making the District Commissioner the Chairman of the Municipal Board of Mombasa. In 1948 an amendment was made to another section concerning the constitution of this Municipal Board of Mombasa, whereby the Chairman of the Municipal Board of Mombasa was elected by the members. When that amendment was made, the existence of this phrase in section 19 of the principal Ordinance was overlooked and the amendment in clause 2 of this Bill is necessary to be consistent with the amendment of the main Ordinance made five years ago.

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING seconded.

Question proposed.

THE DEPUTY SPEAKER: If no hon. Member rises to speak, I will put the question.

The question was put and carried.

The Bill was read a Second Time and committed to a Committee of the whole Council to-morrow.

COMMITTEE OF SUPPLY

Debate resumed.

THE MINISTER FOR COMMERCE AND INDUSTRY: Mr. Deputy Speaker, when business was suspended yesterday, I was replying to my hon. friend, the Member for the Non-Muslim Western Area, who is unfortunately not in his place. I was saying that in regard to his remarks about the sugar industry in Nyanza, that, as far as the production of sugar was referred to, that was the concern of my hon. friend the Minister for Agriculture and I know that he has extensive plans afoot. Naturally, as the industry of the growing of sugar develops so, hand-in-hand, would come the provision of factories and anything my office can do to assist, we will do.

The last point made by the hon. Member was possibly a little more complex and one on which I feel I must detain the Council for a few minutes in replying. He said, "where is a plan for industrial development in this Colony?" Well, Mr. Deputy Speaker, in a few words, the plan for industrial development is one that has been worked out over the years, and according to the changing circumstances, by my office, advised by the Board of Commerce and Industry and advised by many members of this Council and many people outside. In brief it consists of this, that in a country such as this it is the function of the State—an inescapable function of the State—to do its utmost to provide the basic services of roads, of water, of railway services, harbours and the like. Furthermore, Sir, we have, as I think most hon. Members know, made efforts to provide suitable factory sites in centres such as Nairobi, Eldoret, Nakuru, Mombasa and Kisumu and many other places. A great many of those factory sites have rail and road access. Most of them have water and power laid on. The terms on which they can be obtained can easily be ascertained, and indeed have been advertised in many parts of the world. We have, Sir, at this moment, in many centres of the Colony, long waiting lists. We are, in conjunction with the railway administration in Mombasa at the present time, laying down some hundreds of acres in sites for industries and factories. I suggest that this represents a policy of attracting private enterprise to build up the industrial economy of this country and, speaking for myself, it is my personal faith and belief, from my experience, that it is the best plan of all to make it possible for private enterprise to come here and to make it possible for capital to come here and by the healthful processes of industry (always provided it is possible for them to plough back their profits), by the helpful process of growth, to build up alternatives to our still immature economy. In a word, Sir, the policy is to provide facilities as far as we can to enable capital to come and perform that useful and healthful function of building up a country. That is the plan. In my view I do not believe that the enterprise of capital can be improved on by five-year plans or by ten-year plans. The function of the State in a developing country is to provide

[The Minister for Commerce and Industry] I believe that his position—for which I have a great deal of understanding—has now been made perfectly clear. (Hear, hear.)

Sub-heads 4, 5, 6, 7, 8 and 50 agreed to.

The question was put and carried.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that Committee do report progress to Council and ask leave to sit again.

Question proposed.

The question was put and carried. Council resumed.

[Mr. Deputy Speaker in the Chair]

REPORT

MR. GRIFFITH-JONES: I have to report that the Committee of Supply has considered and has approved a Resolution that a sum not exceeding £50,809 be granted to the Governor to repay the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 8—2, Services under the authority of the Minister for Commerce and Industry.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Council doth agree with the Committee in the said Resolution.

Question proposed.

The question was put and carried.

COMMITTEE OF SUPPLY MOTION

"THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR"

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES: Mr. Deputy Speaker, Sir, I am in some doubt as to precisely what the intention was in putting down for debate Vote 5, Sub-head (1), which strictly speaking is my own office, but I welcome the opportunity of perhaps saying something in general about my Agricultural Vote as a whole and no doubt hon. Members who put this down will in due course make their points and ask for any information they require.

Sir, in general, my Votes for the Agricultural Department show a £79,585 increase over the amount agreed to for the year 1953, but I would, Sir, say that of that amount £32,669 is accounted for by increased cost of living allowance and £24,444 in respect of ordinary normal basic salary increases. So that of the £79,000 which would appear as an increase in my Vote for agriculture some 57 or 58 thousand is accounted for for the purposes which I have just outlined.

Sir, I do not think that we have anything to be ashamed of in the development of agriculture in this country, but I would like to stress that lack of staff is the biggest handicap from which we suffer at the present moment. This present handicap to any further advance, be it in respect of European or African agriculture or of research or advisory services, is undoubtedly not only due to the number that have been called up for Emergency work, but because we just cannot get staff from overseas. I will leave that there because my hon. friend the Director of Agriculture who is a Member of this Council will no doubt amplify that point.

Now I am quite certain that before I get down to detail there that there are two matters which Council would wish me to comment on. The first is the non-appearance as yet on the Table of this Council of the much-talked-about Agricultural Bill. Well, Sir, I would repeat what I have said before, not that it is much excuse, which is that, this is particularly a child of mine and if there is one person in this Council who would like to see that Bill before the Council, and if possible passed, it is me. It is unfortunate—or perhaps not so unfortunate because I hope it will save time when it comes before the Select Committee, but this draft Bill has had a rough passage—the original Bill as designed and as amended by a lot of advice given to me from various quarters was drafted in London. It then came out here last year and had certain small parts missing and in the course of putting those in, it was considered that the drafting could be improved upon and it was to a very large extent redrafted last year here. It was then set up in print at the present time, but now such a long time had elapsed since the draft had been

[The Minister for Agriculture, Animal Husbandry and Water Resources] before the Treasury or authorities of the Treasury that it was very carefully re-examined by the Treasury and a number of features came to light and a number of suggestions were made which have demanded further amendments. I am afraid that all this has taken a very long time, but now we have managed to dispose of a very large number of suggested amendments suggested by the Treasury. I hope that that phase has now finished and that this Bill in its final form will be before you in a matter of days and not weeks. (Applause.)

The other matter which I am certain hon. Members would wish me to touch on is the Troup Report. I have heard it suggested and more especially since I laid last week our plan for agricultural development or intensification of development in the African areas, I have heard it suggested that we are doing much for Africans but have rather forgotten European agriculture, but I would like to deny that because I hope very much that we keep the two running *pari passu* so far as our resources allow.

Now as regards the Troup Report there will be a White Paper laid on Government's attitude towards this report, but in the meantime I would like to stress this: that to quite a considerable extent we are in fact implementing a large number of the recommendations contained in that report. For instance, we have been given £30,000 to assist us to equip our existing soil conservation units with dam-making machinery in order to be able to accelerate the making of dams all over the country, especially smaller dams which was one of Mr. Troup's recommendations. The Planning Committee have provisionally agreed to the Director of Agriculture indenting for officers needed for enlargement of our research extension and advisory services, again in accordance with Mr. Troup's report. Also we are trying to increase facilities for farm planning, again in accordance with Mr. Troup's report. Furthermore, I have the authority of the Minister for Finance to say that as far as the Land Bank is concerned a very substantial further sum of capital is going to be made available for the Land Bank. (Applause.) Furthermore, I have the hon. Minister's authority to

state that the rehabilitation loans to farmers will proceed and go on as they have in the past, possibly in a somewhat accelerated manner, though we are, in fact, implementing a very large part of the Troup Report.

But I would add this that it is not laziness on my part that has led us to not laying a paper on this very important report. It is deliberate. I, myself, and I can only speak for myself at the moment, and not for Government as a whole, I am by no means entirely satisfied that I am in a position at the moment to make the recommendations I will have to make on some of Mr. Troup's taxation proposals. I am not satisfied that his proposals which amount really to an undeveloped land tax are as near Schedule A as understood in England as is suggested in this report. I also think that his proposals as applied to a young country of this kind need very careful consideration and I am not only seeking the advice of my colleagues in Government, I am, as possibly few hon. Members opposite may be aware, seeking the advice of one or two persons outside Government who happen to have had considerable experience in this form of taxation and form of land legislation. Now that is not all; we must remember that we are at the moment, from the financial point of view, going through a very difficult time. I do not think it would be reasonable to put on this Table a White Paper dealing with Mr. Troup's financial recommendations at a moment when my hon. friend the Minister for Finance is about to go further assistance about to seek possible further assistance or, at any rate, discuss in some detail the financial position in which this country finds itself to-day. It is for these last reasons that so far you have not had a White Paper on the Troup Report.

Now, Sir, in the course of discussion at which unfortunately I was not here because I was at another meeting, in the last few days there have been one or two comments on aspects of agriculture and I believe that one of the comments was that we are not giving enough encouragement to the growing of cash crops by Africans—that we were, in fact, retarding the progress that could be made in the development of this country and the betterment of its people by a somewhat repressive policy towards

[The Minister for Agriculture, Animal Husbandry and Water Resources] cash crops. Well, Sir, I deny that absolutely. I do not believe that there has ever been anybody so closely connected with agriculture as I have been over a long period of time who has done more to encourage the growing of cash crops by Africans. (Hear, hear.) But I have, I hope, been receptive to advice I am given by my technical advisors who know far more about these things than I do and furthermore I am not unmindful of what has happened to us in the past and unless these cash crops are grown under suitable ecological surroundings, under a reasonable measure of direction and control, one lands oneself in the most desperate disaster and that is what I am trying to avoid.

There is one more aspect, I am now going over to African agriculture, which I would like to make reference to and that is the progress we are making towards the consolidation of holdings, as quite recently that progress has been very marked indeed. I might quote two outstanding examples—Kiambu; the closing of land and the terracing of steep slopes has I believe done a tremendous lot of good and I would like here to pay tribute to the immense support that my departments have always received, more especially latterly perhaps from the Administration. In Machakos also I think hon. Members will admit there has been a big change recently. I will deal with the consolidation of holdings in a few minutes.

Another matter which I think has been alluded to is agricultural education and it will be within hon. Members' knowledge that we have not been frightfully successful in so far as the higher standard of education—agricultural education—are concerned for the African. The Makerere facilities for agriculture and veterinary science have been so far very disappointing. Well, I would like to say that we now have at Makerere a man of the most outstanding personality who was at one time an agricultural officer in this country, Mr. Wilson, and I have been at Makerere myself, not so very long ago, and I was quite satisfied that Mr. Wilson has completely revolutionized the situation. Very large numbers of young men are now being attracted to study in the agricultural

faculty and quite a number of Kenya students are going there, and I am very glad to be able to say so. Now, Sir, I do not think at this stage you want me to say a tremendous lot about our plans for African agriculture because I gave you 75 pages on that subject compiled by Mr. Swynnerton a few days ago. The general policy for Africans and the general policy for our intensified development in African areas has been laid out in that plan, which I would only stress here again is the outline plan for agriculture, a framework within which we shall work for the next five years and, of course, each year our plans will come before Members of this Council, before we can proceed with them, for comment and for obtaining the necessary finance.

I might, however, just skip through one or two of the outstanding—what I may call—matters that perhaps call for comment in the various provinces. I will deal with Nyanza first because it is one of the most important and by far the most populous. In the neighbourhood of Kericho, which was not so very many years ago a very backward agricultural part of the world, we now have 300 square miles of continuous enclosures. Sir, that shows considerable progress in that particular part of the world. In North Nyanza we have again, I think, signs of a revolution in people's attitude. No less than 450 persons have asked to have their farms planned, and of these 450, 350 have already gone through the process of adjusting, and to some extent, surveying roughly their boundaries to fit in with these plans. I might add that we now do a good deal of planning—farm-planning—for Africans, by giving them a map of their holding and suggestions of how to lay it out and what rotations they can try and grow and so on. Many of them are now beginning to take advantage of this advice. In Kisii we have 700 new acres of coffee planted this year, and on Mount Elgon the first coffee factory will be operating this year. Now, it is not all quite as happy as that in Nyanza. In Central Nyanza things are perhaps not quite as progressive as they might be. We find that they are not as responsive to soil conservation methods as one would hope, and there is no question but that their system of land tenure is the most destructive one in this

[The Minister for Agriculture, Animal Husbandry and Water Resources] country, and I mention that only for this reason that hon. Members opposite, and hon. Members on this side of the Council must realize that in dealing in this country with agricultural problems, many of the difficulties we have to face are social and not technical. Before I leave the Nyanza province, I know that in a debate the other day, criticism was raised about our alleged backwardness in irrigation schemes—especially the irrigation schemes on the Kano Plains. At present we have on the Kano Plains 2,500 acres under irrigation in the form of schemes.

I would like to say something about our plans for irrigation generally—many of them are outlined in the Swynnerton Report, but there are two areas which we must deal with—and in my submission, we cannot deal with them by simply waiting until we can engage staff at salaries which are not comparable with salaries obtainable elsewhere. Therefore we have to do something more, and I am proposing to use temporarily, consulting engineers to deal with a number of schemes simultaneously in the Nyanza Province, and bringing those schemes up to the stage of what I would call "projects". At the moment we have eight or nine vague schemes which we think might or might not work. We have got to get a good deal further than that, I hope, in the course of the next few months.

This is one area which lends itself particularly to irrigation schemes, and we must do something there because of the immense population pressure behind it. Equally, there is another area on the eastern slopes of Mount Kenya, that is to say the headwaters of the big rivers that flow down to the sea from the eastern slopes of Mount Kenya, and there we have a number of schemes, either in operation, or about to be put into operation, or about to be surveyed to try and do something with that very promising area. Those two areas are more promising of rapid results than are a good many others which are constantly mentioned in debates in this Council, not that we are neglecting those.

Now, Sir, may I turn to Central Province for a minute. We have, of course, two schemes going on there—one at

Mwea and Tabere, both irrigation schemes and, they are both being used to accommodate and to give work to a number of persons caught up in this Emergency, but I would add this, that those two schemes, which have been under consideration for a long time, are, at the moment, for Emergency reasons, being rather rushed. That is to say they are being rushed from the point of view of being conducted on what I would call safe technical advice by departments which come within my portfolio.

Thus, Sir, some mistakes are inevitable, but still anybody who has ever tried to do anything of that kind and that size quickly are bound to make some mistakes: it is better to make mistakes than to do nothing. At Mwea we hope to settle 2,000 families and at Tabere we hope to accommodate 1,800 families.

Dealing now with cash crops in the Central Province, we naturally have had a serious setback. For some unknown reason there has been rather wholesale destruction of Government coffee nurseries and indeed of private coffee plantations belonging to individual Africans. For instance, the other day at Karatina they deliberately destroyed and uprooted 35,000 seedlings belonging to the Government that were being grown for the benefit of the people in that part of the world. But despite this, we have about 700 new acres of coffee planted in Central Province and probably about another 700 planted in Meru. As far as Meru is concerned, I am afraid any attempts to grow tea that were being started at Nyeri are in cold storage for the time being. As far as growing pine-apples is concerned, there is a big increase in pine-apple-growing in the Central Province. I think here again I ought to sound a note of warning. Cannons naturally like unlimited supplies, but I do not want, if I can help it, to see a lot of disappointed growers who are no market, and I think there is probably a limit to the area that should be safely put under pine-apples, just because it happens to be a crop which is fashionable at the moment.

Turning now to South Nyeri, I might mention that we are operating a survey school in combination with the survey Department there at the moment. There some 14 school certificate boys are being

[The Minister for Agriculture, Animal Husbandry and Water Resources] trained in surveying. The best of them will probably go to the Survey Department and out of the remainder we hope to get a number of them in the Agricultural Department to be used on this farm-planning work to which I have already referred.

Turning now to the Southern Province, the response of the people, as I already pointed out in mentioning Machakos, has been very good lately, and I might also mention that the response of this land has been very good. Some of this land was most desperately eroded and I do not believe that technical officers ever thought it would recover as quickly as it has recovered, and much of the credit must go again to the Administration. It is close administration in conjunction, I hope, with the work of the officers of the Agricultural Department that has led to these very satisfactory results. Again we are beginning to grow coffee, as a cash crop on some of the higher land here, and another very satisfactory aspect is at last—I said at last—perhaps but I should not, but it is "at last" as far as I am concerned—quite large areas of hill-tops are now being voluntarily set aside for forestation.

Turning lastly to the coast, at least almost lastly, we are always told the coast is our Cinderella and we have done very little for the coast. I will admit that it has been inclined to be the Cinderella of Kenya, but I hope it is no longer that at this moment. At Gedi we have done a great deal, I think, to improve the settlement scheme. We have about 350 settlements here and this year they sold about £9,000 worth of cotton. As regards the Shimba Hills scheme, we are going ahead with that but that is a very difficult country and I think one has to go a bit cautiously before one puts down too many people too quickly there. We are trying to start again the coconut industry. We have had rather a set-back owing to call-ups there. We have to deal with some very severe pests on the coast and our entomologist has been called up three times.

Matuga Station is developing very well, and is now producing very large quantities of fruit trees and so on. We badly need, however, somebody to help

us with distribution on a commercial scale. We are doing also quite a lot in the coast hinterland, in the way of clearing bush and providing water supplies and communications, but what is rather disappointing is the follow-up.

Lastly, Sir, there is the Rift Valley which I have not mentioned yet. There I would like to say something about our Research Stations. I think the Kitale Pasture Research Station is going ahead very well, and I hope the work we are doing on farm planning for European farms is going ahead. That it is appreciated, there is no doubt at all. In fact, we have enough work applied for to keep our existing staff busy for the next three years. Therefore, we must try and get additional staff, as recommended in the Troup Report. Despite all our difficulties, and despite the Emergency, there is no falling off in the demand by Europeans for soil conservation services. So, on the whole, I think everything is going along fairly well.

Well, Mr. Deputy Speaker, I have given an introduction to my Estimates, and I will be very happy to endeavour to answer any points which hon. Members may wish to make. (Applause.)

THE MINISTER FOR FINANCE AND DEVELOPMENT SECCOED.

Question proposed.

MR. MATHU: Mr. Deputy Speaker, Sir, I should like first of all to congratulate the hon. Minister for Agriculture for laying down the Swynnerton Plan for the investigation of African agriculture. I should like also to congratulate the hon. Minister—as is very usual with him—that he has that courtesy of giving detailed explanations of the Vote which is under his charge. He has not got that habit of clipping material, as some hon. Members opposite have. I think he ought to be congratulated for that. He has filled in that detail—whether one agrees with him or not—on agricultural questions. (Applause.) There is a third congratulation I want to throw to the hon. Minister, and that is his point that he has been very enthusiastic, not only in the general agricultural development of the country, but also in enhancing the establishment and development of the cash crops in the African areas. The reason I say that is that I have been very critical—he knows

[Mr. Mathu] I have been very critical—about Government policy in regard to the growing of cash crops by Africans. What criticism I have to make is going to continue in a slightly different manner than I have before—I am sure that he will take it not that I mean—I do not want to imply that Africans are not appreciative of what efforts have been taken in this direction, but they have—if I might coin a phrase—divine impatience for quick development in this line, knowing, as the hon. Minister does, that this large-scale development in this line of agriculture would enhance our wealth for the benefit of the whole Colony.

I think I had better deal with this straight away—this question of cash crops: As he knows, he has under the law of the land certain rules governing the growing of these cash crops. I would refer to two in particular: the African Coffee Growing Rules and the African Sisal Growing Rules. Those two are statutory, and they are done under the Ordinance which enables the Minister to make these rules. The Africans feel that these rules are very restrictive—unduly restrictive, to enable the African coffee grower to grow larger acreages than the rules permit. I was glad—I think almost for the first time in my recollection—to hear the hon. Minister say it is better to make mistakes than to do nothing. Therefore, may I urge that these restrictions should be relaxed, so that Africans can grow larger acres of coffee or sisal. He will then appreciate that we would rather make mistakes than do nothing, or be unduly restricted. To that extent, Sir, I want to appeal to the Minister to look into these African Coffee Growing Rules and Sisal Growing Rules and others. I would take these two as examples to see whether it is not possible within that framework to relax restrictions to the extent that an African coffee grower can grow coffee on a larger acreage than he is doing at the present moment—of course always taking into consideration the ecological factors. The Minister should do that. He should be allowed also to accept that there will be closer supervision by the technical officers of Government to see that these coffee growers do not go off the rails. That of course I am not relaxing at all. I feel that the point the Minister makes about that is im-

portant, both for Europeans and Africans. As far as these areas are concerned, that is where, I think, the Administration have been extremely useful in assisting the Agricultural Department in these matters. I do feel that it is very vital that this should be done.

I should like to say that the remarks I am making do not refer to any Province in particular—they refer to the whole Colony. I am not wedded to any one Province or any area—I am wedded to the economy of the Colony as a whole. I do feel that the cash crops are a very strong mainstay of our economy, and that the African population has tremendous potentialities for contributing to the economy of the Colony, when they feel that the fetters—it may be a very strong word to use—that the fetters imposed upon them by restrictions I have mentioned, if not removed completely, are relaxed.

When appealing to the Minister, I should like to appeal to him in regard to the growing of sisal in the two Ukamba districts of the Southern Province. The African Sisal Growing Rules restrict the Wakamba or any other people in the country from growing sisal only along the boundaries—the same as what I call "hedges"—that word is used in the African Sisal Growing Rules. I think that is a mistake, Sir, because as far as the ecological factors of the Ukamba country are concerned it is semi-arid. There are no permanent rivers in those two districts. I think the hon. Member will agree that it is only the blessing of the Almighty—we have now—the rain—that there is anything of optimum moisture for the growing of any crop that requires little moisture, and can do extremely well in this semi-arid area of the Southern Province, known as the Machakos and Kitale district.

I should like to plead with the Minister at any rate to relax those rules in those two areas for two reasons—that the ground is suited for the growing of that particular crop, and secondly that the Wakamba at this particular moment—it will be a first-class psychological weapon to win them on the Government side when we have the trouble, earnest side when we have the trouble. This is an opportunity we must not lose. I should not like to press the matter further, except to put to the Minister for

[Mr. Mathu] consideration that there is an opportunity now for relaxing restrictions as far as sisal-growing is concerned by the Wakamba.

I should like to mention one crop in cash crops which is suited to the Coast Province. I do know that the Minister has this in hand, and technical officers have this in hand. I do feel that the fruit industry of the African in the Coast Province has a tremendous potential for the economy of this country, and I do think that my hon. friend, the Member for the Coast—he is not here, but he has raised this matter many a time—I do think that there is a tremendous, as I say, potential for the future economic wealth of the country if we develop the fruit industry in those areas.

Now, I have a few further points to mention, Mr. Deputy Speaker, which I will do in less detail. The first is the question of agricultural education. I think my hon. friend has put the point at the right place—that unless there are agricultural education officers with adequate qualifications, so that they can go to the masses of the people and direct the agricultural development of the country, our pace of development will be very slow. I should like to agree with him that we have at Makerere at the present moment a man who has revolutionized the agricultural attitude of the College during the time he has been in charge. I have had the privilege of meeting him and I think that we have the right man at that point; but that is not the end. I should like also that we should have in the Agricultural Department a revolution of attitude towards the Makerere graduates. There have been complaints before. As the Minister knows, I think, the complaint still stands—that there are in the Agricultural Department certain officers who have attitudes that have not moved from some decades back, that a graduate with agricultural training at Makerere should mark time for I do not know how many years. They should prove their capability first of all by sweeping out of the office, not because there is any indignity in a thing like that. I would like to put that to the hon. Minister and the Director of Agriculture as to whether at the moment we are in that department attracting

African graduates from Makerere, or from Kenya, to take up agricultural training, when they know what they are going to meet in the Agricultural Department so far as the relationship between them and their superiors is concerned. I will not go beyond that.

Finally, it is the question of financial assistance to agriculture for the whole of the Colony. The Minister did mention that what the Minister for Finance has called the continuation of financial assistance through the Land Bank for European farmers—because our African farmers have not access to that because they will have no security for the loans they will get from the agricultural Land Bank. We have no loans other than to the Europeans—I am not saying this in a racial manner, but it happens to be arranged that way. What I am putting to the Minister is that, in addition to the money the Agricultural Department is using in the usual way, and also the money we are getting so generously from the United Kingdom—£5,000,000 to be discussed later—I should like to put to him, in addition to *ex gratia* loans now offered for agricultural development to the African farmer, that he should, I think, get going as soon as he can to make sure that title deeds, or land titles in some form, which will enable Africans to borrow money to develop their farms will be forthcoming. I know that the Minister has this in hand because I know there are reports—things of that kind—but we want something done quickly so that the African can feel like the European farmer, he can go to borrow money and pay interest to the Land Bank, as borrowers do, and develop his farm. I think it is a matter of vital importance, on which I think the Minister should now give us some finality in the matter. That kind of thing is difficult, I know, but I think last time I heard this from him he said, if he starts a pilot scheme he cannot do the whole country at once, and we know a few African farmers have borrowed money on their title, registered by the Land Office or whatever organization the Minister proposes will have to start the move in the right direction, and I should like the Minister to have that in view.

I have not commented on any other matter which the Minister has raised because I think I agree with everything

[Mr. Mathu] he has said. Those I would underline because they are important for the economy of the whole of our country, not only one community.

Mr. Deputy Speaker, I beg to support. (Applause.)

LADY SHAW: Mr. Deputy Speaker, the last speaker, in commenting on these Estimates, said he was not wedded to one particular province, but spoke of the country as a whole. In speaking on these Estimates, I have to admit that I am rather wedded to one particular province, for the reason really largely that I know a great deal more about one province than any other. Many of the things one knows or says about one particular province may well be applied to other parts of the country just as well, so that I am going to speak—what little I do say—with reference to the province I know better than any other, the Southern Province, particularly the Wakamba parts of it.

Now, the hon. Mr. Mathu referred to cash crops, in speaking a moment ago. I know very well that the introduction or increase of cash crops in areas in which I am particularly interested has made an enormous difference to the circumstances of the people in that country. At the same time I would take him up on his slightly exaggerated re-statement of the Minister's remarks about making mistakes. The Minister rightly said it was better to make mistakes than do nothing at all, in which the hon. Mr. Mathu agreed with him—and I agreed too. I would say at the same time that to make mistakes you know to be mistakes cannot possibly be better than doing nothing at all.

I would suggest that in going ahead too fast in such matters as the development of coffee in African areas could not only be a mistake one knows to be a mistake, but could impede the industry—not only the African industry, but also many of people who have put large quantities of capital into this country and the economy of the country as a whole—and therefore I would urge that both Mr. Mathu and the Minister himself—in spite of their willingness to make mistakes not to make mistakes they know to be mistakes. I am perfectly certain the Minister would not

make gross mistakes—in fact, that he would not go ahead so fast that he would impede an industry which has an immense value not only to the European farmer but to the African—is, in fact, of greater value to this country in many ways than any other industry.

The same thing can apply to a certain extent to sisal. The distress of sisal are not so well known—not so apparent—and sisal is easily grown on bad soil—which is not true of coffee. At the same time, referring to the Ukamba Reserve—very large areas of the Ukamba Reserve have very good soil—there is a great deal of erosion, it has been spoilt. It has been ill-treated in many ways, but nearly all of the western side of the Ukamba Reserve is infinitely richer in soil than most of the adjoining settled areas, albeit it has been ill-treated.

In the course of the last few years a new start has been made in the Ukamba Reserve. I do not think anybody who had not actually seen what has been going on could possibly believe what was going on. It is due to three main factors—the control, enthusiasm and work of the Administration; a succession—sometimes too frequent—of first-class District Officers; and the devoted and most intelligent work of the Agricultural Department. I should not like to leave this subject without mentioning the principal Agricultural Officer—Mr. Hughes Rice—who has done this—in the Reserve which I do not think people in years gone by would have believed could have been done. Lastly—not least, but one of the trinity—one of the three things which have caused this revolution—is the co-operation, perhaps rather related but none the less enthusiastic, of the Wakamba themselves. They have seen the light. They do believe and know that for work done in that country is done for their ultimate benefit, and that by co-operating with Government, and with the officers of the Agricultural Department, they have a future before them which I do not believe any old Wakamba grown up 10 years ago would have believed possible.

I should like to make a tribute to all these people—the leading Wakamba who have led the way in this matter, to the Agricultural Department and to the Administration.

[Lady Shaw]

Now, over this question of the growing of sisal—cash crops. As I said before, the soil on which it is frequently proposed that sisal should be grown—it is soil very capable, if properly cultivated, I repeat properly cultivated, of producing food crops, which would be better than sisal and more to the advantage of the people. Although I think it does extremely well. They grow sisal in hedges. That sisal supports them through a period of famine. I believe it is actually true that, during the last two years, when a great deal of food was imported into Machakos, only £5,000 was spent by the Government on famine relief—that was largely thanks to the growing of sisal in hedges. This year very large quantities of food crops are going to be grown. Surely that will be better for the people themselves—better morally—and I am speaking for the people who live in the country, who would feel they are self-supporting, and can live not only by the Government financed industry. They can grow sisal, but they can at the same time feed themselves.

To my mind, there are two main problems attached to the Ukamba Reserve. One is the disposal of their stock, and they are wishing nowadays to dispose of it. It is not a case of having stock they will not dispose of. It is very frequently now a case of having stock they cannot dispose of. That is a very serious problem to my mind. Another, which does not quite apply these days to the portfolio of the hon. Minister who introduced the Estimates, is the question of re-afforestation. It seems to me a most enlightened action on the part of the Government that they have, in fact, set aside very large areas of their very hard-pressed land for purposes of re-afforestation. I think it would be a great tragedy if, for the want of money or staff, the offer, and it is a perfectly solid offer, is not taken up. I hope that it will fall to the lot of another Minister to take action in this matter, and to forward this interesting development in the rehabilitation of this reserve. I hope, too, that the Minister for Agriculture, Animal Husbandry and Water Resources will put all the enthusiasm which I know he possesses behind this question of the re-afforestation of the Kamba Reserve.

Mr. Deputy Speaker, I beg to support.

MR. MADANI: Mr. Deputy Speaker, Sir, there are a few points that I wish to make in this debate. I should like to ask the Minister about the fate of the land at the Coast which, some years ago, was offered in particular to some members of the Asian community. I should like to know if he now agrees with this side of the Council that that land turned out to be completely unsuitable. If so, has he found any alternative place for those Asians who are willing to engage in agriculture so that they can also contribute towards the wealth of the country.

Secondly, I should like to ask the Minister when he proposes to introduce the Lint Marketing Bill to make it law in this Colony. I think that Bill has been pending for over two years now. For the time being we are tied down to a system of working which, obtains in Uganda, and which is not suitable entirely to circumstances obtaining in the Colony.

I should also like to refer, Sir, to the point made yesterday by the hon. Mr. J. S. Patel, the Member for Western Area—who is unfortunately not present this afternoon. The point that the hon. Member made was whether the Minister does not consider that encouraging the growth of sugar in the Nyanza Province, and in particular those Asians who are trying to grow sugar cane, would not considerably contribute towards the wealth of the country.

Lastly, Sir, I should like to support the hon. Mr. Mathu in his plea that African land might be surveyed as quickly as possible, and that titles might be issued to the owners, because I feel, Sir, that we have a tremendous amount of dormant wealth lying about which cannot be plied into commercial channels unless the owners of it are able to make full use of it, and borrow money for development purposes.

Mr. Deputy Speaker, I beg to support.

MR. CROSSKILL: Mr. Deputy Speaker, the Minister for Agriculture has mentioned three very important milestones in the development of this country this afternoon: the Agricultural Bill, the Troup Report and the Swynnerton Report.

With regard to the Agricultural Bill, it is very gratifying indeed to hear we will

[Mr. Crosskill]

be seeing this in draft form within a matter of days—not weeks. There has been considerable delay in the introduction of this Bill. There have been difficulties which faced the Minister, but I do feel on the question of drafting a Bill such as this, the Treasury should have been consulted at an earlier stage. I hope the Minister for Finance will not think me inconsistent if I advocate another policy to that which I advocated yesterday. (Laughter.) It is rather a different matter, I think, when an Ordinance is being built up. The Treasury should be consulted concurrently with the build-up of the Ordinance. However, I will say no more, but that I am extremely glad it will now be produced so speedily.

With regard to the Troup Report, we have not yet been promised a date by which the White Paper will be laid. Here, again, the implementation of a detailed report is fraught with very considerable difficulties but, at the same time, I would point out to the Minister that the country was inspired by this Report, there is pent-up enthusiasm, and the delay is now causing a psychological depression throughout the country, and I would urge him to lay the White Paper as soon as ever he possibly can. It is a matter of very considerable importance to the country. Possibly these development projects would increase the annual agricultural revenue of the country from £8,000,000 to £24,000,000.

THE DEPUTY SPEAKER: Council will now suspend business for fifteen minutes.

Council adjourned at fifteen minutes past Four o'clock and resumed at thirty minutes past Four o'clock.

MR. CROSSKILL: Mr. Deputy Speaker, I was talking about the Troup Report, saying that although there are tremendous difficulties facing development on our side of the scale, I do feel that we must not be daunted by these but gain courage in the knowledge that the International Federation of Agricultural Producers, now sitting in Nairobi, are working on plans for the distribution of commodities, commodity price control and so forth, and we should be able to gain considerable help from them in working out our development plans in the future.

Difficulties have been shown to us by the Kenya National Farmers' Union—

commodity prices of all different kinds which are showing a downward trend—poultry produce, grain, meat and so forth, for which markets are difficult to find, but I feel we must take courage from the facts I have just quoted and from the words of Sir Wilfred Woods, which I quoted the other day, when he said in effect, we must take risks and go forward. I think my hon. friend, Mr. Mathu meant we should take risks (not make mistakes) rather than do nothing. I feel we should take risks rather than do nothing.

It is gratifying to hear from the Minister that although he is not in a position to lay a paper on the Troup Report, there are indications of his reaction towards its implementation, at least in some degree. He has stated that the Land Bank funds are being reinforced and the Rehabilitation Fund is also having fresh money injected into it, so we can take courage and know the policy is a forward one.

The third milestone to which I referred is the Swynnerton Report on African Agriculture—an extremely important report—and I think we should congratulate Mr. Swynnerton, not only on the comprehensive survey he has made, but also on the brilliant manner he did it in, in such a very short time. As I said, I admired this report, the day it was laid, for the manner in which it was founded, based, as it is, on essentially sound principles. He has considered, first and foremost, the human requirements of the African people and then the natural resources. As I said the other day against a fire of criticism, he had not, as yet, considered the financial implications—those he left till last—but he did make this report, based on those very sound principles, knowing that he had something like £4,000,000 or £5,000,000 available. When he worked it out, he found it was going to cost £7,000,000 but knowing that it was basically sound he recommended that Government should make every endeavour to find the remainder of the money, rather than promiscuously do it. I do hope it will be found unnecessary to prune this report.

I did make rather a sweeping statement when I said I thought the development policy of this country had failed, up to the present, through its inadequacy.

[Lady Shaw]

Now, over this question of the growing of sisal—cash crops. As I said before, the soil on which it is frequently proposed that sisal should be grown—it is soil very capable, if properly cultivated, I repeat properly cultivated, of producing food crops, which would be better than sisal and more to the advantage of the people. Although I think it does extremely well. They grow sisal in hedges. That sisal supports them through a period of famine. I believe it is actually true that, during the last two years, when a great deal of food was imported into Muehakos, only £5,000 was spent by the Government on famine relief—that was largely thanks to the growing of sisal in hedges. This year very large quantities of food crops are going to be grown. Surely that will be better for the people themselves—better morally—and I am speaking for the people who live in the country, who should feel they are self-supporting, and can live not only on the Government financed industry. They can grow sisal, but they can at the same time feed themselves.

To my mind, there are two main problems attached to the Ukamba Reserve. One is the disposal of their stock, and they are wishing nowadays to dispose of it. It is not a case of having stock they will not dispose of. It is very frequently now a case of having stock they cannot dispose of. That is a very serious problem to my mind. Another, which does not quite apply these days to the portfolio of the hon. Minister who introduced the Estimates, is the question of re-afforestation. It seems to me a most enlightened action on the part of the Wakamba that they have, in fact, set aside very large areas of their very hard-pressed land for purposes of re-afforestation. I think it would be a great tragedy if, for the want of money or staff, the offer, and it is a perfectly solid offer, is not taken up. I hope that it will fall to the lot of another Minister to take action in this matter, and to forward this interesting development in the rehabilitation of this reserve. I hope, too, that the Minister for Agriculture, Animal Husbandry and Water Resources will put all the enthusiasm which I know he possesses behind this question of the re-afforestation of the Kamba Reserve.

Mr. Deputy Speaker, I beg to support.

MR. MADAN: Mr. Deputy Speaker, Sir, there are a few points that I wish to make in this debate. I should like to ask the Minister about the fate of the land at the Coast which, some years ago, was offered in particular to some members of the Asian community. I should like to know if he now agrees with this side of Council that that land turned out to be completely unsuitable. If so, has he found any alternative place for those Asians who are willing to engage in agriculture so that they can also contribute towards the wealth of the country.

Secondly, I should like to ask the Minister whether he proposes to introduce the Lint Marketing Bill to make it law in this Colony. I think that Bill has been pending for over two years now. For the time being we are tied down to a system of working which obtains in Uganda, and which is not suitable entirely to circumstances obtaining in the Colony.

I should also like to refer, Sir, to the point made yesterday by the hon. Mr. J. S. Patel, the Member for Western Area—who is unfortunately not present this afternoon. The point that the hon. Member made was whether the Minister does not consider that discouraging the growth of sugar in the Nyanga Province, and in particular those Asians who are trying to grow sugar cane, would not considerably contribute towards the wealth of the country.

Lastly, Sir, I should like to support the hon. Mr. Mathu in his plea that African land might be surveyed as quickly as possible, and that titles might be issued to the owners, because I feel, Sir, that we have a tremendous amount of dormant wealth lying about which cannot be plied into commercial channels unless the owners of it are able to make full use of it, and borrow money for development purposes.

Mr. Deputy Speaker, I beg to support.

MR. CROSSKILL: Mr. Deputy Speaker, the Minister for Agriculture has mentioned three very important milestones in the development of this country this afternoon: the Agricultural Bill, the Troup Report and the Swynnerton Report.

With regard to the Agricultural Bill, it is very gratifying indeed to hear we will

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be seeing this in draft form within a matter of days—not weeks. There has been considerable delay in the introduction of this Bill. There have been difficulties which faced the Minister, but I do feel on the question of drafting a Bill such as this, the Treasury should have been consulted at an earlier stage. I hope the Minister for Finance will not think me inconsistent if I advocate another policy to that which I advocated yesterday. (Laughter.) It is rather a different matter, I think, when an Ordinance is being built up. The Treasury should be consulted concurrently with the build-up of the Ordinance. However, I will say no more, but that I am extremely glad it will now be produced so speedily.

With regard to the Troup Report, we have not yet been promised a date by which the White Paper will be laid. Here, again, the implementation of such a report is fraught with very considerable difficulties but, at the same time, I would point out to the Minister that the country was inspired by this Report, there is pent-up enthusiasm, and the delay is now causing a psychological depression throughout the country, and I would urge him to lay the White Paper as soon as ever he possibly can. It is a matter of very considerable importance to the country. Possibly these development projects would increase the annual agricultural revenue of the country from £8,000,000 to £24,000,000.

THE DEPUTY SPEAKER: Council will now suspend business for fifteen minutes.

Council adjourned at fifteen minutes past Four o'clock and resumed at thirty minutes past Four o'clock.

MR. CROSSKILL: Mr. Deputy Speaker, I was talking about the Troup Report, saying that although there are tremendous difficulties facing development on such a scale, I do feel that we must not be daunted by these but gain courage in the knowledge that the International Federation of Agricultural Producers, now sitting in Nairobi, are working on plans for the distribution of commodities, commodity price control and so forth, and we should be able to gain considerable help from them in working out our development plans in the future.

Difficulties have been shown to us by the Kenya National Farmers' Union—

commodity prices of all different kinds which are showing a downward trend—poultry produce, grain, meat and so forth, for which markets are difficult to find, but I feel we must take courage from the words of Sir Wilfred Woods, which I quoted the other day, when he said in effect, we must take risks and go forward; I think my hon. friend, Mr. Mathu meant we should take risks (not make mistakes) rather than do nothing. I feel we should take risks rather than do nothing.

It is gratifying to hear from the Minister that although he is not in a position to lay a paper on the Troup Report, there are indications of his reaction towards its implementation, at least in some degree. He has stated that the Land Bank funds are being reinforced and the Rehabilitation Fund is also having fresh money injected into it, so we can take courage and know the policy is a forward one.

The third milestone to which I referred is the Swynnerton Report on African Agriculture—an extremely important report—and I think we should congratulate Mr. Swynnerton, not only on the comprehensive survey he has made, but also on the brilliant manner he did it in, in such a very short time. As I said, I admired this report, the day it was laid, for the manner in which it was founded based, as it is, on essentially sound principles. He has considered, first and foremost, the human requirements of the African people and then the natural resources. As I said the other day against a fire of criticism, he had not, as yet, considered the financial implications—those he left till last—but he did make this report, based on those very sound principles, knowing that he had something like £4,000,000 or £5,000,000 available. When he worked it out, he found it was going to cost £7,000,000, but knowing that it was basically sound he recommended that Government should make every endeavour to find the remainder of the money, rather than prune this plan. I do hope it will be found unnecessary to prune this report.

I did make rather a sweeping statement when I said I thought the development policy of this country had failed, up to the present, through its inadequacy.

[Mr. Crosskill]

But, Mr. Deputy Speaker, if it is found possible to implement the Swynnerton plan I shall feel that those remarks of mine were quite unwarranted and I sincerely hope I shall be able to withdraw them.

Again, in implementing a plan such as the Swynnerton plan, with a promise of considerable riches to the African people, we shall have difficulty in overcoming the question of prices. Most plantation crops in this country suffer periodically from slumps and then there are periodical booms, and we have got to make the African people understand that if they grow these plantation crops, those are the dangers which will face them—dangers which the European plantation owners have contended with for many years. I believe it should, perhaps, be our policy to constitute a financial reserve, so that we can keep more or less a level price for these plantation crops, rather than pay them out in full in the years of plenty and then find that they have made a loss on their small plantations in years when there is a slump. (Hear, hear.)

There is only one other point I wish to refer to. Under this head in December, 1953, I referred to the South Barigo Reserve. I asked the Minister whether he would examine the possibility of having a rehabilitation plan made out for that area, which was in such great need of it. He undertook to do so. It is an extremely difficult problem and I believe he may have found that it is really a problem, primarily, of getting rid of the stock and then handing the problem over to the Administration for grazing control, before his department may be able to effect any useful work in that area. If I am right in saying that he may have found that, I should be grateful if he would confirm it, and also, if it is a problem to be passed rather to the Administration, before the Agriculture Department can do any good there. If the hon. Minister for African Affairs would acknowledge that he would accept this, on that point, Sir, I would just like to ask that if that is the answer, there is a Vote for about £3,000 for grazing in the South Barigo Reserve and I think possibly it might be—as I say—if it is an agricultural problem—it might not be

necessary to spend that money on grazing control at the present time.

Mr. Deputy Speaker, I beg to support.

MR. SLADE: Mr. Deputy Speaker, I should like to take a few moments of the Council in commenting on some particular aspects both of African agriculture and European agriculture.

First of all, with reference to African cash crops, I think we all realize the importance of developing them as fast as we can and, indeed, I think we all recognize that the hon. Minister has already made considerable progress in that matter during the past few years. At the same time, I do want to sound a word of warning, which was also sounded, I think, by the hon. and gracious Member for Kambaro; that is, that we cannot afford to encourage the African to develop cash crops at the expense of essential subsistence crops. I believe that there is a real danger. From my limited experience in the Rift Valley Province of resident African labourers, I have seen a great tendency to concentrate on cash crops to the exclusion of food that they should have been growing for their own consumption, and even more important, for the consumption of their children. I have had the greatest difficulty with my own employees in persuading them, even with an acre or more of land, to grow enough green food for their own children. They wanted to fill every square yard with something they could sell and that is a dangerous tendency that has to be checked. Indeed, one sees a very much healthier position in the Rift Valley Province—or my corner of it—during the Emergency, because of the difficulty of selling cash crops, which has induced the resident labourers more towards growing food with physical benefit to themselves and their families.

I was very glad, Mr. Deputy Speaker, to hear the hon. Minister speak about agricultural education for Africans being such an important matter. There is only one contribution I would like to make on this subject, a very small one, but I think it is worth something. Shortly before the Emergency broke out, there was an increasing tendency for co-operation and exchange of ideas between African farmers in the reserves and European

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farmers in the White Highlands, completely voluntary and spontaneous, not organized by Government or anybody else, it was just happening, visiting teams going to and fro. I believe that should be encouraged by Government and financed a bit as regards the travelling expenses to give the Africans in the reserve an opportunity of coming out and comparing notes with Europeans on their farms and vice versa. The value of that being not only what each learns from the other, but also the closer relationship which comes from common interest.

I would like to support, Mr. Deputy Speaker, very strongly the requests made by my hon. friends, Mr. Mathu and Mr. Madan, that we forge ahead with a system of registration of titles for Africans in their reserves. It is now about 16 years since the Law Society of Kenya presented a fairly detailed report to, I think it was, the Attorney General, recommending that Government embark on a system of that kind. That was from the lawyers' point of view, but from many other points of view, of course, it is even more important.

I cannot conceive any real development of agriculture without clear-cut individual ownership and I cannot conceive clear-cut individual ownership having much opportunity without clear-cut titles. True, our system of titles in this country at present is based on a system of very accurate survey and it is true that very accurate survey of hundreds and hundreds of holdings in the reserves is something that we cannot undertake at the present time, at any speed worth showing the results. But, Sir, it is equally true that in England, even up to this present day, a great number of titles depends on no registered survey at all. The titles in England are gradually moving towards registered survey, but they have not gone by any means all the way yet in England; the land laws work very well. I would, therefore, urge the hon. Minister for Agriculture, to consider, along with the hon. Minister for Legal Affairs, the possibility of developing a special kind of land registration for Africans in their reserves, not resting at the present time on very precise survey, but resting, as one might

say, on some kind of temporary title, which defines by means of a sketch plan and by landmarks the areas to which the man is entitled, but recognizes that precise calculation of the area and the precise calculation of land boundaries is subject to correction when there is a final survey. I believe, Mr. Deputy Speaker, it is not beyond the bounds of possibility to devise some temporary system of that kind and it would be of great benefit to the African farmer.

One last point, dealing with African agriculture. It was very encouraging to hear the hon. Minister refer to the many irrigation schemes that he is now planning and the consulting engineers that he is employing to advise on those schemes and perhaps best of all to hear him say that it is better to risk making mistakes than do nothing at all; I would urge him to press ahead as fast as he can, even taking risks in these matters, because as I have said recently in another debate, this is a great opportunity for employment of many people in camps who desperately need employment, but who in ordinary times might not be so easily available.

Turning now to European agriculture, Mr. Deputy Speaker, there are two points which I have to make. The first is with regard to the development of communal water schemes. There is provision for that in the Water Ordinances and I know that it is encouraged in theory by the hon. Minister, but it does appear that there are some difficulties in the mechanics as the law stands now, which make it difficult in practice for a group of farmers who want to develop a particular water supply for their common interest, to get ahead with it. This development of communal water supplies is extremely important, Mr. Deputy Speaker, I would ask the hon. Minister to go into that question and see whether it is not possible to simplify the mechanics of getting a communal water scheme under way.

The other point on European agriculture is with regard to the European Settlements Board. Now that is an extremely important matter, of course, with a view to developing more rapidly the land in the White Highlands that all of us want to see developed more rapidly, and I would ask the hon. Minister for

[Mr. Slade] that purpose to press ahead with something which I have thought necessary for some time, and that is the incorporation of the European Settlement Board. The two main reasons that I see advocating the incorporation of that Board is first of all, that it would dispose of a number of difficulties with regard to the titles of lands now under the control of that Board which now arise. As matters now stand, that Board has the handling and as it were, administration, of lands which are not vested in the Board at all, but are vested in the Crown; it makes contracts with the tenants or with prospective purchasers, but it can only do it as an agent for the Crown and it has not got a very free hand in guaranteeing the future titles of, for instance, a tenant with option of purchase. In such matters, there would be much greater simplifications if the Crown's lease for 999 years, which is now issued and has in many cases been surrendered to the Crown again for the purpose of disposal by the Settlement Board, was issued to a corporate body—namely the Settlement Board.

The other argument, possibly stronger still, is that if the Settlement Board was incorporated and in its corporate capacity held in its own right—lands of which it is empowered to dispose whether by selling or by tenancy, then many problems of financing the Settlement Board would disappear. The Settlement Board would have its own assets as security for its own loans and it would not need to come troubling the Government for special assistance of an unknown amount by way of demand from time to time. For those reasons, Mr. Deputy Speaker, I would ask the hon. Minister to press ahead with the incorporation of this Board.

I have only one more remark to make, Mr. Deputy Speaker, and that is, that I can only speak for European agriculture, but European agriculture, in spite of all the troubles we have been through in the last two years, is in a very healthy state indeed. I believe, I know, we owe that in great measure to the energy and enthusiasm of the hon. Minister. (Hear, hear.) If hon. Members were to study closer the gross output of dairy products, for instance, or cereals—

MR. COOKE: Arising on a point of order, is the hon. gentleman in order, in reading a newspaper?

THE EUROPEAN MINISTER WITHOUT PORTFOLIO: Replying to the point of order, Mr. Deputy Speaker, I agree with the hon. Member, but as I was coming into Council, I had what appeared to be an important official document handed to me, only to find on opening it, that it was a newspaper. As soon as I discovered it I was putting it back in the envelope.

THE DEPUTY SPEAKER: I take it, it was not until the hon. Minister read the centre page that he discovered it was a newspaper.

THE EUROPEAN MINISTER WITHOUT PORTFOLIO: That is quite true. (Laughter.)

MR. SLADE: I was saying if hon. Members would study the gross output in the last two months of such things as dairy products, if they can study the increasing consumption in farmers of veterinary medicines, of special mineral foods, anything that shows that the farmer is still building up; or if they care to study the increasing purchases of agriculture machinery, all those things show the European farmers, far from being chased out or even depressed by the development of the last two years, are steadily forging ahead here; and that gives us every hope that as soon as we are through this Emergency we shall leap ahead.

MR. LETCHER: Mr. Deputy Speaker, Sir, I would like to associate myself with the remarks made by the last speaker, especially regarding the Settlement Board leases and regarding the water supplies. I think it is most essential that we do more to conserve water in this country, if we are going to get anywhere in the future. In his reply, I would like the Minister to state what interest is taken in the Egerton Institute of Agriculture, if possible, giving numbers of students passing through yearly.

Sir, I beg to support.

MR. GATHANI: Mr. Deputy Speaker, Sir, I would like to associate myself with other speakers in congratulating the hon. Minister for Agriculture for showing improved results as far as the African agriculture and the European agriculture are concerned. If I do not congratulate him for showing any improvements in Asian agriculture, I hope he would pardon me for reasons which he himself knows better, but I hope that one day

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there will be somebody speaking from this side, also congratulating him about agricultural improvements that would be made in the Asian agriculture.

Now, Sir, before I turn to other aspects of the agricultural and economy, I would like to pay a tribute to all the farmers, Africans and Europeans, for keeping our production to as high as possible a level in spite of the Emergency and I would particularly like to pay a tribute to those farmers who have carried on in spite of the difficult task with which they were faced. (Hear, hear.) I think our special tribute should be to those who have given their lives while on active duty as far as agriculture is concerned. (Hear, hear.)

Now, Sir, I would first of all request the hon. Minister for Agriculture to bring under one central organization about 18 different departments which I have noticed under this Vote. Without doing any harm to efficiency, I think, in the interest of economy and also in the interest of better efficiency, if it is practicable, it would be desirable that all these departments are centralized.

Now, Sir, the real issue on which I would like to dwell at length is that of Maize and Produce Control. I know, on this Control there has been debated several times in the past, and there have been several committees and several experts appointed to advise the Government correctly regarding the necessity or otherwise of this Control. Why I am raising this issue again, Sir, is that only recently we were handed over this Report of the Cost of Living Committee published in 1954. I would just read a small sentence from it to show the Minister that the public is still not satisfied in regard to the desirability of continuing this Control. This is what has been said on page 8 under the heading Maize: "regarding the organization of the Maize Control much criticism has been directed . . . Now, this is the latest regarding the Maize and Produce Control.

Now, Sir, I had, some time ago, an opportunity of serving on the recent committee called the Ibbotson Committee as an observer only, and I had, therefore, the opportunity of knowing something about this Control. I do not want, Sir, to

go into the past history of this Control at great length, because I know, from the debates in this very Council, much has been said, and in spite of that I really do not understand why the Minister is still of the opinion that this Control is necessary. (Hear, hear.) This Control, Sir, first came into existence, I think, in the year 1942 and the reason was at that time—and it was in my opinion a legitimate reason—that the armed forces in the Middle East and here, had to be supplied with their requirements of food, and we had, therefore, to bring some measure in order to satisfy the requirements of the armed forces. Sir, these forces are no more in the Middle East, and they are no more in the same number in this country since a considerable time. That reason is now no more valid. After that, other reasons were advanced, but not a single reason was understood or appreciated by a large number of people in Kenya. As far as, Sir, my information goes, even the Africans, for whose interest and benefit this Control is said to be continued, are not also satisfied with this Control. I fail to understand why, then, this Control is still continued, particularly when it has the effect of increasing considerably the cost of living.

Now, Sir, I would give some figures. There is a fund called the Betterment Fund, and in that fund up to the end of last year a sum of £1,592,566 has been contributed from the profits made on the Control on maize. On the top of this sum earned from the profits, the Controller has built storage capacity to the extent of 1,440,000 bags at a cost of £519,233. The cost of the Control, Sir, is about Sh. 1/40 per bag just now and an annual average turnover of maize and other produce through this Control is in the region of 2,000,000 bags. So with simple arithmetic, anybody could work out the cost of this Control to the country at the rate of Sh. 1/40 per bag. It is, in my opinion, a very expensive Control.

Now, Sir, on the top of that, the Control has made so many mistakes in the past in the form of buying large quantities of gunny bags at very high prices which they afterwards had to sell at considerably lower prices. If that is a considerable loss, it is added to all the figures that I gave, it will be

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possible to arrive at a figure which, in the opinion of anyone in this Council, would be found to be colossal.

Now, Sir, at one time it was feared that because of the very high price of overseas maize, if there was no control locally, all surplus maize or, perhaps, even more than the surplus quantity would be exported to other markets of the world in order to obtain a much greater profit; the retention of the Control was, therefore, in the interest of the farming community and also in the interest of a large number of Africans whose staple food it is. That was one reason advanced for continuing this Control for some years. But that position, Sir, is no more in existence. There has been a steady decline since the last three years. The price overseas to-day of maize is slightly lower than the price at which we could export maize from here and, according to the figures which are now obtainable from other markets of the world, there are prospects of the price still going down. It would be to the advantage of the farming community and to the consumers to import maize and sell it at a price considerably cheaper than the price at which the Control sells maize in this country.

This Control, Sir, takes an overdraft from the bank, guaranteed by Government, to an extent of £41,000,000. £41,000,000 is the limit up to which the Government has guaranteed the bank overdraft to the Maize Control. £41,000,000 at 41 per cent, and this is the figure, Sir, that I have been given by the Maize Controller himself—unless I made a mistake in writing it down.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Might I just interrupt the hon. Member to say, Sir, that he has made one mistake—a very small one, Sir—he means 41,000,000 shillings, not pounds. (Laughter.)

MR. GATHANI: I think the hon. Minister for Finance may be right because he is an expert in figures and I take his advice.

In any case, Sir, the point that I was driving at is this, that apart from all these expenses, the Government has also to guarantee to the bank an overdraft of a very large sum to maintain this Control.

Now, Sir, the cost of the Control, as I mentioned earlier, on a turnover of roughly 2,000,000 bags per annum, is Sh. 1/40. I think if the Minister for Agriculture would invite tenders from big commercial firms I can assure him that the tender would be of a sum considerably less than Sh. 1/40.

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND FOREST RESOURCES: Would the hon. gentleman be kind enough to tell me what is contained in the Sh. 1/40?

MR. GATHANI: Sh. 1/40 is the cost of the Control without all the other charges which have been detailed in the *Official Gazette* and about which I know the hon. Minister for Agriculture himself is fully aware. When I say the cost of Sh. 1/40 per bag, that means the price that we would pay to an ordinary commercial firm to do the same thing which the Controller himself does now. I can, Sir, now offer to the hon. Minister a price much cheaper than that if he would once make up his mind that he will be willing to allow a free movement of maize in this country.

MR. MADAN: On a point of order, Sir, should not the hon. Member declare his interest now?

MR. GATHANI: The figure I was mentioning, Sir, was not on my behalf and that is why I did not declare my interest.

Now, Sir, in my opinion, the easiest way of decontrolling this item, is so simple that I really fail to understand all these years why the Minister is insisting upon continuing this control. Now, let us assume that the price overseas of maize is higher than the price fixed locally—we could put a control on export and that would mean that only maize surplus to our requirements would be permitted by the Minister for export. Now, if the price overseas is cheaper than the price of maize locally, then the Minister can put a control on the import of maize so that the maize growers would not be obliged to sell their maize at an uneconomic price in competition with the price overseas.

Now these two factors are very simple factors and should, without any difficulty, meet the suspicion or the fears that the Minister may have as a result of either a rise in the price overseas or a fall in the price locally. He could, Sir,

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in the interest of the maize growers, fix a price for marked maize which would be economical and that would give perfect security to all who are engaged in the industry of maize. He can also, Sir, create a reserve from the difference between local and export prices and use the fund in case of need to subsidize imported maize.

Now, one fear, Sir, was that the country is not self-supporting as far as maize is concerned. I have here, Sir, certain figures which I need not give in detail because the gentleman whom I wish to convince is fully aware of these figures, but for the information of the Council I would mention that Kenya has been self-supporting in maize and maize meal since 1942, except during two years only.

Now, Sir, if the Minister allowed free competition, I am confident that the price of maize and maize meal would go down, and that would benefit the agricultural industry as a whole and others who have to buy maize meal, either to supply to their labour or to their employees.

Up to now, Sir, several experts and several committees have worked on this maize problem but one very important factor is that there is hardly a single committee up to now which has had European representation. Even Africans who are the largest producers of maize in this country have never had any representation on any of the committees so that they at least can say, "For God's sake, if you are doing this for our sake, do not do it". (Laughter.) The people who were mainly represented on such committees were, in my opinion, interested parties. The last committee, called the Joblots Kenya Farmers Association and as I was there, I noticed, Sir, that in the beginning they were trying to remove the Control, saying that it is not essential. After having succeeded in that, they immediately asked that Control should be transferred to the Kenya Farmers Association.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, on a point of order, Sir, I would like to know if the hon. Member is in order to recount the proceedings of another committee?

MR. GATHANI: I understood, Sir, that this Report has been published and it is no more a secret.

THE MINISTER FOR FINANCE AND DEVELOPMENT: But, Sir, even if the Report has been published, the proceedings of the committee are regarded as confidential. If, Sir, conversations and happenings which should be confidential are recounted by a member of the committee, it should be done in the presence of a member of the committee with the right to answer.

THE DEPUTY SPEAKER: I think this is a good point. The hon. Member may refer to the published Report, but should not refer to the proceedings or the part played in the proceedings by any particular individual.

MR. GATHANI: I am sorry. I will not refer to it again. (Laughter.)

Now, Sir, while concluding my remarks on maize control, I would like to say this, that, as far as the Controller himself and his staff are concerned, they have done as good a job as possible. Whether the policy dictated to them by the Government is right or not, that is a matter for this Council to judge, but all my remarks made are no reflection on the Controller himself.

Before the war, Sir, if I remember correctly, hundreds of traders were dealing in produce, particularly maize, and they were too happy if they could get a profit of 50 cents per bag. I think that would be the case if there was free competition and I can assure the Minister that, after he has given this Control a trial of more than twelve years, why not, for only twelve months, give a trial in the other way and see the results. Until he does that, he would never be in a position to appreciate the desirability of removing the control on this item.

Now, Sir, I would refer to other items other than maize. These are, Sir, as much as eighteen which are under the Control and called Maize and Produce Control and some of these items are so insignificant in value and in quantity that the whole lot must be more costly to the Controller to operate a control on these items.

Now we recently, Sir, heard about a produce exchange being established in Nairobi and steps are being taken by the

[Mr. Gathanj] Government to encourage the establishment of such exchanges elsewhere. The result was, Sir, that most of the items, I should say the important items which form an important item in the diet of the Asian community and also other commodities were sold at fantastic prices and they, in my opinion, helped in accelerating the cost of living index. If the idea behind the produce exchange is to increase the cost of living of common people, then I should say it has served its purpose well, and it should be supported by the Government. But if the idea is to bring the cost of living down, then, in my opinion, Sir, there is no need whatsoever to keep a control on so many other items which are not so insignificant.

Now, Sir, there are one or two other points with which I would like to deal. There is one item, Sir, in the expenditure contribution from the Government to the European Settlement Scheme and when I refer to this, Sir, I would like to make it clear that I am not doing this with a view to substituting that scheme for Asian settlement. If I mention this, Sir, I mention it because, if some consideration is given to what I say just now, it would be in the interest of the local Europeans and there are many of them who are desirous of going into agriculture, but who are prevented from doing that on account of the fantastic prices which are being asked by old settlers who have not yet scratched the land.

Now, Sir, I know if I speak on this subject I will at once get unpopular with some of my colleagues, but if anything happens in my land and which I believe is not in the general interest of the land, I think it is my duty to say so without mention of my unpopularity. I would only mention this for the information of the Council that, according to the last figures that I have seen, up to 1950 these schemes cost about £8,000 per head and the later estimate after that was of £10,000 to settle one European farmer in the Highlands. Now these are figures which I know some of the Members would not believe, but I would read something from a very authentic paper.

THE DEPUTY SPEAKER:—I would remind the hon. Member that he is not personally responsible for the accuracy

of the facts which he puts before the Council, whether by reading them from a paper, newspaper or any other publication. He must make himself personally responsible for facts and figures which he puts before the Council.

MR. GATHANJ:—Yes, Sir, I would make myself personally responsible, but there is another gentleman here to whom I think I could associate myself with, and the security of my responsibility, thereby, would be considerably increased. The figures that I am quoting here are figures given by the hon. Member for the Rift Valley. (Laughter.)

Now, Sir, I did not wish to disclose his name—(Laughter.)—but in case my security may not be acceptable to the Council I only joined him in the security in order to allow me to quote these figures and I hope he will not object to that.

Now, Sir, here it is said, "The Member for Rift Valley, Mr. Michael Blundell, made a challenging speech at Thomson's Falls last week, on the subject of European settlement. He covered a wide field; he revealed something of his political philosophy and he said some thing which needed saying, although they will not be popular in certain quarters."

Well, Sir, since I myself raised the question of raising a land tax, I myself have stopped receiving "good mornings" from two friends already and I do not know, after mentioning this, what will be my position. (Laughter.)

Now, Sir, he proceeds in this way, "If European settlement in Kenya is to be permanent rather than a sheltered oligarchy doomed to extinction within 70 or 80 years, there will have to be a radical change of outlook and policy; and, secondly, that if European leadership is to be more than a cliché for the spicing of political speeches it must gain effective expression and achieve practical results for the benefit of Africans and Asians." "We has to produce a positive policy for the African," he said; "and to admit that if he has the merits, he can go as high as he likes..." I am certain that if you want European settlement to remain you have got to think of Africans less as Africans and more as the less privileged. If you want European settlement to remain you must fight to remedy the grievances of the Asian and the African."

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Now, Sir, this is political philosophy, but I would rather come to the remarks he made in connexion with the European Settlement Scheme. "In the case of assisted farmers the State's investment will be gradually liquidated. In the case of tenant-farmers the asset of the farms remains the property of the State and, given sound farming, the real value of the land should steadily appreciate, although much of that gain will be offset by the inflation which has harassed Kenya since the end of the war."

Now later on, Sir, he quoted that cost—here it is, Sir—"On the issue of European settlement, since the war, Mr. Blundell stated that £1,600,000 had been spent, or was committed, and less than 200 new settlers had been established. This means that the average cost of establishing each new settler has been £8,000, a figure which is frankly alarming. Nevertheless, it does not mean that the eventual cost to the State will be anything approaching that figure."

Now, Sir, I do not want to read a very long speech, but, I should say, a very nice speech. (Laughter.) He actually, Sir, wanted to convey to his colleagues that, unless you reduce your land prices, there is not hope for European settlement. He also told them that the standard of living here is much higher than the standard of living of the people we invite. There are so many other things, Sir, which he said—

MR. MADAN: AS USUAL!

MR. GATHANJ: But I know, Sir, these wise words have not been appreciated by his colleagues. He has done his duty and I think he will be remembered—(Laughter.)—for that when the final balance sheet is made of this scheme.

Now, Sir, the point that I was driving at is that when you have so many local Europeans who are willing to go into agriculture—and who are capable of that—and to succeed at it, what on earth stops us from not giving them the benefit?

Now, Sir, I have also certain figures here for which, of course, the responsibility is mine. The tenants who purchased their farms from the Board and continued independently. The number is 16; died, 3; left their farms

for various reasons, 10; unsuccessful, 8. Now, out of a total of 37, Sir, 8 were unsuccessful, ten discontinued, three died and only 16 are still continuing. Is it worth it?

Now there is another thing, Sir, about which I would like to say a few words. I wholeheartedly support the plea made by the hon. Member for Aberdare and the hon. Mr. Mathu and others about giving leases to African farmers. I think if a survey is made and proper leases are issued, the security of these farms would be considerably enhanced, and that would help in increasing production. I would suggest to the hon. Minister for Agriculture to start, as early as possible, co-operative societies as far as the African areas are concerned in the same way as we have founded one very successful co-operative society operating in the Moshi area. I think, Sir, these small holdings would not be able to yield the same result and if the small pieces of land are all put under one co-operative society and sound assistance is given by the Government, we would see in this country more crops and more prosperity for everyone in this country.

Before I sit down, Sir, I would like to thank, again, the hon. Minister for Agriculture for doing whatever he could during these years for the betterment of African and European agriculture. I must confess that he has done his utmost, in spite of so many obstacles and it was due to courage and foresight of our farmers, both African and European, that there is not much of a drop both in the export values and in the general quantity of the total produce of this country. I think for that he undoubtedly deserves our thanks.

With those words, Sir, I support the Motion. (Applause.)

CHIEF U. MUTIKMA (African Nominated Member): I rise to support all that the hon. Lady Shaw, representing Ukamba, said. We in Ukamba were very thankful for the agricultural officers. We are taking their advice now. We are doing a lot in Ukamba. The people are building cattle sheds to make compost. We are glad and thankful to the Minister for allowing us to plant coffee. I am asking him to help us more so that we can get on with our agriculture.

[Chief Mukima]

Everyone knows that in Ukamba we have been backward in agriculture and now we are taking all the advice which is given to us.

I support the Motion. (Applause.)

THE DIRECTOR OF AGRICULTURE: Mr. Deputy Speaker, Sir, I should try firstly to deal with some of the easier parts raised by hon. Members opposite and leave the difficult ones to the hon. Minister in front of me. (Laughter.) The hon. Minister did say that I would enlarge on the staff position which I think we are all agreed is the key to the fulfilment of the agricultural plan and our part in implementing the Troup Report. The position is pretty grim. We have, under the new proposals, vacancies for somewhere between 35 and 40 agricultural officers, and I have been informed recently from the Colonial Office that their intake per annum is around 30 from the Universities. They have outstanding at the moment 70 vacancies, so that two years' recruitment from the Universities will be required to fill up the existing vacancies. I shall be going to England shortly and I have been making inquiries as to whether we can obtain from the National Advisory Service in the United Kingdom, experienced officers on loan, on secondment or on contract and I feel that unless we are successful in getting some of these experienced officers here, there is going to be a very considerable time lag before we can fulfil our part of the Troup plans which I have mentioned, and until such time as the young officers have gained experience in this country and are able to do their jobs. What are we trying to do to get these officers? As I have mentioned, the Colonial Office is the normal source of recruitment. South Africa is being tapped and I had hoped we would get some experienced officers from the Sudan, but I understand now that none will be forthcoming before July, 1955, and it is doubtful even after that. It depends entirely on the terms that the Sudan Government offers them. We also have vacancies, including the new ones, for about 70 assistant agricultural officers. The position there is just about as difficult. Mr. Hobbs, who is well known to many Members of this Council, is assisting with recruitment at Home by going round agriculture colleges and so

on, but we have set him the task of getting quality rather than quantity and I am afraid it will take some time, some years, to step up our staff to the establishments provided in the Swynnerton Plan and the Troup Report.

I see the hon. Mr. Mathu has now returned, so I can opportunely deal with some of the points he raised. There is one phrase he used; I think it was "divine impatience". I am not sure what it was, but I think it was "divine impatience". I think where divine patience has come from is my department, in that one of the greatest difficulties in getting such crops established in African areas was the reluctance on the part of Africans to grow them. It is only in very recent times, and entirely, to my mind, due to the high price of coffee, that this has come about. Before that, the hon. Member is well aware, that we had to do everything in our power to induce even the odd African to plant coffee. It was before my time, some years ago, but that is a fact.

As I understood him, he would like Africans to be allowed to plant out all of their acreage, or a large area of it, with coffee. Hon. Members on the other side have already replied giving some reasons why that is not a very good policy at the present stage of development in Kenya. In an ideal world it would obviously be desirable, for getting above pests, slumps and so on, to allow land which is ideally suited to coffee to be planted up entirely with coffee. But it is not an ideal world. If the African grows his coffee, can he be assured in this world, which is not ideal, that he can buy food? He cannot. The hon. Member has said, and he persists in saying it, that the rules prevent a large acreage of coffee being planted by the Africans. There is nothing in the rules preventing the Africans growing a large area of coffee. We departmentally, at the moment, issue out coffee seedlings—
—\$ share to all. It would not be fair to give all the coffee in Klambu, or in some particular area, to Mr. Mathu while others have to go without. He talks about impotence. If he has looked at the Swynnerton Report, he will see that we propose to step up coffee development from, I think, it is 4,000 acres at the moment to 18,000 acres in the next five years. He agreed, when speaking, that planting out of coffee and cash crops generally must be supervised. Well, if you

[Director of Agriculture] take that increased acreage, reckon then an African can cultivate half an acre of coffee and then work out how many visits and how many officers are required to look after 18,000 acres, it comes to quite a large establishment. I do not think we need pursue this very much longer because the hon. Mr. Mathu has at least agreed to meet me in my office and go into this thing in detail, and I think it would be preferable to discuss it in more detail there.

He also mentioned the restrictions on Africans in regard to planting sisal. He said that under the African sisal rules, the Africans could only plant up sisal for the purposes of demarcating boundaries, hedges and so on. That is perfectly correct. That is the position, but the European is not allowed to do that. Under the legislation under which the European operates, that is the Sisal Ordinance, anyone, black, white or yellow, provided he conforms with the conditions laid down in that Ordinance, can plant sisal. There is nothing to restrict an African—he can do it on the same scale and on the same basis as the European.

He mentioned the extension of sisal to some of the semi-arid areas, or the arid areas. He mentioned particularly Kitui and a part of Machakos. We have discussed the proposals contained in the Swynnerton Plan in more detail, departmentally, and plans are being made for an extension of the Machakos scheme to the Athi River area, and I think we would be wise to restrict ourselves to that extension at this stage. It is all very well saying that the Africans in Ukamba have supported the Machakos scheme up to date. They have, it is true, supported it through two seasons of rain failures. What happens when crops are goods? Will they continue to cut sisal and bring it into the factory? I think we have got to see what happens then and make sure that when we are investing the country's money in that sort of venture, or lending it, that there is a reasonable chance of it being a success and I do not think we should rush into more schemes of that nature until this one has been more fully proved.

The hon. Member also mentioned the need for a change, a revolutionary

change in the attitude of the Agricultural Department towards Makerere graduates. I cannot quote actual numbers, but I think the total number we have had through the years is seven. About three of these are left now. We have been most unfortunate in the chaps we have had from Makerere. This question was answered in Legislative Council not so very long ago, and I do not propose to go into details, but I can assure you that if we do get Africans coming out of Makerere with the standard and with the character that we need and desire, they will get a square deal.

The hon. Member also referred to Title Deeds for farms. This was also referred to by the hon. Member for Aberdare and I think the hon. Mr. Gathani, I entirely agree with the views expressed by the hon. Member for Aberdare. I think that consideration of holdings, enclosure and the issue of Title Deeds are absolutely fundamental to rapid progress of agriculture in the African areas. The hon. Member will be pleased to hear that at a recent discussion we had departmentally, with certain officers from other departments, I think we have found at last a means of meeting this problem which will suit my department; and which is very much on the lines that the hon. Member suggested. We are doing farm planning, and if a farm is physically demarcated on the ground and on a map, even if we had to wait 200 years for the detailed survey, and that is a defined area on the ground, I think it will be possible, subject to agreement from the hon. Member for Legal Affairs, to grant at least some form of temporary title to that land which will enable him, if necessary, to borrow money on that land and prevent wasteful litigation.

The hon. and gracious lady for Ukamba said some very nice things about my field officers for which I thank her. She mentioned that one of the main difficulties in Machakos is the disposal of cultries in Machakos and I had stock. This is a棘手 one and I had thought of leaving it to the hon. Minister, but he probably will amplify what I have to say on it. It is not a problem peculiar to Machakos. It is a problem which affects all the low rainfall African areas including that referred to by the hon. Member for Mau. If the African was

[Director of Agriculture]. producing good beef, I think it would be possible to do something with it, but we have to cater for scrub stock and try and find a market for a very inferior animal and the market, as I understand it, for that inferior meat is limited. I think we must find an outlet for this meat in a processed form—in meat extracts, liver extracts, blood meals and so on. I think hon. Members are aware that at least one field abattoir is working on meat processing, and the Meat Commission are also working on extract possibilities. I hope the hon. Minister, who knows much more about this, will amplify what I have said.

The hon. Member for Mau referred to South Barings Reserve. Since he raised this matter in this Council some time ago, I have, together with other members of the Aldev Board, visited this area in some detail and I agree entirely with his summing up of the position, that the two main problems are at this stage, an outlet for stock and control over the people and the life stock—the numbers and their activities—and until an adequate measure of control is obtained, there is very little technically that we can do in that area. I would say, however, that under the Swynnerton Plan, provision is made for pasture research work in dry ranching areas and in the degraded and denuded areas of the African lands, and I propose, if we can get an adequate area, to establish one station in South Barings, so that if and when adequate administrative control has been obtained, we will have some practical answers and methods to hand out to the people so that the position can be improved, but I agree entirely that until control is obtained, we are wasting our time in that area.

The hon. Mr. Madan asked whether the increased production of sugar in Nyanza would not be a valuable contribution to the country's economy, or something of the kind. I do not know whether he has had an opportunity of looking at the Swynnerton Plan or not, but he will see that there are provisions for a greatly increased production of sugar by Africans in the Nyanza Province.

In regard to increased production by the Asian community, we have, as he is probably aware, a sugar experimental station at Kibos. We are carrying out

experiments with the existing factory at Miwani but increased production will not come from anything we do, but by the application of what we have done in research. In other words, it is up to the people there to apply the knowledge that exists and is being obtained, and only in that way can increased production come.

I think that seems to be all the easy ones, Mr. Deputy Speaker.

I support the Motion.

DR. HASSAN: Mr. Deputy Speaker, Sir, I rise to congratulate the Minister for Agriculture and the Agriculture Department that he represents, and I would also like to include the Animal Husbandry Section, mention of which was not made in his speech. Both the departments have done extraordinarily good work in this country for helping and assisting the agriculture and animal husbandry of the Coast Province. It will not be out of the way that I should mention here that considerable spade work, which was carried on by the departments under the Minister, never received the publicity which was necessary to inform the people of Kenya as to the best results achieved by their attempts made there. Experiments in the Coast Province, in an area which was considered to be perfectly useless, an area infested with tsetse fly which was never used by the Africans and considered to be unproductive, made it a productive area and fit for stock. By experiments of establishing hundreds of dams, clearing the fly bushes, opening the area by roads, it has been found that the area which was considered to be not enough for the small stock the Africans were keeping, to-day we find that they can keep over 100 per cent stock and still that area will be big enough to maintain them. We also found out how best one could encourage and get the response from the African so that they should co-operate with the Government and the departments and take advantage of whatever was done for them. Marketing of stock products, was the first attempt we made in that area—an area we thought was not having any stock at all worth noticing—an area we thought could not possibly contribute to the requirements of the large town of Mombasa for milk supplies and others. An area which after these attempts was found not only to be self-contained to

[Dr. Hassan]

maintain the meat supply of the Coast, but contribute at least 30 per cent to 40 per cent to the milk requirements of that growing town which is one of the second largest towns in Kenya. This method of marketing African stock produce in the town offered incentive and encouragement to the African, so that wholeheartedly he thought it was one of the best things to give attention to the quality of the stock. To-day they are all planning to improve their stock so that they can get more milk to sell in the town, and get more money. Small numbers of stock in that area which were considered to be about 50,000 head, is giving them almost Sh. 1,000,000 a year from the sale of milk alone. There has been mention made by the Director of Agriculture on the inferior stock in possession of the African which is not of a better quality, but I must bring to his notice that African stock as a whole is not inferior by any means. We are getting all that we want for Mombasa market from the African area, and that stock when it leaves the African area is certainly very good stock. We were exporting that stock for the meat supplies of Zanzibar and because the means of transport was by steamer, the animals always reached that market in the best possible condition. Here we have no arrangements made for that stock to help it with water supplies and grazing areas, so that that stock is reaching the Mombasa market in a miserable condition. That is all due to the hundreds of miles of trek that these African stock are forced to travel without water, without grazing, and that ruins their condition altogether. I think with the experience we have gained with the small scheme that we call Coast Hinterland Scheme, it has been proved that it is not necessary that we should wait to tap the running rivers because there are not many. Neither should we resort to the expensive scheme of boring everywhere. We can help and assist the stock industry in areas which are dry, by having series of dams everywhere and that will help and assist to bring under the livestock and ranching scheme, very large tracts of that province which is not being used to-day.

It will not be out of order to mention here the Mackinnon Road area which

was Crown land contiguous to the Digo Reserve which we thought was good enough for ranching and certain grants were given to Asians there. Of course, it was not by assisted schemes, by any means, neither did the Government undertake to do anything for them, but unfortunately all the experts of the Government gave a report that it was not possible to find any means of watering that area, so the grants which were given to the Asians were taken back two years after by the Land Commissioner, because they could not raise stock there without water.

Now, I would ask the Government that in this country where we have got large tracts of land devoid of water, we have the water department and, of course, the water department could not concern themselves to control that every drop which we get naturally flowing into the river. They ought to try to find out some means of providing water in dry areas which a layman cannot think of and such a scheme will certainly assist the development of the areas which are lying absolutely idle to-day.

There is one matter regarding the Meat Commission which has not been mentioned by anybody here. I would like to—

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND FORESTRY RESOURCES: Mr. Deputy Speaker, Sir, I assure you we want to give the greatest possible latitude. We have had a very long dissertation on the maize control which does not form part of Vote 3 in any shape or form and we are now forced to have one on the Meat Commission which is no part of the responsibility of the Department of Agriculture which is what we are discussing to-day? May I draw your attention to that, Sir.

THE DEPUTY SPEAKER: I am actually rather confused about this debate by reason of the fact that the Vote which is on the Order Paper is 5-1. The office of the Member does not include the Department of Agriculture, Vote 5-2—the Agriculture Department. I have however allowed the debate to range over the whole field of responsibility of the Minister within the Votes numbered 5, and as the Meat Commission does not enter into the scope of those Votes, I would ask the hon. Member speaking, not to deal with that topic.

DR. HASSAN: I am sorry, Sir. I consulted the Member and asked him whether there was going to be an opportunity to touch upon all the departments under the Minister for Agriculture and I was informed that it was the only opportunity to touch on them. I believe, Sir, that there will be no further opportunity to touch on this subject because all these departments fall under the Minister for Agriculture.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, with the complete agreement of the hon. Minister for Agriculture, we should recognize the fact of what the hon. Member, Dr. Hassan has said, that indeed this is the only opportunity in which the hon. Member would have to raise points on the Meat Commission. Therefore, Sir, we would accept, if you will so rule, that this could indeed be discussed under this particular Vote.

THE DEPUTY SPEAKER: Am I to take it therefore that the Meat Commission is a service controlled by the Minister? I do not want to raise any controversial topic as to whether it is a service or not, but whether it is a service controlled by the Minister within the heading of the Vote which we are discussing. If I can have that assurance I should be grateful.

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES: It is under my authority.

THE DEPUTY SPEAKER: It is under the Minister's authority. There is rather more a matter of principle than purely of expediency in this because we are dealing with a series of Votes, and we only have a limited period under the Standing Orders in which to deal with them, and under Vote 5-1 we consider the office of the Minister and the services controlled by him. If I am assured, as I say, that the Meat Commission is a service controlled by the Minister, I am prepared to allow the Debate to include that subject.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I would suggest that it is not under the direct control of the Minister, nevertheless, the Minister for Agriculture is responsible for it in so far as this Council is considered. I think that is the point, Sir, that indeed, the hon.

Members opposite apparently have chosen the Head of the Office of the Minister in order to allow themselves the most complete possible range of debate on the Minister's responsibilities. Yesterday, if I may point out, they arrived at certain difficulties because, at the last moment, they changed from 8-1 to 8-2. I feel there should be no misunderstanding. I am certain from the point of view of Government, that there will be no attempt to stop discussion, if this is indeed the only channel for it.

MR. HARRIS: On a point of order, I am grateful to the hon. Leader of the Council for allowing us to range over these matters. It was decided by my colleagues that they would like to have a full-dress debate on agriculture. Since all the precepts from my side have left, I am rather devoid of advice on this side.—(Laughter.)—I understood that by choosing the Office of the Minister, we could, in fact, range over all the matters for which he is responsible. It is my fault entirely, Sir.

MR. MATHU: On a point of order, in past practice that has been the case, when we want to discuss the activities of any particular member of Government we went for his office, so that we could range all over the departments which came under his control, that has been the understanding of Members this side—that that would be the case.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I would suggest, Sir, on a point of procedure, that, if, indeed, Members on the other side want to express dissatisfaction with the policy of a Minister—I am not suggesting they should do this—the only point at which they should do this—this would be to move a reduction in the salary of the Minister under his Office—that would be the point on which they would attack any policy for which he is responsible. This is not a question of expediency, it is that we are now feeling our way through a procedure that is to some extent new to us. I would suggest that although it may be taking up the time of the Council rather longer than some hon. Members would wish we should recognize in particular that with a Government in the majority, the rights of the minority must be more particularly preserved.

THE DEPUTY SPEAKER: I would be grateful if either the Minister for Finance or the Minister for Agriculture would inform me whether the Meat Commission is hidden under any other part of these Estimates. I confess to a certain confusion as a result of yesterday's debate, when I found the Department of Trade and Supplies concealed beneath the Board of Commerce and Industry and I am not sure whether the Meat Commission is similarly concealed under any other part of these Estimates. It is not, then I agree it can be dealt with on the present Vote.

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES: Naturally I want to assist hon. Members to get all the information they want. Actually the Meat Commission is an independent body working on a Government-owned draft. I have no direct control beyond having introduced the Ordinance and setting it up. I am only too anxious to answer justifiable questions.

On a point of order, this may be the best way of getting information out of a Minister, but I do not think it is the way we have dealt with this debate in the past. As will be seen, we have an enormous number of these Votes to discuss, as set out on the Order Paper, and I do not think that in any other order of the day we have adopted this particular system. They have picked out one head here, or one head there, but they have not picked out some Member.—(Laughter.)—I am only too anxious to let the debate proceed, but I do think it is going to take a tremendous amount of time if we are going to adopt this procedure.

THE DEPUTY SPEAKER: As I have said before I consider we must adhere to some principle in this debate; and not be guided solely by expediency. On what the Minister has told me, I cannot see that the Meat Commission is really a proper topic for debate on this Vote. I will ask Members speaking to refrain from dealing with it any further.

MR. COOKE: Does that mean we are not permitted to discuss the Meat Commission in this Session? That would be rather a difficult decision to accept.

THE DEPUTY SPEAKER: Not in this debate. If any Member wishes to discuss

the Meat Commission, he must put down a Motion, unless it can be brought properly within any other part of the Estimates.

MR. MADAN: On a point of order, I would like to point out that one result of restrictions of this nature is that hon. Members on this side of the Council would be compelled to put down almost all the heads for debate, which we have tried to avoid in the past.

THE EUROPEAN MINISTER WITHOUT PORTFOLIO: With all due respect, I would say this: it seems to me that it is perfectly in order for the hon. Member to discuss the Meat Commission. It is part of the policy of the control of movement of animals through marketing facilities. That is the concern, that is part of the policy of the Minister for Agriculture. In other words, control of the movement of agricultural products through markets. In that policy the Meat Commission is part of the chain of control. I do feel, Sir, that with that link, the hon. Member opposite have got a right to raise questions on any point in that chain of control.

MR. HARRIS: On a point of order, Sir, in the great Commission Ordinance there are a great number of cases where the Member, Minister, has powers to act under certain circumstances. It is therefore fair to assume that when he is called to act in such circumstances, members of his staff are, in fact, taking up time allowed for under these Estimates in deciding matters of the Meat Commission. I would say it was fairly within his jurisdiction and we ought to debate it, if the point is granted that we can debate anything within his portfolio.

THE MINISTER FOR FINANCE AND DEVELOPMENT: On the same point of order, I would respectably submit that in the Ordinance governing the Kenya Meat Commission, the Minister for Agriculture has the responsibility for setting certain prices and certain levels and certain sections. There is no Vote under which the Kenya Meat Commission could indeed be debated, but nevertheless, the purpose of a Supply Debate, I submit, is to allow hon. Members opposite, and indeed, the backbenchers on my own side, the fullest scope for the expression of grievances before Supply is granted. Basing it on that, I would respectfully

[The Minister for Finance and Development]
 suggest that hon. Members should not be robbed of the only right they will have to debate this particular point.

MR. MATHU: On a point of order, Sir, the hon. Minister has answered many of my questions relating to the Kenya Meat Commission, in so far as the public auctioneering of stock is concerned, in so far as . . . (completely inaudible) and certain parts of the Masai country are concerned. He did that because I think he knew he was responsible. In my view there is a past precedent that under his portfolio we may have the opportunity of raising matters such as Dr. Hassan has been trying to do.

THE DEPUTY SPEAKER: I think we have discussed this point quite long enough. If it is apparently the wish of both sides of the Council that the Meat Commission should be a subject to be mentioned in the course of this debate, and as it is apparently acknowledged that the ministerial responsibility for the Meat Commission, so far as it exists, rests with the Minister for Agriculture, I will permit the hon. Member to speak to the matter.

DR. HASSAN: I had no intention of criticizing the Meat Commission by bringing this point to the notice of the Minister for Agriculture—(Laughter.) I merely wanted to speak on the work of the Meat Commission—they are doing some very useful work in this country—and none of us this side nor the other side would like to have anything against them. What I wanted to bring to the notice of the Minister for Agriculture was in the shape of an appeal: that I have received several complaints within the last week that this being the fasting month for Muslims, we are not getting any meat in the town of Nairobi. I only wanted to draw his attention to it, if ever he gets a little time—I know he is kept always very busy—just to draw his attention to those who are the executives of the Meat Commission in this town that this is one of the fasting months. Government has always come forward to help and assist Muslims in the fasting months, most suitable arrangements made in Mombasa and in this town of Nairobi, the Muslims cannot get a spot of fresh meat. This was a very

serious matter indeed. I told them to go along to see the executives of the Meat Commission; whether they did or not I do not know, but up to this morning nothing was done whatsoever for them. I only wanted to appeal to the Minister for Agriculture if he would kindly ask those gentlemen—that the Muslims have put up with—a lot of restrictions on the supply of meat in this town and in other parts of Kenya—this is one of the holy months and that they are feeling very annoyed about it—that because of the monopoly of this meat having been given to the Meat Commission, the time has come when, in the observance of their religious principles, they are deprived of a main item of diet.

In conclusion, I would certainly support the previous speaker that it is the intention of Government and everybody in this country that agriculture should be one of the products on which Kenya entirely relies for its prosperity. It is the wish of everyone that it should produce as many agricultural products as possible, not only for the requirements of this country but to enable us to be in a position to export to the United Kingdom and other countries so that we could see this country prospering one day. This principle should be extended to all communities, particularly to the African agriculturist. A great deal has been done for the European community because they had a priority because they had spent tons of money and brought capital into the country and sunk it into the soil. They needed the help and assistance of Government to give them priority.

ADJOURNMENT

THE DEPUTY SPEAKER: Order, order. The time for the interruption of business has arrived. Council will stand adjourned until 10 a.m. to-morrow morning.

Council rose at fifteen minutes past six o'clock.

Thursday, 27th May, 1954

Council met at Ten o'clock.

[Mr. Deputy Speaker in the Chair]

PRAYERS

LT.-COL. GHERSIE: On a point of order, Sir, would you make a ruling about the carrying of firearms in this Council. I think there is one Member armed.

THE DEPUTY SPEAKER: If there is an hon. Member with arms in his possession in the Chamber, perhaps he would go off and get rid of it.

ORAL ANSWER TO QUESTION

QUESTION No. 110

MR. MATHU asked the Minister for African Affairs to state what political concessions the terrorists required as a condition of surrender during the negotiations carried out under "Operation Wedgewood"?

THE MINISTER FOR AFRICAN AFFAIRS: None, Sir, the discussions with terrorist leaders were concerned with surrender arrangements and not political matters.

THE EUROPEAN MINISTER WITHOUT PORTFOLIO: Mr. Deputy Speaker, in order to allay any allegation, I have my belt on to sustain my presence, to which I am entitled, and I am wearing my holster, but that is only because I felt the hon. Members opposite were laying for me and I laid a trap for them. (Laughter.)

PAPERS LAID

The following Papers were laid on the Table:—

Supplementary Estimates of Expenditure, No. 4 of 1954.

Development Supplementary Estimates of Expenditure, No. 3 of 1954.

(BY THE MINISTER FOR FINANCE AND DEVELOPMENT.)

COMMITTEE OF SUPPLY.

Debate resumed.

DR. HASSAN: Sir, I find the Minister for Agriculture is not present here to-day; I hope he is not unwell. I was speaking on European agriculture yesterday and I stated that they, having spent a colossal amount in their farms, they needed

priority help from the Government to improve and produce for the benefit of the country and for export.

Now, regarding cash crops for the Africans, as the previous speakers have stated, all attempts should be made to help them and assist them to produce for themselves and for the benefit of this country. The hon. Director of Agriculture said that it was impossible to manage the increased plantation of cash crops because of the scarcity of qualified agricultural officers which were not available and not likely to be available in numbers that we want for a considerable time. I would like to point out to him that for methods of helping and assisting African agriculture, we ought to resort to the locally-trained African in larger numbers to work under one supervisor, an agricultural officer, to help and assist the increased planting of the cash crops. I believe he would agree with me when I say that in the Agriculture Department we have had an example of a person who never possessed any qualifications, yet he worked as an agricultural officer for a number of years and it was only when he was going to be offered the highest post in the Agriculture Department that it was found out that he possessed no qualifications. Yet he carried on work admirably in the reserves, helping and assisting the agriculturists, the possibilities of Africans; so that I feel to help and assist extensively the planting of cash crops of Africans, we ought to take advantage of a much larger number of Africans locally trained and for Makerere to help and assist the Department.

I remember there are a few Asians who had education in Morogoro and also some of them with agricultural qualifications who came from India. When they approached me, I asked them "To apply to the Agriculture Department because they are very short of staff, and you will be able to fit in to help and assist them in different places". The reply they received was that there was no provision for the appointment of such people in the Agriculture Department.

I would like to have an assurance from the Director of Agriculture that the people having qualifications of agriculture should be made use of in this country just for the benefit of helping and assisting the agriculture of Africans.

[Dr. Hassan]

In conclusion, Sir, there is a point which I hope the Minister for Agriculture would not mind my raising. It is a question of *ghee*. I am sorry this is the only opportunity that I have to draw the attention of the Minister for Agriculture—he is an extremely busy man and has a large amount of work and he cannot possibly find time to give attention to all these things but we find that this is the only opportunity to bring to his notice the requirements of consumers in this country who suffer, off and on, disabilities in the supply of this essential item of diet, *ghee*, for the Asians. It has been noticed by all, and I have brought to the notice of this Council on more than one occasion, that production of *ghee* which was carried on in the native reserves and was supplying 100 per cent, needs of the Asians, has deteriorated in quality ever since the Control took possession of it.

Although the best quality dairy-produced *ghee* under the Veterinary Department was sold pre-war for £90 a ton, to-day the same commodity, very much inferior to that produced under the supervision of the Veterinary Department, is now being sold for over £200 a ton. The result of this to the consumer is obvious. They do not like to use that inferior quality *ghee* and they have to buy Sh. 4 to Sh. 5 per pound *ghee*, the best that is good enough to be used as a table butter. Not only that, but considerable quantities of *ghee* are filtering to these towns from areas which are not producing bulk quantities and which is being sold at over £400 a ton to some of the well-to-do people here.

Kenya, which we always felt very proud of, is a country with agricultural possibilities and animal husbandry. We have next door to us a tribe of Masai owning about 1,000,000 head of cattle and this tribe is contributing considerably to the meat supply, but very little attention is being made to the supply of their stock products. All their milk is being wasted, and now that we made a success in an area which was similar to the Masai Reserve or even worse, when we made a success of *ghee* production there and milk production there, surely we could make a success in the Masai Reserves.

I was informed by one high official that their method of going about in the

country, shifting from one place to another, is such that we cannot possibly introduce *ghee* production or such other methods concerning their stock products, but, Sir, Masai are living practically the same life that we found them living about 50 years ago. Are we going to allow them to live the same life in this country? The reserves will be similar to what we find to-day in the Kamba Reserves. We shall find the country eroded one day, devoid of grazing and it will create havoc and immense difficulty for the Government to put it right.

It is time we ought to devise ways and means by which we should improve this tribe. *Ghee* production from this area is, in my opinion, the best temptation for the Masai to raise money other than selling stock, and it will improve their social standard considerably. It will help to raise funds to improve their grazing and watering facilities in that area.

Sir, I beg to support this Motion.

LT.-COL. GHENSIE: Mr. Deputy Speaker, Sir, I wish to raise one brief comment which really arises from a remark made by the hon. Director of Agriculture in the course of his speech yesterday. He stated that he would shortly be proceeding to the United Kingdom and while there, he hoped to recruit young forest officers. Now, Sir, I also noted that in the Estimates there is provision for a post for the important hybrid maize breeding programme, and it is suggested that this individual or candidate will be recruited overseas and will have to undergo two years' training.

The two questions I would like to ask the Minister are these, Sir. In the first place, could not these posts be filled from the ranks of our Kenya youth? and secondly, quite apart from the normal recruiting facilities made available by the Colonial Office, does Government make use of the East African Office, because I imagine that the settlement section of that office could make recommendations in regard to particular candidates?

I beg to support.

MR. J. S. PATEL: Mr. Deputy Speaker, Sir, I rise to congratulate the Minister for Agriculture and I would congratulate him on three counts. The amount of work and energy that he has put in in producing the European agriculture as we

[Mr. J. S. Patel]

see to-day is of such a high standard that he deserves the highest congratulations on that aspect. The second is as regards African agriculture. I think he has done so far a tremendous lot and he has schemes now in progress by which not only the Africans, but the whole country will benefit, and he equally needs appreciation on that regard also.

Now coming to the third item of Indian agriculture, I would not withhold my congratulations in the hope that he would, in his scheme of things, think of the Indians whom he has so many times appreciated and commended for the wonderful work that they are doing now, and I state for his information, Sir, that in this country there are a majority of people whom you know as Patels by their initials, come from the farming stock, and our youths who are coming out from schools in hundreds can very well enter into schemes for producing more in this country and in bringing forward greater production in order to meet any eventualities and crises due to fall in prices, etc. In this hope I congratulate him, and in the hope that he will put in the third feather in his hat before he retires.

As it has happened in the past, there is a tendency to protect one type of people with the defect of harming another type of people, but I think the Minister of Agriculture will realize that too much of protection tends to create a tendency of rottenness, and healthy competition is very essential for progress. I would therefore urge that the three communities should get together in this country and allowed freedom of healthy competition, and he would, if there are any rules and regulations—if there are any schemes wherein all three races are not given equal shares, he would recommend their removal.

Now, Sir, coming to the second item of control, my hon. friend the Acting Member for Central Area, I think in my own opinion, has said quite enough, and to add anything to it would be a waste of time. However, I would like to draw the attention of the Minister for Agriculture to a thing which exists in my constituency, and that is this, Sir: that these controls of maize and produce are at the moment taken so far as to

produce over-control. If you go to a place or a small township at the Kisiu end you find sheds of maize stored right up to the roof, rotting because the Maize Control would not give a permit for its transport somewhere else where it can be used.

If you go to the other end at Malakisi you will find the mill standing idle because the mill has not got maize to crush. Personally, I feel judicious and wise controls of imports and exports are always helpful for the benefit of the country. However, the internal controls in Kenya, which do not exist—neither in Tanganyika nor in Uganda—should be removed. Controls with a view to benefiting one community at the risk of harming another community, and when I say this I mean the African producer of maize, is hard hit by these controls, and the dealers are put to very great inconvenience and expense in handling this produce. I therefore strongly urge the Minister for Agriculture to have free movement of all produce and maize in the country, and use his wise and judicious control over export and import.

Now, Sir, when we do this and allow free movement and free competition in this country, then the three races can provide their full share for a multi-racial structure of this Government. Then I think we will have no trouble in financing projects like match factories and finding buyers of shares in a company like Smith Mackenzie.

With these remarks, Sir, I again congratulate the Minister for Agriculture, and resume my seat.

MR. TAKENO (Representing African Interests): Mr. Deputy Speaker, Sir, it is rather unfortunate that the Minister for Agriculture was not able to deal at length on veterinary matters, as I have more interest in those, but I will deal with one or two points to give him an opportunity to reply.

The first of these things I would like to refer to is the method in which the Government intends to provide adequate stock markets so as to enable the African stock to be disposed of. There has been a lot of talk for trying to reduce the number of African stock in African areas. I had previously talked about the African Livestock Marketing Organization which, though at first I was not

[The European Minister Without Portfolio] as he appeared to be so expert with figures in his speech that he did not take those which are the actual facts to-day, I propose to give him, then now so that he can be better informed.

In regard to the European Settlement Scheme, the total number of persons placed on the land is 280 at the present time, of which 259 are tenants, and that scheme has been the greatest asset to this country. One might deduce from the hon. Member's speech that, indeed, we had thrown away £8,000 on 200 tenants and never expect to see it again. Nothing is further from the truth. The actual position is as follows. We have an asset—a very considerably increased and expert production from the land. We have attracted outside capital, other than that which we ourselves have put up, capital from overseas, because every tenant has to place into the land capital of his own and the total of that capital is certainly £432,000 and may well be more. In addition to that, on the money we have invested we receive interest from the farmers concerned, and over the course of a period of time varying from something like 30 to 42 years, the whole of the capital returns into our hands, is used in a self-revolving fund and can be expended again in the development of the country. I submit to the hon. Members that that is a scheme which gives us a tremendous tangible asset immediately for the greater production of wealth. On top of that, we have a very fine type of man from whom we are making demands at the present time for the Security Forces in dealing with the Emergency. I want to record this because I feel that that scheme needs no apologies whatsoever. It is a scheme that has been outstandingly successful and, as I have said, an asset to this country and the hon. Member opposite because it is increasing the margin of business in which he is so successfully indulging.

Lastly, Mr. Deputy Speaker, I would like to refer to one other thing. I believe we would be most unwise to tamper in any way extensively with the control system which we have built up for production generally in this country. I can well understand that, in the constant search for business, commercial interests may well want to enter that field, but there

are factors in the situation which should make us hesitate to make the market free. My hon. friend, the Minister for Agriculture, will be able to deal more extensively with it because it is his Department, but at any rate I would like to say this. We should be doing something to the very great detriment of the European and African farmers of this country if we did not recognize that some form of control was absolutely essential. We would place them, after they had supported this country, during and after the war, with prices lower than world parity, to the tune of £7,000,000—we would place them completely at the mercy of world prices, world currency fluctuations and the policies of competitive and possibly more greedy countries. I believe that would be a very disastrous thing, and at any rate as far as the people I represent are concerned, I would view any destruction of the control system with deep suspicion and, indeed, antagonism.

Lastly, Mr. Deputy Speaker, I would merely like to say this as a farmer—it is true, now only a week-end farmer—but this country owes a tremendous amount to the Minister of Agriculture. When I think what agriculture was like when he took over his present duties and I think of it to-day, a tremendous amount of that advance and expansion is due to his own imagination and the great and industrious capacity he has put to the furtherance of agricultural interests of whatever race. He has been greatly supported also by the Departments under his control, and if I had been on the other side of the Council, I would have wished to record my thanks to him from the farmer constituents of mine for the work he has done. (Hear, hear—applause.)

LT.-COL. GROGAN: Mr. Deputy Speaker, Sir, with my usual respect for economy of words and public money, I have very little to say on this Vote. (Laughter.)

I did however last Sunday take the opportunity to hire a plane, firstly, because I thought it was advisable to seek an atmosphere where the air was a bit cooler than the air I tried to accustom myself to last week, but, secondly and mainly, because I wanted to see that majestic racial achievement, the Jija Dam. Now, on the way there one sees

[Lt.-Col. Grogan] quite a lot from the air. I was very much impressed, first, with the enormous development there has been in European farming in the Highlands, and also in the very obvious improvement in farming methods. I paid special attention to that odd million acres of land, referred to by some non-racially-minded Member on this side, which he suggested should be compulsorily put under crop production. With a rather limited but extended experience of farming under Kenyan conditions, it did not appear to me as an area eminently suited to the mass production either of rice or betel nut.

The most important and most impressive impression that was left upon me was the very obvious improvement in peasant farming in a very large portion of the reserves. There were bad patches here and there where erosion had gone so far that the tribal folk had been compelled to do the best they could in the low depressions, but, generally speaking, there was quite obviously a very great improvement in peasant farming. But the most depressing—or rather alarming—sight, not depressing but alarming sight was the obvious, enormous increase of population in those areas. There were very large portions of the Luo country where these native holdings were so closely packed together that really there did not seem to be any room for a crop since a large proportion of the land was occupied by huts, and that, of course, is the really great problem that we are up against in the future—(Hear, hear.)—but the net result of it is that I am commending the hon. Minister for the very obvious excellent work that is being carried out by the various departments under his control. The only thing I would say is that, with my experience and contacts with agricultural officers and so on, some method ought to be devised whereby they should have a more complete executive authority rather than by relying on purely persuasive methods to which they are restricted to-day.

I support and pass my vote of respect to the Minister responsible. (Applause.)

THE DEPUTY SPEAKER: If no other Member rises to speak, I will call on the hon. Minister to reply.

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES: Mr. Deputy Speaker, Sir,

would, by way of preamble to my reply, apologize to you, Sir, firstly, and to the Council for, perhaps raising an unnecessary issue last night on the question of the scope of this debate. I am afraid I was under a misapprehension. I thought the debate was limited to the agricultural side of my activities, strictly speaking agriculture, and therefore in my opening remarks, I dealt with agriculture only and did not cover for instance the veterinary services or some of our water development work at all. I might add, Sir, that possibly it is a subject we might consider in a Sessional Committee or somewhere as to the best method of bringing about the possibility of the general debate in the Minister's portfolio. I foresee this is a good method, but it seems to me, if we are going to adopt it, we might put a list of Ministers on the Order Paper and let people take them in turn and deal with the whole or any part of their portfolios.

Now, I will try and deal with a number of the points that have not been dealt with that have been raised by speakers, as far as possible in the order in which they spoke.

The hon. Mr. Matru raised some points, many of which have been dealt with by the Director of Agriculture. He, however, did allude to African loans—that is the possibility of making moneys available for African farmers. I think he rather suggested we had got the Land Bank, and I had already said in the course of this debate, that possibly more money was going to be made available for the Land Bank, and we had got Rehabilitation Loans for European farmers and that we had not done very much for African farmers. Well, Sir, I do agree with him that it is impossible for any farmer, large or small, of whatever race, really to improve his holding without expenditure or investment of a reasonable amount of capital, and I do appreciate that it is one of the great difficulties that has to be faced by the African farmer, especially in view of his land tenure system. But I would draw the hon. Member's attention to page 55. I think it is, of the Swynnerton Report, where what we have done so far is explained and what it is suggested that a sum of no less than £200,000 should be earmarked for this very purpose in order

[The Minister for Agriculture, Animal Husbandry and Water Resources] to gain experience of how we can help Africans to secure a reasonable amount of capital for the development of their holdings.

Now, Sir, the hon. Member also, I think, mentioned Makerere students and that has been again referred to by one of the last speakers—Mr. Tameno. I think it has been generally suggested in this debate that it has been particularly the Agriculture Department who have found their experience of Makerere students disappointing, and I think it has been suggested that the fault largely lies with the Department itself, and it has been suggested that a change of heart on the part of the Department *vis-à-vis* Makerere students is overdue. Well, Sir, I would like to deny that charge very forcibly indeed. I do not think that there is any doubt whatever but that every officer, every European technical officer certainly in the departments which come within my portfolio, does not appreciate the fact that it is only by the employment of competent African instructors, and competent African staff that we can go forward, but, Sir, I would stress the word "competent." Nor do I think that we overlooked the fact that we are building up a staff, and we cannot expect too much to begin with. This, also, I think, is taken into account, but, Sir, I can assure hon. Members that we have had some very disappointing results indeed and have suffered considerable disappointments from the character of some of these students and that is why, Sir, I particularly referred to the change which has taken place in the Makerere Agricultural Faculty because I believe we have to start the source and try and get more and more suitable candidates for these posts. My hon. friend, the Director of Agriculture, has on several occasions said that if there is any case of believed injustice or believed hardship *vis-à-vis* an African employee or especially one of these Makerere students he would be only too grateful if the matter were brought to his notice either privately or publicly. So far repeat, I will be only too happy, and I will be only too happy to go into any complaints for which there is any justification at all.

Now, Sir, the next point raised, I think,

was the question of the disposal of stock and that has been, of course, touched upon by a number of speakers and perhaps I may as well deal with it now. As I say, it was raised I think by the hon. Umkamba to start with. Now, Sir, I do believe that we are beginning to see some daylight in this very vexed question and this problem of very long standing—that is the de-stocking of the overstocked areas, especially the African areas. But, at the very moment when we are beginning to see signs of a willingness to part with stock, we have come up against, of course, very serious difficulties. We have, to some extent, lost some of our main markets due to the Emergency, but I hope hon. Members will remember that the type of stock, the greater part which is offering now and of which we have to dispose, is, in fact, on world standards, of very poor quality. Furthermore, our country has rinderpest enzootic here and for that reason, it is very difficult indeed to dispose of carcasses overseas. So we have those difficulties to contend with. We are, however, putting up two more of these field abattoirs, having tried one successfully, we shall have our canning plant functioning in the Meat Commission-Factory at Athi River shortly and I can assure hon. Members that we are doing everything humanly possible to dispose of this stock. I would, however, add something to what was said by my hon. friend, the Director of Agriculture, and that is that I do believe that one of the most promising avenues of disposing of this type of animal is in the form of by-products of a very high quality for export and we are, at the moment, carrying out experiments with the manufacture of blood meal and bone and meat meal and various other by-products and they are at the moment fetching very high prices overseas.

The hon. Mr. Madan, in speaking, asked me for some information about the Int. Marketing Bill. I must apologize to the hon. Member. I meant this morning to make inquiries about that Bill but we had a Council of Ministers early and I have not had an opportunity of doing so but I will make a point of making inquiries and I will let the hon. Member know what the answer is.

He also referred to the encouragement of the growing of sugar in Nyanza

[The Minister for Agriculture, Animal Husbandry and Water Resources] Province and elsewhere, and I can give him the assurance that in so far as suitable areas can be found, we are giving every possible encouragement to the production of sugar. As the hon. Member knows, we do pay a higher price in this country than is paid in Uganda; so to that extent the goodwill of the Government is amply proved. We are encouraging sugar of course not only in the Nyanza Province but also on the Coast.

The hon. Member and various other Members also referred to the issue of title of some kind in regard to the African lands. Now, Sir, I would like to add something to what was said by the Director of Agriculture on this very important issue. Half our troubles in securing the rehabilitation and better cultivation of African lands are, due, of course, to the system of land holding that pertains in various lands.

THE DEPUTY SPEAKER: Council will suspend business for fifteen minutes.

Council adjourned at Eleven o'clock and resumed at fifteen minutes past Eleven o'clock.

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES: Mr. Deputy Speaker, I was discussing the question of titles of African land at the moment we broke off for the usual interval. I think I will resume that in a few minutes when more Members appear, as it is an important subject. I would like to deal next with the remark made by my hon. friend the Member for Mau who, amongst other things, suggested that the Treasury should have been consulted earlier in the matter of the Agricultural Bill. I think his remarks are justified in the light of the events, but in point of fact, we have had a new incumbent in the last two years, and this Bill has been on the stocks for a very long time. I did take the obvious step of consulting the hon. Treasury authorities when the Bill was first brought under review, and that, perhaps, explains why it now looks as though I had not taken that precaution. I had, of course, taken the precaution but I think the Minister for Finance, very rightly and very helpfully, has gone through it very thoroughly and has pointed out a lot of shortcomings which I think will be useful.

The hon. Member also suggested, I think, that some form of equalization or stabilization fund might be considered in regard to cereal crops. Well, Sir, I know, in theory, stabilization funds are very desirable, but in my experience, at any rate, in practice they never really work out satisfactorily. You never can get enough money in the fund to really deal with a slump in prices, and for that reason I never am myself—I may be wrong—I never am enthusiastic about the creation of price stabilization funds. I do not know of any case where they have been successful.

The hon. Member for Aberdare said that he hoped we were not going in for cash crops at the expense of subsistence crops, and I would like just to say something about that. There are people, indeed a very eminent professor—Professor Frankel—who is a member of the Royal Commission, who is a very old friend of mine, holds the view that in certain areas in this country, not necessarily only in East Africa—in the African Continent—it would be far better to encourage the growing of cash crops by the African and the importation of food crops, which, according to him, in many cases could be done cheaper and more conveniently. Rightly or wrongly I do not share that view and I agree entirely with the hon. Member for Aberdare. I think, Sir, that in a country, anyway, that has reached the stage which this country has reached, it would be very dangerous indeed, not to try and make the African self-supporting in essential food-stuffs and that, Sir, is a policy which this Government at the moment is sticking to—is holding to. (Applause.)

Now, Sir, perhaps I might go back to this very important question of restriction of titles, or giving some form of title to the African. As the Member for Aberdare also touched on this subject, what we are trying to do from the agricultural point of view is to try and induce Africans to re-adjust the boundaries of their holdings or whatever areas they have, to conform to our policy of terracing and also to try and induce them to exchange what they very often have—very fragmented holdings—and to consolidate into one holding. Africans are actually now beginning to do that on quite a large scale of their own volition. Having got their holding into a suitable

[The Minister for Agriculture, Animal Husbandry and Water Resources]—In a single area, we then hope that they will agree to our planning and farming of that holding. We go so far as to make a map of their holding, and to suggest to them how they should cultivate it, and although it has been an up-hill task, we are very gratified indeed at the extent to which Africans are taking advantage of this form of farm planning and advice. But, Sir, if an African is prepared to do that and still more, when the time comes for him to take advantage of the scheme which I have just alluded to, of possibly being able to borrow money to develop that holding, we must protect him against the all too common tendency of litigation which goes on in African areas. (Hear, hear.) We want to give him a sense of security against irresponsible litigation and we also, of course, do want to prevent that land being fragmented on the death of the existing occupant.

Now, Sir, I personally—and I am now talking personally and not necessarily giving a hard and fast exposition of Government policy on this very complicated matter—I do not set quite so much store in the freehold type of title, or the Western idea of freehold type of title as some of my friends do nor do I think it is possible, in fact I know it is impossible, within a measurable space of time to talk seriously of an accurate cadastral survey of the African areas of this Colony. You cannot do it. We have not the staff or anything else so we want from an agricultural point of view is some type of title which will protect the man against unreasonable litigation and which will be sufficient for him to be able, within reason, to borrow money as against his right of use, or call it what you will, and that, Sir, is what we are trying to achieve and I think, as far as I have explained to-day, everybody is in agreement that it is the objective we have in mind in attempting to deal with the registration of titles as mentioned in the Swynnerton Report. It is one of the most important problems which we have— which confront us—and which have to be solved if we are going to get anywhere with rehabilitation of African land.

As I think the hon. Member for Aberdare also made some criticism of the difficulties of getting schemes—communal water schemes—under way and

several other Members have referred to water, both in the Highlands and in the African areas. Well, Sir, if I might generalize, first of all, on the question of water supplies and water generally, I think I have possibly been subject to some criticism in that I have been most insistent that the whole subject of water, sources of water, and increasing the possible water resources in this country, should remain in the same portfolio, for the time being at any rate, as agriculture, because, Sir, I believe that in this country everything depends, on increasing our water resources—(Hear, hear.)—and I do not believe that you can really separate the two problems, that is, rehabilitation of land, improvement of agricultural practices and better standards of living for Africans, unless water is part and parcel of all those problems.

Now, Sir, first of all dealing with the precise question raised by the hon. Member. If there are difficulties in the mechanism of getting communal schemes under way in the Highlands I would be very grateful if he would explain exactly how those difficulties arise. I know we have got two pilot schemes—not exactly pilot schemes—but schemes under way at the moment. One has taken some time, for reasons I can explain to the hon. Member, but they have been very useful as experiments. Apart from that, Sir, we have, as you know, now adopted a policy whereby not only are boreholes subsidized on the principle that all water supplies, even if on an individual's land, in the long run can be regarded as an additional value to this country—an additional capital, so to speak, of this country—but we now have also a scheme for subsidizing dams, both communal and private, provided, of course, always, that those dams are constructed in a place approved by, and on lines approved by, our technical advisers.

Now, Sir, that is where we unfortunately have come up against a rather serious dead end. We just have not got the staff to go round the country and approve of these plans or these sites. We just have not got them and we cannot get them and there again, Sir, although it may be very revolutionary from the point of view of the Colonial Office system of government, rather than let the whole of these schemes and this idea die for perhaps two, three or four years

[The Minister for Agriculture, Animal Husbandry and Water Resources]—through lack of staff, I cannot see why we cannot possibly again employ—I am not saying we are going to because I have got to get agreement to it—but I cannot see why we cannot employ consulting engineers or somebody to do this work for us. We will never get ahead in developing this country unless we develop our water resources and that is absolutely fundamental to everything and I cannot express that too strongly. (Hear, hear.)

Now, Sir, the hon. Member, I think it was Mr. Tameno, had some criticism of the water resources that were being provided especially in the pastoral areas. Well, Sir, I would remind the hon. Member of the Dixie scheme for the Northern Frontier. We have not been able to implement it entirely—I think rightly—it was rather out of proportion in cost to the value received, but nevertheless we have done quite a lot in the Northern Frontier and I can assure the hon. Member that his criticisms of what we are doing in the Masai are not entirely, at any rate, justified. He suggests that Government took the view that if they provided further and more evenly distributed water points for stock that that would only encourage the local inhabitants to keep more stock and therefore we did not do it. I can assure the hon. gentleman that that is exactly the precise opposite to Government's policy. We know perfectly well there is nothing more devastating and nothing more conducive to total erosion of certain areas than only having, towards the end of the dry season, one or two sparsely separated watering points in these rather difficult pastoral areas, so I can assure the hon. Member that we are doing what we can and I think he must be aware we are doing quite a lot towards the improvement of water supplies in native areas. In the agricultural areas we have done a tremendous lot. Anykamba, who has flown over the Wakamba Reserve, indeed, some part of the Kikuyu Reserve. I think must admit that there are many many big dams to-day where five years ago there was nothing. We are using very modern carrier scraper plant to make these dams and I hope we are going to get more units in the future.

Now, Sir, another point raised by the hon. Member for Aberdare was the question of the incorporation of the Settlement Board. He suggested that it would be wise if we made the Settlement Board into a body-corporate. Well, Sir, I believe that proposal has been made; it was, of course, considered on a previous occasion and I think there is a great deal in his argument and the only assurance I can give him at the moment is that that matter is being considered, and certainly very sympathetically considered indeed, because I personally believe it would be a very wise step.

The hon. Member for the Trans Nzoia asked about the Egerton School and who was going on there, and he asked me to give him details of the numbers of students and the courses they were taking, and so on. Well, Sir, if the hon. Member will give me a day or so I will provide him with the detailed information. I have not got it at my fingertips at the moment but, generally speaking, the Egerton School—I think hon. Members are aware that the proposal is that it should be made a self-governing body under a Board of Governors and it should be provided with a suitable sum of money which should enable it to stand on its own feet for all time and certainly for some years to come. Now, there has been some delay in doing this, and any blame I am prepared to take complete responsibility for, because I was unwilling to set up this self-governing body responsible for a form of educational institution as we know them in England, at a time when I knew perfectly well that unless those Governors could be provided with a reasonable amount of finance they would simply flounder during the school which had grown up during the war, the way these institutions do grow, had unsuitable and uneconomic buildings and that they would be faced, in order to run, if economically, with considerable capital expenditure. Therefore, until we could provide that capital I was unwilling to launch them out as a self-governing body. Since then my hon. friend, the Minister for Finance, and his department have gone into the matter, and I must say in a most helpful manner, and they suggested that possibly the estimates that have been put forward for annual recurrent expenditure might actually prove insufficient. So we have

(The Minister for Agriculture, Animal Husbandry and Water Resources) had to go into these financial matters very, very carefully and I do believe that when we do launch this institution as a self-governing body we shall, at least, launch it on lines which should enable it to carry on as a successful and adequately financed—although not by any means lavishly financed—but adequately financed institution. (Applause.) As far as the number of pupils is concerned, of course that college has probably suffered more from the Emergency than most places. The young men who go to it are the age of young men who are called up and therefore I am afraid most of the students are on what is more or less active service.

The next hon. Member who spoke was Mr. Gathani, the Acting Member for Central Area, and he and other Asian Members opened by suggesting that very little had been done for Asian agriculture. Well, Sir, I have tried to encourage Asian agriculture; I have been asked again whether the area which we set aside at the Coast was totally unused or not, I do not think it is myself, but anyway we have given it up now.

MR. COOKE: Why?

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES: Why? Because nobody went there.

MR. MADAN: There was no water there.

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES: We could have found water, I think, but anyway I agree there is something in what the hon. Members say and I will do what I can to assist. I certainly think that I have done something to help those Asian agriculturists in the Nyanza Province and I am only too anxious to try and help in the Coast Province or anywhere else.

We have an Asian Settlement Board; it has not done very much good, and we have had rather a disaster over the Morogoro School. That has been, I am afraid, a failure. We rather felt it might be a failure and, indeed, it has proved to be a failure and we have at the moment no school for the education of Asian agriculturists.

Mr. Gathani then went on to what he described, himself, as a very good speech on the question of Maize and Produce Control, which, of course, he attacked very violently. Now, all I can say about that, Sir, is that it has been, in the past, the policy of this Government to maintain, in respect of certain scheduled crops, a system of direction and some measure—in some cases, complete measure—of Control. Rightly or wrongly, we have embarked on a system of trying to cushion violent fluctuations in prices of primary products. In a new country of this kind, I think, such a policy is absolutely essential if we are going (a) to feed ourselves, and in our case we have got to feed our neighbouring territories often, too, and (b) if we are going to develop the land properly. Furthermore, we have a system of, again, rightly or wrongly, assisting farmers who have come out here in the last 20 years or so, many of whom have come out with very little capital, indeed, by giving them some form of insurance against the elements and against the crop failure and, furthermore, in giving that insurance, at the same time we do allow them to draw against these guaranteed minimum returns in the case of certain scheduled crops, which does give them short-term money to enable them to develop and farm their holdings. Now that system—it may be called apportion-feeding—may be criticized. I had a great deal to do with its inception, I, personally, am quite unrepentant. I believe that system has done more to develop, or accelerate development—certainly of certain areas of this Colony—than any one other factor we have devised, but if we do follow this plan it follows that we must, of course, also have as security the scheduled crop, as security for these advances from Government. Secondly, perhaps, more important, we have to feed and make ourselves reasonably self-sufficient in these three territories. The responsibility for feeding these three territories has largely rested on Kenya for many, many years and we have done it at very reasonable cost to the consumer. They have paid far less than if they had had to import during the years up to the last two or three months—very much less.

Well, now, we face a world in which America alone, up to the end of last harvest, has eight hundred million

(The Minister for Agriculture, Animal Husbandry and Water Resources) bushels of surplus wheat. We have Canada, which up to the end of last harvest has another five hundred million bushels of wheat surplus. They have vast quantities of surplus butter. Australia also has surplus wheat that the most rigid of. These things have happened by a series of rather extraordinary happenings, in that there have been crops of the most unprecedented good harvest in the Western hemisphere. It will not last, I do not suppose. Also, of course, there is the great difficulty of disposing, with all the difficult monetary troubles in the world to-day, of these surplus crops. But now, some of that will come on to the market at very cheap rates, and do you seriously suggest that the Government would be right in saying, "first come, first served; go to it boys; buy anything you can as cheap as you can and sell it at any profit you can make", forgetting that during the last few years the local producers have had to feed these countries, and may quite easily have to feed them again. The world is not as peaceful as all that to-day. Now, Sir, I think that Government is right in maintaining a reasonable measure of control of certain scheduled crops that are the essential foodstuffs of this Colony.

Now it has been suggested that the Africans also think that this is a very poor type of business, this Control. Well, all I can say to that is—that is not my experience. When we first started these things—I am going to say the harsh truth—the African used to sell his surplus produce—and remember, all we set from the African, although it is a very large quantity of these cereals, is the surplus over and above what he requires for his own food—when he used to send his wife to the nearest merchant who bought it. These women generally carried this food in *debes* on their heads, and what did she get? She used to be kept wandering round and round the *duka* until it was dark and then she was told that it was not wanted; if she would take a "bob" for what she had, she could go. Although it is not so now, it could. We have stopped that exploitation of the Africans—we have stopped it absolutely—and if that is not of service to the Africans—what is? (Hear, hear.) Now, Sir, I am afraid that so long as I am in the position I occupy to-day,

there is no hope of removal of some measure of control of these essential foodstuffs.

Now, Sir, another thing that has been criticized, which is rather funny because it is a complete contradiction, is this new system of produce exchange. Now, Sir, the Chambers of Commerce, who are quite critical about Maize Control and other controls, suggested that, when we have surplus to put on the market, instead of asking for to do what is done in the world elsewhere and put it up to public auction. Horror amongst certain sections of the commercial communities, but not amongst the Chambers of Commerce. (Hear, hear.) So, Sir, we have started these auctions, and I attended the first one and I cannot see that there is anything unjust or anything unreasonable in holding auctions for certain foodstuffs that we wish to dispose of, allowing everybody in the country or the neighbouring territories, of any race, to come and bid for what they wish to buy—(Hear, hear)—and, therefore, Sir, we have embarked on this. Uganda, Sir, has followed our example. Uganda, indeed, is using her Produce Exchange to a far larger extent than we are yet using ours.

Now, Sir, lastly—I could, of course, speak for hours on this question but I will not, so please up—but lastly, I was told that the Cost of Living Committee—did the new one, the latest one—had adversely criticized Maize Control. I am not astonished at that. I am used to that. Every Cost of Living Committee has done that and the last one, by its personnel, was not unlikely to criticize Maize Control. I was told that our charges were fantastic. Well, Sir, I have been told that for years, and periodically, we have asked our main critics to go into these questions and point out where they could make savings. We had very, very severe criticism from the maize growers themselves in the Trans Nzoia, headed by a gentleman who knew what he was talking about—a very able man, if I may say so, who had had a great deal of experience in these matters overseas. Well, Sir, he came down and he made his inquiries. He had complete access to everything that goes on in the Maize Control and he ended up by saying that he did not know how it could be done

[The Minister for Agriculture, Animal Husbandry and Water Resources] cheaper. He said it was efficiently done. He said he thought he might possibly save some fraction of 20 cents a bag, and even then he was not sure about that.

We then, Sir, had the Ibbotson Committee, composed—I know its composition has been criticized—but the origin of this committee was again the violent criticism of Maize Control; and so we put the critics on the Ibbotson Committee and their findings can be read by any hon. Member of this Council. They did not say that Maize Control was run extravagantly. They did not say it was run inefficiently. They did not say that any amount of money could be saved in this operation.

We have created from nothing, during the last few years, admittedly, a very large storage capacity amounting to over 1,500,000 bags. It is said there are vast profits. Not really—just the very small margin one has to make unless one is going to get into very serious losses in dealing with these vast quantities of grain.

Now, the hon. Member said: that Sh. 1/40—I think that was his figure—was a ridiculous charge for control—for control costs. Well, I must say I am very interested as to how he obtained this figure. He may have got it from going and asking the Controller, but I am interested to know where he got that figure, because that figure of Sh. 1/40 is a figure I have never seen until about 20 months ago, and it is a figure that only appears in a rough outline of possible draft estimates in view of the very much increased costs of handling—due, largely, to the Emergency and to the Carpenter Report and other labour costs. That figure has never been before the Interim Management Board, still less has it ever been before me. The figure that is before the public and which is the control cost, made up as follows: Insurance an insecticide—.04 of a shilling—.4 cents; depreciation, repairs and renewals of all these stores we have to keep and our machinery—14 cents; general and administrative expenses—34 cents; interest on overhead facilities provided by the Kenya Government at 44 per cent—48 cents; total Sh. 1.

As I say, these figures and all these lists of the elements that we use, are published, and have been examined again and again and again by competent persons, and if anybody can show me how we can reduce them, we shall be only too glad to conform to their advice, if it is sound.

Sir, Dr. Hassan, the Muslim Member for the Coast, talked about stock marketing, which I have referred to, and water development, and I would apologize to my hon. friend—we have known each other for many, many years—for interrupting him yesterday, because he started on the Meat Commission, but I perhaps misunderstood the purpose of this Motion. All he really said about the Meat Commission was that it was unable to supply, during this month, or this season of Ramadan, that the Muslims were unable to obtain meat—and I presume he meant meat which they were satisfied had been ritually slaughtered in accordance with the Mohammedan religion. Well, Sir, I have telephoned this morning and I do not know what the rights and wrongs are, but I have done my best to put that right.

He then suggested that ghee was a matter which had been overlooked by my preoccupations, and that not sufficient attention was paid to the ghee industry. Well, Sir, he will know as well as I do that this is a very difficult industry, largely centred in Tanganyika. We have all sorts of complications, as there is more black market and rascality in the marketing of ghee than in most things, but I can assure the hon. gentleman that this industry is very much in my mind and not at all forgotten. It is a most important industry to certain parts of this country. His prices are alarming and he will remember that we tried to counteract this price rise and this black marketing by inducing the Kenya Co-operative Creameries to turn some of their butter into clarified butter, which was more or less ghee, and to sell it of very high quality and at a very reasonable price. Well, we have done that and it has, of course, a very big market. It is much sought for. We tried thereby to bring down the prices of a much worse and badly manufactured product. I am afraid we have not been very successful. But, all I want to say is this—I will not go into a long story—he is quite justified

[The Minister for Agriculture, Animal Husbandry and Water Resources] in bringing this matter up and I assure him ghee is not a thing we have overlooked at all.

The hon. Member for Nairobi North made some comments about the remarks made by the Director of Agriculture in regard to staff and he said he saw something in the Estimates about a post for the investigation and conduct of experiments on hybrid maize, I think, and he wondered whether we could not do more to get the Kenya youth trained. Well, I agree with him, we should do all we can. Actually, if I may say so, the particular subject he has chosen—which is the production, in due course, of a series of hybrids suited to this Colony—is perhaps one of the most technical forms of investigation that it is possible to indulge in, and I do think that for those form of particular, specialized investigation one does very much need people with a university training.

LT. COL. GHERSI: If I may explain, I mentioned that rather in passing. My remarks really arose out of what the Director of Agriculture said yesterday—that he was going to Great Britain and while there he hoped to recruit staff for Agricultural Officers, and then I mentioned this case in particular to augment my argument.

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES: The hon. Member must know that I entirely agree with him. If we can only get the Kenya youth we will send him home for training and do what we can to encourage our own boys to come into our own services. (Hear, hear.) We have not always been frightfully successful, I am afraid, up to date, but I hope that is a passing phase. As the hon. Member is aware, we do engage, in many cases—in some cases, at any rate—Assistant Agricultural Officers from the local people, and when they do, well, we have sent some of those to do what amounts to a post-graduate course, and they come back and become, in the normal way, fully qualified Agricultural Officers. There is that avenue for the young men in this country. (Applause.)

The hon. Mr. Patel mentioned, on the subject of Controls—which I have dealt

with—that there were mills idle in the Nyanza Province and maize rotting in the stores. Well, I will go into that and if he can give me particulars of what he had in mind, I shall be very happy to go into the matter. On the subject of maize rotting in stores, as far as the control stores are concerned, we now have a system of injecting insecticide into the sacks, and the losses we have from weevil and from pests of that kind are really very small indeed; they are quite remarkably small, I am happy to say.

I have answered some of Mr. Tameno's points. He seemed to insinuate that the Control or the Meat Marketing Commission were putting a brake on the possible exports of meat to Uganda and to Tanganyika. Well, I think the boot has been greatly on the other leg. As far as Tanganyika is concerned, my difficulties have been to prevent undue imports into this country of meat exported from Tanganyika in competition with ours. As far as Uganda is concerned temporarily they have been, latterly, having a glut of their own meat and have not taken our meat to the extent that they were taking it in the past, but I assure the hon. gentleman we do not try and stop export—exports—we try to encourage them and are doing a certain amount, at this time, with the Congo.

The suggestion is made that we never employ cattle-dealers at all. There again this is not true. We are, to an ever-increasing extent, now, employing Somalis and African dealers—cattle-dealers.

Mention was made of the Coast hinterland scheme and some mention was also made of the Matakani dairy scheme which was largely initiated by Dr. Hassan. I remember that very well, and I would like to join in saying how much we appreciate the work he did in the Coast for so many years. (Applause.) But as far as the Coast hinterland schemes are concerned, they are by no means confined to milk-producing schemes. We have, as I said in my opening remarks, very large clearing schemes to provide communications and water; but I am afraid we have been a little disappointed with the follow up. It does not seem awfully easy, to inject the amount of initiative into the Coast people that one would like to see.

[The Minister for Agriculture, Animal Husbandry and Water Resources] Well, Sir, I think I have covered as many points as I can think of. During the course of their remarks, one or two hon. Members said some very kind things about myself, which, naturally, I appreciate very much, but, Sir, I would like to say—as they well know, of course—that the real credit for these—I think we can claim—improvements, should go largely to my Departments and to the Administration and I think I would be very wrong if I did not take this opportunity of saying how much I am sure we all appreciate the difficulties, perhaps more especially of the agricultural officers and stock inspectors, in the reserves. They have probably done as much during these times of Emergency and risked their lives to us as great an extent as any other body of persons. I know that the Administration value the work done, especially by all the field staff of the Departments under my portfolio, to a very great extent indeed and those are the people, Sir, we ought to thank. (Applause.)

The question was put and carried.

COMMITTEE OF SUPPLY

Committee of Supply—Order for Committee read. Mr. Deputy Speaker left the Chair.

IN THE COMMITTEE

[Mr. E. N. Griffith-Jones, Q.C., in the Chair]

VOYE 5-1—OFFICE OF THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND NATURAL RESOURCES AND SERVICES CONTROLLED BY HIM

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that a sum not exceeding £105,522 be granted to the Governor to defray the charge which will come in course of payment for the year ending 30th June, 1955, for Vote 5-1, Office of the Member for Agriculture, Animal Husbandry and Natural Resources and services controlled by him.

Question proposed.

Sub-heads 1, 2, 3, 4 and 50 agreed to.

The question was put and carried.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Committee do report back to the Council and ask leave to sit again.

Question proposed.

The question was put and carried. Council resumed.

[Mr. Deputy Speaker in the Chair]

REPORT

MR. GRIFFITH-JONES: I beg to report that the Committee of Supply has considered and has approved a Resolution that a sum not exceeding £105,522 be granted to the Governor to defray the charge which will come in course of payment for the year ending 30th June, 1955, for Vote 5-1, Office of the Member for Agriculture, Animal Husbandry and Natural Resources and services controlled by him.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Council do agree with the Committee in the said Resolution.

Question proposed.

The question was put and carried.

COMMITTEE OF SUPPLY MOTION

THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR.

THE MINISTER FOR WORKS (Applause): Mr. Deputy Speaker, Sir, I beg to move that Mr. Deputy Speaker do now leave the Chair.

Sir, the Department which comes under my purview has, whilst tackling a large amount of work due to the Emergency, kept its cost of administration to almost the same level as obtained in 1953, in the first half of this year. For the information of the Council, Sir, I would quote that the total amount spent on permanent and pensionable staff is of the order of £484,000 odd and on the staff, which is temporarily employed and is on contract, it is of the order of £467,000.

Now, Sir, the total expenditure which is incurred in the Department at the moment is of the order of £6,900,000; out of which, Sir, the building costs amount to just about between £2,000,000 and £2,500,000 a year, which is actually done by the Department itself.

[The Minister for Works]

Now, Sir, it has been quite often suggested that the Department ought to give out a considerable amount more work to outside agencies, thereby reducing the cost. I would say this, that in the past it has been the policy of the Department to give out quite a bit of work and, for the information of Members, I will quote a few figures. Of the £2,000,000 of work which was done in the Department last year, Sir, 50 per cent was absorbed by major contracts; 20 per cent by minor contracts and 30 per cent was handled by departmental direct labour. So that it can be seen that as much work as possible is being given out to private contractors and that it is the policy of the Department that whatever work it cannot efficiently and expeditiously handle will be definitely given out to private enterprise.

Now, Sir, one of the factors which I think is not sufficiently appreciated with regard to the effect of the Emergency on this Department is the extra amount, both planning and execution, of work which has fallen on the personnel of the Department. During the last few weeks particularly, Sir, a great deal of planning and building work has been entrusted to this Department in connexion with the several operations which have been going on in the Colony, particularly was this "Operation Anvil", and, Sir, I do not think it is appreciated the amount of energy and work which the personnel of the Public Works have put into the work which was given to them, regardless of time, regardless of personal discomforts that they have to undergo in living conditions which I can honestly say are atrocious, and I would, Sir, like to pay a tribute to the Department which I know, Sir, is being shared by the Military Authorities, that the Public Works Department, in building these detention camps, has done a marvellous job of work at a very economical and reasonable cost.

Now, Sir, with regard to the Department, as I said, the work with which it can cope with its present staff is in the order of between £2,000,000 and £2,500,000 and, Sir, when the Planning Committee Report is being discussed and from what has been happening in the past it seems that we shall have to tackle

a much larger amount per year if we are to be anywhere near the planning we have in mind. Therefore, Sir, it is essential that, in the very near future, we shall have to make up our minds as to what figures we want this Department to be built on so that work can go on efficiently and as quickly as the various communities in this country require for their various schemes.

Now, Sir, that compels us, if we have not given sufficient thought to it already, that we must make up our minds not only, Sir, on the planning period which at the moment is up to 1957, but a much longer period, as to what will be our policy and our expenditure so that it will be necessary, Sir, not only to build up the Department, to tackle the work which will be entrusted to it, but the private enterprise—they will also have to know what will be the work they are likely to get from Government to deal with, so that they can have sufficient staff to build the work they will get.

At the moment, Sir, it is a fact that whilst some of the branches of private enterprise, particularly the designing branches, are not over-loaded with as much work as they can cope with, it is a fact that the contracting trade, particularly during the last few months, is fast finding that it cannot cope with the work which is, and has been given to them for two reasons. One is, Sir, the lack of skilled workmen, and the second is the lack of sufficient labour.

With regard to the first, Sir, it has been the experience that, owing to our hurried policy, skilled labour which have been in key posts have to be sent away because their contract has expired and it is the policy of Government that such contracts should not be renewed; otherwise it is likely to lead us into complications.

Now, Sir, it is quite a well-known fact that skilled labour, not only in this country, Sir, but all over the world, is in such short supply that it cannot be obtained just by asking for it and we shall have to give serious consideration as to what our policy is going to be if we are going to cope with the work which is being entrusted to us.

Now, Sir, there is the question of the standard of buildings which has recently been occupying the attention of the

[The Minister for Works]

Government for two reasons. One is, Sir, the question of time and the second is the question of cost. Recently, Sir, experiments have been carried out, and are being carried out, with regard to the standard of material which can be used and I am happy to say, Sir, that some of the experiments which have been carried out very recently are showing to us that there is an avenue where we can make sufficient economy in our building programme and it is the policy of this Department that, as soon as further experiments have been made, and the efficiency of these standards have been established, that it will be the duty of this Department, not only, Sir, to carry out, but also to recommend to Government to reduce the standard of buildings which are carried out in various directions so that the same amount of money can go much further. But, Sir, there is always a danger that, when temporary materials are used, it is generally lost sight of in the fact that maintenance costs of these materials are generally much higher than when permanent buildings have to be looked after. It is therefore, Sir, the policy of the Government to see that when temporary materials are used, they are tested first and found of such a nature that, taking the life of these temporary materials against the cost of permanent materials and adding to it the cost of maintenance and then only, Sir, if the final result shows that a great deal of economy can be effected, such policy will definitely be followed.

It has been the policy of the department also to try and train locally, people for technical jobs, and I am happy to say, Sir, that from a policy which was laid down some time back, one of the first African engineering pupils is going to be with us very soon and, after about a year or so when the result has been seen it will be the policy of the department to see that more people are sent for training, both locally and overseas, so that a certain amount of efficiency in our technical manpower can be met with in this direction.

There is also, Sir, another policy which the Government will have still to consider, and that is the question of unlocated stores. At the moment, Sir, due to the fact that there is quite a considerable delay in getting stuff from

overseas, even after it has been dispatched from the port of export, when it comes down to our port there is a considerable delay in getting hold of the materials required, with the result that a greater amount of goods have had to be purchased locally which adds to the cost of construction.

Whilst it is appreciated that where possible private enterprise should be supported, I maintain, Sir, that where Government expenditure is concerned, where Government can effect economy in their purchases by purchasing through the Crown Agents, it is their duty to do so and with the limited amount of money at their disposal, we are most anxious that the maximum possible benefit should accrue to the general community.

Then, Sir, there is also the question which has been engaging the minds of many people in the country in many districts, and that is the question of roads in this Colony. Now, Sir, recently, as the Council is aware, an Auditor has been made on the Road Authority to give the widest possible representation to all districts of the Colony and, at a meeting, Sir, which I have been privileged to attend yesterday of the Road Authority, the Chairman made it quite clear that whilst the members in fact represent knowledge and first-hand information of the various districts, it was the policy of the Authority to deal with matters which come under their purview and under their portfolio or their work in a manner which takes no notice, Sir, of the division of the country either in the Coast, the Rift Valley, or Central and other provinces, but that each scheme must be considered as to the maximum amount of good it can afford to the country and on that basis, and that basis alone, Sir, priorities will be decided. In that respect, Sir, I should like to assure the Coast Members particularly on that, as in the past, a lot of coast matters were not being looked after as they should be and that their case will be considered *vis-à-vis* the other projects which come before the Road Authority, and suitable consideration will be given to such schemes to give them as much benefit of the funds we have at our disposal.

Mr. Deputy Speaker, Sir, I think I should not take up the time of the Council with any more of the points

[The Minister for Works]

which are to be raised, but I shall leave it to the hon. Members to raise points which I have not covered by these remarks and I will try to do my best to give satisfactory answers.

In the end, before sitting down, as the Minister who has just taken over the portfolio, it is my duty to say in public, Sir, that from what little I have been able to see of the department which comes under my purview, I must say quite candidly, Sir, that I have been very much impressed by the sense of urgency and the sense of economy the heads of the various branches bring to the Votes which come under their purview. The only defect that I see and which has been, Sir, one of the main causes of criticism from the other side of the Council, has been the fact that they have not been able to give information to the public of all of the schemes which they are at the moment executing, and executing with figures and facts which would go to show that they are not such a wasteful or extravagant department as it is generally considered in the country such departments are.

I beg to move. (Applause.)

Question proposed.

MR. HARRIS: Mr. Deputy Speaker, Sir, may I start by congratulating most sincerely the Minister on his very excellent introduction to these Estimates. I think his speech showed a grasp of the department after a very short while in office which does him very great credit.

Now, Sir, on this occasion I only want to repeat, as we have a new Minister and a new Director, a plea which has been often made in this Council before, and that is, Sir, the plea that the Public Works Department should use to the maximum the facilities available from private enterprise, both in actual physical work and also in a consultant capacity.

The Minister, Sir, anticipated the suggested and said that at present many of the private contractors were, in fact, getting full up with work and unable to take on very much more. The position is, of course, Sir, that due to the policy of the Public Works Department in the past of using departmental labour and departmental plant when they might

otherwise have used private labour and plant, the contractors in the country are not geared up to take their full share of the Public Works projects that are going. Now, Sir, some of them in the past have, in fact, been geared up, but unfortunately owing to the lack of continual work available from the department many of these firms have had to disperse their plant to other territories and have had to reduce staff. I think all of us know, even now, of a very large contractor who is not only doing less work, but has also contracted very considerably his organization in this country. It has always been said, Sir, and figures can be produced to show, that the cost is very much cheaper when done departmentally than when done by private enterprise, but in fact if one takes the cost of all the personnel engaged on direct labour, all the personnel of the Public Works Department, takes the cost of the housing engaged on that labour, and of the housing officials who contribute towards the planning for that labour and so on, one finds that there is not nearly the difference that can be shown by just taking the direct charges on any particular job. In addition, Sir, if professional consultants and private contractors are used by the department, they will, in turn, contribute considerably towards the country's revenue and, when they are properly geared to take on large Government schemes, I believe, Sir, that they might show a measure of efficiency which at least would equal that of the department.

You notice, Sir, I am in a very generous mood to-day. (Laughter.)

In addition, Sir, if we could build up a good network of private contractors and consultants on public works and local government projects, then I believe that Government would be fulfilling one of the true duties of a Government, and that is to lessen the overall cost for other enterprises who would wish to employ contractors and consultants. At the moment these other projects are having to bear an undue strain of overhead because they are not being used fully, and they could be in many cases, if the department would decide to adopt as a policy, using private enterprise whenever possible, rather than a policy of using the department whenever possible and merely calling in private

[Mr. Harris] enterprise when the department cannot cope.

I think, Sir, that is all I have to say and I beg to support.

Mr. MADAN: Mr. Deputy Speaker, Sir, I too would like to congratulate the Minister on a very fine maiden speech although I might say that he is a tried maiden—or perhaps I should not have said that.

I hope the Government realizes now, Sir, that we have passed on to the other side some very good brains, but we still have got quite a lot left on this side yet. (Laughter.)

In so far as this department is concerned, Sir, there are three important matters which cause the public grave concern. One is, and the Minister has already referred to it, the question of employment of people in key positions. Now these people, Sir, are possessed of skilled knowledge of a technical nature which is not only difficult but impossible to find in the Colony. I understand the policy of the department has been to repatriate such people whenever their terms of service have expired, and I would like to ask the hon. Minister if he is satisfied that such a policy is entirely wrong and leads to the detriment, not only of the department, but to increased expenditure in the later years when the work is either done by unskilled labour, or it cannot be done at all because people who can do it are not available in the Colony. And if he is satisfied that this policy has been wrong, whether he will recommend to the other department concerned, that in so far as the immigration laws are concerned, skilled labour of this type should be permitted to stay on in the Colony.

The second point, Sir, is about the condition of the roads in the Colony. Now the Minister has given us a fairly long lecture on this aspect of the matter and on the activities of the Road Authority, but we have to bear in mind, Sir, that whenever there is only a slight shower of rain the roads in this Colony go out of action. Now I am not referring to a road like the Nairobi/Nakuru connexion, and my hon. friend, the Minister for Local Government can question it as much as he likes, but he knows what

I say is true. In the recent rains, Sir, the road to Mombasa became impassable and if the Road Authority is indulging in this new scheme, I suggest let them first improve what we have in the Colony—that is the existing roads and forget about—

ADJOURNMENT

THE DEPUTY SPEAKER: It is time for suspension of business. Council will suspend business until 2.30 this afternoon.

Council adjourned at thirty minutes past Twelve o'clock and resumed at thirty minutes past Two o'clock p.m.

Thursday, 27th May, 1954

(Evening Sitting)

MOTION

TALKS WITH MAU MAU CRIMINALS
GROUP CAPTAIN BRIGGS: Mr. Deputy Speaker, Sir, I beg to move the following Motion:—

That this Council deplores the initiation of talks with Mau Mau criminals and is of the opinion that no further negotiations of a similar character should be entered into and that the campaign against the Mau Mau rebels should be continued relentlessly until they are utterly defeated.

When considering, Sir, the wisdom or otherwise of moving a Motion of this sort, I think there is only one guiding rule and that is to decide whether to do so is in the best interests of the country or whether it is not. In my opinion, for what it is worth, I believe it is in the best interest of the country that this matter should be debated. (Hear, hear.) I think it would be most unfortunate if the idea spread that Government is incapable of making mistakes and that if something does have the appearance of having gone wrong, that it is really then rather indecent to call attention to it.

Now before I go on to deal with the various matters I would like to put forward—I would like to explain my own position in regard to the Central Province Emergency Committee, of which I am a member. After the "China" talks had started—I think it was the first meeting I attended after they had started—I, at that time, considered it very probable I should have to raise this matter in Legislative Council and accordingly I informed the Chairman of the Committee that I would almost certainly raise the question of the China negotiations in this Council and that, therefore, I did not wish to be present when any matters connected with it were being discussed, and I accordingly withdrew when those matters arose. I would like to make that clear because I believe that it would be quite wrong that an Elected Member who was a member of the Provincial Emergency Committee should make any political use of any information he might get at, as a result of that

In my opinion, Sir, there are matters arising from the handling of the whole affair which I believe should be the subject of constructive criticism to avoid similar things happening again in the future, and similar mistakes perhaps being made. I do not intend to dwell on the original decision to carry on talks with Mau Mau criminals. I believe myself that re-examination in regard to that would be entirely profligate and furthermore, I believe that everything that could be said on that particular subject has already been said and therefore I do not propose to dwell on that. So far as I am concerned, I believe a grave mistake was made but at the same time, I do recognize that whatever the decision that was made, I believe that some criticism would have been levelled at those responsible from one quarter or another. Furthermore, I believe that Unofficial advice has been sought on the matter, it is highly unlikely that the matter would have been proceeded with—had it been sought and accepted, I should say.

Now, Sir, before I go any further at this point, I would like to pay a tribute to the gallantry of all those who, at some considerable personal risk, actually took part in the talks with the Mau Mau leaders and who went up into the forest to conduct these talks. I should make it quite clear that there is nothing in this Motion which is intended to imply any criticism of them in any way whatsoever. I consider they carried out their orders with great gallantry and zeal.

It is my belief, Sir, that even if "Operation Wedgwood" had succeeded—I believe "Operation Wedgwood" is the correct term for it—it would have had one result and one result only, I believe it would have enabled Mau Mau to go underground and to build up their strength and that in the end we should have had to face a situation that would have been even more serious than the situation which faces us to-day.

I have read in a local journal that two of the conditions for surrender put up by Mau Mau leaders were that villageization must cease and that the Kikuyu guard should be disbanded. Now, Sir, if that is true, nothing could give greater support to what I have said and nothing could give greater support to my contention, or rather to the view

[Group Captain Briggs]

I hold that *Mau Mau* never had any intention of surrendering unless they could arrange for conditions which would enable them to go underground and to continue their nefarious activities and to prepare to resume activities at a later date of their own choosing.

Now there is a rumour circulating which—I do not know whether there is any truth in or not, but there have been many rumours and a great deal of misunderstanding in regard to the Operations connected with the "China" discussions—there is a rumour circulating to the effect that, in fact, there never was any large concentration of *Mau Mau* rebels in the neighbourhood of Nyeri. I am not putting those words as a statement of fact, but putting it forward as a rumour which I hope, perhaps, hon. Members opposite may be able to deal with in the course of this debate.

Now, Sir, what I fear most—what I fear most—is that for reasons of military or political expediency, some further attempt may be made at some time to negotiate. I fear that the present state of half war may be succeeded by a period of half peace. In my opinion, nothing could be more disastrous. Now in the case of the first World War, you will all remember very clearly that on the point of victory, negotiations were opened up with the enemy and as a result of that an Armistice was declared. Our troops did not go to Germany and the German General Staff were left intact to prepare for another war which most of us had to contend with only a few years ago. Now it is very noteworthy that Sir Winston Churchill, the Prime Minister during the last war, quite clearly bore the lesson of the first World War in mind, when he declared that there must be unconditional surrender and no negotiations. So, I believe, Sir, it is with the campaign against *Mau Mau*, I believe the gangs were called off to enable the talks with the gang leaders to take place. Quite clearly the gangs have been given a very valuable respite in which to rest, re-arm, re-equip themselves, re-organize and get ready for further trouble. I am only hope that this will be set off to some extent by the information which may have been gleaned as a result of those talks and the interroga-

tion of "China", himself, but on the other hand, it is not worthy that, so far as I know, up to date, there has been no case of the capture of any of the main gang leaders and, as far as I know, there have not been any major actions with the main gangs. I hope that maybe that is something that will happen quite soon, and, indeed, at the moment it would seem that the gangs have been reinforced by the reappearance of "Tanganyika" and "Kakish". From a reliable private source I understand that "Tanganyika" is actually operating in the settled areas on the Mt. Kenya side and actually leading a gang again.

Now, Sir, there is one other matter I would like to refer to and that is the reports that have been issued to the Press, in regard to the "Operation Wedgewood". These have, to my mind, to say the least of it, been extremely misleading—(Hear, hear.)—and those who live in the troubled areas, know that they are misleading. If there has been failure, to my mind, it is far better to admit the failure and not to seek excuses for it. I would remind the Council that Sir Winston Churchill gained the confidence of the people of Great Britain and the Empire during the late war, because he was never afraid of telling them the truth. He was never afraid of telling them the plain, unvarnished truth. He did not try and gloss over things that might have been glossed over and I do suggest, Sir, that that is an example which might well be followed by the Government of this country.

I have endeavoured, Sir, to deal with this matter objectively and with some restraint. If I have not been entirely successful, I would ask the Council to bear in mind that my constituency has been the one which has suffered most from the depredations of the criminal "China". Several of my constituents have been murdered, either by "China" himself or by his gang and naturally my feelings are somewhat strong on the matter.

Now, Sir, I would like to make it clear that there is nothing in this Motion which in any way suggests that opportunities for surrender should not be left open. I would like to make that very clear, but it is my contention that the idea of a negotiated settlement even being considered, could only have one result and that would be a hardening of

[Group Captain Briggs]

resistance and the prolonging of the Emergency. It is moreover inconceivable to me that a negotiated settlement could be achieved on terms which would be other than a betrayal of the people of this country. It is very difficult for those who are living in places remote from the scene of operations, or major operations, to understand the feelings of those who are in the midst of the conflict, but I do assure you that the feelings of the people I represent are very strong in this matter.

—Lastly, Sir, may I say this? I urged Government to accept this Motion because I think that nothing would give greater discouragement to the *Mau Mau* gangs. As long as they believe that there is a chance of a negotiated settlement of favourable terms, then, Sir, I believe so much longer will the Emergency be continued and the result delayed.

Mr. Deputy Speaker, I beg to move. (Applause.)

MR. SLADE seconded.

Question proposed.

LT. COL. GHERSIE: Mr. Deputy Speaker, Sir, in supporting this Motion, I have only one comment I wish to make and that is this. During the period of this Emergency we have had various debates in this Council and elsewhere, and throughout those debates, the virtue of British justice has been impressed upon me and quite rightly so. But I am wondering, in fact, how it has reacted on the African mind and I speak, Sir, from the psychological point of view. Now, Sir, we have an instance where, quite rightly so, an African is picked up, probably has two rounds of ammunition in his pocket, convicted, and he is hanged. And, I repeat, correctly. But, Sir, on the other hand, we have in this instance, a self-confessed leader of a very large gang, probably running into thousands, who, as far as we know, has been responsible for murder in many instances and, although sentenced to death, he is reprieved. Now, Sir, in an instance of that nature, what can possibly be the reaction on the African mind, *vis-à-vis* British justice? How is it reconciled? I suggest, Sir, it confuses the African, and he misunderstands what we mean by British justice.

That is all I have to say, Sir, and I support the Motion. (Applause.)

MR. COOKE: Mr. Deputy Speaker, if I am not moderate as the hon. Member is in his very fair-minded speech, I hope it will not influence the gentlemen on the other side of Council as to whether they accept this Motion or not, but I have, from the very start, had very strong feelings on this matter and I conceive it my duty to express some of those feelings.

A few months ago we were informed that Government had got into their possession bestial oaths—copies of bestial oaths—which were being taken by the people in the forests and the rebels. Now those oaths—that publication by Government—was either a complete fabrication for propaganda purposes, or else it was true, and I have got to conclude that it was true because it bore the imprimatur of the Governor of this Colony and the Secretary of State, so therefore we have this terrible position of the gentlemen on the other side entering into negotiations with the man who must have been guilty, himself, of taking these shocking oaths.

Now their defence is that the chances of peace outweighed everything. Now, Sir, Mr. Winston Churchill—when the British Empire was at its lowest depths and in gloom and despondency in 1940, and when the issues at stake were incalculable—larger than that in this instance—Mr. Winston Churchill said he would have "neither a truce nor parley with those wicked men" (the Germans) and yet we have the hon. gentlemen—the hon. gentlemen—on the other side of Council, having both truck and parley with this bestial and wicked man. That, Sir, is the chief objection which I think most people in this country feel.

If I may, I will read a paragraph from one of the letters—and I am sure most people on this side of Council have received letters—it is just one paragraph from a Senior Commandant of the Kenya Police Reserve. "Does Government realize the way in which the action will be interpreted—and the general horror felt by all? All Europeans—and whom I have spoken on the matter, feel whom I have spoken of the betrayal of this country, and we beg you Elected Members" and so forth to take action, etc. That was written last March.

[Mr. Cooke]

Now, Sir, in spite of the strong feelings in the country, Government negotiated, and of course it was a futile action, as some of us knew from the very start. Now Government, in their defence, say, as I said before, that it was so necessary, as to do everything to obtain peace. Well, in that case, why—I am asking this question and it is a question susceptible of a plain answer—in that case, when, through no fault of the so-called "General China", things went wrong, did they discontinue using him? If it was so important in March to use "General China" in order to obtain peace, why was it so much less important, after the peace talks had failed, to continue using him? I suggest, Sir, that they found out, at most of us anticipated they would, that "China" was playing a double game. They ought to have suspected that, indeed, a man who would give away his own pals in a matter like this, was hardly the man to be trusted to deal with the gentlemen who were negotiating terms; and I join with my hon. friend in paying a tribute to those men who did take part in those negotiations in the forest. I am inclined to think that "General China" had laid a pretty good trap for our forces, but fortunately we started firing. The Government hand-out was that there were 1,200 rebels close at hand to whom these peace negotiations were taking place in the forest. We had only been told a few weeks before by General Erskine that he had cleared the forests of all the thugs, and yet there, on that very spot, were these 1,200 men who might easily have been waiting to fall upon our forces, causing an irretrievable disaster. They say "who saps with the devil must have a long spoon". I do not think our spoon was long enough in this case, or something happened to prevent what might easily have happened.

Yet in spite of that and other warnings, they made use of "General Tanganyika" as well. I think those people who made use of "General Tanganyika" and sent him back to the forest where he afterwards escaped—are accessories before the fact, in aiding a prisoner—he was captured, he did not surrender—to escape; they let him go into the forest. It might be—if there were an ideal form of justice in this country, which there is

not—that conceivably we might consider running the A.G. on that charge!

Now, Sir, I have nothing further to say, except that it makes me lose any trust that I had in the people who are conducting operations in this country at the present moment. "If they do these things in a green tree, what will be done in the dry?" If they negotiate with "China", to-day, whom will they negotiate with to-morrow?

So I agree with my hon. friend—and go further than he—that one reason for bringing this Motion is to see that what happened in the past does not happen in the future. Sir, I heartily support.

MR. MATHU: Mr. Deputy Speaker, Sir, I rise to oppose the Motion, but I find myself in tremendous difficulty in opposing that Motion because I agree—this Motion moved by the hon. Member for Mount Kenya—with quite a number of things he has said; but on 4th March last, Sir, I supported the Government's action in negotiating with "General China". It was a Motion moved by my hon. friend, the European Minister without Portfolio; Mr. Michael Blundell, who moved a Motion on the Adjournment on 4th March; and I have his speech in front of me now. I supported Government's action because I do think that Government should demonstrate to the country that they want the whole country to come back to normal, and this action—whether right or wrong—Government, I think, was entitled to go ahead and see whether this *Mau Mau* trouble could be brought to an end. Now it is a problem of bet, I do not bet but I think it is a bet, and I think they bet whether they failed in the event. The split behind the bet was good, and I supported them on 4th March and I support them to-day, although, as I say, I have a tremendous sympathy with the views expressed by my hon. friend, the Mover of this Motion.

Now, Sir, one of the speakers talked about African psychology—the reaction of the African when the reprieve was given to "General China"—the reaction of the African people—and I would like, Sir, if I may, to endeavour to contribute something to that reaction. The reaction was mixed; it is mixed to-day. Some of the African people, mainly the Kikuyu, of course, said, "Well, we think that

[Mr. Mathu]

"General China" we have never heard of him—even his proper name, when we heard it—we have never heard of him, but if Government does definitely intend to bring us peace, it does not matter whether it is "General Cooke" or anybody—let us have peace at all costs". (Laughter.) That is one way. But when you gave "General China" the prominence you did I think we made a mistake, because "China" is never known to the Kikuyu "China" is never known to the Kikuyu country—even his true name Waribui something—he was a young boy who had been in a railway workshop who is never known. I suggest to Government that they missed an opportunity when they refused to use the Africans of this Council; for example, and used "China"—a man who is never known by the Kikuyu at all. Not known! Never heard of, until he came to murder all and sundry or to lead others to murder all and sundry. I do think that is a point the Government should see that they made a mistake. (Hear, hear.)

Now, Sir, that, I think, is a sum up of the hon. Member for Nairobi North's point about African psychology. I think he did say that they took the wrong person to give prominence to about the negotiations. Indeed, quite a number of Africans, and Kikuyu in particular, supported the hon. Member for Nairobi West, who is now asleep, when he suggested that it might be better to negotiate with other persons in custody instead of "General China". However, that went as it did.

Now, I personally, in opposing this Motion, would like to suggest to the Government that I personally would not support the hon. Mover of this Motion, in that negotiations for peace should not be embarked upon to-day, to-morrow or at any time. I would like to suggest to my hon. friend, the Minister for African Affairs and the hon. Minister for Legal Affairs, whether we are not now at a point when we should pass an amendment for amnesty, like the Ordinance passed, I think, in Malaya, and I understand it was also done in India, to this effect, as we cannot deal with everybody when they come in thousands of this kind, why we should not give an amnesty as their Government did. May I say that the African, particularly, were very glad to see that the Government did

down those surrender terms 1, 2, 3 and 4—I think they were—and I think the Government side should be congratulated on having agreed to those surrender terms. I think it was very silly of those fellows in the forest, because they do not intend to do any good but harm that they refused those terms, which I think were very reasonable and terms that anybody could have accepted. But as I say, these hard-core *Mau Mau* fellows in the forest which I may say, Sir, I do not lead, as was imputed to me by my hon. friend—and another time do not want to stand for K.A.U.—I do think with the hon. Mover, that they must go into the forests—I think we must go into the forests and then they will come to their senses. If they do and when they do, Short of that, I do not think this Government is going to fulfil the function they should.

Now, Sir, before I sit down, I would like to refer my hon. friend, the European Minister without Portfolio to the speech he made on the 4th of March. Now that he is on the Government side, he is satisfied that there is that sense of urgency in defeating the gangsters in the forests, as he was not sure on the 4th of March, he mentioned? My hon. friend, the Minister for Local Government, Health and Housing said I should give him time and time—yes—but he did not give the other people time on the 4th of March; not at all. He said these men must function.

Now, why are we having the Emergency now, since the 4th of March. I want to invite my hon. friend, the Member for Rift Valley at that time, now the European Minister without Portfolio, that we want the gangsters out of the forest dead, not alive, and now as a Member on the other side of the Council, I want to direct him to the fact Council, that we want the gangsters, "General Tanganyika", "General China", whatever you call them, dead. Let us burn them in Nairobi in incinerators. That is what we want. If we are going to do that, then I think this multi-racial experiment of the Government's will have done a world of good.

When he made his speech the other day, I did not think he had that sense of urgency in completing the Emergency, as he did have when he spoke at the other

[Mr. Mathu] time I mentioned—on the 4th of March. I do say, Sir, that we want the gangsters out of the forests—"General China", "General Tanganyika" or anybody else—they must not be there. I understand, Sir, that the cattle they steal from the farmers in the Aberdare area and in the Mount Kenya area they are milking in the forests. They have made homes there, and they have got women recruited everywhere to till the land. In fact they have made their own country there, their own Government of terrorism and if my hon. friend, the European Minister without Portfolio is not going to see that these homes are destroyed and the men in them are destroyed, then there is no future for this country. I would like to put to him very vigorously now, that on our side we want to see what we can do in line with the speech, that is in front of me, which he made on the Adjournment Motion on the 4th of March.

Sir, if anybody has any restraint it would be myself, Sir. Thousands of my own kith and kin have been murdered—thousands. The economic position of my people has been dislocated by gangsters who know nothing but destruction—no future, nothing. Men who should be shot at sight when they are seen.

Therefore, Sir, for the ten years that I have been in this Council, there has never been a line that I felt so frustrated by the action of our own people, and when I say I apologize that things have happened, I would say that I am not a party to the actions that they have taken—or to the action they are going to take, and I support the Government in the measure that they would remove these fellows from the forests. If I saw "General Tanganyika" I would not negotiate, I would shoot him on sight first and then try and negotiate with him dead. I would not let him go.

As I say, Sir, the Kikuyu, and I am speaking of the loyal Kikuyu, would support Government on any measure that they take to eliminate these fellows from the forests. In Nairobi fellows are being taken to Mackinnon Road who are not the most important people. "General Tanganyika"—you let him go—and the fellows in Nairobi, in River Road, you put them in Mackinnon Road. What

for? They have not killed anybody. "General China" has: "General Tanganyika" has and you let them go. Why?"

—So, Sir, although I oppose the Motion, I think the hon. Mover will see that in substance I am with him, but I do think in principle that Government should be given an opportunity to bring us peace. Now we have my hon. friend the European Minister without Portfolio on the other side, I hope he will do his best to do this job and I think the quicker the better. He will not blame African Members if they have not supported any action now, but I do think, Sir, that we have the opportunity at the moment, and we have all the forces, but we must not dilly-dally in Nairobi and in Thika and other places, but we must go into the forests whole hog and get these fellows shot dead, bring the bodies and then burn them in Nairobi. That is the only thing we can do. Apart from that you are worrying and hurrying the Kikuyu in the Reserves for nothing when you leave the important people in the forests alive.

Mr. Deputy Speaker, I oppose the Motion. (Applause.)

THE MINISTER FOR AFRICAN AFFAIRS: Mr. Deputy Speaker, Sir, the Government cannot accept this Motion as it stands and I beg your leave to propose an amendment which I shall urge this Council to support.

In listening to the arguments put up by the hon. Mover, I found them singularly unimpressive. There has been a great deal of criticism in various quarters concerned with this surrender operation at Nyeri, and a great deal of the criticism has, I have generally felt, been bowled along by waves of emotion—emotional distortion I would add.

The hon. Mover said that he felt that we had had the gangs on the run and that we had allowed them a respite during the course of these discussions. Well, Sir, this is not an accurate picture of the events at all. There was no respite in the Reserves, or anywhere outside the closed areas of the forests which we had allowed them to collect in to discuss among themselves the possibility of a surrender. There was no intention of allowing them to use the forests as a base, and this was made quite clear to

[The Minister for African Affairs]

The hon. Member also quoted Sir Winston Churchill on the subject of unconditional and conditional surrender. Well, I wonder whether the hon. Member thinks that either conditional or unconditional surrender can ever be achieved without some contact between the parties.

The hon. Member for the Coast also gave us his word picture of events as he either thought he saw them or he imagined they were. Well, Sir, again was a very inaccurate picture because I would suggest that he is not in a position to really know closely the course of events as they went. He also referred to reports in the Press which, he suggested, were excuses given out by Government. Well, Sir, there always are inaccurate reports in certain parts of the Press and there were on this occasion, but certainly nothing I ever saw was anything that I would interpret as excuses by Government, because we felt no need for excuses. It has often been stated; and I will reiterate now, that Government has every intention of pursuing the campaign they against Mau Mau relentlessly until they are defeated—utterly defeated. Indeed Government has never wavered in this. We also cannot agree to surrender from the terrorists, particularly if it seems that there is a genuine desire to surrender. In fact we cannot agree to have our hands tied in this matter. Here I may say that Government fully appreciates the importance to the people of Kenya, and to the Kikuyu, Embu and Meru in particular, of bringing an early end to this grim struggle against terrorism. I do not wish to recapitulate too much—what is already well known, but the decision to use the man who called himself "China", and he is now serving a life sentence, has been very much criticized, as I am well aware, and as has emerged to-day from the remarks that the hon. Members have spoken. Much of this criticism is based on ignorance—ignorance of the background and ignorance of the grounds on which this decision was taken. This decision arose out of information received, not only from "China's" own interrogation, but from other contacts, that there was a growing feeling among the terrorists which was favourable to surrender. The decision was taken only

after the most careful consideration of all the background information available to us, and I take my full share of the responsibility for it because it had my full personal support.

It has been suggested that at that time, the Government should have taken into consideration what were described as "unofficial views". Well, Sir, I think in a previous debate in this Council, it was made quite clear that in a delicate matter such as this, no Government can bind itself, for security reasons, to having any general discussion on a matter such as this. In the event, and I would like to stress this, Sir, "China" carried out his undertakings meticulously and did everything he could in making contacts and in trying to influence other terrorists to surrender. He did not play a double game in any respect in this, Sir. I must stress that the contacts we made through "China", and the information we gained during this period, were of the greatest possible value to us. It has in fact been used extensively.

It was also suggested by the hon. Mover that there were conditions attached to the surrender—I do not know where he got his information—but he refers to conditions of abandonment of villagization area of the Kikuyu Guard. Well, Sir, I can only assure this Council that Government had no such intention—no such intention.

GROUP CAPTAIN BAGOZI: On a point of information, it was not suggesting that Government had made those conditions. Those conditions the Mau Mau had made those conditions for surrender.

THE MINISTER FOR AFRICAN AFFAIRS: I am very glad for that explanation. I have no doubt that these conditions were in fact perfectly certain that the points of I am perfectly certain that the points of villagization and Kikuyu Guard looked very prominently in their minds, but it was made quite clear to them, at the outset, that Government would entertain no conditions of this sort or any political consideration at all.

The terrorists themselves blamed the battle with Gatuniki at Gatuniki and said that that caused the breakdown of the surrender; but I must emphatically say that this battle took place outside the forest reserve boundary and it was only within the demarcated forest boundary

[The Minister for African Affairs] that we had agreed to suspend operations to allow the terrorists to collect for discussion. It was, in fact, a legitimate military operation and the blame for the breakdown of the surrender discussions must rest squarely on the hard-core terrorists who opposed it and asserted their influence over the rest, using, no doubt, this battle as a pretext.

The discussions at Nyeri were, I must emphasize, a genuine and liberal attempt by Government to offer the *Mau Mau* terrorists every chance to give up the destructive struggle by surrender on fair terms. The responsibility for rejection lies with the terrorists and I have no regrets that we made this effort, although I naturally regret the failure as success in bringing about a mass surrender would have had most far-reaching consequences. I think myself, that the senior leaders—and this is an impression that I gained personally—I met at Nyeri did believe that terrorism and *Mau Mau* cannot win and they were afraid of the great harm it is doing to their own people in their gradual impoverishment and destruction brought by the growing civil war between loyalists and the *Mau Mau* element. I believe they returned to the forests with the intention of trying to persuade their gangs to surrender. Whatever may, or may not, have been the causes of their failure, it is clear that the real hard-core thugs who thrive on terrorism and the pillage of their own people gained the upper hand in the discussions in the forest and the so-called leaders with which we had discussions were powerless to counteract their influence at that time. This may not always be so, although it may be that a general surrender would be impracticable, or might be impracticable, owing to the loose confederation which apparently exists between the gangs. It may be that surrender at a later stage may develop on an individual basis or an individual gang basis; in which case it might not be necessary or desirable to offer the truce facilities, on a wide scale within the forest, which we did at Nyeri. However this may be, and, at the risk of gratuitous prophecy, I have little doubt that, as our offensive grows in its present, both on the terrorist gangs and on their supporters, passive supporters, the desire to surrender may recur and if it

does, it is the Government's policy to encourage and stimulate this with all the pressure that we can bring to bear to achieve success. Success, the object of which would be the bringing of murder and pillage by terrorists to an end.

In conclusion, Sir, I must most strongly urge hon. Members to consider this matter dispassionately and without any emotional prejudice and in the best interests of Kenya and let no one be so bold as to belittle the effect of possible surrender on the future of this struggle with *Mau Mau*, both within the orbit of Kikuyu terrorism with their passive wing and in the wider circle which feels the ripple of repercussions from *Mau Mau*.

I beg, Sir, to move an amendment to the Motion which reads, "That all words after 'this Council' be deleted and the following words substituted: 'is of the opinion that the campaign against the terrorists be continued, relentlessly until they are defeated, but recognizes that the possibility of surrenders must be dealt with in the light of the circumstances of the time'".

I beg to move. (Applause.)

THE SECRETARY FOR HEALTH, LANDS AND LOCAL GOVERNMENT seconded.

Question proposed.

MR. GATHANI: After hearing the debate on this Motion, I have come to the conclusion that the debate has been influenced by emotions rather than by consideration to both logic and reason. I, Sir, rise to oppose the original Motion proposed by my hon. friend the Member for Mt. Kenya.

THE DEPUTY SPEAKER: The hon. Member will recollect that the amendment is under debate. He may, if he wishes, when the opportunity arises, oppose the original Motion, but as he has risen to speak now, he is speaking to the amendment.

MR. GATHANI: Mr. Deputy Speaker, Sir, I am in favour of the amendment proposed by the Government and, while supporting that Motion, I have a few observations to make.

First of all, Sir, I would like to bring to the notice of this Council the fact that when these negotiations with "General China" were started I had particularly read most of the influential

[Mr. Gathani] papers in the United Kingdom belonging to, more or less, all the main political parties. I do not remember, Sir, coming across a single paper—either belonging to the Conservative Party or—I should say, the Liberal Party—that did not support the Government's decision to negotiate with "General China" with the only object of bringing an early end to the "Emergency" and, thereby, saving the lives of many more people.

Another thing, Sir, I would also like to bring to the notice of some of my colleagues on this side is that even the Church in Nairobi was in favour of these negotiations and I think people placed at such a high position and who can think about such matters dispassionately and can be credited for coming to such conclusions without any emotion but mainly on a basis of reason and logic.

As far as, Sir, the Government is concerned in my opinion, His Excellency the Governor and the Commander-in-Chief, who were in full possession of all the facts, are, and were, the people who could decide what was, at that time, in the best interest of the country.

Those of us who know very little about the "Emergency" as a whole and so many other things that require to be considered should not rush at conclusions from stories that we hear.

I think these negotiations were undertaken by the highest authorities after consulting the Colonial Secretary and the Colonial Secretary could not have given consent to these negotiations without consulting the British Cabinet. In my reading, Sir, of the situation at that time in the United Kingdom is correct, the whole House of Parliament, all the parties in that House were in favour of these negotiations.

My friend the hon. Member for Mt. Kenya referred to the Prime Minister, Sir Winston Churchill. I would, Sir, say to him that if I have read that great man properly, I think he is interested more in a negotiated peace than a peace brought with the aid of swords and that is why, Sir, we see now the efforts he is making in bringing peace in Indo-China through His Foreign Secretary, Mr. Anthony Eden. I think in the Indo-China negotiations he is one of the

principal actors to negotiate a peace. I personally, Sir, think that a negotiated peace has a longer life than a peace obtained by other means.

As the hon. Minister for African Affairs mentioned during his speech, if we have unfortunately failed in bringing the result that we all had desired while negotiations were going on with "General China" at one stage, one thing the country definitely obtained was the gathering of information which I am sure would help to bring an early end to the Emergency.

With these words, I would support the amendment proposed by the hon. Minister for African Affairs.

MR. CROSSKILL: Mr. Deputy Speaker, Sir, I rise to oppose the amendment. I do so because I believe the hon. Minister has missed the point in the original Motion which lies in the word "negotiations". That word did not appear in his amendment. There is a very great difference between making contact in order to achieve surrender and in negotiating. (Hear, hear.)

Now I believe it is quite unnecessary really even to make contact with the enemy because the surrender terms are already known to them. They are generous terms. Lives are spared when the crime is no more than the carrying of arms or consorting and assisting the enemy, but in those surrender terms we have not offered the lives—offered to pardon the lives of those against whom evidence may be brought of crimes such as murder, and so forth, and I believe it very wrong that we should make concessions granting them life for those crimes. I believe it is implicit in negotiations that concessions are going to be made further and beyond the point of those included in the surrender terms which are already known to the enemy. I believe that during the "China" negotiations the terms were not only negotiations the terms were not only that lives should be spared for the carrying of firearms and ammunition but also—consenting, as in—the original surrender terms, but all lives would be spared—I stand to be corrected—but I believe—that was the concession made under the "China" negotiations and I believe such a concession to spare the lives of criminals and murderers is not one which will bring lasting peace to this country. Furthermore, Sir, I do

[Mr. Crosskill] believe that the feelings of the Kikuyu, Meru and Embu guards, on questions such as this, should be consulted. They are playing a very great part in combating *Mau Mau* and I think I am right in saying that on them will fall the brunt of maintaining peace when *Mau Mau* has been subdued. I feel, therefore, Sir, that when any surrender terms, other than those which have been issued at the present time, are being discussed, if they must ever be discussed, that the Kikuyu guard should be consulted.

Mr. Deputy Speaker, I beg to oppose the amendment.

MR. SLADE: Mr. Deputy Speaker, Sir, I oppose the amendment. I hope that I am not moved in this by emotional distortion, or contortion, or crisis of any kind—indeed, Mr. Deputy Speaker, Sir, in listening to the hon. Member of the original Motion, I discerned very little emotion in anything he said. (Hear, hear.)

However that may be, the test, of course, of anything we say in this Council is its rational value and that is all we seek to rely on. On the other hand, it is not an uncommon feature in councils and elsewhere, where rational arguments are unanswerable, to accuse those who produce them of strange emotions.

Mr. Deputy Speaker, Sir, in the amendment proposed, the hon. Minister for African Affairs, quite clearly recognized what was the basis of the original Motion, that is to say, that the campaign against the *Mau Mau* rebels must be continued relentlessly until they are utterly defeated; but the trouble about this amendment and about what he said in support of that amendment, is that we evidently have very different ideas as to the interpretation of the word "relentlessly" and as to the meaning of "utterly defeated".

Now I think we all recognize that the utter defeat of the enemy will eventually involve a measure of surrender, that you do not go on in war, civil war or otherwise, until you kill the last man, but if the survivors really recognize that they are beaten and they do not want any more, you let them surrender. They surrender, of course, on your terms, and on terms that have been promulgated to

them. Now we have promulgated our terms some months ago. I, with many others, supported the promulgation of those terms. As the hon. Member for *Mau Mau* has just said, they are very fair terms, very right terms, and the right terms to offer for surrender; and, as he said, the enemy knows those terms very well, and no further contact is necessary to advise or remind them of them again. But still we support those terms, providing, of course, that they are not abused.

But here the burden of our complaint is something which the proposed amendment ignores completely and that, as the hon. Member for *Mau Mau* has said, is negotiation for surrender. Negotiation with rebel leaders is a very different matter from offering reasonable terms of surrender, as has been done some months ago. Still more is it a different matter when you negotiate with criminals who have been convicted and sentenced to death, for which I know no precedent? Mr. Deputy Speaker, Sir, if we are to defeat this enemy we have to win in the mental and the moral fields, not only in the physical field of arms. We shall only do that by showing that Government has the strength and the will to govern both now and after the Emergency has ended, that Government has the will and the strength to fight for principles. The hon. Mr. Mathu said that what was wanted is a demonstration of the desire of Government to end this Emergency. I should not have thought that any demonstration of that desire was necessary, in view of all that has been said by Government speakers since the Emergency began. What I submit is far more important than any demonstration of desire to end the Emergency, is the demonstration of will to end the Emergency. (Hear, hear.)—and the will to end it completely without the possibility of return. (Hear, hear.) There I agree very thoroughly with the hon. Mr. Mathu who seemed to be contradicting himself, but with one side of what he said I certainly agree—he said at one moment that we should be offering an amnesty. It was not apparent exactly on what terms he thought amnesty should be offered. As far as I could make out the only real terms he was offering was that they should all be shot dead and I agree with him. (Laughter.)

Mr. MATHU: I mean that!

Mr. SLADE: These negotiations that took place with the man called "China" would have been no less disgraceful if they had produced the surrender of several thousand. They are a terrible mistake whatever result they produce. Our position on that must be made quite clear. We are not criticizing Government because the negotiations failed, we criticized in a Motion on Adjournment before we knew whether they were a success or a failure. Our criticism is just the same, it is criticism of the abandonment of principle, criticism of the policy, based always on the idea that the means are justified by the end. They are not. The hon. Mr. Gāhani says, "Well, Government has the responsibility to decide, they know much more of the facts than we do, they know really what is going on behind the scenes". That's all very true; but they should know also, Sir, certain principles: British justice, self-respect. They should know the psychology of the African, what he respects. Those things we know too, as well as they do. Those things we try to uphold. They hold good in any circumstances, regardless of inside knowledge of inside events. (Hear, hear.) It is no use saying, "It is all over now, anything that has been done, has been done". I dare say the men brought up to the Courts on capital charges would like to say that; but they have to go on trial all the same. Government is on trial now in this Motion for a very grave error which we urge must not be repeated.

Mr. Deputy Speaker, Sir, by these negotiations, by the attitude of Government appearing in those negotiations, not to mention the dismal results and the gains to the enemy that came from them, the confidence of many people in this country, not only Europeans, in Government is very badly shaken and it can only be restored by Government acknowledging its error and giving us assurance that it will not be repeated. That was the purpose of the original Motion and that purpose will certainly not be achieved by this amendment which carefully dodges any repudiation of further negotiations.

I beg to oppose. (Applause.)

MR. MATHU: Mr. Deputy Speaker, Sir, I support the amendment and I am

certainly opposed to the Motion! In my opinion, those who have opposed the amendment have overlooked the elementary principle of life—that is, it is the principle job of a government in any country to maintain law and order, and it is wrong for a government to sit on a tottering pedestal of false prestige and not to enter upon a measure which would restore peace in the country.

I am surprised when it is said that it was wrong to have entered into any negotiations through "General China" because there was no precedent in history. The British people have not made their progress merely on the basis of precedents. If anything, they have made their progress through the method of trial and error. Must the Government refuse to enter upon a measure because no such thing has taken place in the past, or is it wrong to try anything new?

The question is this, Sir. Those who oppose this amendment and go the other way in supporting the Motion must decide once and for all whether it would have been right for the Government of this Colony to have continued to lay a trail of bloodstain in the country or whether it was right for the Government of this Colony to adopt every measure and to take advantage of every opportunity that presented itself, even, if necessary, to clutch at a straw, to restore peace in the Colony. That to my way of thinking, was the last and I think the Government was perfectly right in trying to take advantage of the opportunities such as were presented by the capture of "General China" to try and restore peace in the Colony by negotiations with *Mau Mau* leaders. If "General China's" life has been reprieved, it is my submission that the prestige of Government has not gone down. I think the Kikuyu, Meru and Embu must realize in spite of the failure of the negotiations, Government has kept its promise and not let them down or gone back on its word, that the life of "General China", which was promised freedom, still exists. That is the way to look at it and that is the way I suggest publicity should be given to this matter.

Those who are rational and thinking people will not merely end up by saying, "Oh, a murderer has been forgiven". They will go further and try to think why he was forgiven.

[Mr. Madan]

I therefore submit that there has been no betrayal of any important principles in "China's" life having been revived. I am of the opinion that it would have been entirely wrong for the Government not to take advantage of any opportunity that offered itself and that might offer itself in future, to restore peace as speedily as possible in the country. I do not agree that it is wrong and that such a course would make the Kikuyu or any of the loyal Home Guards think they had been let down. I am sure in their heart of hearts they must also wish to see an end, a speedy end, brought to the State of Emergency. They are ordinary human beings; they would like to see the country back at peace, working normally and doing their own people carrying on their daily tasks of life, to the profit of their own community, instead of being on the look out the whole time for murderers, attackers and stealers of cattle. I do not think that could be the aim or the object in life of the Kikuyu, the loyal Kikuyu Home Guards. It would be wrong to say that in such a measure Government would be opposed by those who have sided with Government. I think it is quite fair, one can reasonably and certainly say that there must be no other people in the country—we all desire peace—but there must be no other people than the Kikuyu, Meru and Embu who are suffering from the actual impact of the Emergency operations, who desire peace more. It cannot be very pleasant for the Kikuyu to see their own women and children being captured, killed, maimed, found murdered and they must, whether loyalist or belonging to the other side, all be really wanting peace.

Mr. Deputy Speaker, Sir, I beg to support the amendment.

Mr. Awori: Mr. Deputy Speaker, Sir, if it were not for the Government amendment, I would have requested the hon. Member to withdraw his original Motion, because I do not think that both the original Motion and the amendment are going to serve us any good purpose by spending too much time in this Council discussing what we are discussing over and over. However, I shall support the amendment.

Now, in the words of the hon. Minister for African Affairs, I agree that the Government was justified in using this man "China" and, before I go ahead, Sir, I think the biggest blunder we did in this country, both through the Department of Information and through the local Press, was to use these words "Generals" and "Field Marshals" and "Brigadiers" (Hear, hear.) They misled the minds of the Africans. I remember after this man, Waruhii son of Iote, called "China" after his arrest and trial, some Kikuyus came to my office and said as far as they know the British people do not kill Generals, so why should our man be hanged? I said, "You do not have any Generals," but they believed that. That was a mistake. We publicized these people too much—(Hear, hear.)—and we should not have done that at all. We should have told them that is Terrorist No. 1 or Terrorist No. 2—like that—and they are terrorists. Then they would have known that they are terrorists, and not British Generals. (Hear, hear.)

However, Sir, by using "China"—I think that "China" himself was sincere, although he was a murderer from what I know, but the Commander-in-Chief and His Excellency the Governor, when deciding to make use of "China", they did not promise him his life. As far as I understand from what I read in the Press, he was not promised his life. He went to Nyeri knowing very well that he would hang—whether he succeeded or not. He was told that his life would be spared later on. If I am wrong, I think the Government will be able to correct me on that point.

However, Sir, now we are crying over spilt milk. I do not think it will be able to help Government to prosecute this Emergency to an end if we go on bringing Motions of censure over and over to Government—over and over for what they have done. They are human beings like ourselves. The decision they made they made in the interests of the country—not in the interests of the terrorists. I noticed among the Africans—they were divided—but 90 per cent or 95 per cent were behind the Government in using "China", because for one reason they wanted peace as much as everybody in this Council wants peace. If peace could be got at any cost, I think we should make use of that chance.

[Mr. Awori]

It was not a sign of weakness on the part of Government to use "China", and that can be seen by what has happened in Nairobi since "Operation Anvil". Crime has almost ceased. If such negotiations had to be successful, I think it would have done us a lot of good. I do not think known terrorists would have been left to go scot-free. They would have stood their trial. However, one thing I can say—it was not a sign of weakness on the part of the Government at all. Government accepted, and will continue to pursue the Emergency, to see that those terrorists—unless they come out they will have to be shot until they are all finished—until we have peace.

I did not intend to take up much time of Council, because I do not believe in the original Motion at all, and I would have asked for this to be withdrawn. However, I support Government for the present amendment. (Applause.)

GROUP CAPTAIN BRIGGS: Mr. Deputy Speaker, in opposing the amendment, I will endeavour to be even more economical in the use of words than the hon. Mr. Awori, because all I am going to say is that the amendment proposed defeats one of the main objects of the Motion, which is to prevent negotiations being opened up with Mau Mau criminals in future. (Hear, hear.)

As I understand it, Government on a number of occasions—I may be wrong, but I believe my recollection is correct—has been denied that there have been negotiations. They have referred to talks. When it has been suggested that there have been negotiations—again I think I am right in saying this—it has been insisted that there were only talks to arrange surrender.

Now, Sir, there is nothing in my Motion which precludes the possibility of talks to arrange surrender in accordance with the known terms, and therefore it seems to me that unless Government have changed their minds—have some ideas of negotiation in their minds—as I said, that was one of my fears when seeking to move the Motion—then I can see no point in their moving this amendment, and I would ask them to do their best to see if they cannot arrange to withdraw it.

MRS. SHAW: Mr. Deputy Speaker, in rising to oppose the amendment, I should

like to congratulate the hon. Member and second on the moderate tone of their speeches. They are both men who have lived under a great strain during this Emergency, and have carried a heavy burden on behalf of their constituents, whom they represent in this Council.

I should also like to join in an appreciation of Government's sincerity of purpose, and the bravery of those Members of Government and the Security Forces who attended the negotiations of the terrorists in the forests.

Having said this, I must range myself with those hon. Members on this side of Council who oppose the amendment, for I do not believe that any good—or instilling good—can come from negotiated—surrender. I oppose negotiated surrender for two main reasons. One is that it seems an abrogation of and inconsistent with British justice for us to treat with men who are known to have taken this bestial oath, who are self-confessed gang leaders and men convicted on a capital charge; and, on the other hand, to hang a Kikuyu woman who was found in possession of ammunition which was probably planted on her person—(Order, order.)—or may have been planted on her person.

THE DEPUTY SPEAKER: The hon. Member is responsible for her facts. In the first place, I am not sure that she is correct in saying that any Kikuyu woman has been hanged for being in possession of ammunition, and in the second place, if she is referring to the conviction of a Kikuyu woman for that offence—a conviction which was recorded by the Courts in the course of proper judicial process—she has no right to make the suggestion which she did.

MRS. SHAW: I beg your pardon. I withdraw the last part of my statement. I believe I saw a statement in the Press that such a case had occurred, and such a conviction had been secured.

I also believe—and this is my stronger point, and I should like to make it with as much strength as I have at my command—it is a complete let-down of the loyal Kikuyu who, at great personal risk and with great courage, have come out into the open and are fighting for the forces of law and order against this evil

(Mrs. Shāv) thing we call *Mau Mau*; and it is for that reason—possibly even more than its first reason—that I would propose a negotiated surrender, although, naturally, like all people in this Colony, I hope and pray the Emergency will be brought to an speedy an end as possible.

THE DEPUTY SPEAKER: If there is no other hon. Member rising to speak to the amendment—

THE EUROPEAN MINISTER WITHOUT PORTFOLIO: Mr. Deputy Speaker, I should like to congratulate the hon. Member, too, on the moderate-tempered way in which he moved his Motion and, in particular, I should like to congratulate him on the manner in which he pointed out that the only profit in recriminating about the past was, possibly, to ascertain something about the future.

There are, in this issue, as I see it, three matters—there are three matters to which I wish to refer, because they are of some importance to this Council and to this country. The first matter is whether it is right to negotiate with a convicted criminal; the second matter is whether it is right to negotiate at all; and the third matter is whether we should do any of these things in the future.

Now, Sir, I am not going to discuss the question of the negotiations with a convicted criminal. In another position, and on another occasion, I have—at least as far as I am personally concerned—given my views upon it. In regard to the general debate to-day I should like to make some points.

The first one, Sir, is this: the hon. Member for the Coast asked why the War Council had given up using "China". I propose to give him the reasons. It is essential, if we are to deal with *Mau Mau*, that we should destroy the base which exists for that organization in Nairobi. The date upon which the operation for Nairobi had to start was conditioned by many factors, and could not be altered. It would not have been possible for us to continue to use "China", and to have carried out the operation necessary to deal with the *Mau Mau*, and to be not so substantially to alter the date that the whole operation itself might be a failure. Those operations were two.

They were the preliminary operation, designed to pick up—as many of the heads of these evil men in this movement as we could, of whom we had knowledge before the operation in Nairobi started. We needed a certain time for that. In that operation we had to make arrangements for the picking up; the guarding and the disposal of something like 2,000 evil persons. Immediately that operation was concluded, an operation, which stretched from Nyiri in the north to as far south as beyond Kiambu—we had to deploy our forces for "Operation Anvil". It was that factor; and that factor alone, which caused us to cease any further discussions with "China".

MR. COOKE: Can we do it in the future?

THE EUROPEAN MINISTER WITHOUT PORTFOLIO: Now, Sir, it seems to me that for that I must accept responsibility as a member of the War Council. I do not accept any responsibility for a Government of which I was not a member in the past, but I do accept responsibility for a Government of which I am a member to-day. I believe it would be quite wrong if I misled Council on what factors would influence me if a situation such as this arose in the future. I can assure Council that in no manner of circumstances will the Government of this country negotiate with *Mau Mau* in any manner designed to add the objectives of the *Mau Mau* themselves. (Hear, hear.) I can also assure this Council that we would be lacking in our duty if we failed to accept surrender if offered and make arrangements for its successful conclusion.

There is only one factor—one factor in dispute—in the matter of surrender. It is in my view completely fogging the issue to raise the question of negotiations over anything of that sort. It would not be Government's intention to negotiate with leaders who wished to surrender. I would make one thing clear because not to do so would, in my opinion, completely mislead Council and the people of the country in regard to my own views. If the terrorists came forward and said: "We will surrender on one condition—that our lives are spared"; then I would personally weigh these factors in my mind and make my decision on an assessment of these factors—and what is more, I put it to hon. Members opposite, they

(The European Minister without Portfolio) too should weigh these factors and make an assessment.

The first is this: is a man likely to surrender if the only end to the path of surrender is the hangman's rope? If not, what lies ahead of us? We may well be faced with the thing which the hon. Member for Mount Kenya fears—that the terrorist, seeing that his life is no longer safe, seeing there is no avenue ahead of him but the hangman's rope, he goes underground and creates the very conditions of which the hon. Member for Mount Kenya is so fearful. (Hear, hear.)

Secondly, I would consider the strain on this my country the longer this Emergency is carried on—(Hear, hear.)—and if I believed that that action would finish it, then I would accept that surrender on that condition for this reason—that not to do so must inevitably increase the danger of the spread of this movement. In every hon. Member's mind who speaks upon this matter is the danger of that spread. The longer this movement goes on, the greater is the possibility of this infection going elsewhere.

Thirdly, I would consider this: I would ask hon. Members opposite—specifically the hon. Members who moved and seconded this Motion—to consider that the longer the Emergency goes on, the greater our power of decision in regard to the economy of this country is removed from us. The longer the Emergency goes on, the greater our economy is destroyed, and the less have we the opportunity to call the tune.

Next—a factor which the hon. Members of this Council must consider—is whether it would be right when such a situation is presented to them to turn it down; knowing that every other day that this Emergency goes on—the more the misery, the more the mutilations, the more the possibility of murder ahead of them. It seems to me that those are the factors which any reasonable, responsible man, advising the War Council, would have to consider. I have no hesitation whatsoever in saying that if a gang of murderous men—and it is a possibility—offers to surrender on the condition that their lives were to be spared, the only right course, for the reasons I have given, would be to accept that surrender.

Now, Sir, that is a decision which a member of the War Council, I can advise upon. Whether my decision is right or wrong is a matter—in the final analysis—for the electorate of this country to decide when this Government goes to the Polls.

I should like to turn now, Mr. Deputy Speaker, Sir, to the urgency and the intention to defeat the enemy which the hon. Member representing African Interests, Mr. Mathai urged upon me. I should like to record that it is the intention of the Government in every possible way to support and encourage the loyalist Kikuyu who are supporting the Government. We have suffered as a country from many suggestions from overseas as to how to end the Emergency. I can only say this: that so long as a portion of the people of this country challenge this Government with force, this Government will resist that challenge to the utmost with its own force. (Hear, hear.)

MR. COOKE: Why don't you do something?

THE EUROPEAN MINISTER WITHOUT PORTFOLIO: The course before the Kikuyu people, other than those who have declared their loyalty, is perfectly simple and I hope the hon. Member will note it. It is this: they can give up and accept the rule and law of the Government, or continue to suffer the dislocation of their economic life, the disruption of their family life and the casualties from the processes of the law which are now falling upon them. When the hon. Member for the Coast says "Why does Government not take effective action?" I would say it is taking effective action, or the hon. Member is suffering from a very dubious myopia.

MR. COOKE: How many are you killing in the forests?

THE DEPUTY SPEAKER: Order!

MR. COOKE: But the hon. Member did not give way.

THE DEPUTY SPEAKER: There is much too much interruption of speeches. In Eriksine May—if hon. Members were to consult that work—only certain expressions of approval or disapproval are regarded as parliamentary. Attempted

[The Deputy Speaker] interjections, designed to interrupt an hon. Member exercising his right of speech, are out of order and will cease.

Mr. COOKE: Will the hon. Minister give way?

Will the hon. gentleman tell us why he does not send troops into the forests, which was the question asked by the hon. Mr. Mathu? Will he tell us how many troops are in the forests?

THE EUROPEAN MINISTER WITHOUT PORTFOLIO: In regard to the hon. Member's interruption, I would not see fit to deny him the privilege which I enjoyed when I sat alongside him on his side of Council.

I did tell hon. Members in the debate on the Budget the position of the terrorists in the forests. It is this: they prefer the reserves, and it is in the reserves, of course, that we can make our greatest kills. They prefer the reserves for the reasons I told the hon. Members—that their administration is so much simpler. They have supplies of ammunition, clothing, food and recruits. Only after pressure in the reserves is put on them do they go into the forests. It is extremely difficult to bring them to book, which I will not repeat. I will only draw attention to the requisite paragraph in HANSARD.

Mr. MATHU: Which? Will the hon. Minister give way?

THE EUROPEAN MINISTER WITHOUT PORTFOLIO: No, I will not. (Then he did.)

Mr. MATHU: I should like the hon. Minister to really tell us the point which my hon. friend, the Member for the Coast, has raised. It is important. I agree with him—the reserve is the thing, but what are you doing to kill the fellows in the forests completely? That is the gist of the matter.

THE EUROPEAN MINISTER WITHOUT PORTFOLIO: Mr. Deputy Speaker, will I be in order in answering?

THE DEPUTY SPEAKER: The point is not strictly relevant to the Motion, but if the hon. Minister chooses to reply, he may do so.

THE EUROPEAN MINISTER WITHOUT PORTFOLIO: I have already told the

Council we are putting pressure on the terrorists in the forests by the use of the Royal Air Force. Now, the hon. Member for the Coast cannot have it both ways. He cannot be critical of the use of the Royal Air Force in the forests to disturb and harass the terrorists, and at the same time urge us to disturb and harass the terrorists in the forests. He cannot have it both ways. We do know that the air arm is being effective up to a point. I have already told Council that we have evidence of 63 casualties in one gang and the necessity for the terrorists to move constantly—daily—because of the air attack, that disrupts their administration and so makes it easier to contact them.

Since I gave the Council that information, we know there have been further casualties by bombing to the extent of 52 members of another gang. We have also, as the hon. Member for the Coast knows, because I told him so the other day—we have now got specialist patrols in every battalion whose function it is to pursue the gangs day after day. They are supplied from the air—through the Kenya Police Reserve Air Wing—so they are on the job from seven to ten days. In addition, we are establishing a very firm control indeed of the whole of the location bordering the forests, which will make it very much more difficult for the terrorists in the forests to get their administration and supplies. I would be quite misleading Council if I allowed hon. Members to think that this problem of dealing with the terrorists in the forests was an easy one—it is not. I have already described their method of posting sentries and their method of warding off attacks from our own forces.

I have also told Council that we are now making experiments with a view to getting more instantaneous contact with the gangs, and using the Royal Air Force; but it is impossible to eliminate the terrorists in the forests who, as far as we know, number four to five thousand in the twinkling of an eye, and it would be misleading Council to imagine that that can be done—and no amount of calling out from the other side of Council will alter that one positive fact. (Hear, hear.)

Now, Mr. Deputy Speaker, in conclusion I would only like to say this: the

[The European Minister without Portfolio]

hon. non-Muslim Member for Central Area, Mr. Madan, said that "China" was promised his freedom. That is not so. "China" was never promised his freedom at all. I should like to correct the hon. Member.

Finally, let me say I have given my reasons for supporting this amendment: it would have been very easy for me to have kept silent and hidden under the cloak of some of my colleagues, but I think it quite wrong not to let Council know some of the factors that, in my case, would influence my advice to the War Council—whether, in the event of the terrorists surrendering, we should accept that surrender. I would accept that surrender on two conditions. One—that no aim of the Mau Mau whatsoever was carried out—and two—that it assisted us immediately to end the Emergency. (Applause.)

THE DEPUTY SPEAKER: No other Member rising to speak on the amendment I will put the question. Hon. Members will recall that an amendment of this nature is put in two parts—in the first instance that the words to be deleted stand part of the Motion. In order to refresh the memories of hon. Members, I will read the amendment before I put this question:—

"That all words after 'this Council' be deleted and the following words substituted 'is of the opinion that the campaign against the terrorists be continued, relentlessly until they are defeated, but recognizes that the possibility of surrenders must be dealt with in the light of the circumstances of the time'."

I propose to put the first question and I would remind hon. Members that those in favour of the amendment should vote "No" on this question. (Laughter.) The question was put and negatived.

THE DEPUTY SPEAKER: I will now proceed to the second part of the amendment proposed. The question is that the words of the amendment be inserted instead of the words deleted.

The question was put and carried.

THE DEPUTY SPEAKER: The Motion, as amended, is now before the Council.

Mr. SLADE: Mr. Deputy Speaker, I have only a few words to say on the Motion, as now amended—that is, mainly, to say that it is harmless, but of very little value. It is of more interest, of course, in the light of what the European Minister without Portfolio had to say in his interpretation of the attitude of the War Council to that policy which was declared so vaguely by this amended Motion.

But I would make comments on one or two factors which he said are relevant in deciding how far you consider any proposals for surrender. I was not quite clear whether or not he really meant there would be no negotiations at all with Mau Mau. I do not suppose he can have meant that, or he would not have supported the amendment, but apparently there is to be no negotiation out of which the Mau Mau derive any benefit—which appears to be the same thing.

There is a point which I must emphasize once again, and which is relevant to the substantive Motion, as amended. The hon. Minister said that it is no good expecting the Mau Mau to surrender if all they see at the end of surrender is the hangman's rope. We all see that very clearly, and that is why we all say that we support, in principle, the Green Branch proposals which have been put for the last several months—because they remove the fear of the hangman's rope, except for men against whom murder can be proved.

THE EUROPEAN MINISTER WITHOUT PORTFOLIO: No—carry on. I did not know the hon. Member was going to mention the last point.

Mr. SLADE: As regards the men against whom murder can be proved, I should always resist removing fear of the hangman's rope. If they are not prepared to come out and take the risk of a fair trial, they had better stay in and be killed. It is the other ones we want to surrender.

THE DEPUTY SPEAKER: Council will suspend business for fifteen minutes.

Council adjourned at fifteen minutes past Four o'clock and resumed at thirty minutes past Four o'clock.

MR. SLADE: Mr. Deputy Speaker, Sir, I was discussing the factors propounded by the hon. Minister without Portfolio as those which he would take into account in considering any possibilities of proposals for surrender, and I now come to the last one which I believe is the most important of all. With considerable eloquence he reminded us of what we are suffering during this Emergency and how important it is to bring it to an end at the earliest date, and how, therefore, he must always bear in mind the need to bring the Emergency to an end so as to stop the troubles that we are enduring now. But, of course, we all have that in mind the whole time. We all know how urgent it is to end the Emergency, but what I would emphasize is the importance of really ending the Emergency and not having a pretence of the Emergency being ended, with much more trouble stored up for the future and that has been the basis, or one of the bases, of our objection to what we regard as unprincipled negotiations. It is that very thing, that argument, that in order to get an apparent quick end to open hostilities anything is justified. I do not think the hon. Minister meant to go as far as that, but you have to be very careful and not go as far as this when you use arguments such as he used, in this kind of argument. It is important that we do not rush towards an apparent end of the Emergency on the surface, at the risk of having far greater trouble stored up for us below the surface hereafter.

MR. CROSSKILL: Mr. Deputy Speaker, Sir, in referring to the speech by the hon. Minister without Portfolio, I think we all, on this side of the Council, are fully in agreement with him when he said he would accept surrender. The terms are generous and I think we all agree with him on that point, but there is one point which I think is very important and which is not yet clear to me, and I would like him to elucidate his views on this and that is where he uses the word "negotiations"—we use the word "contact". I would like his assurance that there would be no general pardon for all crimes committed. During the last war in Europe—after the conclusion—there were many war criminals tried on charges of atrocities and so forth and many of them were later hanged or shot. I would like an assurance that there

would be no general pardon for all such crimes and that those who surrender would be subject to trial afterwards and convicted for the crimes of which they may be found guilty.

THE EUROPEAN MINISTER WITHOUT PORTFOLIO: Mr. Deputy Speaker, Sir, I am sorry that I did not make clear totally our views on this matter to the House. May I just deal with the point raised by the hon. Member for the Aberdares? May I say this that the Government would agree entirely with him that we should never agree that anything is justified under the pretence of ending the Emergency early. There are, I believe, in this, assessments that can only be made at the time and it is this—whether there is more danger by refusing to accept surrender and thus the movement going underground or by accepting surrender, postponing for the future further time in which the movement can be re-manufactured. I think that is what was in the hon. Member's mind. I would like to assure him that Government would be actuated in this matter entirely with a view to stamping out this movement remorselessly and for ever.

Now, Sir, the point made by the hon. Member for Mau: I did not intend in any way to imply, and it is not the Government's intention in any way, to give a general pardon to terrorists and indeed if surrender took place and Africans came forward, the normal processes of the law would take place.

MR. COOKE: Mr. Deputy Speaker, Sir, I do not know whether I am quite in order in answering the point made by my hon. friend in speaking to the amendment, but if I do not say it now I will say it some other time.

My hon. friend said there were only two alternatives so far as I could understand. One was to go on fighting and the other was to have peace with the rebels.

THE EUROPEAN MINISTER WITHOUT PORTFOLIO: I never said any such thing.

MR. COOKE: I suggest, at any rate, there was this third alternative and that is what Mr. Mathu and I and Mr. Okwiry and others have said and that is, go into the forest and deal with the rebels there. With regard to the bombing, if it has had the effect which

[Mr. Cooke] the hon. gentleman is certain it had, I am very surprised that we have not received any photographs of the sixty-three or sixty-four dead rebels whom he said were killed by the bombing. Surely the ground forces follow up the bombing and if he could show me photos he could, at least, convince somebody as sceptical as myself.

THE EUROPEAN MINISTER WITHOUT PORTFOLIO: Might I point out that the effect of a five hundred and a thousand-pound bomb does not always leave anything to be photographed. (Laughter.)

MR. COOKE: Arising on that point that is what the hon. Mr. Blundell said at the beginning.

MR. DEPUTY SPEAKER: If no other hon. Member wishes to speak I will ask the hon. Mover to reply if he wishes.

GROUP CAPTAIN BIGGOS: Mr. Deputy Speaker, Sir, I will be very brief in my reply because in the first place it would appear that the amendment has very largely emasculated the original Motion and, therefore, there is not much purpose or interest to waste the time of the Council by dealing with points raised by individual members but there are one or two brief comments I would like to make. It appears to me, if I have correctly understood the hon. Minister without Portfolio, it seems that the main object of the Motion has been very largely met and, in fact, so much so that I do not really quite understand the reason why the Government moved an amendment. His statement, if as I say I have understood it correctly, removes a great part of the fear I had in my mind that negotiations might take place, negotiations other than purely surrender talks to make detailed arrangements for surrender.

Before sitting down, I would like to thank the hon. Mr. Mathu for supporting me so nobly although opposing the Motion. I believe the views he expressed are very much the views of many of the Kikuyu Guard, and the Kikuyu Chiefs who, if my information is correct, did not at all favour the start of "Operation Wedgewood" and the discussions with "China". The hon. Mr. Awori referred to the fact that ninety per cent of the Africans were behind the negotiations. My personal belief is that certainly so

far as the Kikuyu Reserve is concerned, if my information is at all accurate, the vast majority of loyal Kikuyu were against it and very much feared what might happen as a result of it.

That, Mr. Deputy Speaker, is my answer. (Applause.)

The question was put and carried.

MOTION

CAPRICORN FILM PRODUCTIONS, LIMITED THE ACTING CHIEF SECRETARY: I beg to give notice of the following Motion:

WHEREAS on 23rd February, 1964, this Council approved that the Kenya Government should guarantee a bank loan of £10,000 to Capricorn Film Productions, Limited, to be used specifically in the production of one initial film; and

WHEREAS a further sum is needed to enable the film to be completed;

BE IT RESOLVED that this Council approves that the Kenya Government guarantee to Capricorn Film Productions, Limited, be increased by £3,500. I think, Sir, that this Motion is recent enough for the memories of hon. Members of the Council to be fully informed of the arguments which led the Government to guarantee and to move in this Council the guarantee of the necessary capital to get this particular branch of what we hope would be the development of a Kenya film industry going.

The complications which have arisen through delay in production, through rain and through technical mishaps, have now made it necessary for another £3,500 to be put at the disposal of the company if the film is to be completed. The Board of Management of the Industrial Management Corporation, acting as agent on behalf of the Government, is keeping an eye on the budget of the film, and I have complete confidence that they will see that no money is wasted in this regard. As hon. Members are fully aware, if indeed there is a profit from this film, the Treasury and the tax-payers and Government will benefit to the extent, I think, of 40 per cent of the proceeds.

Sir, I beg to move.

Question proposed.

THE MINISTER FOR WORKS: I beg to second.

Mr. TYSON: I would like to be satisfied that the amount of £3,500 is going to be sufficient because I read, I think, a report in the London *Times* where there seemed to be doubt on the part of the promoters of this film business regarding the finding of the necessary capital. I am supporting this proposal but I would like us to be satisfied that in another two months he will not have to come back for another £3,500. (Laughter.)

THE MINISTER FOR FINANCE AND DEVELOPMENT: My Deputy Speaker, Sir, in reply to the hon. Nominated Member, Mr. Tyson, in so far as I think the finance applies to this particular picture I think the answer is "yes; we are assured that this amount will complete this one picture". I think it is correct to say that the promoters of this company are looking round for capital for more film productions and that is probably part of the report which my hon. friend referred to. The Government of Kenya and this Council is committed to nothing other than the film which is actually under production at the present moment. As I have said, Sir, the people who are acting as our agents seem to be convinced that this will be sufficient to see the picture through, and I hope, therefore, it will not be necessary to come back for any further funds.

The question was put and carried.

COMMITTEE OF THE WHOLE COUNCIL

Committee of the whole Council—Order for Committee read. Mr. Speaker left the Chair.

IN THE COMMITTEE

[Mr. E. N. Griffith-Jones, Q.C. in the Chair]

THE MINING (AMENDMENT) BILL

THE CHAIRMAN: Before the Clerk starts to read out the clauses, I would remind hon. Members that in this Bill there are a number of references to "Member" and two references to the "Governor in Council". Those references no longer have any significance in view of the Bill which was passed the other day, The Council of Ministers (Consequential Provisions) Bill, which is now in force as an Ordinance accordingly I propose, under Standing Order No. 112, to amend each of those references to a

"Member" to read as a reference to a "Minister" and the two references to the "Governor in Council" to read as references to the "Governor in Council of Ministers" in accordance with the provisions of the new Ordinance. It will not, therefore, be necessary for individual amendments to be moved to that effect, as it is provided for in the Standing Orders.

Clauses 1 to 13 agreed to.

Clause 14

LT.-COL. GHERSIE: Mr. Chairman, Members on this side of the Council do not know how this should be interpreted.

"Every person in charge of prospecting or mining operations shall, as soon as practicable after the occurrence of any accident in connexion with prospecting or mining operations which either causes loss of life to any person or causes any fracture, dislocation, or other serious personal injury, or other personal injury likely to have serious effects, to any person, report in writing the facts of the matter so far as they be, or ought to be, known to him to the District Officer of the district."

"As they are known, or ought to be," I believe. I know the answer but certain hon. Members on this side of Council, I am sorry they are not present, are very confused about this clause.

THE MINISTER FOR COMMERCE AND INDUSTRY: I am sorry I did not know that the hon. Member was raising this point or I would have looked into it more fully than I have done. I think the words in question mean that they may not know the full facts or even more important are not carrying out the provisions of the Mining Ordinance in regard to safety. If they are not carried out, then it is possible and conceivable that they might not know, but if they are carrying out those provisions, if they have had a proper report they would know. It is to cover that sort of thing.

LT.-COL. GHERSIE: Could I perhaps add to that as I understood it, it is the manager who must submit that evidence. It is quite conceivable that he was not even in the mine when the accident took place and therefore he extracts all the evidence he can so that he can give a complete case to the district officer.

THE MINISTER FOR COMMERCE AND INDUSTRY: I confirm what the hon. Member has just stated.

Clauses 14 to 19 agreed to.

THE MINISTER FOR COMMERCE AND INDUSTRY: Mr. Chairman, I beg to move that at paragraph (f) of the item relating to section 18 in the Schedule to the Bill, in the new sub-section 9 be added to section 18 the word "prospecting" between the word "exclusive" and the "licence".

The question was proposed.

The question was put and carried.

Title and enacting words agreed to.

The Bill, as amended, to be reported.

PLANT PROTECTION (AMENDMENT) BILL

Clauses 1 and 2 agreed to.

Title and enacting words agreed to.

Bill to be reported.

LOCAL GOVERNMENT (COUNTY COUNCILS) (AMENDMENT) BILL

THE CHAIRMAN: In this Bill there is one reference to "member" which will similarly be correct without a Motion.

Clauses 1, 2 and 3 agreed to.

Title and enacting words agreed to.

Bill to be reported.

LOCAL GOVERNMENT (DISTRICT COUNCILS) (AMENDMENT) BILL

Clauses 1 and 2 agreed to.

Title and enacting words agreed to.

Bill to be reported.

PUBLIC ROADS AND ROADS OF ACCESS (AMENDMENT) BILL

THE CHAIRMAN: There are four references to "Member" in this Bill which will similarly be corrected.

Clauses 1, 2, 3, 4 and 5 agreed to.

Title and enacting words agreed to.

Bill to be reported.

MUNICIPALITIES AND TOWNSHIPS (PRIVATE STREETS) (AMENDMENT) BILL

THE CHAIRMAN: There is one reference to "Member" which will be corrected.

Clauses 1, 2 and 3 agreed to.

Title and enacting words agreed to.

Bill to be reported.

MUNICIPALITIES (AMENDMENT) BILL

Clauses 1, 2 and 3 agreed to.

Title and enacting words agreed to.

Bill to be reported.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that the Committee do report back to the Council.

Question proposed.

The question was put and carried.

Council resumed.

[Mr. Deputy Speaker in the Chair]

REPORT

Mr. GRIFFITH-JONES: I beg to report that a Committee of the whole Council has considered, clause by clause, the Mining (Amendment) Bill and has approved the same with amendment.

THE MINING (AMENDMENT) BILL

THE MINISTER FOR COMMERCE AND INDUSTRY: I beg to move that the Mining (Amendment) Bill be now read a Third Time.

Question proposed.

The question was put and carried.

The Bill was accordingly read a Third Time and passed.

REPORT

Mr. GRIFFITH-JONES: I beg to report that a Committee of the whole Council has considered, clause by clause, the Plant Protection Bill and has approved the same without amendment.

THE PLANT PROTECTION (AMENDMENT) BILL

THE DIRECTOR OF AGRICULTURE: I beg to move that the Plant Protection (Amendment) Bill be now read a Third Time.

Question proposed.

The question was put and carried.

The Bill was accordingly read a Third Time and passed.

REPORT

Mr. GRIFFITH-JONES: I beg to report that a Committee of the whole Council has considered, clause by clause, the Local Government (County Councils) (Amendment) Bill and has approved the same without amendment.

THE LOCAL GOVERNMENT (COUNTY COUNCILS) (AMENDMENT) BILL

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING: I beg to move that the Local Government (County Councils) (Amendment) Bill be now read a Third Time.

[The Minister for Local Government, Health and Housing]

Question proposed.

The question was put and carried.

The Bill was accordingly read a Third Time and passed.

REPORT

MR. GRIFFITH-JONES: I beg to report that a Committee of the whole Council has considered, clause by clause, the Local Government (District Councils) (Amendment) Bill and has approved the same without amendment.

THE LOCAL GOVERNMENT (DISTRICT COUNCILS) (AMENDMENT) BILL

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING: I beg to move that the Local Government (District Councils) (Amendment) Bill be now read a Third Time.

Question proposed.

The question was put and carried.

The Bill was accordingly read a Third Time and passed.

REPORT

MR. GRIFFITH-JONES: I beg to report that a Committee of the whole Council has considered, clause by clause, the Public Roads and Roads of Access (Amendment) Bill, and has approved the same without amendment.

PUBLIC ROADS AND ROADS OF ACCESS (AMENDMENT) BILL

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING: I beg to move that the Public Roads and Roads of Access (Amendment) Bill be now read a Third Time.

Question proposed.

The question was put and carried.

The Bill was accordingly read a Third Time and passed.

REPORT

MR. GRIFFITH-JONES: I beg to report that a Committee of the whole Council has considered, clause by clause, the Municipalities and Townships (Private Streets) (Amendment) Bill, and has approved the same without amendment.

THE MUNICIPALITIES AND TOWNSHIPS (PRIVATE STREETS) (AMENDMENT) BILL

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING: I beg to move that the Municipalities and Townships (Private Streets) (Amendment) Bill be now read a Third Time.

Question proposed.

The question was put and carried.

The Bill was accordingly read a Third Time and passed.

REPORT

MR. GRIFFITH-JONES: I beg to report that a Committee of the whole Council has considered, clause by clause, the Municipalities (Amendment) Bill and has approved the same without amendment.

THE MUNICIPALITIES (AMENDMENT) BILL

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING: I beg to move that the Municipalities (Amendment) Bill be now read a Third Time.

Question proposed.

The question was put and carried.

The Bill was accordingly read a Third Time and passed.

COMMITTEE OF SUPPLY

Committee of the whole Council—Order for Committee read, Mr. Speaker left the Chair.

IN THE COMMITTEE

[Mr. E. N. Griffith-Jones, Q.C., in the Chair]

SUPPLEMENTARY ESTIMATES No. 3 OF 1954

(Governor's Consent Signified)

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move:

BE IT RESOLVED that a sum not exceeding £5,047,085 be granted to the Governor on account for or towards defraying the charges of supplementary estimates of expenditure No. 3 of 1954, Part 1.

This, Sir, contains the item which I did inform the Council would be presented to them in the supplementary estimates of £5,000,000 as a contribution to the Emergency Fund. I do feel, Sir, that we have ranged considerably over the expenditure involved in this head, and, although it would of course be possible for hon. Members almost to start a complete Emergency debate again, I do not propose, at this stage, to go into any details, but will endeavour to answer any questions that are asked.

Apart from that, Sir, I do not think I have anything to say, the memorandum notes are, I think, adequate.

Question proposed.

Serial Nos. 1, 2 and 3 agreed to.

Serial No. 4

MR. COOKE: There is a point I would like to be satisfied on in these Supplementary Estimates, and that naturally concerns the Emergency cost. I feel that if something is not done, and rapidly done, then we will have many more of these supplementary estimates to deal with in a year's time.

I must return to the charge of this afternoon, earlier this afternoon, and ask what practical steps the Government is to take to deal with the rebels in the forest. It is all very fine to say as the gentleman on the other side—

THE DEPUTY SPEAKER: It appears to me that the hon. Member is out of order. We are considering item 4 in the Supplementary Estimates—Prisons.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I think the hon. Member is under a misapprehension. I think the item he wishes to raise this matter on, is No. 11—serial. No. 11, Sir. I think he has anticipated just a little bit. (Laughter.)

Heads 5, 6, 7 and 8 agreed to.

Head 9

LT.-COL. GHERSIER: Mr. Chairman, I am sure all hon. Members on this side of Council will give their approval to the Government's intention to subscribe pound for pound to the Kenya Athletic Association's campaign to raise sufficient funds to send a team of Kenya athletes consisting of ten athletes and two officials to take part, for the first time in Kenya's history, in the British Commonwealth and Empire Games to be held in Vancouver from 30th July to 7th August.

Now, Sir, I have been informed that the Association has already collected some £2,000, and there is every prospect that they will succeed in collecting, from all sections of the community in Kenya, sufficient to bear half the cost of that team, but, Sir, I just have been recently informed that the cost of air, rail and sea has now gone up, due to a recent increase in the rail fares in Canada, and so much so, that the sum required now will be £6,400 instead of the estimated £5,000.

Now, Sir, I am sure we all appreciate the excellent publicity that the participation of a united Kenya team will do

for this Colony in Canada. If the hon. Minister opposite confirms that what I have said is the case, I would like Government to give consideration, anyhow to contributing pound for pound on the increased amount which would mean £3,200 instead of the present limit of £2,500.

As hon. Members probably are aware, Sir, in addition to Mr. Derek Erskine, who is the President of the Kenya Athletic Association, Sir Godfrey Rhodes is to accompany this team, he is very well known in Canada and his family is, and his aged mother lives in Vancouver. Although aged—she is 90—she is looking forward to acting as hostess to this team, I am sure at this stage, Sir, we do realize that we must try and substitute good publicity in the world for what, at the moment, is bad publicity and I think this will have the desired effect.

I do hope, Sir, that there will be nothing which will force even one or two of that team being held back because of lack of additional funds.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, with of course that atmosphere of personal appeal, and the well-known weakness of the hon. Minister for Finance to personal appeals made from the other side of the Council, there can be no question about it that of course we will consider the matter sympathetically. Indeed, I will almost say that we, on this side of Council, feel sure that the letter in *The Times* alone was worth a lot of money.

On this one, Sir, I would however say to the hon. Member for Nairobi North, and he will understand, that this will probably be a matter of urgency and, indeed, it may be necessary to take money from the Civil Contingencies Fund if I have to exceed the amount now being authorized, I hope, by this Committee. I take it that, under those circumstances, I may look forward to the support of the Civil Contingencies Fund for this purpose.

Head 10 agreed to.

Head 11

MR. COOKE: Mr. Chairman, in retrospect, I am very grateful for you having ruled me out of order because I have had the opportunity of finding a note, which otherwise I would not have found!

[Mr. Cooke]

Sir, I do not want to repeat my opening remarks, but my criticism is, first how long are we going on paying these large sums into the Treasury, and secondly when are we going to be relieved of this dreadful monster of *Mau Mau*.

I have, from the start, urged, Sir, that the only way to deal with the terrorists in the forests, is to go and kill them in the forests. In some way exterminate them and I agree entirely with my hon. friend Mr. Mathu when he says it is no use, or very little use, concentrating your attention merely on many of the quite decent Kikuyu in Nairobi, and letting the thugs have more or less their own way in the forests.

Now, of course, it is always said by people who really do not know the forests, and I must say I was very much intrigued when my hon. friend, the European Minister without Portfolio, asked me if I had ever seen the mist in the forest. Well, if I have seen them once, I have seen them hundreds of times because most of my younging days were spent every week-end hunting in the forest at 10,000 ft., and, at the present moment, I live in the forest at nearly 9,000 ft., and if my hon. friend will do me the honour of visiting me some week-end, I will take him up, even in spite of the *Mau Mau*, into the forest and will show him as the Irishman said in the play, "The mist going up the hill and the mist coming down". I will show him I am well acquainted with the forest, and I am also well acquainted with the fighting in the forest.

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING: On a point of order, Sir, is it right for the hon. Member to continue a debate that has just been concluded, by referring to points made in that debate and answering them in a different way?

MR. COOKE: I had indicated in a previous debate concerning this matter that I would be raising it at another time, Sir, and the reason why I did not keep this Council during the previous debate was because I did not want to waste the time of the Council on two occasions.

THE CHAIRMAN: I think the hon. Member is strictly out of order in refer-

ring to an earlier debate in the same sitting—certainly even probably in the same session.

MR. COOKE: I am afraid I did not catch the point. By referring to the debate the other day? Well, if one is not allowed to refer to a previous debate, one could not even refer to the hon. gentleman, the Minister for Finance, when he first introduced his Motion. I do contend, Sir, that we must refer to earlier debates.

THE CHAIRMAN: The hon. Member is not entitled to continue in Committee a debate which has just been concluded in the Council. If you will give me a few moments, I will try to find the appropriate reference.

MR. COOKE: I was not really referring to the debate on "General China"—the so-called "General China"—I was referring in general—if I may—to the conduct of the Emergency. Surely that has got a great deal to do with the expenditure proposed?

I have always been a critic, and I am still, because I do know that you can deal with these thugs in the forest, and, if I may be permitted, I would like to read out how they were dealt with last week. This is a handout from the Information Office.

THE CHAIRMAN: Would the hon. Member let me read this. I do not want to mislead him or the Committee. The reference in Erskine May is as follows: "Reference to debates of the current session is discouraged even if such reference is not irrelevant, as it tends to reopen matters already decided. The same result is often obtained by indirect methods". (Laughter.)

I therefore do not want to give the impression that the hon. Member is strictly out of order.

THE EUROPEAN MINISTER WITHOUT PORTFOLIO: Mr. Chairman, with all due respect, Sir, I believe the hon. Member is in order. I think he has a right to raise a matter of grievance on a money matter. In effect, what the hon. Member is saying, is he does not like voting this money because he thinks it is being mis-spent and I think he has every right to do that. I also think, out of fairness to the Council, he should abstain, if he can, from repeating himself two or three times over.

THE CHAIRMAN: That is entirely in accord with the ruling I have given when I read out from Erskine May that such references are discouraged, but not necessarily out of order.

MR. COOKE: I hope, Sir, I am quite clear on the position. You will no doubt, Sir, call me to order if I get out of order again. (Laughter.)

In order to show that the thugs can be dealt with in the forest, as they were dealt with last week, may I read this from a handout which is very significant. "Having given battle near the forest, the thugs fled into the forest. Next day they were engaged and their position was mortared by the K.A.F. and a sweep of the area was continued". This was in the forest. "Several other contacts were made with the gang during which more casualties were inflicted. The final figures that have been received concerning the incident, are 20 terrorists killed, 5 captured, 4,303 rifles captured, Very-light pistols, 4 home-made weapons, etc., without any casualties on our side".

Now this was in the forest and that was a very successful action. My contention, Sir, is if that type of action were repeated, not once or ten times, but a hundred times, we would soon be free of the terrorists in the forest. I have always held that it is most unfair to blame the ordinary Kikuyu for not coming right out on the Government side, because by night and by day this terror for them exists; and I believe, the experience of every country in the world in a civil war has been that the people have always shown the same reluctance to come out on one side or the other. They have been so terrified by their experiences. We are not all perhaps as courageous and brave as some of the hon. gentlemen on the other side of the Council. I do not know how many of them have had actual war experience. But I see on the front bench my gallant warrior, the hon. Minister for Agriculture, and I am sure he had a lot in the first war. I think it is very unfair to blame the Kikuyu for not coming actively on the Government side—especially as they know that two very prominent Nairobi Kikuyu were assassinated who had come out on to the Government side. Therefore I say that one of the first priorities should be to tackle these people in the forest and to

exterminate them there and not until you do that will this menace end and we stop spending this money month after month, year after year.

With regard to using the Royal Air Force in the forest, which has been remarked on many a time, and not only in the last debate, I would like to ask my hon. friend, as he said that there were incidents of something over 60 being killed by bombing, whether in an incident like that, Sir, troops could follow up and take photographs of the bombing. As I said before, let us see some of those photographs—even though there is not much of the rebels left after that bombing. There must be a leg or two, or something to be shown as a result of the bombing, but my information is—from a number of Air Force Officers, not Air Force Officers but flying men in Kenya—that practically no damage whatsoever is done and, as my hon. friend, the gallant Member for Nairobi West said the other day, the bamboos are hardly affected by any bombing of that nature. So if my hon. friend will do us the honour of producing some photographs, I would certainly be very naturally prepared to take the same optimistic view that he takes himself. Until that is done, I will remain critical.

So far as the distance camps are concerned I will not refer to them now, as I will have an opportunity later on.

Those, Sir, are my main objections to voting money now—that we are not taking strong enough action; and that if we go on in this way, year after year—we have been in it over 18 months now—there will be no improvement and the rebels will be gaining in morale and the other tribes, to which reference has been made, will also become more and more affected.

MR. MATHU: Mr. Chairman, Sir, I would like to support what my hon. friend, the Member for the Coast, has said, and to give one concrete example of what I said earlier, that there seems to be no strong sense of urgency in ending the Emergency in the way that most of us would like.

Not very long ago, Sir, in the area that I live—not very far away from here in the Ngong forest—the gangsters came very near my place and removed some

[Mr. Mathu] stock from a neighbourhood. The following morning the headmen and the Kikuyu Guard followed the footprints into the forest. They got the gangsters with one beast killed. They were about to flay it, and they had a live one tied to a tree. They also had a hut—a permanent hut—built and two tents built. It was a home, Sir, on the edge of Magadi River which later becomes the Athi River when it goes right down; and there were three chaps there, three of the gangsters, and one was preparing the soup, the other was flaying the skin of the animal killed and the third was making the dough in the tent. The headman fired, and the three of them bolted and they were never discovered. The headmen and the Kikuyu Guard, of course, got the tents and the paraphernalia in them and removed them to Dagoretti Police Station. Since then we have been waiting to see the Security Forces combing the Ngong forest, but, to my knowledge, nothing has been done so far. It is about a fortnight or ten days ago and I do think the people in the area that I am referring to now feel that the gangsters have had their way. Although their home was destroyed, there has been no coming out, and it is known locally now that since the Operation "Anvil", there has been a strengthening of the gangsters in the Ngong forest—next door to Nairobi City.

I would like to say, Sir, that if that is the kind of thing that has been happening far away from the eyes of some of us, in Mount Kenya and in the Aberdares, then there is something wrong in the operation against the gangsters in the forests, and if that continues, then we are going to continue with the Supplementary Estimates Vote for £5,000,000. When action is not taken quickly to eliminate the gangsters in a small forest like Ngong, I suggest, Sir, we will have to do more, even without the aeroplanes and things to get into the forest and remove these homes.

I would like to say also that just before the Operation "Anvil" gangsters from the Aberdares and Mount Kenya were recruiting teachers. They have got schools now, and they have got the women on their side because they say the women will go to the forests to have their children educated, and if we do not get

into the forests, then how are we going to end this thing?

THE MINISTER FOR FINANCE AND DEVELOPMENT: On a point of order, Sir, we are, after all, moving into a general debate, and I would suggest that under 136 (c), which is also governed by 137 (b), "Every Motion to reduce the amount of a Vote, Head or Sub-head of the Annual Estimates . . ." in this case Supplementary Estimates, . . . shall relate to a single item in such Vote, Head or Sub-head and shall be moved in the order in which such item appears in the Estimates, but any Member may seek information with respect to any item without moving a reduction thereof", if indeed there is to be a debate of this kind, we must keep it in form. There should be a plain reduction; so that we shall know that we are actually embarking on a general debate.

MR. COOKE: I suggest we are asking for information when we get up. If the hon. gentleman does not want it this way, we shall have to stage a full dress debate and occupy his attention for two or three whole days.

THE MINISTER FOR FINANCE AND DEVELOPMENT: With all due respect to the hon. Member for the Coast, we had our time occupied for several days in a repetition of this kind, Sir. I am not trying to stifle the hon. Member. He knows that I am one of the protagonists of reasonable limits to speeches in this Council, but I am saying, Sir, that if we are going to embark upon this, then the hon. Members should face the fact that they should move a reduction in the item and that we should know we are embarking on a full dress debate again, but, Sir, with all due respect to the matter that has been raised, I do submit to you, Sir, that this is not a question of asking for information; we have been listening to an expression of opinion for some considerable time now.

MR. MATHU: On a point of order, can the Minister then give us any information on the point I have raised about why we allow these gangsters in the Ngong forest?

THE MINISTER FOR INTERNAL SECURITY AND DEFENCE: The hon. Member's point, I think is this. That the fact that a gangster can go camping in his front garden, is an indication that things are not being properly conducted

[The Minister for Internal Security and Defence] in the forest? If he can give me details of the first incident, I shall be very happy to inquire into it.

THE MINISTER FOR COMMERCE AND INDUSTRY: With the greatest respect, Sir, on a point of order referred to you for your consideration; I would have thought the hon. Member for the Coast had expressed his opinion both forcibly, clearly and well, and I thought the point of order was that if he wishes to make general criticism, he must propose a reduction, or otherwise merely seek information.

MR. COOKE: Dealing with the hon. gentleman's explanation, we would not be asking for any reduction as there is no need to ask for a reduction unless the explanations we are demanding are unsatisfactory.

THE CHAIRMAN: On the point of order which has been raised, I propose to apply the Standing Order which has been referred to me—Standing Order 136 (c) as applicable on Supplementary Estimates by virtue of Standing Order 137 (b). That is to the effect that on Supplementary Estimates, Members may seek information with respect to any item without moving a reduction thereof, or move a reduction.

THE EUROPEAN MINISTER WITHOUT PORTFOLIO: Mr. Chairman, Sir, I would just like to answer the points that the two hon. Members opposite have raised. I can assure the hon. Member for the Coast that we are very much alive to the problem of the gangsters in the forests, but it is not a priority number one as it has rank *pari passu* with the problem of the reserves, in which we must prevent the assassination or the elimination of the loyalist movement and the problem of Nairobi.

In particular I would draw the hon. Member's attention to Nairobi, because he has, I think, very quickly skimmed over it. We have definite evidence that in Nairobi, built up by the Kikuyu supporters of the Mau Mau movement; is a complete chain of support to the administrative side of the movement to the gangs in the forests. Indeed there are gangs in Nairobi whose sole function is to collect ammunition, pistols,

clothing, equipment and medical supplies and transmit them through a chain to a specific gang in the forest. In other words, gangs in the forest are allocated to supply gangs in Nairobi. The hon. Member will therefore forgive me if I point out to him that the concentration on Nairobi is a necessary corollary to more effective action in the forests, because it denies the enemy their supply base.

Now, Sir, I will not argue about it any longer. We have special roads built in the forests from which we reach these relations to which I have referred—but I will make this offer. I will arrange for the hon. Member to have a complete tour of the forest areas so that he can see the operations that we are staging, and, if when he has done that, he will write a report upon improvements in our technique, which with his very great experience in the past he could give us, I will promise him that we will consider it properly.

Now, Sir, to the hon. Member for African Interests. All I would say about him is this, Sir. As the hon. Minister for Defence said, I do not know the incident to which he refers, but I will say unequivocally again, that we must have these uncorrelated incidents everywhere, because we have not got unlimited forces. Indeed manpower and leadership is one of our great problems to deal with gangs of that nature. Now again I will make this offer. Member an offer. I will say that he is sincere in his desire to end the Emergency, and if he will offer his services, I will ask the Commander-in-Chief to place at his disposal a Kikuyu Guard patrol, and we will have the greatest pleasure in accepting any offers he likes to make to lead that patrol into the forest and deal with the enemy himself. (Applause.) (Laughter.)

MR. COOKE: Mr. Chairman, as for the position in Nairobi, as a matter of fact, the hon. Member for Nairobi North—and myself—drew attention to the position in Nairobi one year ago and no action was taken in that matter. But I say that *pari passu*, there must be action in the forests as well as in Nairobi; they are both important, and though I congratulate Government on the way it has handled the situation in Nairobi, it is a very good bit of work—I do not congratulate them

[Mr. Cooke]

on the way a lot of those people were treated who were arrested—but what a lot of us want to see in the forests is real fighting. Perhaps employ the Nauders and others, led by young Europeans who know the forests, and that is the only way we feel the terrorists can be dealt with in the forests.

(Mr. Mathu rises.)

THE CHAIRMAN: Does the hon. Member wish to move a reduction or seek information because I do not propose to allow a general debate, as is developing at the moment, to go on any longer.

MR. HARRIS: Mr. Chairman, Sir, I think that I should make the position quite clear as far as Members on this side are concerned in connexion with this particular item on the Supplementary Estimates. We understood the position, Sir, as you have ruled, but some Members felt that they should have a full dress debate on the Emergency. Other Members on this side thought we should probably save a lot of time; we should probably save a lot of time of the hon. Ministers and Members opposite, who could be getting on with the Emergency. If they were not sitting in Council, by at any rate having points raised on the Supplementary Estimates rather than having a full omnibus debate such as has taken a great deal of time in this Council in every sitting for about the last six. But, Sir, if any Members on this side wish to intervene, then I am afraid, I must—as I advised them to take this course—move a token reduction of £10 in this Vote.

THE CHAIRMAN: Has the hon. Member moved that Motion?

MR. HARRIS: Yes, Sir.

MR. COOKE: Seconded.

Question proposed.

MR. COOKE: I am sorry to return to the charge. I contend if the hon. Member without Portfolio had taken effective action a year ago—eighteen months ago as a member of the Emergency Council—then it is our contention that the Emergency would have been over long before now. Whatever satisfaction I draw from the hon. gentleman saying that something has been done is lessened by the fact that it should have been done eighteen months ago and how can we

possibly have confidence in people who neglected to do this in the past. What confidence have we that they are going to pursue a ruthless campaign in the future? It is because I want to impress on my hon. friend that unless, and until, he does that, no man and no words will kill the thugs in the forests. It is only by ruthless action in the forests that it can be done, and until I am satisfied and until I am sure, and the rest of my colleagues on this side are satisfied, we shall pursue the matter. We recognize something is being done, but we do not think enough is being done.

MR. MATHU: In supporting the Motion moved by the hon. friend the Member for Nairobi South, I would like to say that I will give the details to my hon. friend the Minister for Internal Security and Defence about this incident.

I would also like to say to the Minister without Portfolio on his offering me a service with a Kikuyu Guard patrol, I think I would not have expected him to say that. What can I do with a Kikuyu patrol? I have not got all the forces behind me as the Minister has. In fact I think it was most unfortunate that he should give that offer to me because I have no executive responsibility anywhere and in any case I have no forces behind me. He did not give details of the strength of the Kikuyu patrol he is going to give me; what ammunition and firearms, and the rest of it. He is going to give to me and everything and I do think it was most unfortunate for him to say so, in fact, I thought it was a very defeatist move on his part to make a suggestion to a humble person like myself in this regard. What I am putting up to him, Sir, is that we want the Emergency to end quickly and the way to do it is not to say I will have a Kikuyu patrol to go into the forests myself—it is just the opposite. I have no military experience—nothing. What I put to the hon. Minister is the situation as I see it and being the man in charge of these matters, the influence in the War Council, I think it is up to him to see that we do not spend a further sum of £5,000,000 in another fortnight. That is the position as I see it and I do think he should see the view we are expressing on this side of Council. It is a matter of urgency. We want to eliminate the situation we are in now and we do think, as my hon.

[Mr. Mathu]

friend the Member for the Coast said, the way to do it is, number one, in the forests. As long as you have the Kikuyu knowing that there are gangs in the forests, that there are the so-called "Generals" in the forests, you will have a large number standing on the fence, and that is the position. If they know there is nobody in the forests to support with food supplies and ammunition supplies and so on, then they will come definitely on the side of law and order. Without that I do not think we are getting anywhere.

My final word, Sir, is that I should like to suggest to the Government that it is important that, as far as they talk about the administrative machinery of Mau Mau in Nairobi for supplies of all sorts, I would like them to consider this question. This source of supplies, to the Mau Mau, ammunition, firearms—have we got a case in court? Have we got the people who are supplying arms? We have the law, but have we anybody at the guillotine who has supplied Mau Mau with firearms and ammunition? I do think it is a very vital matter. As long as the Mau Mau still continue to get arms and ammunition from the people in Nairobi or in any part of the country, and we there is no end to this thing and we are going to continue to pay £5,000,000 any time the Minister knows we require that money, it is a very important matter and I would like to get Government to direct their attention to this matter.

MR. COOKE: The money has surely been voted for the professional soldier in whose duty it is to fight the people in the forests and not the poor miserable civilians like ourselves on this side of Council. The hon. gentleman is most gallant, why should he not lead a patrol into the forest, in much the same way as he suggested to my hon. friend Mr. Mathu. In fact I would go with the hon. gentleman, very gladly, into the forest with him. He and I could perhaps go patrolling in the forest!

GROUP CAPTAIN BRIGGS: Mr. Chairman, Sir, from what the hon. Minister without Portfolio said, it does seem to me that the trouble that does occur in most wars has arisen—that is, insufficient forces to deal with all fronts at once. In other words, whilst large numbers of

troops are engaged in "Operation Anvil" and in the reserve and so on, as many troops as we would like are not available for action against the terrorists in the forests and on the moorlands. Therefore, I would like to, once again, raise an old hardy annual which I have referred to previously in this Council and elsewhere. That is, in view of the reports of the improvement in the State of Emergency in Malaya, I wonder whether it would be possible as a temporary measure, until we have built up our own force, in order to bring operations to a conclusion sooner, I wonder whether it would be possible to approach the War Office with a view to the loan of some battalions of Gurkhas from Malaya. I understand—here I cannot vouch the information—but I believe that there are something like eight battalions of Gurkhas in Malaya and I think it would be a very generous gesture on the part of the Government of Malaya if they were able to release some to assist us temporarily in this country.

Furthermore, the climate, I believe, in that country is very unsuitable for the Gurkha. He is used to living at a high altitude and, in fact, is used to operating in very much the same conditions in which our troops are called to work, under out in the forests and on the moorlands. Indeed, in some respects, it might almost be regarded, if not as a rest, at least as a period of rehabilitation in regard to their health and so forth.

MR. AWOBI: Mr. Chairman, while I sympathize with the views given by my colleagues on this side of the Council, I think it is a bit unfair if we do not give credit where credit is due. I feel that we had two bad places and those were Nairobi, first, and then the forests.

Now since Operation "Anvil" there has been an improvement in the situation in Nairobi. Now I think we should be grateful to the authorities behind it and if they have asked us for money and we would like to see this money properly spent let us encourage them. "You have cleared Nairobi, let us see you clear the forests."

MR. SLADE: Mr. Chairman, I do not think any of us want to enter into a full dress debate on the Emergency, but I support this Motion as a Motion for a nominal reduction as indicating that

[Mr. Slade] We are not yet entirely satisfied with the tempo of Government's handling of this Emergency.

Now a good deal has been said about various aspects of the Emergency in recent debates; but perhaps I may now draw some of the threads together and without throwing out very much contentious matter I would make a few points in sequence.

The first one is one which is worrying all of us on this side, that is the emphasis on gangs. I feel it is very necessary because, as I see developments, the picture of the whole activity of *Mau Mau* is falling more and more into the work of gangs to the exclusion of the positive activities that were previously carried out by *Mau Mau* elsewhere. I believe it is developing more and more into *Mau Mau* elsewhere being passive adherents, and all positive activity being conducted by the gangs, even down to the administration of oaths.

Now we do understand that in order to deal with the gangs we have got to deal with those who help them. I would emphasize that something might yet be done more than is being done at present to curtail the opportunities that the forest squatters have to help gangs in the forests. At the same time I would like the others in expressing great appreciation of the way Government has tackled the nerve centre in Nairobi. There is no doubt that there was a very great need for that. There is no doubt of the great skill in which they conducted this operation. I think we all extremely appreciate that. There may have been mistakes on a small scale, but it was extremely well conceived and run and was almost the first priority—if not the first.

The next point, Mr. Chairman, I need only just mention it again, because we have argued it before, but it is in our minds, vital. It is a case in which we have not seen the sense of urgency we hoped for—the forfeiture of land of other occasions. For reasons already stated on contribution not only to ending the active battle, but also the psychological battle we have got to win now and afterwards. We must forfeit the land of the active rebels, and not at the rate we are doing it at present.

The next point which has not been discussed before—again I think that is most of us regard this as important—is the further development of the Kenya Guard, not only in the reserves, but also in the settled areas where it has only been developed very little so far. Unless it is under close European leadership, I think it is not only of little worth, but possibly quite a danger if it is not closely supervised by Europeans. The European and a small number of Africans, in close contact, together have proved what they can do in this Emergency and I believe they are establishing a relationship which will be of value afterwards. Where you will get the Europeans from, I know, is most difficult. The Kenya Regiment is the most obvious source, but one must be careful not to draw on the Kenya Regiment to such an extent that its identity is completely destroyed. It is too valuable.

The next point, Sir, is the question of European manpower. It occurs to some of us that if we cannot supply all our needs in this country, we may have to look again and be prepared to recruit from overseas, but I do feel that the use of woman-power has not been developed to the utmost. In my own experience, Mr. Chairman, I have little faith in conscripted woman-power—(Laughter.)—but woman volunteers can be very valuable and I do not think we have made enough appeals to volunteers for work in which they could easily replace active men—telephones, clerical work and so on.

I do submit, Sir, on the question of manpower again, I raise this question that it may be considered once more—the curtailment of long leave. Now that was the policy of Government at the start of the Emergency but it has been discontinued. I suggest that it should be considered again. I know very well that some people who are working on Emergency jobs, or in their ordinary jobs and owing to the shortage of staff are working under difficult conditions must have holidays, and holidays of a month or two sometimes. I know some people go sick and must have holidays on that account, but routine holidays of six months I do not think can possibly be justified when at the same time the departments from which those people are going on leave are crying out against any one of their men being taken for the Emergency

[Mr. Slade] It just does not make sense—the Forces. It goes together. If they cannot spare two men together, if they cannot spare one man to go to the Security Forces, they cannot spare one man to go on six months' leave.

African rehabilitation, Mr. Chairman, is a matter that has been spoken of already. It is a big subject and one that worries us very much, but I will not speak any more on it to-day.

There is a further point which I think no one has spoken on in the last few days, that is the great anxiety with regard to the spread to other areas. There is evidence of a serious spread to Ukamba and Masai land. All I would ask is that Government should not delay Emergency action too long in any of these areas in the sort of ostrich-like mood of trying to pretend they are not as bad as they are. It is awfully important that we should be ahead of the enemy instead of behind all the time. I would ask that wherever there is the least sign of mischief arising in a new area, we will use all the Emergency paraphernalia and treat it as a special area—with curfews and the rest. Do not wait too long.

The last point is only by way of summarizing points made previously. It is our view—I cannot speak for all my colleagues, but I do speak for quite a number of them—for reasons already given in a previous debate, that the cost of this Emergency is ultimately the responsibility of the United Kingdom to finance.

THE EUROPEAN MINISTER WITHOUT PORTFOLIO: Mr. Chairman, I do think that the hon. Member for Nairobi South is to be congratulated on putting this dispute into a proper form. It is very much more easy to answer these points than to indulge in the sort of cross-talk which was developing between the hon. Member for the Coast and myself.

Sir, in regard to the point made by the hon. Member for Mount Kenya, may I say that when the Chief of the Imperial General Staff was out here he discussed the whole aspect of more troops. I think it is wishful thinking to imagine that we can draw troops from Malaya at the present time, especially with the threat which may develop from Indo-China.

In general, with regard to more troops, we have got, I feel, to accept the responsibility of being part of the Commonwealth, which is indeed at the present time contributing very fully to our defence. It would seriously embarrass the Commonwealth at the present time to release more troops if we can possibly manage without them.

Now the military advice which we have had is that we can manage without more troops, but it does mean, of course, that we cannot have all the things we want all the time. All I want to assure the hon. Members is that it is a matter the War Council has discussed. We have accepted in that matter that the over-riding dictate must be that of Imperial strategy.

Sir, the point made by the hon. Member for African Interests, who has now, I think, left—Mr. Mathu, I would assure the Council that we have now instituted a method of positive detection of ammunition losses. The Council will not expect me to disclose the method, but we have it in being. From that we will be able to discover exactly whether the ammunition is passing from our own forces to the enemy, or not. If it is passing, then hon. Members can rest assured that the Government will take drastic action to prevent it.

Secondly, we do know, from ammunition captured, that a great deal probably came into the country after the Abyssinian campaign because a great deal of the captured ammunition is Italian ammunition of a calibre not normally used by our security forces.

The Council will be interested to learn that as a result of Emergency Regulations dealing with the licensing of firearms and the co-operation of the public in carrying out those regulations and in the giving up of their firearms, we have, for some weeks now, had a very remarkable reduction in the loss of firearms. We are still losing firearms, but we are losing them at nothing like the rate that we were six or seven weeks ago when it was a very serious and dangerous matter. Further, recently, our recoveries of firearms have, for some weeks, exceeded the losses, and in many weeks, equalled the losses. But this is a complete reversal of the position a few months ago and it is a tribute to the way the public them-

[The European Minister without Portfolio] selves have co-operated in the matter of firearms.

I would just like to make this one plea, Sir. A lost stream automatically, as I said the other day, increases the capacity of the enemy to an amount in the gangs in the forests of between eight and ten bodies. Because the ratio that they maintain is eight to ten bodies to one precision weapon—the other men carrying bottle-made guns and African weapons.

Sir, some remarks were made about "Anvil" and I would only like to say this, that the immediate plan after "Anvil" will be set in motion immediately "Anvil" is finished. I would not, for obvious reasons disclose it, but there is a plan and the War Council is already working on the subsequent phase afterwards. I want to stress this, in all the planning, it is essential that firm control and consolidation in the African land units in the Kikuyu country is established. We are planning to do that. We are planning to do it by a gradual transfer from the military machine to a very full and wide administrative control. The moment that is done, we shall have the maximum availability of force to use against the forest, but until that is done, we have to accept the three priorities of the forests, consolidation and firm control of the African land units and dealing a blow to lawlessness in Nairobi.

The hon. Member for the Aberdare, I think, Sir, raised the question of further development of the Kikuyu Guard. Would he accept an assurance from me that it is top priority at the moment and is proceeding extremely fast to the exact doubling, or even more, of the number of Kikuyu Guard posts as a method of establishing this firm control in conjunction with the enhanced and increased administrative machine? It is also being pursued as fast as we can get it done by co-operation with farmers in the settled areas and direct instructions to that effect have been issued.

Now in all that matter, Sir, there is a limiting factor and it is one which we cannot get over in a hurry—that is manpower, and particularly local manpower. The hon. Member mentioned the Kenya Regiment and I believe Members will be

pleased to hear that the decision made at the War Council is that the Kenya Regiment will not, in any way, be lowered from its present standard and followed. It is, in our estimation, a vital factor in the Emergency. We believe it would be of the greatest disadvantage to weaken it or to reorganize it in any way. We have, by a readjustment of manpower, which will interest hon. Members, because it has actually used womanpower as well as Asian manpower, managed to release from that Regiment 30 leaders for that specific purpose of increasing the Kikuyu Guard. The point that I am trying to get over to hon. Members is this. The limiting factor in all our operations is manpower. We must keep the Kenya Regiment in being, not only as a military unit, but as a leadership unit and we do not intend to draw from the Kenya Regiment for leader manpower which will reduce it below those roles. We must not take from the Kenya Regiment more leader manpower than is consistent with the policy of keeping that Regiment an effective military unit. Further, on manpower, the hon. Member will be interested to hear we can supply the needs—which we need in the future for the successful unfolding of the plans which we are making—in sufficient quantity we cannot see how we can supply manpower from this country. With the very active co-operation of the Minister for Finance—we have also set in motion a plan to recruit manpower from overseas in addition to that already recruited, which is substantial for the further carrying out of that plan.

The hon. Member for the Aberdare also raised the question of leave. I am not going to discuss it in detail because I believe he has a Parliamentary question down, which the Minister concerned will answer. I would only say this: from the Emergency angle, there are two factors which we must consider. The first is the great wear and tear falling on officers in the disturbed areas. I think it would be correct to say that the District Commissioner, who is in for instance, areas like Fort Hall, is under a considerable strain. It would be folly to prevent that man from having leave, which is necessary, if he is to return as an efficient unit to the fighting machine, whether as a military or administrative unit.

[The European Minister without Portfolio]

Secondly, I would point out that the great danger in the Emergency—I will deal with it a little bit later—arises out of the point the hon. Member for the Aberdare made. It is that we must not allow the vortex of the Emergency areas, the troubled areas, to suck into them all our available manpower—or most of our available manpower—thus leaving our people in the quiet areas under great strain, because they are overworked, doing double duty or treble duty, or because in some cases they are trying to correct a situation that has slightly deteriorated.

I think the hon. Member again might be interested to know that Government is already considering the whole question of reconstruction—and post-Emergency development—immediately the active element in the terrorist movement is eliminated.

Lastly, Sir, I would like to speak very frankly about the spread, because I think hon. Members have a right to know the position. There is an element of spread of the Mau Mau movement, as hon. Members opposite know, in Ukambani—especially in one location. We have traced the sources of that infection, we have dealt with it as severely as we can. I think I would be correct in saying at the moment the position is very much improved. We should pay a great tribute to the actions of the Administration—in dealing as they did in this matter—they did so speedily and effectively. (Hear, hear.) We also have a slight disaffection in Masai country, due to the fact that in certain areas many of the people are half bred with the Kikuyu tribe. Again I would like to assure hon. Members that we have not said, "We are going to take action"; we have already acted in that matter; we have taken such steps as can be taken with the manpower available to deal with this—and have set up a firm administrative control to prevent further disaffection.

Lastly, Sir, there is an element further west in Nyanza Province—again hon. Members will be interested to know that we are not waiting for the situation to deteriorate, we have actually acted already. We know the channels from which this disaffection is spread; we

know the manner in which it is disseminated and we are taking the necessary action. I think hon. Members will not expect me to say anything more than that at the present moment. (Applause.)

GROUP CAPTAIN BRIGGS: There is one point arising out of what the hon. European Minister without Portfolio has said in regard to the question of leave for members of the security forces and the Administration.

I entirely agree with what he said—I certainly believe that all those who are living under strain, it is most necessary if they are to remain efficient and up to their jobs, that they should have a period of change and rest. Therefore, I would be the last to oppose leave—as a matter of principle I think it is most necessary and I would not suggest it is entirely stopped, although I feel perhaps something could be done to cut down the period of leave, either by way of passages or something like that or possibly some curtailment. There is one point I would draw attention to: I may not be able to suggest the solution to this particular problem; on the other hand, I might be able to make some suggestion. That is the problem of the farmer in the disturbed areas. He, also, is living under a very considerable strain. Owing to the manpower situation, very often he is carrying on without a manager, or maybe the manager is carrying on entirely by two out—in normal times he might have two or three assistants, possibly more. The position is that those unfortunate people are quite unable to get away unless they can get a relief to look after their farms cannot leave but because if they leave their farms, they would immediately get into serious trouble with the authorities for having done so. I do not know whether it is practicable or possible to obtain volunteers from other areas—I think it may be that they are suffering very similarly themselves, owing to the call-up they may not be able to provide any help. Or again, whether it would be possible for the Board of Agriculture to provide some reliefs of some sort? I would submit to Government that this is a matter which might receive their sympathetic consideration, to see if anything could be done to alleviate the situation.

THE MINISTER FOR FINANCE AND DEVELOPMENT: On the question of leave, Sir, I would like to repeat what my hon. friend, the European Minister without Portfolio, said. The hon. Member for the Aberdare has a Parliamentary Question down on this question. Government has the answer to that Question under consideration. If, when the answer is given, the hon. Member is not satisfied, he will be able to raise the matter on adjournment and elucidate his points further. I would suggest that the question of leave should be left until that time.

MR. HARRIS: It is not my wish to embarrass the hon. Minister for Finance next time he has to write a cheque for the Royal Air Force—or rather, the Air Ministry. As I feel that the debate has served a useful purpose, with the agreement of my seconder, I would ask leave of the Committee to withdraw my Motion.

Serial Nos. 11 to 21 agreed to.

The question was put and carried.

SUPPLEMENTARY ESTIMATES No. 3 OF 1954—PART II

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move:

BE IT RESOLVED that a sum not exceeding £32,537 be granted to the Governor, on account, for or towards defraying the charges of Supplementary Estimates of Expenditure No. 3 of 1954, Part II.

This Part deals with the Civil Contingencies Fund.

Question proposed.

Serial Nos. 22 to 26 agreed to.

The question was put and carried.

SUPPLEMENTARY ESTIMATES No. 3 OF 1954—PART III

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move:

BE IT RESOLVED that a sum not exceeding £116,566 be granted to the Governor, on account, for or towards defraying the charges of Supplementary Estimates of Expenditure No. 3 of 1954, Part III.

This Part deals with Revotes.

Question proposed.

Serial Nos. 27 to 40 agreed to.

The question was put and carried.

DEVELOPMENT SUPPLEMENTARY ESTIMATES OF EXPENDITURE No. 2 OF 1954—PART I

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move the Development Supplementary Estimates of Expenditure No. 2 of 1954.

BE IT RESOLVED that a sum not exceeding £14,651 be granted to the Governor, on account, for or towards defraying the charges of Development Supplementary Estimates of Expenditure No. 2 of 1954, Part I.

Question proposed.

Serial Nos. 1 to 5 agreed to.

The question was put and carried.

DEVELOPMENT SUPPLEMENTARY ESTIMATES OF EXPENDITURE No. 2 OF 1954—PART II

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move:

BE IT RESOLVED that a sum not exceeding £81,100 be granted to the Governor, on account, for or towards defraying the charges of Development Supplementary Estimates of Expenditure No. 2 of 1954, Part II.

This part deals with the Civil Contingencies Fund.

Question proposed.

Serial Nos. 6 to 8 agreed to.

The question was put and carried.

DEVELOPMENT SUPPLEMENTARY ESTIMATES OF EXPENDITURE No. 2 OF 1954—PART III

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move:

BE IT RESOLVED that a sum not exceeding £11,880 be granted to the Governor, on account, for or towards defraying the charges of Development Supplementary Estimates of Expenditure No. 2 of 1954, Part III.

This part deals with Revotes.

Question proposed.

Serial Nos. 9 to 11 agreed to.

The question was put and carried.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that the Committee doth report to Council its consideration of the Motions on the Order Paper; and its adoption thereof without amendment.

Question proposed.

The question was put and carried.

Council resumed.

[Mr. Deputy Speaker in the Chair]

REPORT

MR. GRIFFITH-JONES: Hon. Members, I have to report that the Committee of Supply have considered Supplementary Estimates No. 3 of 1954 and Development Supplementary Estimates of Expenditure No. 2 of 1954 and have approved thereof.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that this Council doth agree with the Committee in the said Resolutions.

Question proposed.

The question was put and carried.

MOTION

INCREASED MEMBERSHIP OF THE SESSIONAL COMMITTEE

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, I beg to move:

BE IT RESOLVED that the Membership of the Sessional Committee be increased by the addition of: the hon. M. Blundell, M.B.E., the hon. A. B. Patel, C.M.G.

Sir, this addition to the Membership of the Sessional Committee is consequential upon the changes which have taken place in the shape and form of this Council. Certain additional hon. Members have been put forward from the other benches and have been appointed to the Committee. Now, Sir, Government additions are put forward. This is by agreement, and I think there can be no debate thereon.

THE MINISTER FOR COMMERCE AND INDUSTRY seconded.

Question proposed.

The question was put and carried.

COMMITTEE OF SUPPLY

Debate resumed.

MR. MADAN: Mr. Deputy Speaker, Sir, it seems that I have come at the tail end again. When we adjourned this morning, I had suggested to the Minister for Public Works that he might consider gently advising the Road Authority to pay more attention, or to give higher priority to the existing road work, so that they do not deteriorate as a result of new projects being undertaken and the existing road being ignored. I had, Sir, given examples of the Nairobi/Mombasa road and said, as a result of a slight shower, the road sometimes becomes impassable. Perhaps the expression "a slight shower" was a little exaggerated, but it is quite fair to say that some parts of that road become impassable as a result of reasonable rain pouring down.

The question of the development of these main roads is very important, because it would lead to the saving of a lot of cost in other directions, if we had tarmac roads such as the Nairobi/Nakuru road. It would lead to a great deal of saving for motorists, if nothing else, in their springs.

I would also suggest to the Minister that he might consider diverting the attention of the authorities concerned, it may not be the Road Authority in this instance, to the development of the Nairobi/Dundora road, where a large residential section of the Asian community live, and a road which is practically impassable the best part of the year. The reason for that is, that this particular area has become very important recently as a result of the development of residential houses in the area.

Secondly, as a result of the inhabitants in the area being able to send to Nairobi vegetables, milk and other dairy and farm produce which in these days especially, has been of great use to citizens of Nairobi, because we know that sources of supply from other areas, as a result of the Emergency operations, have dried up.

It would not be out of place to also refer to the roads which exist in the African reserves, and I am asking the Minister to pay special attention to that, because I consider the development of these roads of access would facilitate the

[Mr. Mādan] means of approach not only for the security forces, but in times of peace, for the inhabitants and it would enable the Africans to bring their produce out into the main trading centres.

ADJOURNMENT.

THE DEPUTY SPEAKER: Order, order. It is now time for the interruption of business. Before Council adjourns, I have been asked to remind hon. Members of the luncheon on Saturday for the International Federation of Agriculture Producers and to ask any Members pro-

posing to attend, who have not yet notified the Clerk to do so as soon as possible.

I have also been asked to inform hon. Members that drafts of their speeches of this morning's sitting are available in their pigeon-holes and, in order to assist the HANSARD reporters, they are invited to take them this evening and return them in the morning corrected.

Council will now stand adjourned until 9.30 a.m. to-morrow.

Council rose at fifteen minutes past Six o'clock.

Friday, 28th May, 1954

Council met at thirty minutes past Nine o'clock.

[Mr. Deputy Speaker in the Chair]

ORAL NOTICES OF MOTIONS

GUARANTEE OF BANK LOAN

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:

WHEREAS the Standard Bank Finance and Development Corporation Limited has agreed to advance to Uplands Bacon Factory (Kenya) Limited a capital sum or sums not exceeding in the aggregate the total sum of £240,000 for the purpose *inter alia* of enabling that Company to erect a new factory at Uplands upon the terms that the amount advanced together with interest at the rate of 5 per cent per annum shall be repaid by 80 equated quarterly instalments of principal and interest combined, the first of which shall be paid on the 31st day of December, 1955, or on such earlier day as shall next ensue after the expiration of six calendar months from the date upon which the erection of the factory shall have been completed;

AND WHEREAS the Agreement to make the advance as aforesaid was made by the said Corporation subject to the Government of the Colony guaranteeing to the Corporation the repayment thereof by the said Company together with interest as aforesaid;

AND WHEREAS the Standard Bank of South Africa Limited has agreed to grant to the said Company certain facilities by way of overdraft upon having the repayment thereof guaranteed by the Government of the Colony and subject to the total liability ultimately enforceable against the Government under such guarantee not exceeding the sum of £30,000;

BE IT RESOLVED that the Government enter into such guarantees as aforesaid in terms to be settled by the hon. Minister for Finance and that the hon. Minister for Finance execute all necessary documents on behalf of the Government for giving effect thereto:

Provided that the hon. Minister for Finance shall prior to or simultaneously with the execution of such documents ensure that the said Company shall execute in favour of the Government all such first charges over its immovable and movable property as the hon. Minister for Finance may consider necessary to secure the repayment to the Government of all such sums as the Government may be called upon to pay under the said guarantees.

REPORT OF THE PUBLIC ACCOUNTS COMMITTEE

LT. COL. GHERSIE: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:

That the Report of the Public Accounts Committee on the Colony's Accounts for 1951 be adopted.

SUPPLEMENTARY ESTIMATES OF EXPENDITURE—No. 4 OF 1954

(Governor's Consent Signified)

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir:

BE IT RESOLVED that a sum not exceeding £120,781 be granted to the Governor, on account, for or towards defraying the charges of Supplementary Estimates of Expenditure No. 4 of 1954, Part I.

BE IT RESOLVED that a sum not exceeding £30,001 be granted to the Governor, on account, for or towards defraying the charges of Supplementary Estimates of Expenditure No. 4 of 1954, Part II.

BE IT RESOLVED that a sum not exceeding £36,747 be granted to the Governor, on account, for or towards defraying the charges of Supplementary Estimates of Expenditure No. 4 of 1954, Part III.

DEVELOPMENT SUPPLEMENTARY ESTIMATES OF EXPENDITURE—No. 3 OF 1954

(Governor's Consent Signified)

THE MINISTER FOR FINANCE AND DEVELOPMENT:

BE IT RESOLVED that a sum not exceeding £19,809 be granted to the Governor, on account, for or towards defraying the charges of Development Supplementary Estimates of Expenditure No. 3 of 1954, Part I.

[The Minister for Finance and Development]

BE IT RESOLVED that a sum not exceeding £14,725 be granted to the Governor, on account, for or towards defraying the charges of Development Supplementary Estimates of Expenditure No. 3 of 1954, Part II.

BE IT RESOLVED that a sum not exceeding £5,757 be granted to the Governor, on account, for or towards defraying the charges of Development Supplementary Estimates of Expenditure No. 3 of 1954, Part III.

COMMITTEE OF SUPPLY

Debate resumed.

MR. MADAN: Mr. Deputy Speaker, Sir, I hope I will be able to finish this morning—this is my third attempt at it.

In the debate itself—I will now pass on to my next point, and it is a point which I made in the main Budget debate also. It is in relation to the standard of structure of our public buildings. In the main debate I suggested that the Minister might look into the buildings which are now being built and which are projected in order to ensure simplicity of design and to cut out frills to safeguard that no waste of expenditure will take place. I do hope, Sir, the Minister will look into the matter. I know he is conscious of it; he has referred to it in his own remarks.

Following upon that arises a very important question: whether the Minister would consider handing out more of the work of his Department to private enterprise. I am all for that, Sir, because such a policy would keep the Department on its toes and the employees would be faced with healthy competition from private enterprise. There are three results which I can suggest would happen if the Minister were to decide to follow such a policy, I suggest, Sir, that it would lead to a reduction in the costs. Secondly, it would speed up the construction of our buildings and eliminate the waste of time that seems to take place in the construction of buildings by the Department itself. I do not want to be unfair to the Department, Sir, and end up by saying that they waste time. It may be that it takes longer because so many people have to

scrutinize the projects and there are, perhaps, too many cooks handling this particular problem. The third result of such a policy would be, Sir, that it might lead to the creation of an association of building contractors in this Colony which does not exist until to-day. I think, Sir, an organized association of professional, or semi-professional people of that type would be in the interests of the industry.

Those are the three results. I suggest, Sir, would follow if the Department were to decide to hand out more of its work to private enterprise.

Lastly, Sir, I would ask the Minister if he is satisfied that the overheads in the case of his Department are not too heavy? It seems the Budget contains a formidable list of figures and I would ask him if he is satisfied that in all the estimates that have been put in—I am conscious that they were put in before he took his office—whether a reduction is not possible in those estimates.

Sir, I beg to support. (Applause.)

MR. USHER: Mr. Deputy Speaker, Sir, it has been stated, I think by the hon. Member, that the building programme of the Colony generally, both official and unofficial, was in some way retarded by what was described as the immigration policy.

Now, Sir, I am able to speak as to that, having served on the Immigration Control Board for some years now. What actually is being done in this. When a temporary employment pass comes to an end, the case is carefully examined and if the applicant wishes for permanent residence in this country, he is now, and has for some time, been trade tested. What we want to avoid, of course, is having half-baked masons and so on in the country. I felt it was right to explain that matter.

There is one question that I would like to ask the hon. Member, whose succinct and clear picture of the scene, as he has come upon it so suddenly, seemed to me so excellent. (Hear, hear.)

The question is this. Can he give some indication of the year's programme for building of Government houses, particularly in my own part of the world, Mombasa? There has been very great

[Mr. Usher] criticism about the slowness of that programme. Of course we all know the reasons for it. Nevertheless, the criticism is there, and people do feel that the general housing situation would be very much eased, and everybody would be greatly relieved, if we could know what was to be done, and that something was to be done fairly quickly.

Sir, I beg to support.

MR. J. S. PATEL: Mr. Deputy Speaker, Sir, I rise to congratulate the Minister for Works on his excellent maiden speech, and I was particularly struck, Sir, by the flexibility and adaptability that he showed after moving from this side of the Council, and I am thoroughly convinced that if people in this country showed the same amount of flexibility and adaptability as the circumstances in this part of the world change, I think we would experience a different climate.

I heard him saying, Sir, in the course of his speech, that his department gives out work on contract—work which his department is not able to do efficiently and expeditiously. I think, Sir, that course should be the other way round; work which the contractor is able to do quickly and efficiently should be given out on contract, and work which the contractors are not capable of doing, should be handled by the department. If that is done, I think there would be quite a lot of progress in the works which are under his control.

Coming to the item of roads, I hope and trust that he will do all he possibly can to have at least the road from Mombasa to Kisumu, Kisumu to the Uganda border—and Nakuru to the Uganda border via Eldoret in particular—receiving first-class and highest priority.

Sir, I beg to support.

MR. JEREMIAH: Mr. Deputy Speaker, Sir, I only rise to seek information from the hon. Minister with regard to the staff in the department we are discussing.

Sir, it has been the practice in the past of the Public Works Department to employ several staff on a temporary basis, and I would have thought; Sir, that such practice, which has been brought up in this Council several times, would have been discontinued, but I still find that there are some staff who appear

to be still employed on a temporary basis—unless, Sir, the printer is mistaken when not showing them as being permanent. I believe, Sir, that if we want to employ people and to get them in employment and expect them to give of their best to their job, it is necessary that they should be employed on a permanent basis. Now, Sir, the people who are concerned in this case, are not only Africans, but they are of all races, and range from clerks to draughtsmen, from mechanics foremen to road foremen. Now I consider the Public Works Department is a permanent department of this country, and the roads, Sir, are permanent roads which are not going to be scuttled and finished within a short time, and I do not see, or understand, why such people who are employed to look after those roads, and look after every other thing, are employed on a temporary basis.

Now, Sir, I would like also to know how long such people have been employed, and how long they are going to be employed on a temporary basis.

I also, Sir, would like the hon. Minister to tell us, if he may, what has been the progress with regard to the construction of the African hospital in Mombasa. This, Sir, has been going on for about three years, if I am not mistaken, and it appears up to now that the hospital is not finished yet.

Much has been said, Sir, about letting much of the work to contractors; but I myself, have my doubts on that because I think the Public Works Department do the work more economically, but if we are prepared to spend more money on contractors, then it is all right, but for economy I believe, the Public Works Department can do it economically. Perhaps the hon. Minister will tell us what his views are.

I support the Motion.

MR. LETCHER: Mr. Deputy Speaker, Sir, nowhere in these figures can I detect any attempt at economizing. At the present moment the country is in financial difficulties and yet, according to these figures, we anticipate spending an extra £24,000—I think I am correct in saying—on this particular Vote.

I should like an assurance from the Minister for Works, before the final draft is made, that he will make a general attempt to reduce the figures before us.

MR. COOKE: Mr. Deputy Speaker, I should like to apologize to the Minister for Works for not being present at his speech. As an old friend of his, I should have very much liked to have been present.

There is one point I have to make—it is a parochial one—and it is to do with the Bamburi-Mombasa road. That road is going to be a very important one. It is the only means of access to the new cement company, which as the Minister for Commerce and Industry has pointed out on many an occasion, is going to be of great financial benefit to this country. It will, of course, become very congested—that particular road—when not only the lorries bearing cement go into Mombasa, but the returning empty lorries will be inclined to clutter up the road tremendously. I should like an assurance from the Minister—if he can give it—that the road, as soon as possible, will be macadamized, and I would like to suggest, Sir, that it be extended to Shimo la Tewa and Mtwapa, about ten miles north. That was on the roads programme—that it should be done—but I understand that it has been cut out as an immediate item, and I would ask the Minister, if he possibly can, to see that there is no delay in extending the road to Shimo la Tewa because it would traverse a big residential area; and has many other important possibilities in front of it.

Mr. Deputy Speaker, I support the Motion.

DR. HASSAN: Mr. Deputy Speaker, Sir, I have no intention to give a series of suggestions at the moment to the new Minister for Works, because he has just undertaken this job, and I would like him to get further details and information about the work he is called upon to do, and perhaps next session I will be in a position, when he has a complete knowledge of the job, to put up suggestions to him.

There is one thing I wanted to bring to his notice regarding the point made by the previous speaker about the Bamburi road. A great deal of consideration has been given to this fact—that we have only the Nyali Bridge, a place where from that cement will be transported into the town. As the output of the cement is likely to be pretty heavy, and the

number of lorries coming over that bridge, empty and loaded, with big trailers, will be occupying and using that bridge frequently—when lorries are using that bridge it will be impossible for any normal traffic to make use of that bridge, and this bottleneck is one of the things to be very seriously considered—whether it is not going to interfere with the normal movement of the town people going off and on that island. (Hear, hear.) To do away with this problem which is sure to face the authorities, we had suggested making a bridge somewhere near that site, which the experts of the Public Works Department and others have been considering for a pretty long time. I would like the Minister to give attention to the experts' report and expedite the project of putting up a new and a bigger bridge there, not only to deal with the traffic from Bamburi, but at the same time to facilitate the town people to get out of that island and find a place to reside in the Kisumu area.

Another point I wanted to bring to his notice is the question of temporary employment of artisans in the Public Works Department. I wish he should give consideration to find out what is the limit of that temporary employment. Some of these people have been working there for years and years, and still they are temporarily employed. This system of employment by the Public Works Department is not only harmful to the interests of the Public Works Department, but it also creates considerable difficulties to the private firms, because the Public Works Department, if they need some expert artisans, they are not always able to get them. Neither do the artisans find a permanent service which they should rely on, and have the privileges of the permanent men having leave and other facilities afforded to them.

With that, Sir, I beg to support.

MR. GATHANI: Mr. Deputy Speaker, Sir, I would like to join all my colleagues on this side in congratulating the hon. Minister for Works in presenting to this Council a very lucid and meritable narrative.

Sir, I would only withdraw my congratulations in one respect, and in regard to that I would say that the opinion expressed by my hon. friend, the Member for Nairobi-West, is one that the hon.

[Mr. Gathani]

Minister would take into serious consideration when he said that if Public Works Department contracts are given to outsiders the cost would not be cheaper than would be the case if the work is done by the Public Works Department itself. Now, in this respect, Sir, I would read something which has appeared in the November debate on the same Vote in this Council: "If proper care is exercised in giving out tenders, generally the prices obtained are much lower than those of the Public Works Department". These views, Sir, were at that time of the hon. Mr. Nathoo, and I am surprised that within only a fortnight after taking over the charge of that Department he has changed his views. I do not blame him, Sir, for that. He may have been influenced by the new company in which he has been placed now, but I do hope, Sir, that for the benefit of the Members on this side, the eight Ministers who have crossed the floor during the last five to seven years would one day produce a volume and narrate in that the confessions about the opinions which they expressed while they were on this side of the Council. These confessions, I think, would be of great help to Members on this side in future debates.

MR. COOKE: The gentlemen over there, Sir.

MR. GATHANI: I would also suggest to them that, later on, if they happen to leave those benches and come on this side, they should also produce another edition entitled "I Chose Freedom", and in that they may also contradict some of those confessions. (Laughter.)

Now, Sir, about the work that the Department may give to outside contractors: in order to make a fair comparison of the two prices, it would be advisable if the Minister would take into consideration several factors before attempting to argue that work done by the Public Works Department is cheaper than work done by outside contractors. One important factor that he has to take into consideration is the Customs Duty on all the building materials and other things which is not paid by the Public Works Department. Then, while arriving at their figure, they must also take into consideration the housing allowance

contributions to pensions and provident funds, and passages and other emoluments paid to the staff of the Public Works Department engaged in such projects. After taking into consideration all these items, if the Minister would make a comparison with the figures obtained from outside contractors, I think he could then only be justified in saying that his contention is now correct.

Now, Sir, I entirely agree with my hon. friend, Mr. Leitcher, when he said that the Estimates of the Public Works Department do not show any economy. I think this economy can be obtained without making any reduction in the staff or any other items, provided the Minister would consider giving to outside contractors that work which the present staff of the Public Works Department is not in a position to complete within the period it requires to be done. Sir, as far as my information goes, there are so many artisans which are employed on daily tickets since the last so many years, and no step has yet been taken by the Department in giving these employees the same benefits as are enjoyed by other employees of the Government. This complaint has been made so many times from this side of the Council that I hope the hon. Minister will see that proper justice is done to all these artisans.

Now, Sir, the hon. Minister, while presenting the Budget, mentioned something about the shortage of skilled labour. If this is, Sir, the position as far as the Public Works Department is concerned, it is not very difficult to imagine what would be the position with others engaged in similar work. This shortage, Sir, has become more acute, and not only in the field of skilled labour, but in all other fields on account of the Emergency. Practically each and every firm—either engaged in commerce or industry or anything else—is experiencing the acute shortage of skilled manpower. I have, Sir, here before me only to-day's edition of the *East African Standard* and under the "Situations Vacant" column there are altogether 57 advertisements while in the "Situations Wanted" column there are only 28, and this feature is more or less the same in each and every issue of the local paper. If the Immigration Department would care to study it properly.

[Mr. Gathani]

This shows that, on account of the Emergency and other factors, the position of manpower has considerably deteriorated, and I am glad that the Minister for Public Works made a reference about the difficulty with which the Government itself is now faced on account of the policy which has been pursued during the last four or five years, without taking into consideration the requirement of manpower in order to maintain the same standard of economy.

Sir, while the Planning Committee considers priorities of various projects, I hope the Minister for Works will insist upon projects concerning schools and hospitals. These are projects which, in my opinion, should get priority over any other projects. There are so many trading centres where good roads do not exist, and these roads are not going to cost so much to the Public Works Department, but the benefit to the general public using such roads would be considerable.

Sir, I support the Motion before the Council.

THE MINISTER FOR INTERNAL SECURITY AND DEFENCE: Mr. Deputy Speaker, Sir, I should like to offer my warm congratulations to my hon. friend, the Minister for Works, on the skill and despatch with which the programme of camp construction, upon which the success of "Operation Anvil" depended, was carried out by his Department. The whole operation, from the initial contour survey down to the driving of the last rivet, was a model of organization and efficient planning, and without it, Sir, the operation could not have taken place when it did.

SIR EBOO PIRIBIA: Mr. Deputy Speaker, Sir, I would like to add my own congratulations to the hon. Minister for Works.

I would like to ask one question—whether there is any scheme for the use of all races for engineering training in this country, and whether the hon. Minister would consider it.

MR. TAMENO: Mr. Deputy Speaker, Sir, I have only one point to ask the hon. Minister for Works, and that is if it were possible for him to give this Council an

assurance that, at the same time as considering the priority of roads that are most useful in the country, it should also be borne in mind that there are some roads, which, if made properly, would be used a great deal. I am referring particularly to the Kijabe road going through Narok to Tanganyika. It would be the shortest way to travel—even from Nairobi to Tanganyika, if one intends to go to the Lake Province of Tanganyika. At the same time, there is a bifurcation near Narok, which goes to Kiili, it would also be the shortest road for a person living in Nairobi going to Kiili, and I would like an assurance from the hon. Minister for Works that his Department will investigate and find out whether it would be possible to improve the road. It is more or less impassable, especially during the rainy season.

Mr. Deputy Speaker, I beg to support.

MRS. SHAW: Mr. Deputy Speaker, I should like to take this opportunity to pay tribute to the Divisional Engineer and his staff in the Nyanza Province. Despite heavy rains, which caused the collapse of many bridges along the main stretches of the Nairobi road, he battled gallantly with the problem, and the roads have been in service again within 48 hours, despite the fact that 75 per cent of their plant and machinery had been taken for the Emergency areas.

I should also like to commend to the Director of Public Works the system of small road gangs in high rainfall areas, where there are drains and culverts—a slice in time saves nine. I am glad to see that that method is once again being employed for the roads in our Province.

I should like to join other hon. Members in commending more economy in the Public Works Department, and that there should be less waste and extravagance. I do feel that in normal times a great deal of that extravagance is due to lack of supervision. I know of two cases— which I will not waste the time of this Council with now, but I could bring them to the notice of the Minister for Works at a later date—where lack of supervision was responsible for the complete wastage of something like £400-£500 of the taxpayers' money. Therefore, I would commend economy,

[Mrs. Shaw]

and shall look forward to the day when Colonel Asher's report is placed before this Council.

THE SECRETARY FOR HEALTH, LANDS AND LOCAL GOVERNMENT: Mr. Deputy Speaker, Sir, I should like to deal with the point raised by the hon. Mr. Gathani, in which he made a plea for more attention to roads in minor townships. It is indeed true that, generally speaking, roads in small urban centres are bad, particularly the side roads off the main roads, but there is a disposition, Sir, to think that the responsibility for having those roads made up to a reasonable standard, and keeping them there, rests solely on the Government, and therefore on the taxpayer. I suggest, Sir, that a Bill which became law yesterday, providing for the recovery of costs of making up streets from beneficiaries, provides an answer to part of the problem, and that it is up to the inhabitants of the smaller townships and trading centres to use the provision included in that Bill, and local resources and themselves to make contributions to their own roads.

Naturally, Sir, the Government will pay its share, but the inhabitants of these smaller townships are not entitled to a greater contribution from the taxpayer than would be payable in the larger towns, and must be prepared to make contributions themselves.

LT.-COL. GHERSI: Mr. Deputy Speaker, there is only one point I wish to raise—the hardy annual on the subject of accounts and stores.

Is there no way, Sir, in which the procedure can be altered whereby there is a carry-over of monies allocated to a particular vote? What I have in mind, Sir—it is only human nature, towards the end of the year—when officers still have a large sum which is unexpended, there is rather a tendency, sometimes to be rather wasteful in placing as many orders as they can so that that money can be spent. I am not suggesting there is anything immoral in that, but I can well understand a provincial engineer, particularly in an area such as Nyanza, imagining that he might be confronted with difficulties due to rain at the end

paring earlier in the year—the rain does not fall, bridges are not washed away, and he is left with a considerable amount of money in hand. If at the end of the year he shows a surplus, one of two things could happen. The money is taken away from him, but he might also be of the year; he does a little cheese—and therefore he would be reduced by that amount the following year, so that again is another incentive to encourage him to spend money so that his estimate was accurate.

I beg to support.

THE SECRETARY TO THE TREASURY: The hon. Member for Nairobi North appeared to suggest that the provision in the Public Works Department Vote was used to purchase stores and that when that provision was about to lapse, there was a rush to purchase those stores. He seems to be entirely unaware of the fact that the Public Works Department holds a stock of various stores required in the building and planning programmes to the value of close on £1,000,000 and there is no hurried purchasing through the unallocated store system. In fact, the system is devised to make it possible for the easy flow of stores to jobs as the job requires material.

He also suggested, Sir, that there was some dislocation of the Government system by reason of the lapsing of votes and that there was a danger of an officer who under-spent one year being unduly restricted in the following year. I can assure him, whereas we encourage every officer to under-spend, we always take into account the reason for that under-expenditure in fixing the level of the vote for the next year.

Sir, I beg to support.

LT.-COL. GHERSI: I propose to intervene on a point of explanation. Is the hon. Member seriously suggesting that the stores held in the Public Works Department are always sufficient for requirements of their Department for respective engineers? There are many local purchases made and local engineers are given funds for that purpose. I do not refer only to stocks held by the Public Works Department. It applies also to other departments of Government.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Is the hon. Member making another speech?

The Member should have the right to complete his reply.

LT-COL. GHESSIS: I thought, Sir, he had not understood my point.

THE DEPUTY SPEAKER: If the Secretary to the Treasury wishes to make a reciprocal explanation, I will allow him to do so.

THE SECRETARY TO THE TREASURY: Mr. Deputy Speaker, I did suggest that the Public Works Department unallocated store is used for the main supply of materials. It is a very serious suggestion and it is true. Most purchases are made by the unallocated store. There is a small element of direct purchase direct to a job, that covers a very small part of the total expenditure of the Public Works Department.

THE DEPUTY SPEAKER: I call upon the hon. Member to reply. (Applause.)

THE MINISTER FOR WORKS: Mr. Deputy Speaker, Sir, in the first place, I should like to express my gratitude to hon. Members opposite for the very kind reception they have given to me in moving my first vote and for the very nice things they have said. I only hope, at the end of next year if I am still in charge of the portfolio, they will have the same nice things to say about me.

With regard to the tribute paid by the hon. Minister for Internal Security and Defence, when he thanked the Public Works Department on the expeditious way in which they managed the work of the camps, I am gratified to hear that, Sir, and his sentiments will be conveyed to the officers and persons who have been engaged in this work. I am also, Sir, Member for Nyanza for the tribute she has paid to the Divisional Engineer in her district and I will not only convey her sentiments to him, but to the other Divisions. I will recommend a similar action in times of necessity.

Now, Sir, one of the main themes which has been put forward by the hon. Members opposite has been the question of giving out work on private contracts. In this respect, I would like to correct

the hon. Acting Member for non-Muslim Area, Central, Mr. Gathani, when he says that I have changed my views after coming over on this side, with regard to giving out work on private contract. I want to assure him and assure the Council that I have not changed my views. The only point I want to convince myself, after taking into consideration all the factors of the overheads of the Public Works Department, and compare them *vis-à-vis* with the prices of tenders received from private contractors, and I can assure the hon. Members opposite that, in each case where even slightest economy can be exercised by giving out work on private contract, it will be done, and also, Sir, in this respect, I will say that in one or two instances in which planning was given to private firms in connexion with some major projects, it has been the unfortunate experience that, somehow or other, perhaps with factors coming into play which were beyond the control of these private firms, that in the final account the cost to the Department was much higher for the planning than it would have been if this scheme had been done under departmental work. But, Sir, that does not remove the fact that I am convinced that whatever work the department cannot handle efficiently and economically, must be given out, and I assure the Council that this factor will be under my close scrutiny during the time the next planning period is going on.

Now, Sir, the hon. Member for Central Area, Non-Muslim, Mr. Madan, made several points. One of his points was about the men in key positions. In this respect, Sir, I am grateful to the hon. Member for Mombasa for the explanation he has given with regard to the applications of artisans when they come up before the Immigration Board. Now, Sir, I would like to make it quite clear that, as a person who has made this country his home, I have always been of the opinion that nobody should be allowed to come into the country except when they are for the ultimate good of the country and its people. (Hear, hear.)—maybe one community or the other, but that factor must always remain uppermost in the minds of those who have the interests of the country at heart and the Government's policy is that only those people will be allowed who are

[The Minister for Works] serving the interests of the country. But, Sir, there is one point I would like to make here, and that is, Sir, that in one or two cases representations have been made by some Divisional Engineers in the Public Works Department that, in cases where one or two key men had to be retained, their permission was refused, and in one case I know that a Public Works Department workshop had to be closed because they could not find any body to replace this particular person. I will take an opportunity of giving the specific cases to the hon. Member for Mombasa and ask him to see if he can do something about the matter when it comes up before the Board.

MR. USHER: I thank the hon. Member for giving my. I should just like to explain, Sir, that persons under contract with the Public Services are no concern of the Immigration Control Board. That is a fact.

THE MINISTER FOR WORKS: Mr. Deputy Speaker, I am grateful to the hon. Member, but I will take the necessary steps in the right quarters to see that this sort of difficulty is avoided, and as regards the persons in private firms who are in that position, I am afraid this is something which does not come under my purview and I regret that I cannot do anything about it, but if representations are made to the right quarters, they will have sympathetic consideration.

Now, Sir, there is one factor to which I would like to refer here and that is the accusation against the Public Works Department a number of times that a lot of time elapses in the planning period and the entire blame is laid at the door of the Public Works Department. I want, Sir, to make it clear that quite often it has happened in the past that when any scheme has been given to the Planning Department of the Public Works Department, when they have proceeded to a certain extent, the department for whom they are doing this work, for one reason or another, changes its mind about the lay-out or the design of the scheme and the whole thing has to be done again and a great deal of time has been wasted. I am taking steps, in conjunction with my colleagues on this side of Council, that when any schemes are entrusted to the Public Works

Department, they may only be done so after they have been given careful thought, so that during the planning period no changes are made and a lot of time is saved.

The hon. Mr. Madan, and I think the hon. Member for Trans Nyasia, made suggestions that some economy should be effected in the Estimates of Public Works Department. Now, Sir, in the first instance I would like to make it clear that, in the Public Works Vote, if hon. Members read the memorandum, they will find there has been no increase of the personnel of the department and all the increases which are there are in connexion with the increased travelling and cost of living allowances and normal increments due to the staff in the course of their duties. But, Sir, that does not mean that this factor will not be kept under close scrutiny and I would like to assure hon. Members that I will make sure that, wherever economy is possible, it will be rigorously enforced. (Hear, hear.)

In this connexion, I should like the hon. Members to make a comparison of the Accounts Branch of the Public Works Department, which is now a self-accounting Department, with other High Commission services and see how economically this branch is managed, and in this place I would like to pay a tribute to the Chief Accountant of the Public Works Department for having organised his Department so efficiently and at so low a cost. (Hear, hear.)

The hon. Mr. Jeremiah raised two or three points, one of which was in connexion with the African hospital, as he calls it, at the Coast. Now, Sir, perhaps the hon. Member is aware that all these hospitals are termed under "General Hospitals" and I had the pleasure of a visit to the Coast about a fortnight ago when in company with the Director of Public Works and the Divisional Engineer, we paid a visit to this hospital. The administration block I think will be completely ready either towards the end of this year or early next year, and the wards for the patients are in the second phase which, I am assured, will be taken into hand sometime next year. I assure the hon. Member that this scheme also will be kept as a very high priority and completed as soon as possible.

[The Minister for Works]

The hon. Mr. Jeremiah and other hon. Members mentioned about persons who are temporarily employed in the Public Works Department for a number of years and are still on what they call temporary, but I know are on daily wages. Now, Sir, there have been cases in the Department where such people have been kept on for 20 years and more on this system, but, Sir, one great difficulty has been for the Department to ascertain as to what is the permanent requirement of the Department over a number of years, and since it has not been possible to ascertain this, no action could have been taken. Even at this stage, Sir, I cannot promise that such people can be taken on the permanent staff because a great deal of thought has to be given to the ultimate commitments in this respect, but I assure hon. Members opposite that I will go into the matter and, where such temporary people can be taken on to the permanent establishment, with due regard to economy, it will be done and, in the case of people who cannot be so taken on, some scheme will be recommended whereby they get some privileges in the way of leave and gratuity so that there can be a contented staff.

The hon. Member for the Coast and the hon. Member for Muslim Area, Eastern, raised two or three points in connexion with matters at the Coast. Now, Sir, I would like to say that I have visited Mombasa during the last fortnight and we took the opportunity of going on the road which the hon. Member mentions—the Bamburi Road. Now, Sir, I agree that there has been a certain amount of delay but the cause of the delay is beyond our control in that there is a serious shortage of ballast stones and that after the Public Works or Road Authority Branch of the Public Works Department have completed the foundation of the road, the Municipality, whose job it is to surface that road with bitumen, are finding they cannot get enough stone. This matter was discussed with the Provincial Commissioner at Mombasa and steps are being taken to see that something is done to complete the scheme as soon as possible. At the moment, Sir, that road is planned—it is quite correct when the hon. Member for the Coast says that this road is only up

to the Bamburi Cement Factory, but the matter is being gone into to see whether the road to Mtwapa can be completed and I will bring this matter to the notice of the Road Authority under whose purview this matter comes.

The other point, Sir, which the hon. Dr. Hassan raised, was in connexion with the Nyali bridge. It is quite true that once cement starts moving from the Bamburi Factory there is going to be a serious bottle-neck on that bridge and Government is going into the question once again with this new factor in play as to whether something can be done to relieve the congestion of the traffic in that area.

The hon. Acting Member for Central Area, Mr. Gathani, made another point about schools and hospitals. This, Sir, is being kept under close scrutiny and, having regard to all the requirements of the Colony, I can assure the hon. Member that proper attention will be given to this question.

The hon. Nominated Member, Sir Eboo Pirbhai, mentioned the schemes for training youth of various races for our technical requirements. In the Department, Sir, if hon. Members look at the Estimates, there is provision for some sort of training but I do feel, Sir, that there is call for more training of all youths of all races in this country and this matter will be seriously taken into consideration as soon as possible.

With regard to the point made by the hon. Member for African Interests, Mr. Tameno, I assure him that the point he has made will be sent to the Road Authority with proper recommendations and, if something can be done in that direction, I assure the hon. gentleman we shall give the matter very serious consideration.

There is another point which the hon. Member for Nairobi North made, with regard to the purchasing spree towards the end of the year, which he has referred not only in connexion with the Public Works Department, but with all Departments of the Government. I assure him that in the Public Works Department serious attention will be paid to see that no money is being spent, just because money is there for spending and that due regard will be paid in that respect. I cannot do more than assure the hon.

[The Minister for Works]

gentleman that I shall make it a point to see that no abuse takes place in this direction.

Mr. Deputy Speaker, Sir, as far as I can see, I have covered all the points which have been made by hon. Members.

Mr. USHER: Before the hon. Minister sits down, he has omitted, I think, my question about Government housing in Mombasa.

THE MINISTER FOR WORKS: I am sorry, Mr. Deputy Speaker, Sir, the hon. Member is quite correct. I apologize to him. The position is this—that this housing programme is undertaken by the Public Works Department but a great deal of regard has to be paid to the availability of the amounts which are allocated in any one particular year for this. Now the question is this, Sir, that looking at the Estimates, I am sure the hon. Member is aware, as I am fully aware, of the huge rents we have to pay to private enterprise in connexion with offices and houses, and I feel, as does the hon. Member, that as soon as possible, apart from the expense, the very fact that we can provide a good house for a Government civil servant of whatever race, I think that contributes a great deal towards his contentment and his will to give his best to his work and for that reason, Sir, I shall insist on that to the maximum possible effort with the money available at our disposal—we will give this matter serious consideration.

I have covered, as I have said, all the points made by hon. Members opposite. Before I sit down, I would like to express once again my sense of gratitude and appreciation for the very kind way in which my Vote has been received.

Sir, I beg to move. (Applause.)

The question was put and carried.

COMMITTEE OF SUPPLY

Committee of Supply—Order for Committee read. Mr. Deputy Speaker left the Chair.

IN THE COMMITTEE

[Mr. E. N. Griffith-Jones, Q.C., in the Chair]

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman—I beg to

move that a sum not exceeding £714,827 be granted to the Governor to defray the charge which will come in course of payment for the year ending 30th June, 1955, for Vote 4-10—Public Works Department.

Heads 1 to 20 agreed to.

The question was put and carried.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Committee do report progress and ask leave to sit again.

Question proposed.

The question was put and carried. Council resumed.

[Mr. Deputy Speaker in the Chair]

REPORT

MR. GRIFFITH-JONES: Hon. Members, I have to report that the Committee of Supply has considered and approved a Resolution that a sum not exceeding £714,827 be granted to the Governor to defray the charge which will come in course of payment for the year ending 30th June, 1955, for Vote 4-10—Public Works Department.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Council do agree with the Committee in the said Resolution.

Question proposed.

The question was put and carried.

COMMITTEE OF SUPPLY

MOTION

THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR

THE MINISTER FOR INTERNAL SECURITY AND DEFENCE: I beg to move that Mr. Deputy Speaker do now leave the Chair.

Vote 2-5—Prisons. The rate of prison expenditure is one which none of us can view with anything but dismay. The Estimates now before the Council are based on the pre-Emergency daily average prison population of 12,000 prisoners, but as hon. Members will note from page 85A of the printed Draft Estimates, the daily average upon which the Estimates were assessed is now 33,000. Indeed, Sir, since the Estimates were prepared, the figure has risen to 34,000. The financial provision for the balance

[The Minister for Internal Security and Defence].
The Minister for Internal Security and Defence] of 22,000 is made up from the Emergency Expenditure Fund. The figures of the daily prison average are approximately these: *Mau Mau* offenders—15,000; other convicts—10,500; remands—1,000; detainees—7,500.

The duties of prison officers are fairly specialized, and fortunately, prison work is static. Nevertheless the great expansion in prison staff and services which has been necessitated by the Emergency, has thrust a problem upon the Commissioner of Prisons which would have demanded a less resolute character than the present Commissioner. (Hear, hear.) He deserves our warmest congratulations for the mastery with which he has handled the staffing, training and accommodation difficulties which confronted him. Staff has had to be recruited and trained. Quarters have had to be built. Existing prisons have had to be enlarged and new prisons and camps have had to be put up. The headquarters machinery has had to be geared up to meet the very heavy additional commitments.

In spite of all this, the fundamentals of prison practice have not been allowed to suffer. Essential matters such as segregation and trade training are being undertaken in the Emergency with the same thoroughness and skill which characterized them in more peaceful days. I should like here, Sir, to enlarge on the question of segregation which now presents a very important problem. Until about ten years ago legislation permitted us to deal with first offenders in a particular way. We were allowed to give them a good spanking and send them home. The result was that we were able to keep a young first offender from contamination by old ex-prisoners. However, it was decided that such a practice was brutalizing and degrading and we are, therefore, now compelled either to release a first offender or put him in prison.

Now when you take a young man and lock him up, your intention, as a rule, is to protect the rest of society from his activities. At the same time you accept a very heavy responsibility not to let him loose on society at the end of his term a worse man than he was when he came in. Therefore, segregation is of the utmost importance. We are now faced

with the double problem of separating first offenders from old-lags and of separating the ordinary "run of the mill" convict from *Mau Mau* convicts.

The rate of recidivism since 1952 has fallen from 20 per cent to 12 per cent; this means that there are far more first offenders in the prisons now than there were two or three years ago. This presents a not very happy augury for the future and the urgency of dealing with the problem is recognized by the prison authorities to the full. The most careful steps are being taken to keep these young first offenders out of contact with old-established criminals and to prevent them from being trained up to a life of crime in a kind of prison Fagin school. A large prison intended entirely for first offenders is in use at Kitale and another at Shikusa in North Nyanza. Both these prisons specialize in agricultural instruction—in addition, special camps for first offenders are in operation at Simba, Kijabe, Kabianga and at Mitchell Park.

Now, Sir—the question of trade training. As hon. Members will see from the Estimates, the sum of £91,800 has been included under the head of Raw Materials—Prison Industries, and it is from this Vote that the industries are financed. Training is only given to those who are likely to benefit from it. This practice excludes men who are temperamentally or physically unlikely to derive any good, and also those hardened old criminals whose one aim is to get out of prison and earn a living by preying upon decent citizens; nor would there be any point in devoting skill and material to training up short-term prisoners in technical crafts.

Trade training is still undertaken at Mombasa, Kitumu and Nairobi and at the two approved schools at Dagoretti and Kabete. A new centre is under construction at Kamili where the prison farm will be developed into a fairly large-scale estate and where workshops will be established for training in carpentry and metal-work.

In addition to their prison commitments, the Department is responsible for the safe custody and administration of a considerable number of detainees held in detention camps and potential detainees held in what are called reception centres.

[The Minister for Internal Security and Defence]

The detainees are held in detention camps at Manda, at Athi River and at Mackinnon Road. The numbers are, approximately: Manda, 200; Athi River, 1,600; Mackinnon Road, 5,500. These detention camps are established under the provisions of the Detained Persons Regulations, 1953, and the persons detained in them are held there by virtue of detention orders issued under regulation 2 of the Emergency and Regulations. In the case of Manda and Athi River, the inmates are the subject of Governor's Detention Orders, that is to say, they have been shown, to the satisfaction of the Governor, to be either leaders or organizers of the subversive movement and detention orders have been issued against them. Those at Mackinnon Road are detained under delegated detention orders; that is to say—they are persons against whom there is strong suspicion of subversive activities but who are not regarded as of the same quality as the leaders or organizers. They are, nevertheless, men who, in the interest of public order, must be kept under control. The potential detainees are held in the reception centres by virtue of the Control of Nairobi Regulations and the Evacuation Order which were published in April in Government Notices No. 614 and 616; this was the Legislation which formed the legal background of "Operation Anvil". These Regulations were introduced in order to enable the Government to pick up the enormous number of suspected *Mau Mau* sympathizers and passive supporters in the City and to hold them for long enough to enable us to carry out a comprehensive screening. These potential detainees are held at Mackinnon Road, Manyani and Langata. When the screening process is completed, they will either be detained under detention orders, or restricted under a restriction order under Emergency Regulation 2—or released. The screening is more than half completed at Mackinnon Road and is starting in the first week in June at Manyani. Screening at Langata presents greater complications because we have found through experience that it is almost impossible to preserve a screening team in Nairobi from corruption; this means continual changes in the personnel of the team and, of course, a very heavy

expenditure in the qualified and experienced European officers who are required for the job. What we are doing at Langata, therefore, is, as a first step, to establish a kind of tribunal of two or three experienced European officers who will go into the cases of all those people who may, prima facie, be supposed to be what is known as "white" on the security side.

There is one staff matter, Sir, connected with the Prisons Department, to which I should refer. It deals with the question of rations; I beg your pardon—the question of pay. The Government is anxious to acquire more knowledge concerning the advantages and disadvantages and the costs involved in a fortnightly payment of staff (instead of the monthly payment which is now the routine). The Prisons Department has been selected to be the guinea pig for this particular experiment and all prison staff, other than those with bank accounts who are still paid monthly, are now being paid on a 14-days basis. If this method proves successful and if it proves applicable to other departments, it will be adopted by those who wish to do so, in particular by the police. If, with of course, involve the acquisition of a large number of those clockwork toys by which accounting is now carried out.

Sir, we are spending a large amount of money on the Prison Service without any of the advantages which can be seen to flow from agriculture, education, medicine and so on. The only consolations I can offer hon. Members are, firstly, that in the interests of peace and good government it is essential to prevent the men who are now in prison from preying upon and terrorizing their neighbours and, secondly, that the thankless and vital task is being done as well as it possibly can be.

Sir, I beg to move. (Applause.)

THE MINISTER FOR LEGAL AFFAIRS
seconded.

Question proposed.

MR. COOKE: Mr. Deputy Speaker, it has been manifest since this debate started a week or so ago that there are certain Members on the other side of Council who think that we are sort of professional ogres, who simply rise to criticize them, and, if possible, to pull

[Mr. Cooke]

them to pieces, and when we have sat down and can no longer take part in the debate, we sometimes have to listen to what I can only describe as "distortions" of debate. We may criticize certain people on the other side of Council and others who do not criticize; but very often it is regarded as a general criticism as, for instance, the other day when I was accused—and quite wrongly accused—of having criticized the British troops in this country. Now matters such as that are extremely irritating and I hope, Sir, if I may say so, that you in your function as Deputy Speaker will perhaps sometimes see that when interruptions occur the fault does not always lie on this side of Council and that we sometimes have to undergo great provocation from the other side.

Now in dealing with matters to-day—and I have taken a lot of interest in prisons recently—I am not going to attack my hon. friend at all. I have had many conversations with him outside this Council and he has been extremely helpful and, I must say, polite. If I draw any attention, there is nothing personal in it; my one and only object is to try and put right anything that may be wrong, and my only object is to see that this "Operation Anvil" is conducted in such a manner which will do least damage to the decent Kikuyu. As I have said many times in this Council, there are a large number of decent Kikuyu in this country and unless we keep them on our side we would be quite stupidly provoking people whom one day we shall have to take back into the economic life of this country, because they are essential to that life.

Sir, there is a good deal wrong, I think, with these detention camps and with what my hon. friend calls "reception centres". I would make it perfectly plain that any I have visited—I have the highest regard for the men in charge. If I say anything to-day or disclose anything that has been told me—I am not going to mention any names because there is a certain irritation in the gentlemen on the other side of Council and they seem to think that we, as representatives of the voters of this country, should not take cognizance of representations made to us—that in fact we should

have implicit and explicit faith in the Ministers on the other side of Council.

Now my hon. friend has said more than once that there must be chaos in these camps at first—these reception camps—that it is very difficult, for instance, to segregate the sheep from the goats. Now that is very true and none of us deny it but he fails to disclose—or perhaps is unaware of the fact—that in a camp like Athi River, for instance, which has been in existence for getting on for a year I should think—there have not been made all those efforts which should have been made to segregate the sheep from the goats. For instance—and this has been represented to me by people on the spot—co-operators and non-co-operators are within a few yards of one another separately, I admit, by barbed wire, but not separated by the human voice or by the facility of passing notes from one to the other. Now that is, I think, a very bad thing indeed and these co-operators—I think they are probably most of them well-meaning people though some, perhaps, become co-operators because they think it payable to be influenced by the non-co-operators and at times the most serious accusations are made against them by loud-voiced people in the non-co-operators camp, which must be very difficult for the co-operators to stand.

Now I think that at once the co-operators should be removed by at least half a mile or some long distance from the non-co-operators. I know there are plans to have a model village in which the co-operators shall live, but I think this is one of those matters which has been postponed too long and should have been done before, and when we accuse the hon. gentleman of dilatory methods that is one of the dilatory methods and that is one of the things which I think should have been put right months ago. There are growing up now, of course, in the detainee camps, exactly the same conditions, and I will read here a very serious allegation indeed made by the East African newspaper, *Baraza*, in its last week's leading article? My hon. friend usually tells me that he does not read the newspapers. He is probably like the late Lord Balfour in that and I hope in many other respects! He seems to resemble him in that respect—that he never reads the newspapers. This is

[Mr. Cooke]

what *Baraza* says and *Baraza* is a newspaper which is read very largely—and rightly read—by the Africans of this country. "Prison officers" and prison officers themselves come under the Department of Prisons—guarding them say that *Mau Mau* ceremonies have taken place within the camps and they admit that some of the inmates are now more deeply imbued with *Mau Mau* ideas than they were when they first went to the camps. Well, Sir, that is a shocking state of affairs, if it is true, that "At Mackinnon Road work is available for a small portion of the occupants of the camp, but most of those held there, and all of those at Manyani, have absolutely nothing to do". They spend all day long—seven days a week—sitting about discussing *Mau Mau* achievements and so on. They see no newspapers; there are no wireless sets and no loudspeakers in the camps. "There is nothing, in fact, which will help to occupy the minds of the detainees and give the warden something else to listen to besides the incessant propaganda of the dyed-in-the-wool *Mau Mau*." And how dreadful that the Government should fall, during its planning of the "Operation Anvil" and the detention camps needed for it, to take the necessary steps to guard against increased picketing by the *Mau Mau* of those picked up—for all are herded together, good, bad and indifferent—and it should have been obvious what would happen. That may be, actually, a little unfair because it is quite impossible, in my opinion, for my hon. friend to have taken action completely to segregate these detainees but it is a matter which should and must come under his purview at once. The Commissioner of Prisons, who has been extremely helpful in my suggestions I have made has asked me to go down next week-end to see these camps and then I shall be in a better position, probably, than I am to-day, but I have been over the camps at Manda and Athi River and others near the Tana River so I do know roughly what the position is. There is, of course, this difficulty—and it is represented to me at all these camps—and that is the shortage of African staff and that is a position which my hon. friend, I know, is doing his best to remedy. In a rough calculation I made it seems to me that there is

one African warder to eight internees—I think that must be wrong—I think it must be 14 or 15 internees, but adding and subtracting and that sort of thing—it is 1 to 8—that is not too bad, I think, but what must be, Sir, is that there should be enough warders so that these detainees can work outside the camps instead of being cooped up inside.

THE DEPUTY SPEAKER: I understand that it is the desire of both sides of Council that the break should be for half-an-hour. Council will suspend business until Eleven-thirty.

Council adjourned at Eleven o'clock and resumed at thirty minutes past Eleven o'clock.

MR. COOKE: Mr. Deputy-Speaker, at the interval I was referring to extracts from *Baraza* about what was alleged to be taking place in some of these detainee and reception camps, and I was expressing the opinion that it was very unfortunate that this should happen—although I can see the difficulties with which the hon. Minister is faced, but I think, Sir, that as far as possible those who have been detained should be put to work.

Now we heard this morning from the hon. Minister for Work that it is impossible to get stone at the moment for Bamburi Road and I should have thought that it would be a very good thing to take a lot of these *Mau Mau* at a place called Bamburi, some miles from Bamburi, to do a certain amount of quarrying. I do not say send the hard core, but a great many others who could be there, and we would be killing two birds with one stone, as it were—they would be doing useful work and; at the same time, would be employed. I think it is not only unwise, but it is cruel, to keep these people sitting up like a lot of animals in cages, week after week, month after month, even those who are guilty. It is a cruel confinement for them and I would make this plea. I have been approached by a number of detainees when I visited Manda Camp, with the full approval of the people in charge there who have a lot of sympathy with a certain number of these detainees, that a certain number of these detainees, if they are people picked up, I think, in the first operation—"Joe Scott"—if necessary should indeed be screened and, if necessary, given some kind of release. I do not think that everybody in that camp

[Mr. Cooke] is guilty. I think there are some innocent people, as in a big operation like "Jock Scott". It is impossible not to do injustice. But I think that when an injustice is pointed out, we should, if possible, try to rectify it and put it right because everyone agrees, and nobody more so than the African members, that we will build up a wall of hatred in this country and, indeed, of contempt if we do not separate the sheep from the goats as soon as possible.

I would like to give Council, if I may, my own impression from having been in these camps. I am not, as I have said, in favour of all this psychological stuff on which Government is building a lot of hope. I personally believe that as soon as you release these people from this terrible incubus, as it were, of the *Mau Mau* hard-core terrorists, a majority of the Kikuyu will go back again and live their normal lives. I think it is fear now, and this terrible fear day and night that they have of the hard core, which prevents them from living the life of decent citizens, and I do not believe—I do not think many people agree with me—but I do not believe that we are going to have this problem with the majority of the Kikuyu. I think so long as this fear is taken from them, they will go back to play their part again in the economy of the country.

Now contrary to that I believe there are hundreds of men who are most dangerous to society, and—I do not believe those men can ever be released. I think you will have to put them on the Devil's Island, or something of that nature, but to bring them back again into the economy of this country would indeed be dangerous. I was talking to a psychologist recently, and he expressed the opinion that when this trouble first emerged, when the Emergency first began, there were, in this country, quite a large number of people, running into hundreds, who in a civilized country would already have been under lock and key. They were those sub-man types—degenerates—who, of course, had taken advantage of, and cashed in on the Emergency and who have done a lot of the murders that have been committed. It is my convinced feeling that those people will have to be kept under lock and key for ever and ever, and I do

not believe that any kind of psychology, or anything else, will bring them back to ordinary human activities.

The grey people, as has been mentioned—which provide the grey class—will have to be, of course, very strictly screened and, I hope, a great many of them will come back, but I do say that, that the people who are thoroughly screened and once get their identification passes, must be left alone and we must not keep worrying them day after day in the streets of Nairobi asking for their identification cards. We must have a system by which these people are prepared to play the game and have the game played by Government to them.

Sir, I support the Motion.

MR. MADAN: Mr. Deputy Speaker, Sir, there is only one short point I want to make in this debate. There is a feeling abroad that the ordinary prisoners are mixed up with the *Mau Mau* convicts. Personally I do not think that this is strictly correct; but I feel a statement from the Minister would help a great deal to remove the doubts in the mind of the public.

MR. SLADE: Mr. Deputy Speaker, Sir, I should like to support the hon. Minister whole-heartedly in the tribute he paid to the Commissioner of Prisons and his department. Having been associated with that department for many years, as a Visiting Justice, lawyer and otherwise, I must say that I have always been struck by the high standard of their officers and their performance, but it is particularly striking of course at the present time with the tremendous difficulties under which they are labouring, and I do not think any praise is too high for them.

There are a lot of points arising out of the hon. Minister's speech upon which I should like to ask him questions.

My first question is with reference to corporal punishment—in respect of which he told us there had been some difference in law and in practice during the past 10 years.

Now, from sitting on various committees from time to time, I have heard quite a lot of evidence on this subject from people of experience in this Colony, and I think it has been almost unanimous to

[Mr. Slade] this effect; that indeed corporal punishment for an adult hardened offender is only brutalizing and ineffective. It may give some satisfaction to the injured party, but it does not achieve anything in the way of reforming or deterring.

With regard to juveniles on the other hand, it is on the first occasion anyhow, far and away the best answer. You do not want to put the juvenile into prison. You want to give him a violent jerk into a better course of life at the first opportunity, and corporal punishment very often does it. If it does not do it the first time, it is no good going on and on with it, but sharp corporal punishment for the first offence with the juvenile is the best answer and I do hope that if the law does not allow that to a sufficient degree at the present time, the Government will consider modifying the law.

While on the subject of juveniles, I would ask the hon. Minister to tell us how we now stand with regard to remand homes. As everyone knows, people taken up on charges often have to be remanded and put somewhere until they are brought to trial. It is most undesirable that they should be put in prison during that period, for the very reason that you do not want to contaminate them before you have to. A committee, of which I had the privilege of being chairman not long ago, had occasion to remark, adversely I am afraid, on the development of remand homes in this Colony. Where they do exist there is no provision worth speaking of, or there was not at the time when this committee reported, either for proper segregation of juveniles from the more adult and possibly hardened offenders, or for their proper occupation while they wait for trial, and I would be grateful if the hon. Minister could tell us whether any improvement has been made there, or is likely to be made.

I was very glad to hear the hon. Minister lay some emphasis on this matter of segregation, because I agree with him that it is the key to a successful prison system, and as he spoke so well on that, I need add no more.

A matter that does not exactly fall in the purview of the hon. Minister, but I am sure must affect his department very seriously, is the matter of short-term

prison sentences. Now it has been very noticeable in past years in this Colony, how many people, particularly Africans, are sent to prison over and over again for three months; four months, six months; and it has been the subject of adverse comment by committees on which I have served. It is, I should say, one of the worst things that can happen—that a man keeps on going in and out of prison. He gets into the habit of going to prison and prison is no longer either a deterrent to him, or a means of making him any better. He does not stay long enough to be improved; he stays long enough though to be a nuisance and to be a bad influence possibly, on other prisoners. He must be a great nuisance to the prison service, because he is not in prison long enough for them to make anything of him, and I would draw attention to the importance of avoiding sending people to prison as long as you can, but once you have to send them to prison, send them for a good stretch, especially the second time.

That brings me to the question of habitual offenders which are always a particularly hard problem to solve. I would ask the hon. Minister to tell this Council what progress, if any, he has been able to make with the handling of habitual offenders. There were recommendations made some six or seven years ago, in which the principal proposal was that people found by a court to be habitual offenders—let us say people who have been convicted of a fairly serious kind—more offences of a fairly serious kind—should go for a very long term of imprisonment, partly to keep them out of society for as long as possible, partly try again for their reform, and partly to help to pay for the cost of keeping them in prison—all by a system of corrective training. When you have a man sent away for 10 or 15 years, then it is really worthwhile training him, and you can reap the benefit of the skill that results from his training and which can contribute a lot to keeping him in prison.

I would be grateful if the hon. Minister will tell us whether he has yet been able to make any progress along that path.

On the principle of prisons generally, the hon. Minister said that in prison is purposes of putting a man in prison is first to relieve society of a nuisance, and secondly to reform, but there is, I would

[Mr. Slade] remind the hon. Minister, a third. It does not loom so large in our concept as it used to perhaps 50 or 100 years ago, but it is still a consideration. It is deterrent. You put people in prison partly to deter them, or others, from committing crimes again. But if there is going to be a deterrent, it is important that it should not be too comfortable, and there is a feeling amongst some of us that our prisons are too comfortable. Partly due to the quality of our prison staff, it is not a place to which people are greatly deterred from going, because they get treated so well. I do not quite know what the answer is to that, but I would ask the hon. Minister to consider ways and means of making the prisons somehow less attractive without being inhumane.

The last point, Mr. Deputy Speaker, relates more to Emergency camps than to prisons and it is a point I think I have already made before in the last few days, but I would ask him to comment on it. That is the question of discipline. Discipline of subversive people in works camps—in temporary prison detention camps—and so on.

The hon. Member for the Coast has spoken on this and I spoke before. I would only ask the hon. Minister to say whether he can see any way of tightening up the discipline of these people so that at least they are prevented from demonstrating in public their complete contempt for law and order in this Colony. (Applause.)

MR. USHER: Mr. Deputy Speaker, I have two points to make. The first is in regard to prison diet. There is a considerable amount of criticism—I am afraid, not very well informed criticism either—in regard to the scale of diet for those detained under Emergency Regulations. It is considered too lavish. But at the other end of the scale there is also a criticism, and that is in regard to the feeding of remand prisoners. I know a particular case where, what I might describe as a bouncing youth, was put on Emergency Regulations. He was a remand home and when he was visited in the remand home by someone interested in him, ten days after his incarceration, he was looking very meagre. Indeed and a request for an explanation elicited the

information that it was regrettably the case that there was not very much food for remand prisoners and that those who were lucky got food brought in to them by their relatives.

Well, either the one thing that I have mentioned or the other is, or is not, true. I think it would be a very good thing if the matter could be cleared up.

The second point I wish to make is the horror that I felt when the Minister—if he will forgive my saying so—when he said that "I think we . . . to whom he referred, I do not know—regard a good smacking as brutalizing and degrading." I am quite sure that the hon. Minister has been brutalized and degraded, just as I have, in the past. (Laughter.) I hope that he will explain what he meant by "we", because if we are governed by public opinion at home in this matter, which is not very well informed in regard to general conditions out here, I think it would be better to explain it and say so quite honestly.

THE MINISTER FOR INTERNAL SECURITY AND DEFENCE: The point I wished to make was that what is often called the "world-conscience" had formed the opinion that smacking is brutalizing and degrading. Certainly it is an opinion that Superintendents of Prisons have never, as far as I know, subscribed to.

MR. USHER: Thank you for that explanation and now I will sit down again. (Laughter.)

MR. TYSON: Mr. Deputy Speaker, Sir, I would like to refer to a matter which I have referred to in earlier debates in connexion with the concentration camps. We have, it seems to me, a wonderful opportunity of doing something with these people who are sitting there, in many cases in idleness, in the way of training. There you have large numbers in the camps, under discipline, and it does seem to me that an effort should be made, in spite of difficulties, of introducing some training for these people, rather on the lines of what was done by the Prison Department in pre-Emergency days.

I remember going down to the prison here outside Nairobi and seeing quite a number of fellows being trained as tailors, tin-smiths and so on, and who, I was assured, when they had finished

[Mr. Tyson] their term of imprisonment, came out as respectable citizens able to earn an honest living. I realize the difficulties of obtaining instructors under present conditions, but I would like to suggest to the Minister that possibly, in conjunction with the training schools, we might be able to obtain some instructors from there who could be utilized at the detention camps and give useful training to some of these people while they are incarcerated.

I support the Motion.

THE MINISTER FOR INTERNAL SECURITY AND DEFENCE: May I first of all thank hon. Members, particularly the hon. Member for the Coast and the hon. Member for Aberdare, for their extremely useful and constructive remarks.

First of all, Sir, I will deal with the various questions on prisons proper as apart from detention camps. Firstly, the question of diet. When a man is held in custody, he obviously has to be fed well enough to keep him in good health. On the other hand, it is our wish to ensure—as Dr. Johnson observed in his tour of the Western Islands in 1733 about the crofters, that "they are seldom incommoded by corpulence". As for the remand prisoner, he should have been fed on an ordinary prison diet scale. Why he was not, I do not understand and if the hon. Member will give details, I shall be happy to look into the matter.

With regard to other prison diets, with the help of my hon. friend the Director of Medical Services, the matter is continually under review and, if the hon. Member for Mombasa wishes, I can provide him with full details of the current scales. They vary from a cost of 51 cents per diem for prisoners on the Coast doing no work whatsoever, to 82 cents per diem for prisoners up-country employed on hard work.

The hon. Member for Aberdare raised a number of important points. First of all, corporal punishment. I agree entirely with what he said. In my experience it is fruitless to beat a man a second time; that does brutalize the man and it does brutalize the beater. The value that corporal punishment has, and has been shown to have, in all district prisons, is that a young man who is taught a sharp

lesson for his first offence, rarely comes back. I say rarely comes back, because I am not in a position to substantiate that with figures.

The question of remand homes, Sir, is one which does not come under my jurisdiction. My hon. friend the Minister for Legal Affairs is responsible for them.

I agree also that short-term sentences are undesirable and that a prisoner sentenced to a number of short-term sentences becomes a great nuisance in a prison and an extremely bad influence on his contemporaries.

The question of habitual offenders is one in which I am particularly interested. On a score of occasions I have cast long eyes at South Island in Lake Rudolf as a possible roosting place for them. But I realize that one could scarcely persuade even a District Commissioner to live there. We are tackling the question of habitual offenders, although I must say quite frankly, we are not tackling it urgently; the Commissioner of Prisons is much too occupied at the present time to give close thought to a project of this sort. But we propose—and when I say propose, I mean that we have started work on—a large prison camp on an island in Lake Victoria where we are satisfied that the prisoners can feed themselves and can do very useful work by testing fly-cleaning. The Commissioner has started a pilot scheme on the island and, if things develop satisfactorily, we hope to establish a long-term prison there for something like 5,000 men.

As regards the amenities of prisons, it is inevitable that a small district prison should become a kind of club. One knows most of the prisoners personally and, on the whole, they are extraordinarily likeable fellows, and, once they become prisoners, very trustworthy. In a large prison, the amount of work which can be done and the discomfort, or otherwise, depends entirely on the supervision which can be provided. At present the Embakasi Prison is extremely unpopular because the Commissioner of Prisons has been able to organize the work very thoroughly and to make certain nobody has a rest. On the other hand, I feel very certain that the Marsabit Prison retains the unbroken

[The Minister for Internal Security and Defence] calm which must have characterized it when my hon. friend the Member for the Coast was in charge of it.

Now, Sir, the question of detention camps. Our great problem here is the shortage of manpower on the African side and on the European side. We would like to have one warder to ten men in order to ensure proper supervision and proper organization of work, but we have not yet got to that figure. The Commissioner has, however, established a training camp for warders at Mackinnon Road and we hope by the end of June to be up to the numbers we require. We are still desperately short of Europeans and this is, in fact, the limiting factor in organizing work and in the proper administration of the camps.

With regard to segregation. I admit that I was not aware of the unsatisfactory position at Ahi River, but I shall have pleasure in looking into it.

With regard to Mackinnon Road, it is, of course, in the nature of the operation that we should have picked up a large number of very mixed people. We are now busy sorting them out and dividing them into those who can be released and sent back to the reserve, those who must be detained for some considerable time, and the intermediary grey class. These greys will be sent back to the reserves to special camps to work on various agricultural projects in the Kikuyu country. I say "will", but the first 1,200 have already left and, as fast as we can develop the work camps—and here again we come across the ubiquitous question of manpower—we shall shift all the greys out of Mackinnon Road. We shall release the "whites" and keep the "blacks" where they are.

There is not much suitable work available at Mackinnon Road. It is probable that we shall start something in the way of a papain industry—papaws grow there very easily—and various prison industries. The camp at which work is readily available is Manyani and it is for that reason that we selected the site. The Manyani Detention Camp lies alongside a large stone outcrop which will

be of easy access for quarrying and for the provision of stone for road work and railway work.

As hon. Members will have realized from what I have said, the Government lays the greatest importance upon the provision of work and on proper supervision. Only through discipline and organized work can the first steps of rehabilitation be taken. Whether or not it will be practicable to open up a camp at Mazeras, I cannot say; we shall have to examine the question of cost, water supplies and the various other matters which determine the situation of a camp. Once again we shall have to consider whether or not we have sufficient men to provide a dual organization.

With regard to the long-term problem. It is agreed that there are amongst the detainees a number of men who can never again be released upon society and measures are being taken to ensure that we have the power to keep those people tucked away for as long as it is necessary.

The final point raised by the hon. Member for the Coast is that of releases. As the hon. Member will be aware there is an advisory committee which advises the Governor on this question. I will refer to their recent recommendations about the Manda detainees and see if I think it is necessary for them to be asked to re-interview any people on the island.

Finally, Sir, may I, if you will allow me, make a rather gloomy observation which was attributed to Mr. Balfour about the Manda detainees and see if one which I have often reminded myself when I have failed to master a problem. "The human mind is designed for biological survival. There is no evidence to show it is any better fitted as a truth-finding organism than the snout of a pig."

The question was put and carried.

COMMITTEE OF SUPPLY

Committee of Supply—Order for Committee read. Mr. Deputy Speaker left the Chair.

IN THE COMMITTEE

[Mr. E. N. Griffith-Jones, Q.C., in the Chair]

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that a

633 Report and Motion

[The Minister for Finance and Development] sum not exceeding £662,965 be granted to the Governor to defray the charge which will come in course of payment for the year ending 30th June, 1955, for Vote 2-5—Prisons.

Question proposed.

Sub-heads A to K, agreed to.

The question was put and carried.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that the Committee do report progress and ask leave to sit again.

Question proposed.

The question was put and carried. Council resumed.

[Mr. Deputy Speaker in the Chair]

REPORT

MR. GRIFFITH-JONES: I beg to report that the Committee of Supply has considered and has approved a Resolution that a sum not exceeding £662,965 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 2-5—Prisons.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Council doth agree with the Committee in the said Resolution.

Question proposed.

The question was put and carried.

COMMITTEE OF SUPPLY MOTION

THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR

THE MINISTER FOR FOREST DEVELOPMENT, GAME AND FISHERIES: Mr. Deputy Speaker, I beg to move that Mr. Deputy Speaker do now leave the Chair.

Forest Department—Vote 5-3. It is my misfortune to have to introduce for the first time as a Minister on this side of Council the vote of a department which, prior to the Emergency, was becoming increasingly revenue earning and which now, due entirely to the Emergency, is falling into the "red".

The Forest Department, in particular, has been hit by the Emergency, both by the fact that work in the forests has

become almost impossible in certain areas and also due to the fact that the majority of its employees were of the Kikuyu tribe. This has meant that we have lost a large number of our best employees who were trained to the work, either because they have been taken into camps or returned to the reserves or voluntarily have returned to the reserves.

New another thing which has affected the revenue side of the Forest Department has been that there has been a fall in world prices of timber which necessitated in these Estimates a reduction in the royalty on timber. This is inevitable, as the two sides of the industry—that is the growing of trees by the Forest Department and the timber industry—are inextricably interwoven and it is always for that reason necessary to temper the royalty to the markets of the world.

A new system of fixing royalties has been decided on which we hope will cut out the anomalies of the past method of doing so. In future, all royalty on timber will be fixed by the free-on-rail selling price at the mill station. This should be equitable both to the department and to the industry. In the past, royalty was fixed, many, many years ago, and was not flexible. Now it is flexible and, by consultation with the department and the industry, royalties can be changed at any time to meet market fluctuations.

With regard to the actual figures of the Forest Department, this year's Estimates show an increase of expenditure of about £100,000 over 1953. A large proportion of that is due to the fact that in the affected areas we have not been able to go on with the old system where the squatter was growing crops to his own advantage and at the same time cultivating the forest land and a small wage in cash could be paid to him and due to the policy of depriving his family. Due to the forests of food, in the affected areas, we have had to stop the growing of crops in the forest areas in compensation for that it became obviously necessary to raise the pay of the workers in the forests. In addition, we have had to compensate for the loss of crops for last year when those crops had to be taken out to prevent them feeding the gangs. I want to be clear

[The Minister for Forest Development, Game and Fisheries]

on this point because there is a feeling in the affected areas that the forest squatter has gained by this policy of the increase of wages, plus the repayment in compensation for the crops which were taken out. That is not, in fact, the case. He was compensated for the loss of his crops which he had planted in his work last year and, again, for Emergency reasons, that was not paid in a lump sum, but was paid monthly over the period of a year which makes it appear that, with his additional higher wages, he was getting an advantage rather than a disadvantage from the Emergency. In point of fact, the squatter, with his new wage, is not likely to be nearly so well off as he was when growing crops prior to the change I have mentioned. The royalties earned by the department in 1953 were £182,000 and in the Estimates this year they are only £120,000. These figures are largely empirical, as we have a new system of royalties developing. We cannot be entirely certain of what it will bring in. It is a very complicated matter to judge what a royalty will give when it is assessed on a different method of allowances in different trees—piped trees and so on.

I do not think that there is any more that I need say about that side of the department except one thing: That is the development of the native forests—it is a matter on which the department is very keen—that is to say, care of forests in the African areas. These forests are developed by the Forest Department on this basis—that they do all the work and organization and the African District Councils draw the revenue from the royalties, but the Forest Department is reimbursed for the work actually done. I am particularly anxious that, increasingly, the forest in the native areas should be more carefully run and organized by the department as in the past there has been ruthless cutting of the protective forest and so on, which cannot but be in the end disastrous to the African population in the African areas. In the Machakos, in particular, the Local Native Council has offered land—to their very great credit—to the department for reafforestation and much will be done in that area, I hope, in the next few years.

We have allocated one of our best men to organize this work in the Machakos area where, I believe, reafforestation is probably more important than anywhere else in the country, due to its arid nature.

Mr. Deputy Speaker, I beg to move (Applause.)

THE MINISTER FOR COMMUNITY DEVELOPMENT seconded.

Question proposed.

MR. COOKE: I am not going to congratulate the hon. gentleman on his speech because, of course, it was inevitable that one who had won his spurs on this side of the Council should have presented his Budget, as it were, in such a succinct and logical way. It would, therefore, be impertinent on my part to congratulate him.

There is one point I want to make—a point I have been making several times—and I hope my hon. friend will give some thought to it. There is no doubt that when the present rebellions end we shall have to take a certain number of Kikuyu back into the forests and, as I see it, they will have to be put into villages from which they will proceed to work and, of course, they should not be allowed to grow vegetables and other foodstuffs on the same scale as before.

I would suggest—I often wonder why it was not done before—that these men are properly disciplined, that when they are in their villages, they wear uniform and proper badges, that they are divided into headmen and sub-headmen and so on and properly paid and they should have village schools, churches, playgrounds, all that sort of thing attached. In order that they should get from the villages into the forest, it will be necessary, in my opinion, to zone the forests, as has been done in Canada and these zones should be under a separate administrator—African, preferably—who should go around and see that everything is going right: That would post proper roads and it is not so difficult to make roads as some people at one time thought. I understand that a very good road has been made by the military from Nyeri across the old track, across the mountains, to North Kinangop. If that can be done in such circumstances, there is no reason why all the forest should not have very much better road communications. Not only would that lead to the

[Mr. Cooke]

sending of squatters, or whatever they may like to call them, to operate, to do their work at some distance from their villages, it would also lead to much better fire control, in case of forest fires, which have done such tremendous damage in the past.

I beg to support the Motion (Applause.)

LT.-COL. GIBBS: Mr. Deputy Speaker, Sir, I merely wish to raise two points. The first one is on the actual expenditure. The hon. Minister pointed out that the proposed expenditure of £340,000-odd is over £100,000 greater than the actual amount expended in 1953. I know there is a memorandum in the Estimates which purports to explain the reason for this large increase, but Sir, when we look at this memorandum—the main reason for this increase was the effect upon the forest labour force of the Emergency, which disrupted the traditional use of squatter labour and necessitated employment of casual labour paid on a full-time basis. It goes on to say that the increase amounts to some £27,000—the actual increase is well over £100,000, which is 50 per cent more than the expenditure in 1953. One would have thought that the activities of the Forest Department would have been considerably curtailed as a result of the existence of the Emergency. I would be very glad if the hon. Minister would clarify the position a little further.

There is, one other small point. I see in the Estimates that it is proposed to increase the number of medical dressers. I only hope that these dressers are properly screened and that precautions are taken over the control of their medical stores, to make certain that they do not fall into the hands of the *Mau Mau* in the forests.

I support the Motion, Sir.

MR. RIDDOCH (Nominated Member): Mr. Deputy Speaker, Sir, I should like to congratulate the hon. Minister on his very clear exposition of the policy of the Forest Department.

There is just one matter. I would like to refer to. During the November Budget debate, views were expressed on both sides of the Council, to the effect that if our financial position should deteriorate much more, as a result of the Emer-

gency, that it might be advisable to concentrate our energies on the short-term development plans and cut down on certain long-term projects, included among which was the Forest Department. That prompted me to get up and try to point out to the hon. Members of this Council the dangers of interfering with a forest planting plan, once it had been started. I do not wish to take up the time of the Council in repeating the arguments I advanced then, but I would ask the hon. Minister for his assurance that the vote of money now at his disposal is sufficient to maintain the planned programme during the current—next—year; that is, of course, bearing in mind the difficulties which result from the Emergency.

I beg to support.

MR. TAMBO: Mr. Deputy Speaker, Sir, I have only one point to ask the hon. Minister responsible for forestry. The point I have is that so far I do not think that it has been the policy of his department to try and encourage Africans who have reached the School Certificate or the Junior Certificate standard to take up any sort of training to enable them to become foresters. I think, Sir, if the Department could initiate such a scheme, it would be very useful to the country, especially as far as the African District Councils' forests are concerned. I would like to ask the hon. Minister to tell this Council whether it would be a possible matter to follow up and to initiate.

I beg to support.

MR. CROSSKILL: Mr. Deputy Speaker, Sir, there are one or two points I would like to put to the hon. Minister. First of all, I would like to ask him whether it is his policy that casual or squatter labour of the Forest Department will, for certain administrative purposes, be under the County Councils. I think it would be an advantage from the point of view of the Forest Department that they should utilize such services—educational facilities, medical facilities and so forth, which will be provided and supervised by the County Councils. Furthermore, if they are under the County Councils, in that respect, it will mean that such things as wages, areas of cultivation and so forth, will be co-ordinated as between the Forest Department and the farm employees. In the past this has not been

[Mr. Crosskill]

so. Large areas have been available to the forest squatters for cultivation and that fact has militated to the disadvantage of farmers, to a great extent, in obtaining sufficient labour. The second point is that during this Emergency, there have been aerial surveys carried out by the military—the Air Force—and I think that those photographs would be of advantage in planning forest policy. I would like the Minister to say whether he has now got maps made from the photographs or whether he would do so. I think they would indicate the type of forest with which the Minister will have to deal and facilitate plans for the use of the forests.

The other point, Sir, I would like to know, what plans the Minister has for the economic use of the 11 per cent of the forest areas which is supposed to be forest glades. That would amount to some 500 square miles of grassland in the forest areas and I would like to know whether the Minister has any plans for their economic use.

My final point is with regard to future markets. I would urge that the Minister should have an organization for assessing future demand for timber, as far as that is possible, keeping in touch with experts who are working on that in the United Kingdom, because undoubtedly there are trends towards the use of steel for windows and doors and so forth, plastics and other things, which may reduce the demand in the far future, but we are dealing with forests, which is a very long-term project. I think a careful eye should be kept on the economic possibilities of the future.

I beg to support.

MR. COL. GROGAN: Mr. Deputy Speaker, Sir, I do not know whether the Minister has had an opportunity of referring to a most valuable book, published nearly 50 years ago—(Laughter)—by a very remarkable and knowledgeable, if somewhat eccentric Conservator of Forests, the late lamented Sir David Hutchins. If he has not, it is still excellent and I draw his attention to it and the suggestions made therein; suggestions which I have had the opportunity of reinforcing from time to time—that a study should be made of, more

especially, in Central America, where they have got a residuary extension of very northern trees still hanging out in tropical conditions, as a result of the recession of the Ice Age. Therein he will find suggestions as to the great diversity of trees which might be expected to survive and prosper in these similar conditions, rather than rely, as the Forest Department is doing to-day on a very small number of species, all of which, if I remember rightly, were introduced by me about 50 years ago, and some of which are showing signs of succumbing to predatory insect attacks and otherwise, and I think the forest position in this country is in the very dangerous state of relying on a very small number of species. I draw attention more especially to the bamboo areas, extensive in this country which serve no economic purpose. I have very little doubt even in the bamboo forests and the bog land above the bamboo forests that a large number of trees might be found of economic significance.

One other point which I would ask him to draw attention to, and that is one that I have pressed for for about 20 years without any success—that he should draw the attention of the Railways to the advisability of carrying to the fruit-growers proper materials of slats and wood wool—the machinery for which I introduced here about 30 years ago, with no success because of the obstruction of the Railways—to fruit-growers, at a negligible cost instead of at the highest possible rate of sawn timber. That is the only method by which the fruit industry is liable to achieve the importance that it should do. The present system of packing fruit is quite impossible, of course, because of this return empty system, which must be a great embarrassment to the Railway; instead of carrying down the proper materials for making fruit boxes which could then be used to bring good fruit to the markets, the materials are then thrown away at that end. (Hear, hear.) (Applause.)

ADJOURNMENT

THE DEPUTY SPEAKER: I will now interrupt the debate and invite the Leader of the Council to announce the business of the next week.

THE MINISTER FOR FINANCE AND DEVELOPMENT: This is the business agreed by the Sessional Committee next week:—

Tuesday, 1st June, 1954—

10.00 a.m.—Committee of Supply.

2.30 p.m.—First Reading.

African Poll Tax (Urban Areas) (Amendment).

Poll Tax (Northern Frontier District) (Amendment).

Pig Industry (Amendment).

Tea (Amendment).

Promissory Oaths (Amendment).

Supplementary Estimates.

Government Motions.

Public Accounts Committee Report.

3.30 p.m.—Committee of Supply.

Wednesday, 2nd June, 1954—

2.30 p.m.—Second Reading.

3.30 p.m.—Committee of Supply.

Thursday, 3rd June, 1954—

10.00 a.m.—Committee of Supply.

Committee of Ways and Means.

2.30 p.m.—Committee stages of Bills.

3.30 p.m.—Committee of Ways and Means.

Friday, 4th June, 1954—

9.30 a.m.—Committee of Ways and Means and Financial Legislation Considered upon the Budget.

Council rose at thirty minutes past Twelve o'clock.

Tuesday, 1st June, 1954

Council met at Ten o'clock.

(Mr. Deputy Speaker in the Chair)

PRAYERS

PAPERS LAID

The following papers were laid on the Table:—

The Printing and Stationery Department Annual Report, 1953.

(By THE MINISTER FOR FINANCE AND DEVELOPMENT)

The Prisons (Amendment) Rules, 1954.

(By THE MINISTER FOR INTERNAL SECURITY AND DEFENCE)

The Education (Fees: Technical and Trade Schools) Rules, 1954.

(By THE MINISTER FOR EDUCATION, LABOUR AND LANDS)

ORAL NOTICES OF MOTION

TRANSFER OF BIOLOGICALS

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:—

THAT this Council, recognizing that the conditions which led to the Resolution of the 4th December, 1952, that the Kenya Veterinary Laboratories should continue the preparation and sale of biologicals have now altered:

AND that the facilities, both as regards staff and equipment now available to the East African Veterinary Research Organization have placed that Organization in a satisfactory position for the production of certain biologicals:

ACCEPTS the principle that the East African Veterinary Research Organization should assume responsibility for the manufacture of rinderpest K.A.G. and lapinized virus vaccine the date of transfer to be decided by the Minister for Agriculture, Animal Husbandry and Water Resources in consultation with the Director, East African Veterinary Research Organization.

COMMITTEE OF WAYS AND MEANS

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:—

PERSONAL TAX

THAT, subject to the provisions of an Ordinance entitled the Personal Tax (Amendment) Ordinance published in the *Official Gazette* on the 15th May, 1954, and to be passed in the present Session, the rates of Personal Tax be amended in accordance with the provisions of the said Ordinance.

INCOME TAX

THAT, subject to the provisions of an Ordinance entitled the Income Tax (Rates and Allowances) (Surcharge) Ordinance, published in the *Official Gazette* on the 15th May, 1954, and to be passed in the present Session, a surcharge on income tax be imposed in accordance with the provisions of the said Ordinance.

EXPORT DUTY—COFFEE

THAT, subject to the provisions of an Ordinance entitled the Export Duty (Amendment) Ordinance, published in the *Official Gazette* on the 1st June, 1954, and to be passed in the present Session, an export duty be imposed on coffee in accordance with the provisions of the said Ordinance.

EXCISE DUTY

THAT, subject to the provisions of an Ordinance entitled the Excise Duty (Amendment) Ordinance, 1954, published in the *Official Gazette* on the 23rd April, 1954, and to be passed in the present Session, the rate of excise duty be amended in accordance with the provisions of the said Ordinance.

CUSTOMS DUTY

THAT, subject to the provisions of an Ordinance entitled the Customs Tariff (Amendment) Ordinance published in the *Official Gazette* on the 23rd April, 1954, and to be passed in the present Session, the rates of duty be amended in accordance with the provisions of the said Ordinance.

(The Minister for Finance and Development) CONTINUANCE OF EXPORT DUTY ORDINANCE, 1951

BE IT RESOLVED THAT this Council approves the Export Duty Ordinance, 1951, being continued in force until the thirtieth day of June, 1955.

SETTING ASIDE OF CROWN LAND

THE MINISTER FOR EDUCATION, LABOUR AND LANDS: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:—

WHEREAS the Governor considers it desirable to set aside the area of Crown land situate in the Highlands and described in the Schedule hereto as a Native Reserve for the purpose of satisfying the economic needs of the Kamba tribe.

AND WHEREAS the content of the Highlands Board to the setting aside of such land has been given:

AND WHEREAS an amendment to section 55 of the Crown Lands Ordinance (Cap. 155) which has received the approval of this Council but has not yet received the consent of Her Majesty the Queen provides that it shall be in the Governor's discretion to decide whether or not rent shall be paid for Crown land set aside as a Native Reserve:

BE IT RESOLVED THAT this Council approves of the setting aside of the said land for the aforesaid purpose without the imposition of rent.

The Schedule is a detailed description of the 16,026 acres bounded on the north and east by the North Yatta Native Reserve and on the south by the Yatta Plateau Native Reserve.

ORAL ANSWERS TO QUESTIONS

QUESTION No. 90

LT.-COL. S. G. GHERSIE asked the Minister for Internal Security and Defence to give an assurance that should any member of the Security Forces be wounded or injured whilst serving with a service unit, that he will receive the necessary medical or surgical treatment at the public expense, regardless of the actual hospital at which treatment is administered.

THE MINISTER FOR INTERNAL SECURITY AND DEFENCE: The Government gives an

assurance that any member of the Security Forces who is wounded or injured whilst on duty will receive the necessary medical and/or surgical treatment at public expense. This assurance does not cover injuries sustained by a member of the Security Forces when he is not on duty; nor is it intended that a member of the Security Forces should decide at what hospital he should receive treatment, or by whom he should be treated. Treatment will be given under the direction of the appropriate authority.

LT.-COL. GHERSIE: Mr. Deputy Speaker, arising out of that answer, Sir, supposing the Government doctor or the surgeon was not in the vicinity, could the person consult a surgeon or physician other than a Government doctor and receive the same treatment at public expense?

THE MINISTER FOR INTERNAL SECURITY AND DEFENCE: Yes, Sir, if he was directed to that surgeon by the appropriate authority.

MR. COOKE: Could the man himself go straight to a private practitioner and Government pay the expense later on?

THE MINISTER FOR INTERNAL SECURITY AND DEFENCE: If he were wounded or injured and there were no Government doctor available, he should obviously go to the nearest medical practitioner.

QUESTION No. 109

MR. MATHU asked the Minister for Legal Affairs to state if steps are being taken to amend the Criminal Procedure Code to enable all accused persons of all races to be tried by jury and if not, why not?

THE MINISTER FOR LEGAL AFFAIRS: Steps are now at the moment being taken to amend the Criminal Procedure Code in the sense suggested, but it is the intention of the Government to examine the matter at a convenient time.

MR. USHERY Sir, arising out of that answer, will the Minister give his attention to the proposal of abolishing the jury system for all races?

MR. MADAN: Arising out of that answer, Sir—

THE MINISTER FOR LEGAL AFFAIRS: I have not answered it yet.

[The Minister for Legal Affairs]

When the time arises for the Government to examine this matter, as envisaged in my reply, I have no doubt all relevant considerations will be taken into account by the Government.

MR. MADAN: Arising out of the original answer, may I ask when the hon. Minister considers the convenient time will arrive?

THE MINISTER FOR LEGAL AFFAIRS: That lies in the future and I, no more than the hon. Member, can claim to see into the future.

QUESTION NO. 115

GROUP CAPTAIN BRIGGS asked the Minister for Agriculture, Animal Husbandry, and Water Resources: Will Government state whether the matter of the manufacture of biologicals by the High Commission is again being considered by Government?

If this is so, in view of the request made in a Motion in this Council on 4th December, 1952, will Government give this Council an opportunity of debating the matter before a final decision is taken?

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY, AND WATER RESOURCES: The answer to both parts of the hon. Member's question is in the affirmative.

MOTION

THE ACTING CHIEF SECRETARY: Mr. Deputy Speaker, Sir, I beg to move that under Standing Order 168, Standing Order 91 be suspended to the extent necessary to enable the First Readings of:—

The Pig Industry (Amendment) Bill (Bill No. 31);

The Tea (Amendment) Bill (Bill No. 36);

The Promissory Oaths (Amendment) Bill (Bill No. 37), to be taken to-day.

Sir, this is a formal Motion and I think no more need be said.

THE MINISTER FOR LEGAL AFFAIRS seconded.

Question proposed.

The question was put and carried.

THE MINISTER FOR FOREST DEVELOPMENT, GAME AND FISHERIES: Mr. Deputy Speaker, I wish to deal briefly with a few questions that were asked in the debate on forest policy.

The hon. Member for the Coast asked whether there was a development of welfare centres in the forest areas and villages and roads. Well, the answer to that is that there are already welfare centres in certain districts, and it is the policy of the Department to go on introducing and improving villages and welfare centres and roads—roads in particular. A great deal of work has been done in the last few years, and the forest roads are vastly improved from what they were.

The hon. Member for Nairobi North asked a question as to the discrepancy, as he saw it, between the Memorandum of the Draft Estimates and the actual expenditure. The answer is that the Memorandum seeks to explain not the difference between a full year, but double the half-year of the last Estimates. The actual difference between the 1953 and the 1954/55 Estimates is £100,800 and the difference between 1954 and 1954/55 by doubling the half-year rate will arrive at £65,000.

The Memorandum admittedly is a little difficult to understand, and if you take the Draft Estimates on page 168, by doubling your half-year rate £39,000, you will then get that increase of 27 per cent. referred to in the Memorandum.

The hon. Mr. Riddoch asked whether the Forest Department considered that it had sufficient money in these Estimates to continue its planting and maintenance programme. Well, the answer to that is, yes. Sir, within the limits of what the Department is able to do under Emergency conditions. Naturally a long-term department, such as the Forest Department, will never really, in its own opinion, have enough money (or in the opinion of the Minister). At the moment, however, we would not be able to use more money, because of the difficulty in the affected areas in getting labour out to work and therefore, for this year at least, the money is sufficient within the limits of the Emergency to carry out this programme. The Emergency itself has apparently affected the work in certain areas.

[The Minister for Forest Development, Game and Fisheries]

The hon. African Member, Mr. Tamenjo asked why there were no promotion posts to foresters for Africans. That is correct. At the present time there are no posts higher than that of senior forest rangers, but I can assure him that that is a matter which will be looked into, as it is clear to me that there must be promotion posts for Africans within the forest, particularly in a supervisory capacity if we are going to continue with the increased supervision, which everybody is asking for, in the forest. Therefore that matter will be looked into this year.

The hon. Member for Mau asked several questions. He asked, amongst other things, what the attitude of the Forest Department was towards the County Council taking over certain things in the forest areas. What is being done is, that in the past, a small strip of forest on the edge of settled areas by agreement came under District Councils for certain labour rates, and now it is intended that the whole forest areas should come under one or other of the County Council areas. Therefore the line between County Council areas comes somewhere in the forest. Every forest area will be within a County Council boundary. What the hon. Member was really getting at, was to what degree the County Councils have powers in the forest areas over labour regulations? The answer to that is that where labour regulations, particularly where squatters are concerned, the Forest Department will ask for representation from the very beginning or with the District Councils before orders are made in order that they should have a chance, at a very early stage, of pointing out to the County Councils what it would be possible for them to fulfil rather than for the Forest Department to use the powers of veto of Government in the Executive Council after the County Council order is passed up to that Council. Obviously, discussion at the beginning would give a great chance of amicable agreement being reached and I believe that in general such agreement would be reached.

THE DEPUTY SPEAKER: I am sorry to interrupt the hon. Member. There is apparently a certain amount of experimenting going on with the microphones

and the amplification in the HANSARD reporters' box. Hon. Members will observe that the microphones on the Government side of the Table have been removed and are now suspended above them. Apparently the HANSARD reporters find that this is not catching the voice of the hon. Member who is now speaking, and so I would ask him to raise his voice as much as he can. Also, while this experiment is in progress, would hon. Members not attempt to compete with aircraft? The aircraft invariably win. (Laughter.)

THE MINISTER FOR FOREST DEVELOPMENT, GAME AND FISHERIES: But in particular the hon. Member wanted to know what sides of the forest activities the County Council would be able to control. The answer to that is that it would, of course, be by agreement only on certain matters of discipline of labour in the forest areas adjacent to District Councils where measures have been laid down and agreed for labour conditions by the County Councils after preliminary discussions with representatives of the Forest Department as to what was feasible.

I believe myself that there will not be a great difficulty in reaching agreement, if the mutual difficulties and interests of the Forest Department and County Councils are discussed at a high level early in the proceedings before they become contentious.

He also asked me about air photography—whether the Forest Department were going to use the Royal Air Force aerial survey. The answer to that is, Sir, that it is in the hands of the Director of Survey, and that they will use it when it is pieced together and interpreted; but the Royal Air Force survey is small scale and will not always be of much use, but perhaps it will be of interest to the Council to know that in the Tinderet Forest a survey was done by Hunting's Limited, and that survey exists in the Forest Department of that area.

He also asked me what was the policy about 500 square miles of forest glades—whether these glades would be available for alienation. Some years ago the Forest Boundary Commission sat and they recommended the excision of certain areas of the forest for forest settlement. These areas are gradually being handed over for settlement, but at this moment it

[The Minister for Forest Development, Game and Fisheries]

is not the policy of the Department to allocate any other land within the forests.

I personally consider that the greatest care must be exercised in any forest excisions. The forest is a thing, which has an enormous influence on this country—probably climatologically—and I would not be in favour of any large-scale infiltration of settlement inside the forests; Furthermore, most of the glades—

MR. CROSSKILL: Sir, I am not daring to suggest alienation. I asked what possible economic use could be made of them and if they could be included in the Forest Department plan.

—THE MINISTER FOR FOREST DEVELOPMENT, GAME AND FISHERIES: I evidently got what the hon. Member said wrong. At the present moment some of them are being planted with trees, but of course most of them, being glades, are not usually very satisfactory for the growing of trees. Nevertheless, experiments are being conducted in that line, and at this stage I would not be prepared to say what policy will be adopted until we find out more about what we can achieve.

He also asked whether, in view of the fact that timber might be a commodity less and less in demand in the world—whether we are considering the future uses of forest products. There has been a Pulp Committee sitting to consider the possibilities of using forest by-products, by making pulp from the poorer exotic timber, and there is a possibility that such an industry may be started up in due course.

The hon. Member for Nairobi West asked whether the possibilities of other exotic trees were being explored, and he mentioned a book on the subject of possible exotics, written many years ago, and I will try and get hold of that book because anything we can find out about the possibility of new exotics is of value and interest to the Department because we cannot, naturally, say that what we are doing is necessarily right. We have experimented with certain exotics—some have given good results and some have hit back at us pretty hard—and obviously the only reasonable course is to experiment with every type of exotic.

His other question dealt with the character of slats carried by the railways, and the cost thereof. Now, I do know this particular question—I have come across it before. What he was really referring to, I think, was the great cost of carrying empty fruit boxes and the cheapness of carrying slats in bundles—for fruit growers. I can assure him that I will take that up with the railways and the timber industry. (Applause.)

The question was put and carried, and Mr. Deputy Speaker left the Chair accordingly.

IN THE COMMITTEE

[Mr. E. N. Griffith-Jones, Q.C., in the Chair]

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that a sum not exceeding £342,047 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 5-3—Forest Department.

Question proposed.

Item Nos. 1, 2 and (30) agreed to.

The question was put and carried.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Committee do sit report progress and ask leave to sit again.

Question proposed.

The question was put and carried.

Council resumed.

[Mr. Deputy Speaker in the Chair]

MR. COOKE: Mr. Deputy Speaker, on a point of order, would it be possible for the Clerk to read these items a little bit slower? Some of us, who are not so quick in the uptake as you are, Sir—or the Clerk—find it a little difficult to follow if we want to turn to a page to make a point. If he could read just a little bit slower.

THE DEPUTY SPEAKER: I shall try to see that they are read a little bit slower, but I feel that hon. Members—it is not asking too much of them to be ready with their points.

REPORT

MR. GRIFFITH-JONES: I beg to report that a Committee of the whole Council has considered and approved a Resolution that a sum not exceeding £342,047

[Mr. Griffith-Jones]

be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 5-3—Forest Department.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Council doth agree with the Committee in the said Resolution.

Question proposed.

The question was put and carried.

COMMITTEE OF SUPPLY MOTION

THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR—

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that Mr. Deputy Speaker do now leave the Chair.

This Vote, Sir, deals with the High Commission and Kenya's contribution thereto. I am not quite certain to what point of policy hon. Members opposite may direct their questions, but I do not propose to traverse again the long life history of the establishment of the High Commission and the policy which is involved in that establishment. I will, Sir, deal with the general position of the contribution as outlined in these Draft Estimates. The provision that is made here is for £1,103,868. This compares with the total expenditure figure for the High Commission, of some £3,470,820. Now, Kenya's share was rather more than double the sum which was put into the Estimates for the current period, and some £43,000 in excess of the actual expenditure in 1953. The main reason for the increase now shown is the additional provision for the East African Income Tax Department, provision for which is £50,000 more in 1954/1955 than it was in 1953. The increase is attributed to the fact that the Investigation Department is being strengthened—the Investigations Branch—is being strengthened, and also that there are a greater number of taxpayers to deal with in the territories than there were in 1953, but it is hoped—in deed, I may say expected—that the amount will be more than offset by the additional tax yielded by the work of the Investigations Branch. That, I think, covers that particular point.

Now, Sir, the Estimates Committee of the Central Assembly—the total pro-

vision for the Committee was increased by £38,490 to £3,509,310. My hon. friend, the Member for Central Area, Mr. Gathani, can add those two together, and I think he will find it is all right. (Laughter.) Our share of that increase was £5,740, which means that our total contribution is therefore £5,741 greater than the amount shown at the end of the Draft Estimates. The reasons for this were increases in certain services, and reallocations in the cost of other services. Whilst I do not propose to deal with these in detail, I shall answer questions—as far as it lies within my power—at the Committee stage.

There are increases such as Lake Victoria Fisheries Services—£100, East African Medical Research—£2,010, East African Meteorological Department—£972 and the Royal East African Navy—£2,180; taken against the reallocation of the cost of the Desert Locust Survey—£2,700, and of the East African Customs and Excise—the reallocation of our share will result in a saving of £949, leaving us with a net increase of £5,741.

I do not propose to move at this particular moment any increase in our provision to meet this particular increase in Kenya's share for the 1954/1955 Estimates, but, if it should prove necessary, I will take a Supplementary Estimate later in the year. However, we have accumulated surplus balances which do provide a working capital for the High Commission, and Kenya's share of those accumulations, at Kenya's share of the 31st December, 1952, was £296,000. I think, therefore, there is no necessity to take an additional vote for the £5,741 now, and that we can perhaps reduce to that extent the working capital of the High Commission as far as Kenya is concerned.

Sir, I beg to move.

THE MINISTER FOR COMMUNITY DEVELOPMENT: seconded.

MR. HARRIS: Mr. Deputy Speaker, Sir, I would like to take the opportunity of this Motion to focus the attention of Members on the status of the High Commission and of the Central Assembly generally.

I should like to correct an impression that I may have given recently in that

[Mr. Harris]

I am not opposed to the principle of the High Commission. The point I wish to make, Sir, is that the High Commission was born with Papers 191 and 210 as its parents, and I believe that both those Papers did, in fact, project into East Africa, and into Africa generally, an ideal which has not so far come anywhere near maturity.

I believe the duty of this Council is to try and build the High Commission services into a really worthwhile, active and lively organization. (Hear, hear.) At the present time, Sir, I do not think that any of those objectives could rightly be ascribed to the organization. In fact, if we asked even the hon. Members of this Council who their representatives are on the Central Legislative Assembly—if you, Sir, could set a little examination paper—I believe you would be surprised at the answers. If you went out into the street and asked the first five people you met who were even the members of the High Commission itself, and who was its Chairman, I very much doubt—unless you happened to be near the Post Office and to run into an employee of the High Commission—that you would get the right answer.

Now, Sir, that seems to me to show that the whole of the High Commission and its services are far too remote from the ordinary people who indirectly contribute to its existence, and it is for that reason, Sir, that I mentioned some time ago a "cloistered quietude". I said that in order to try and convey a sense of remoteness, I think our job is to try and break down that remoteness and to bring the High Commission services much more before the people who are ready to make criticism, both constructive and; being in Kenya of course, destructive, but at any rate wholesome, criticism. There is a great deal of criticism of the High Commission to-day, and a great deal of it is ill-founded, because so few people realize the functions of the High Commission, or of the set-up.

Now, Sir, within two years we have to decide whether we are going to contribute—continue to contribute—over £1,000,000 a year to the High Commission services, or whether we have got to make very drastic changes. There is always a misunderstanding of the High

Commission—a general feeling abroad that the High Commission is a sort of Upper House, which is on a plane that mere mortals of this Legislature cannot criticize. In fact, Sir, an idea that it is rather like the House of Lords but, as you know, Sir, the House of Commons have from time to time taken the opportunity of criticizing both the functions and the activities of the House of Lords. It is not in any way an Upper House, Sir. It is a co-ordinating service, and it is merely part of its constitution that Members on this side of Council have the opportunity of electing representatives to the Central Assembly. That is the only possible comparison that could be made with an Upper House, and it has been of course that in the past we have sent to the Central Assembly our elder statesmen to look after our interests in that place. There are, of course, some younger statesmen on the other side who also sit on the Central Assembly, but, Sir, to come back to the decision that we have to make, I believe that we should now try and get ordered thinking on our plans and on our wishes for the High Commission after 1956.

There was once set up a committee called a Committee to Investigate the High Commission Services, under the Chairmanship of Sir Charles Mortimer. It reported about eight months ago, and the tenor of the report was that it had nothing to report. (Laughter.) Well, I feel, Sir, that we should have another committee set up from Members of all parts of this Council, really to go into the whole question of the High Commission and decide, within the next twelve months, so that the Minister for Finance will be in a position to frame next year's Estimates accordingly—the plans which we intend to make for the High Commission when it comes to the end of its present natural life.

There is one other point I should like to make, Sir, and it is also a part of this remoteness. I believe it is the duty of the High Commission to be selling East Africa to the world.

During the recent visit of the Commissioner for East Africa in London, he has been discussing with Chambers of Commerce and other people the idea of his doing far more publicity for East Africa, both from the tourist point of

[Mr. Harris]

view and the investment of capital point of view, than he has done hitherto. I see that in one place he made a suggestion that in the East Africa Office in London there should be set up a special section whose duty it would be to keep East Africa in front of the people of the British Isles through the medium of such things as Agricultural Shows and so on, and I would commend, Sir, to Government, that they might approach the High Commission and ask whether Kenya should not throw its weight behind the idea of enabling the Commissioner in London to do far more publicity for East Africa than he is able to do at present.

On the details, Sir, of the Estimates, the Minister for Finance, in proposing this Motion, mentioned that we had an accumulated surplus balance of, I think, £296,000 with the High Commission. Well, Sir, no taxpayer likes paying more than he has to and I hope that in the present Estimates which we have before us there is not an element which next year will have sent that surplus balance up from £296,000 to, say, £350,000. I never like the idea of putting away what you do not spend, because, once a Minister for Finance gets it into his mind called "an unexpended surplus balance", you need a magnet of considerable size to get it out of him and expended on anything.

Mr. Deputy Speaker, I beg to support.

Mr. Awori: Mr. Deputy Speaker, Sir, the point I wish to raise is the question of the publication *Tazama*. It might be appropriate for the hon. Minister for Finance to reply on that point or the hon. Director of Education. I do not see why this paper *Tazama* is proscribed or not allowed in Kenya. Principals of most schools in Kenya do not allow *Tazama* to be bought by the schools or to be read by the students. I do not see anything wrong with that. If it is wrong, then what I should say is the High Commission should discontinue the publication of the paper if they think it is not good enough for the students to read. It is no good, Sir, if we have to spend money on a publication like that and at the same time we have to stop the students from reading it. If it is just on account of the cover pages—I do not know—but I feel

it is a point the Minister should look into and let us know the reasons why it is not allowed to be read in schools.

Mr. COOKS: Mr. Deputy Speaker, I raised the question of *Tazama* the other day, probably quite out of order. I would like, to say this: I think the Education Department are perfectly right. I think it is a common, vulgar, little paper and I am surprised it is allowed to be published in Kenya at all, and that was the point I tried to make the other day. Of course, I agree with the hon. Mr. Awori, that if it is not allowed into schools and not generally read, then the publication of it should be discontinued.

LADY STUAW: Mr. Deputy Speaker, Sir, I want to ask a question about the whole subject of these services under the High Commission. It seems to me that many of them are East African Services when they should, indeed, be part of an African Service—such things as tetsete research, leprosy, malaria; I cannot quite understand why the High Commission should have these services of fundamental research on what is, in fact, anyhow an African problem, and their researches should probably be part of a larger organization to which we might contribute rather less and have more effective, but rather more valuable results. I refer and rather more valuable results. I refer particularly, Sir, to such things as the East African Fisheries Research. Now anybody who has had the good fortune to read or to look at that excellent fish book—but I do not even remember its name but it is about the fishes of South Africa—magnificently illustrated—must realize that the fishes of South Africa and those on this coast are much the same. Why should East Africa, with a fairly short coastline, have an East African Fisheries Research? Why should it have an East African Inter-Territorial Marine Fisheries Organization? Why should it have an East African Leprosy Section? An East African Medical Research? An East African African Malariā Unit? I do not wish to go on and on with this but I am trying to make a point that all these questions, which are being dealt with by organizations which are being dealt with by a form of fundamental research under an East African organization, are African problems which surely can be dealt with on a larger scale and possibly at less local expense and with very much better ultimate results.

MR. EDVE (Nominated Member): Mr. Deputy Speaker, the hon. Member for Nairobi South, in talking a few minutes ago, made mention of the Committee which had been set up to investigate the High Commission Services and stated that they had rendered a report which rather inferred there was nothing wrong with the Services and nothing to report. The reason that the Committee rendered the report it did was due to the fact that a number of the members on that Committee, owing to pressure of work in the Emergency, had not got the time to devote to a proper investigation which the terms of reference called for. The second reason was that many members felt the task they had been given was like being asked to count the rivets in the *Queen Mary*.

MR. HARRIS: Rising on a point of explanation—I hope I did not infer that they did not report because there was nothing wrong. I think the reason was that they found so much wrong that, in the middle of the Emergency, they could not put it right, (Laughter.)

MR. GATHANI: Mr. Deputy Speaker, Sir, I have just a few points to raise. One is regarding this Desert Locust Survey. The item appearing in the Budget is—

MR. USHER: Rising on a point of order—the question of dealing with this head was gone into rather carefully last year, Sir, and I think that it was decided that these items could all be dealt with when it came to the Committee stage and that they could not be made points of policy.

MR. MADANI: On a point of order—is a Member entitled to refer to an item of expenditure appearing in the details when speaking on policy?

THE MINISTER FOR FINANCE AND DEVELOPMENT: My hon. friend the Member for Mombasa is right. The items which came under the High Commission head are so varied that we should, indeed, get most concerned and as a result of that is that it was agreed last year that matters dealing with particular heads should be dealt with in Committee, even though they might be deemed to debate policy.

THE DEPUTY SPEAKER: I will apply that ruling now.

MR. GATHANI: The point I wished to raise was only whether the Minister is satisfied that the continuation of this expenditure—in the interests of the country and whether some other avenue can be—

THE DEPUTY SPEAKER: The hon. Member is still dealing with a single item. He must have heard the previous speaker's point of order referring to last year's proceedings and the ruling which I indicated I was going to apply this year. If he has any point of detail on individual items contained in the Estimates, will he kindly reserve it until we go into Committee.

MR. GATHANI: I will wait until we go into Committee.

THE DIRECTOR OF MEDICAL SERVICES: In reply to the hon. and gracious lady Member for Ukamba, I would like to say a few words about the Medical Research Unit which works under the auspices of the High Commission. I think we have got to realize that these Units are working very largely on local problems. Take the Malaria Unit for instance. This is situated in Tanganyika, but the Director comes up here and gives his advice to us in Kenya. We send people there for training in malaria work and I feel if the Unit was situated somewhere further south, this country would have very much less benefit from that service. The same thing applies to the Medical Survey, the Leprosy Specialist and so on. We are sufficiently close to those Units to be able to get their advice on local problems when we want it. The Malaria Survey, for example, is working in Kenya. The Leprosy Specialist is stationed in Kenya and is available for advice on our local problems, and I do feel that having their services centred in East Africa, does mean that we should get very much more benefit from these Units than if they were far more remote from us.

DR. HASSAN: Mr. Deputy Speaker, Sir, I have nothing much to say except to ask the Minister whether the High Commission establishments in this country have achieved the object for which this Commission was first appointed. We were told that the High Commission—the chief aim of this body—will bring all three Territories nearer to each other. Has this

[Dr. Hassan] object been achieved? This is one of the most important things for this Council to consider. We have no doubt that the Research Services who benefit all three Territories—the Research Services are not going to carry out their object as they are stated at this time, because with a view to carrying out research for different diseases, we need a very much greater number of very high experts to be brought into this country. If research is only confined to the diseases affecting only those in these Territories, it may be within our means to provide funds for them, but if these Research Services are increased with a view to carrying on research for the benefit of the world, then I must warn the Government that they will not have the means to maintain and support the very expensive experts in this country.

With that, Sir, I would support this Motion.

MR. JEREMIAH: Mr. Deputy Speaker, I want to say a little about what has been mentioned with regard to the publication of *Tazama*. I want to inform the Council, Sir, that that is one of the papers which is very much liked by the African and to think of discontinuing it on account of what some other people think, including, I am afraid, my friend, the Member for the Coast, I think it would be a great mistake and I would urge, Sir, that the paper should continue and improve itself more if it is possible.

Sir, I support the Motion.

THE DEPUTY SPEAKER: If no other Member wishes to speak, I will call upon the hon. Mover to reply.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, when a certain amount of talk has been devoted to a newspaper which I understand is published by the East African Literature Bureau, I feel inclined to say that the short answer to all these questions was to say *Tazama* to them because I understand it means "I will look at". So far as this particular publication is concerned, Government will go into the matter. I am told that it is now being altered and remodelled on what I think are to be regarded by some of the hon. Members as more suitable lines. I think, however, Sir, the hon. Member, Mr. Jeremiah, rather put his

finger on one of the difficulties of a publication of this kind. It is extremely difficult in this modern world to sell papers entirely directed to "uplift". You have, I am given to understand, to reproduce slightly more alluring aspects such as "Garth", "Jane" and things of that kind and I feel, Sir, that perhaps it may be that the people who are producing *Tazama*—I cannot speak from experience because I have not read the paper—perhaps go a little too far along that line of angle. All I can say is that we will convey to the High Commission the views of the Member for the Coast, the hon. Mr. Awori and the hon. Mr. Jeremiah on this particular matter.

Now, Sir, the hon. Member for Nairobi South spoke about the High Commission's "cloistered quietude" being far and remote. I do not know—I doubt very much whether the General Manager for the Railways or the Postmaster General or the Commissioner of Customs or, indeed, the Commissioner for Income Tax would, any of them, say they were very remote, any of them, say I would suggest, having looked at the history of the past year or so, that Railways and the Post Office and Telegraph Communication have certainly suffered from no "cloistered quietude" judging by the amount of criticism that they have had. It has, indeed, almost been as lively a time as being a Minister of the Kenya Government, I imagine.

However, Sir, the point I think that my hon. friend was making was the general future of the High Commission. Well, Sir, I think it must be obvious to all of us that economic co-ordination and co-operation between the East and African Territories is not only essential and desirable, but it is inevitable. It is due to factors other than the wish of any particular territory or any particular people, but the economic moulding as a unit is in process and—I hope—my personal opinion—will not—cannot be stopped; and it really is to be decided whether the High Commission as it stands at the present moment is the best channel for ensuring that moulding together. My hon. friend, the Member for East Electoral Area, Dr. Hassan, asked if the object of the High Commission had been achieved. Well I would say, Sir, that for a start the High Commission has gone a very long way along

[The Minister for Finance and Development] the lines on which it was instituted. It has not perhaps gone as far and as fast as some territories and some people would wish. On the other hand, it seems to have gone further than some people and some territories would have wished. It—certainly in my own experience—has brought together round a table the representatives, official and unofficial, of the three main East African Territories as well as from time to time, representatives from Zanzibar. It is when you get round a table in a committee room, without the temptation to make vivid speeches in public will be reported, one hopes, in one's own papers and perhaps in papers overseas, it is when you get away from that particular type of temptation that you begin to find how much there is in common between the needs and desires of the territories.

THE DEPUTY SPEAKER: Council will now be suspended for 15 minutes.

Council adjourned at Eleven o'clock and resumed at fifteen minutes past Eleven o'clock.

Mr. Deputy Speaker, Sir, when Council adjourned I dealt, to some extent, with the question of *Taxama* but my hon. friend, Mr. Awori, seemed to think that I have not entirely covered the point he raised. The position, as I understand it, is that *Taxama* is not now distributed to schools. I think that is the question he asked but, as I stated, it is hoped that the investigation of *Taxama*—on the right production—will bring a better type of model.

MR. AWORI: If it is not allowed to be distributed to schools, why should it be continued?

THE MINISTER FOR FINANCE AND DEVELOPMENT: It is not a Government publication—it is High Commission East African Literature Bureau publication. It is not a Government publication and I have said that the High Commission are considering this matter and the question of whether it should be re-modelled on better lines—if it is re-modelled on what appears to be better lines—then no doubt it will then be considered as to whether to distribute it to schools. But the hon. Member must wait till it leaves the assembly line—it can put it like that.

I was dealing with the main point raised by my hon. friend, the Member for Nairobi South, on the question of the future of the High Commission and its services. I think I said that the High Commission has been instrumental in moving along the line of moulding together the economic operations of the three main East African territories and to that extent has, indeed, in my opinion, succeeded in the first part of its objective. It is obvious to anybody who reads the Press that there are big differences of opinion between the various territories on a great number of matters and to have a forum of this kind in which those differences can be quietly argued and reasoned out take us each time a little step further along the path of understanding each other's difficulties, and understanding what can be done to smooth those difficulties out, arriving at the reasonable compromise, which has to be arrived at if progress is to be made in these respects.

My hon. friend, the Member for Nairobi South, said that in 1956 a decision has to be made as to what should be the future of the High Commission, and, indeed, the various Governments have already begun to pay attention to that particular problem. The suggestion of my hon. friend that a committee should be appointed of this Council is one that I will certainly convey to the proper quarters and ask them to give consideration to it. I think they will consider a convenient and appropriate moment, but in view of the difficulties existing in the territories, not only our own, but in other territories, perhaps the present moment may not be the most appropriate to start along this particular path of investigation. There is little doubt the difficulty of the High Commission, and perhaps one of the causes of its "remoteness", as my hon. friend described it, is the fact that it has no revenue of its own. That it is, indeed, in many respects, a spending agent for the combination of the three territories in regard to functions and powers which have been ceded to it, but as long as the High Commission has to return to the three territorial legislatures for funds to spend upon those services, in my opinion, for so long must an atmosphere of unreality exist.

[The Minister for Finance and Development]

This, of course, brings me to point—the fact that the High Commission has two functions, one, what I might call, the direct operative function—that is the Railways and things such as the Posts and Telecommunications, where it is close up against the public because of the executive side of the work which brings it in contact with the public. The other—they are after all functions ceded to it by this Council—are the functions which do not bring them close up against the public—Malaria Research, Medical Research, Tsetse Research, Leprosy Research—these are very vital functions which have to be carried out but they are not exciting functions from the point of view of the ordinary man. They are functions of long patient work, very often slow to produce results, and when they produce results they are not vital to the ordinary man although, indeed, they may be of great importance to the territories and to the people who happen to be suffering, one way or another, from the diseases or trouble that that research is trying to cure. That, I think, accounts to some extent for the part remoteness which my hon. friend referred to. But, I think, it is necessary to reiterate once again that this Council did indeed cede to the High Commission certain functions. As the hon. Member for Nairobi South has said, this Council does, indeed, elect its representatives on to that body and I would again repeat the argument that has been used across the floor of this Council time and again. One of the most effective ways of dealing with what may be considered defects in our Members of this Council to let their representatives on the High Commission know what those defects are and ask those representatives to raise them in the proper place, which is the Central Legislative Assembly, and if we will, in my opinion, and I repeat this is a personal opinion, Mr. Deputy Speaker, if we will use that channel more and use the channel of direct criticism in this Council less, I think we ourselves will build up more and more this Central Legislative Assembly and the High Commission as a live and less remote body. (Hear, hear.) That does not mean that in any degree the Government will ever challenge the right of an hon. Member on the other

side of the Council to criticize the Estimates or to criticize the operation, but I do suggest that the first point of criticism should be through the representatives which Members of this Council, particularly the hon. Members opposite, who elected to represent them upon the Central Legislative Assembly which, after all, is the High Commission deliberative body.

The hon. Member for Nairobi South raised the question of surplus balance and said he hoped that the Estimates now being presented would not leave an addition to go to surplus balances of the High Commission, and I think he mentioned in the case of £350,000 or whatever it was extra. Well, Sir, I hope not, too! The Estimates are not framed with that object I can assure him. Although the words appear as surplus balances, I would like to reiterate the phrase I used in the opening speech on this matter, that is, working capital. It is obvious a body which has a budget of some £13 million must have working capital, and it is essential that therefore, at any rate, some additional cash be available to them. The task of myself and the hon. Members of this Council is to see that that working capital does not exceed what we regard as a reasonable limit. On the question of the East Africa Office, I think the hon. Member is well aware that in so far as Kenya is concerned—we have, indeed, participated in such an agricultural show in the United Kingdom this year—last year. We have a Public Relations Officer of our own in London whose task it is, indeed, to put forward publicly for Kenya continually. We will certainly go into the question of whether more can be done in conjunction with the other territories with the Commissioner's office, but we do not want to see a duplication of expenditure and it will be the task of the Kenya Government to see that such duplication does not exist.

My hon. friend for the East Electoral Area raised the question of research and whether that research was peculiarly directed to East African subjects, Iasing. I think, a note of warning that if it was dealing with a working aspect of research, then obviously the Kenya Government could not afford to bear the

[The Minister for Finance and Development] I think the hon. Member must be well aware that a great deal of assistance is given from the Colonial Development and Welfare Vote in the United Kingdom to assist in this research work, and that a great deal of this research work is carrying out the basic world research and seeing how it applied particularly to East African conditions and that is something which has to go on continually. For instance, at the last Central Legislative Assembly meeting—one of the committee meetings—when we were discussing the question of expenditure on a certain unit we found that a certain type of disease which was found in other territories—not in African territories, but overseas—to which world research had found the answer, we found it was not applicable in East African Territories at all. That is one example of how one takes fundamental research and applies it through these organizations to peculiar East African conditions. I can assure him that the cost of research is one of the things to which particular attention is paid both by the Finance Member for the East Africa High Commission, who has a sense of economy as we know, and by the Kenya Government in particular.

I think that, Sir, covers all the points except the one raised by the hon. and gracious Member for Ukamba when she spoke about why East African and not African. Now, of course, these East African research units do keep in close contact with research units comparable to themselves in other territories. That is part of their work. But Africa is a vast continent and conditions may be very different in South Africa, some thousands of miles away, to those which exist in East Africa, and we do need again to apply in our territories the lessons learned by research in other territories. I think it is for that reason we must recognize that for some time to come research will be departmentalized, as it were, on an East African rather than an African basis. The hon. and gracious Member for Ukamba spoke, for instance, about the Marine Fisheries and the lessons learned in South Africa. That is a very good example. Certain basic lessons may have been learned in South Africa but it was very important to see

how those lessons applied to the East African coastline which may be geographically very different to that of the South African coastline to which lessons were applied. When I was in Zanzibar recently I did find certain conditions which it had been thought did apply, do not apply at all, and they are making good progress now in applying economically the different lessons they have learned from the existence of an East African Marine Fisheries Organization. Whilst one agrees there are committees which do co-ordinate a scientific investigation, for instance, south of the Sahara—whilst one agrees that this general picture must always be kept in mind—I would suggest that at the present moment departmentalization of the East African section dealing with peculiar East African problems is a wise, and I would say, an economical one because it is financed on an East African basis and under East African control; at least we are able to keep our fingers on the financial pulse and see how much we can afford, whereas very large organizations are apt to take a very large financial view, forgetting that some of the constituent parts of that organization may not be as wealthy as some of the people who are planning the operation.

Sir, I beg to move.

The question was put and carried and Mr. Deputy Speaker left the Chair accordingly.

IN THE COMMITTEE

[Mr. E. N. Griffith-Jones, Q.C., in the Chair]

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that a sum not exceeding £1,103,868 be granted to the Governor, to defray the charge which will come in course of payment for the year 1st July, 1954, to 30th June, 1955, for Vote 9-1—Contribution to the Cost of the High Commission Services.

Question proposed.

THE DEPUTY SPEAKER: The Estimates which we are about to deal with are at pages 254 and 255 of the published volume of the Draft Estimates, and in view of the indication from the debate that has just been concluded, and the rather peculiar nature of these Estimates, I propose to ask the Clerk to read out items one by one.

Sub-head 1 (f)

MR. USHER: Office of the Administrator, Mr. Chairman, I rise merely to ask a question—that is, in regard to the Economic Adviser, whom we have just lost from our own Service. There is an old question that everybody in this Council knows—what is an archdeacon? The answer is—One who performs archidiaconal functions! It is not that type of answer that I am hoping for, but for a proper description of the functions of this gentleman. Surely, Sir, the Secretary to the Administrator collects economic information from the various Territories and can present it suitably on the files to the Administrator?

THE MINISTER FOR COMMERCE AND INDUSTRY: Mr. Chairman, my hon. friend has raised [his matter in his usual felicitous phrasology. The title Economic Secretary, not the Economic Adviser, indicates that he has an executive job, not merely one of co-ordination. He is, for instance, concerned with the Industrial Council which is the licensing authority under the Ordinances of the three Territories by which protection is granted to certain industries. Before that is done, a great deal of investigation work has to be carried out in each particular case. In addition to that, Sir, he is concerned with the East African Production Supply Council which has executive duties in connexion with the importation of certain foodstuffs and their export in times of surplus.

That, Sir, is vital work and, again, of an executive nature. He has also—and I hesitate to use the word—co-ordinating activities in connexion with the policy of self-sufficiency as agreed by the three East African Governments. Now, Sir, that would apply in years of famine; that would apply in years of surpluses. Again, Sir, he carries out a most useful function in connexion with the frame of industrial policy.

There have been, in the knowledge of hon. Members on the other side of the Council, motions proposed by hon. Members opposite on certain matters such as bankruptcy, trade marks and so on, in the sense that they should be handed over to the High Commission for their better administration on an inter-territorial basis. Subjects such as those would come within his purview. I could

go on giving further specific points and if my hon. friend wishes me to do so, I will be glad to do so. However, Sir, I feel that I have possibly indicated the type of work that the officer in question does; work which I am sure the new appointee will do magnificently. (Hear, hear.)

MR. USHER: I stand rebuked. It would indeed be an archangel to do all this.

MR. TYSON: Mr. Chairman, Sir, I would like to make a few remarks in connexion with what the Minister said earlier on in connexion with the method by which these matters of High Commission services should be approached.

He referred to making more use of the representatives which we have on the Central Legislative Assembly and I feel that in the past we have failed, to some extent, perhaps through our own fault, I think, in not ensuring that those representatives keep in closer touch with the community than they have done in the past. I think this equally, if not more so, applies both to the Administrator and to the Economic Secretary to the High Commission. I do think it is important, especially now, that both of these officers are only newly appointed. I do hope that in some way we can impress upon them the need for keeping in much closer touch with the commercial community than they have done in the past.

Sub-heads 2 and 3 agreed to:

Sub-head 4—Desert Locust Survey

MR. USHER: Sir, I had to raise this question last year and I am rather sorry to see that the hon. Member, shall I say in charge of locusts or in control of locusts, is not here. However, I am sure there are others who will be able to answer one or two questions that I wish to put.

I am very much interested to see the book this year which illustrates the speech made by the Finance Minister and I noticed one of the pages had the delightful, really quite delightful, heading of "Avenues of Expenditure" (Laughter)—which opens, as it were, great vistas to us. Also shady ones. (Laughter—applause.)

Now, Sir, I think that this item comes under the heading "Other"; I could not discover if anywhere else and "Other" is a pretty good title. It is a fact, of course, as hon. Members are well aware I think,

[Mr. Usher]

that we have spent about £4,000,000 on this business of controlling or destroying locusts and how much more we shall have to spend, I do not know, because the hon. Member may not in his reply be disposed, as his predecessor was, to prophesying. But I think we were led to understand that there might be another two years of this kind of thing.

Now this year the expenditure is £900,000, and of that Kenya's contribution is about 40 per cent, and it is a very large amount of money. Now I think it is a fact that this matter was raised in the Central Legislative Assembly and that various Members suggested that a Committee should be set up to examine the old question of whether insurance could cover it, or whether we should not be better off to leave the locusts to do as they like and do their worst.

There is another question which such a Committee, if it is to be set up, might examine. That is to see that the operations are economically carried out, because as we all know a large part of the expenditure is in transport and therein is a fruitful source of extravagance. I believe that the Finance Minister looked favourably upon the proposal that there should be set up a Committee, but perhaps we could have the information whether that Committee really will be set up and, if so, what will be its terms of reference.

I do not know, Sir, whether consideration has been given to the great value of these saltatorial insects, I am quoting from the Oxford English Dictionary, as manure. (Laughter.) We might indeed be well advised to encourage them. Another use they have of course is too well known almost for me to repeat, and that is as foodstuff.

I was talking a little time ago to an old administrative officer friend of mine who saw, somewhere near Nakuru, a lorry—I think it was in 1951 in that great infestation—filled very high with sacks. He looked at it and saw it was an administration lorry and, being of a curious disposition, he inquired of the driver, who I think was accompanied by a tribal retainer, what these sacks were, and the driver said, "Chakula ya bwana Crewe Read". If I may translate, "The Provincial Commissioner's food". Well this is,

of course, a very well known food; the bushmen not only eat them, but conserve them in silos, being perhaps, "more wise in their generation, than the children of light". But not only that, they are widely eaten over the Arabian continent or sub-continent, and I myself have eaten them. They are extremely good, particularly if one is very hungry. (Laughter.) They are indeed described as delicious. A lot of hon. Members may remember the play "Othello" in which lago describes Othello's feelings for Desdemona. He says of her that he finds her now, "as luscious as locusts". (Laughter.) Of course I feel sure that somebody is going to tell me that it means locusts or the fruits of the carob tree, or something of that kind. Nevertheless I can assure the hon. Member that they are delicious, and I want him to consider the value of these creatures as a foodstuff.

MR. COOKE: What about the cost of transport?

MR. USHER: The cost of transport is of course the greatest problem in the whole business and I would like some assurance, if I might have it, not only that a Committee will be set up, but it will examine this important aspect of the operations.

LT.-COL. GHERSBIE: Mr. Chairman, Sir, this is the biggest item in these Estimates, Desert Locust Survey, and I wish to raise another point of view. It has been brought up in Council year after year. Now quite apart from the merits of our contribution *vis-à-vis* other territories, Sir, we realize locust infestations originate from territories outside East Africa, and I would like the hon. Minister to tell us if he is prepared to impress upon Her Majesty's Government, the necessity in turn to impress upon the Governments of other territories—I believe the operations extend as far as Yemen and the Middle East—to make some financial contribution towards this campaign so that we might be relieved to some extent.

THE DIRECTOR OF AGRICULTURE: Mr. Chairman, Sir, I am glad to have an opportunity of saying something about locusts. To begin with, I would like to apologize on behalf of Mr. Blunt for his absence, but he has been called away on locust business elsewhere—to Rhodesia,

[The Director of Agriculture]

with its headquarters in Rome, professed deep interest in the locust campaign and we thought this was an opportunity we must seize. We have done everything we possibly can to foster and boost the Food and Agricultural Organization in that part of the world in providing men and materials and so on and they gave us promises of money and contributions from the territories affected and we hoped that we were getting somewhere. However, after now nearly three years, and one year of supposed real activity, we have come to the conclusion that the Food and Agricultural Organization, at the moment, is a complete and utter failure, and that they have let us down very badly.

Last year, I think, in December, Mr. Blunt did make a fairly full statement to Council on the activities of the Desert Locust Control, in his capacity as Chairman of the Advisory and Executive Committees of that organization. I am a member of both these committees and I will do my best to tell hon. Members how we, as a committee, feel about it.

We are convinced, as a committee, that the war against locusts must go on. We are equally convinced that East Africa is being called on to bear an unfair share of the cost.

Hon. Members are aware of the policy we have adopted throughout this present plague and also in respect of the last one, in that our efforts have been directed towards preventing the locusts reaching Kenya. We have attacked the locusts in Arabia, Eritrea, Ethiopia and the Somalias and I think our plan has been successful, in that during this present plague, no damage of economic importance has been done to Kenya or to East Africa. I agree that that has been achieved at a cost, but, to my mind, the Control not operated, the cost to East Africa would have been very much greater.

We operate, as I say, throughout the Arabian peninsula, and throughout the territories lying north of East Africa under very trying conditions. I personally have been to Arabia, Ethiopia, Eritrea and so on and I have seen the conditions under which these locust officers have to work. I have seen the difficulties of transport and, to my mind, we have now built up an extremely able, efficient and conscientious body of men.

To come back to the point, Sir, about an unfair share of the cost. We have, particularly in Arabia, had extreme political difficulties. Our own officers have, to some extent, succeeded in overcoming them and they were gaining acceptance by the Arabian authorities and by the very difficult tribes in the interior of Arabia. But we felt in regard to the expense and the political difficulties that some form of international organization should really take responsibility for these areas. Some three years

ago the Food and Agricultural Organization, with its headquarters in Rome, professed deep interest in the locust campaign and we thought this was an opportunity we must seize. We have done everything we possibly can to foster and boost the Food and Agricultural Organization in that part of the world in providing men and materials and so on and they gave us promises of money and contributions from the territories affected and we hoped that we were getting somewhere. However, after now nearly three years, and one year of supposed real activity, we have come to the conclusion that the Food and Agricultural Organization, at the moment, is a complete and utter failure, and that they have let us down very badly.

The present locust position is that breeding, egg laying and breeding has been, and still is, going on in Northern Tanganyika, Lake Magadi and Lake Naivasha and, to a very large extent, in Turkana, where there is an egg field of some 2,000 square miles—it is being worked on now. We feel that, in so far as Kenya is concerned, we will be able to prevent any serious economic loss. There will be escapes from these egg fields, but we have, I think it is, 15 acre planes lined up whose job it will be to spray and attack these swarms from the air should they approach the areas of real economic importance.

Further afield, the position is much worse. The good rains we are experiencing have also extended further north. Good rains have both favoured locusts laying and breeding and also hampered operations against them. The result will be that in Eritrea, Ethiopia and the Somalias—where the war is on now—there will be a considerable number of escapes later on this year, but the real disaster is the failure of the Food and Agricultural Organization to operate any effective campaign in Northern Arabia and the position there has been described as having had the plug pulled out. In other words, very large escapes are expected from Northern Arabia and, depending on climatic conditions and wind direction, the chances are that will reinforce the locusts already in Somalia, Eritrea and Ethiopia. If that happens and these reinforcements are received our information is that we can expect

[The Director of Agriculture] in January next year, the worst invasion this country has ever experienced. We attribute this very largely, as I said, to the complete failure of the Food and Agricultural Organization to stage any effective campaign in Northern Arabia. Our only hope is that the wind is a little more westerly than south and the reinforcing swarms from Arabia go to the Sudan instead of coming our way.

That, Sir, is a gloomy picture and we, as a committee, are perfectly aware that the position is extremely serious. We have failed, as I said, to obtain the international co-operation that we wanted and we have considered suggestions made by the Central Legislative Assembly that a committee should be set up to inquire into the activities, if you like, of the Locust Organization. We, as a committee, would welcome that wholeheartedly, but it is not going to be an easy job. If they are going to function, they have got to go to Arabia, Ethiopia, Eritrea and elsewhere, and they have got to see the job on the ground for themselves.

Before that committee is set up—if it is set up—we propose to have as high a level meeting in London in early July as we can obtain. A meeting with the Colonial Office and the Treasury officials there. There will be from here at least four members of the Locust Committee, including the hon. Mr. Blunt and myself, and I have every hope that we will be reinforced by the presence of the Administrator of the High Commission and also the Finance Member of the High Commission. The intention there is to impress on Her Majesty's Government that East Africa cannot continue to contribute to the cost of this war at its present rate—that it cannot, and will not, continue to do so. We shall also try and impress on Her Majesty's Government that she is vitally interested in maintaining peace and non-famine conditions in the Middle East and in the countries north of us and that she must help in maintaining that position in her own interests and in the interest of British prestige in that part of the world. The third point we will put to them is that we have one international organization which I have mentioned, the Food and Agricultural Organization, which so far has been a failure. To my mind, it is the only existing form of international

organization which can quickly be brought into effective use and Her Majesty's Government must, to my mind, do everything possible—financially and otherwise—to galvanize that organization into action and make it an effective international organization.

Now, Sir, the life of locust officers appeals to very few. We have had our difficulties over the years we have been at war with this plague, but we have now, by selection and elimination, obtained a rare body of worth and experience in the field and should anything happen to disband that, it would be, to my mind, a tragedy and I do hope that some solution, satisfactory to all concerned, will be arrived at whereby these people can stay and be given satisfactory conditions of service.

The hon. Member for Mombasa mentioned that last year a promise was made that the expenditure at this heavy rate might go on for another two years. He asked whether I was prepared to prophesy. I am not. I would only say this, Sir, that the last plague we had—the plague before this—started in 1940 and worked up to its peak in 1946 and more or less disappeared in 1947. This one at the moment is showing every sign of reaching its peak and I can only hope—I would not prophesy—that after this campaign it will be at the peak line. One can never tell when the peak has been reached until the decline starts. It is difficult to say, but records and experience with previous plagues is that they have always worked up to a peak and, for some reason as yet unexplained, there is then a sudden and very rapid decline.

In regard to the committee—as I say, I believe the Administrator has every intention of setting up this committee but much depends on the outcome of the conference we are having in London. I cannot say what the terms of reference of that committee will be but I have indicated that my views are that they must go into the field of operations and see what the situation is.

In regard to the use of locust manure and foodstuffs, I think that could usefully be referred to that committee.

I think that, Sir, covers all the points raised. I have tried, rather long-windedly, to answer them. (Applause.)

MR. CROSSKILL: Mr. Chairman, the hon. Director of Agriculture, in speaking just now, referred to certain political difficulties they have encountered. I wonder if he could tell us whether breakdown has been in part due to the inability of the Locust Organization to get access to any country in which breeding is taking place—either in Northern Arabia or other countries—and if so whether representations could be made to Her Majesty's Government with a view to getting access to those countries through diplomatic channels.

COLONEL GROGAN: Mr. Chairman, I think I can say that I am unique in this Council in having seen the locust infestation of the '90's of the last century. About half the population died of starvation as the result and a very large proportion of the remainder were eaten by invaders from the Congo. (Laughter.) I have always been against these vast expenditures on locust campaigns. I have always believed the offensive is a waste of time. When you get a locust period as we have now, it is possible to protect crops to some extent when the locusts have taken to the hopper stage but we have always got to remember that the cultivated portions of Africa are infinitesimal specks on the vast spaces of Africa. Therefore I think that the offensive is wrong. I remember the last invasion when we had a serious infestation here. The late Mr. Tate, proprietor of the New Stanley Hotel, told me that he believed that he was the only beneficiary of that great expenditure; for the first time in the life of that hotel his doortop had been cleared of the white 'spivs' of Nairobi who had gone out into the fields equipped with a lorry and half a dozen cases of gin and a few hundred-weights of poison. They came down to my part of the world, Taveta, and spread the poison along the road. Now the roads are the dusting places of the game birds of Africa and the result was that practically all the game birds were wiped out with very slight effect on the locusts.

In view of the fact that the socially beneficial effect of locust expenditure on Mr. Tate's hotel has now been taken over by the Kenya Police Reserve, I think we should take it very seriously, into consideration as to whether there or is not a gross waste of public money. (Hear, hear.)

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I cannot of course deal with the point raised by my hon. friend, the Member for Nairobi West. I neither saw the invasion he referred to, nor has my stay in the country been so long, but I know the Director of Agriculture will have a few remarks to make.

There are only two points I will deal with; one is the question of the diplomatic difficulties which the hon. Member for Mau raised. The answer undoubtedly is that there is difficulty in certain Arabian countries in getting the work carried out and it is a matter which is constantly being represented to London in the hope that further work will be possibly developed. The main point that I rose to deal with, Sir—it is the question of this Committee because I think that it would be wise that there should be placed on the record the position of the Estimates Committee of the Central Assembly in this regard. The Estimates Committee of the Central Legislative Assembly held before Mr. Blunt, the Chairman of the Executive, and in an advisory capacity the Director of the Desert Locust Survey and Administrative and Finance Offices. The Estimates Committee, having heard these gentlemen, gave full consideration to the question whether, in the circumstances, it would be better for all points of view, including financial, to abandon the burden on the Government and to accept the control measures and to accept the risk of the losses which might thereby be incurred in East Africa. But when they heard the evidence of the locust position for the present year, and recognized the action that had already been taken, the Committee recommended that—and I will read the terms of reference—(a) as present campaign should continue; (b) necessary during the year 1954/55; (c) that representations should be made immediately to the Secretary of State conveying the views of the Committee and requesting that action be taken at an early date to examine the question of international co-operation with the object of insuring that the cost is more equitably borne by the countries concerned; (d) that having regard to the previous recommendation, and in consultation with the Secretary of State and the East African Governments, the High Commission be

[The Minister for Finance and Development] requested to appoint a committee to review past and present policy on the control of the desert locust and to make recommendations on future policy. The Committee should include representatives appointed by the Governments and the High Commission with the Administrator as Chairman*.

Hon. Members will notice that the Committee is to review past and present policy on the control of the desert locust and to make recommendations on future policy. That recommendation was a unanimous recommendation of the Estimates Committee of the Assembly. All the Kenya representatives were in favour of this recommendation and of course the Kenya Government will support and do its utmost to see that the Committee is appointed.

THE DIRECTOR OF AGRICULTURE: I think, Sir, there is hardly any need for me to add anything, because the hon. Member for Nairobi West's point is covered by the terms of reference read out by my hon. friend the Minister for Finance, in that the future policy—whether it be offensive or defensive—will be considered by that Committee.

With regard to the political situation in Arabia, I can only add that one of our main reasons for trying to get the Food and Agriculture Organization to operate was to overcome the political difficulties in that particular country, because Arabia is the key to the locust position. It is a vast, uncharted, difficult and hostile country, and in some parts we are just not allowed to operate at all and these banned areas are some of the known breeding grounds of the locust. Representations to Her Majesty's Government have been made on many occasions and I can assure you they will be pressed home very strongly when we meet in London.

Sub-head 5

MR. USHER: We are told, I think, from time to time, that this is a long-term project. What I had hoped to elicit from the Minister for Fish—he is not here—is whether, from time to time, it has provided any practical assistance to him in our own research. I am sorry that the Minister is not here, because I should have liked to congratulate him, and I

should like to do so now for the purposes of record, for his laudable speech, to which, however, I could not tie "fish". I should also like to say how much one appreciates his first act as Minister and his tender solicitude for mermals. (Laughter.)

THE MINISTER FOR FINANCE AND DEVELOPMENT: I can only assure the hon. Member for Mombasa, in the absence of the Minister for Fish—as he called him—that I will see that the point made is drawn to his attention.

I can say that the increase of £100 now being asked for for the Lake Victoria Fisheries Service is to step up fish-marking experiments so that we can see and trace the movements of fish in particular areas.

Sub-heads 5 and 6 agreed to.

Sub-head 7

MR. GATHANI: May I just raise one small point in connexion with this? It has been said several times from this Council that we have to depend upon industrial development if we do not wish to rely entirely on agricultural development. I wonder if the work of this board can be accelerated so that we may have through this Research Board the benefit of establishing more secondary industries in Kenya. Now, Sir, regarding that, I would only draw the attention of the Minister concerned to the last report of the Cost of Living Committee. There is, Sir, a very depressing note in the view that all the secondary industries which were established in Kenya during the period of war and afterwards are not doing so well, when it is remembered that most of the items manufactured there are not competitive with imported items, both in respect of quality and price. I also wonder if the scope of this board can be expanded so that we can have more benefit, not only with a view to giving advice to those who approach, but after going through the list of our imports from overseas, if the board could advise people here as to the possibility of manufacturing locally some of the items which we are regularly importing and whether there is a possibility of making a success in that direction.

THE MINISTER FOR COMMERCE AND INDUSTRY: Mr. Chairman, first, as to the scope of the Industrial Research Board,

[The Minister for Commerce and Industry]

The Industrial Research Board exists to examine specific problems of research. For instance, if the problem connected with paper-making, possibly with the manufacture of firebrick, would be referred to the board for scientific advice. A great deal of valuable assistance has been given to industry, not only in Kenya, but also in the other territories. I think it would be wrong to extend the scope of that particular organization beyond its natural functions which are to advise on problems remitted to it and also—and equally important—to pursue lines of research that are suggested by the needs of the territories. I do not think one could make it into a propaganda or advertising body. I do not think my hon. friend exactly suggested that, but I think it is as well to place on record what the functions are of the board.

Secondly, he referred to the Cost of Living Report. He would only observe that it has not yet been considered by the Government. On the specific point which he referred to, I would refute any suggestions that the local products of industry in Kenya are inferior, or more costly, than comparable imported articles. In some cases, of course, we have not had the time and we have not the "know-how", but in such cases these products can only sell because they are cheaper—bearing in mind that our tariff in this country is a revenue tariff and not, in itself, a protective tariff.

MR. TYSON: Mr. Chairman, following up the remarks made by the Minister for Commerce and Industry, has he not missed the point of dealing with these new industries on an East African basis which is what the commercial communities of all three territories have been pressing for a long time. After all, the East African market is one big internal market and these new industries are only going to get a fair chance if they can be operated, and if industrialists can be attracted from Great Britain or elsewhere, on the basis that the market is going to be one big internal market and not divided up into three separate territorial markets as it is very largely at the moment.

THE MINISTER FOR COMMERCE AND INDUSTRY: I must remind my hon. friend who spoke last that I did not miss

the point because the point has only just been raised. (Laughter.) I agree with most of the remarks of my hon. friend. Of course we must see industrial development in East Africa in terms of inter-territorial co-operation and in terms of one large market. I do not think it would be proper for me to say more except to say that, as I said, the points raised by my hon. friend are very much in my mind and are points with which I very largely agree.

Sub-heads 9, 10 and 11 agreed to.

Sub-head 12

MR. JEREMIAH: Mr. Chairman—the Literature Bureau—I beg to move that a sum of £2 be deducted and this, Sir, is in order to give an opportunity to the hon. Members to explain their attitude with regard to what has been discussed about the paper *Tazama*.

Now, Sir, the reply given by the hon. Minister with regard to this point makes me feel that there may be a recommendation to the High Commission that the paper *Tazama*, as it is at present, is not suitable and should not be continued under its present form. What I want to say, Sir, is that the paper, as it is at present, is very much appreciated by the Africans and a change from that, unless it is to something better, would be very disappointing. As I said, Sir, my main reason for moving this is to give my hon. friend, especially the Member for the Coast, a chance to explain, actually his dislike of the paper *Tazama*—he seems to be one of the people who dislikes it.

What appears to me, Sir, is a possible objection by other people is, perhaps, the photographs which are shown in the pictures. The photographs of Africans are well-dressed and I do not know how such photographs could perhaps appear to be offensive in the eyes of other people. If they were naked, perhaps something should be said, but nakedness is with us in Africa.

The Africans, Sir, have written many letters in that paper *Tazama* congratulating the editors on the way they are running the paper and, with regard to what my hon. friend, the African Representative, Mr. Awori, said about schools, I do not think that he himself disapproves of the paper. What I think he is disappointed to see is that such a paper, which I believe he himself likes

[Mr. Jeremiah] very much, is being debarred from being read by other people, especially by the schools.

Sir, I would like the hon. Minister to assure me, if possible, that nothing will be done to make the paper appear less attractive.

Sir, I beg to move.

Mr. COOKE: I accept the hon. Member's challenge. He was perfectly right, what we object to mainly is the pictures. He says they portray well-dressed Africans; but I do not think they are; they are half-dressed. If they were well-dressed Africans or Africans with no dress on, they would be accepted. But they are half-dressed Africans, and I want really to say the paper has got a bigger function than merely to play to the demands of the public. It has also got to educate the public. That is my estimation of a good paper and more especially if it is a paper in a country like this.

I took strong exception to, and on one occasion I sent one of these photographs to my hon. friend, the Minister for Legal Affairs, but I do not suppose he saw it. It was probably put in a pigeon hole or torn up or something a long time ago. But I have for a long time objected to it and I think if you are going to have a paper like *Tazama* it should be a first-class African paper and then I would support it.

In South Africa, of all places, if I may use that expression, because South Africans are often accused of not being sympathetic with the Africans—not altogether—but it is true that they do have some very good papers published and I would like to see something on the South African lines and that is the reason why I oppose the present publication of *Tazama*.

MR. AWORI: Mr. Chairman, I do not want to continue the story of *Tazama* over and over, but I know very well why they have to adopt that attitude in order to sell the paper and I do not think there is anything wrong with that. What I want to raise on this question is this, I think it was Mr. Ratcliffe—when he was concerned with the Bureau—they used to run competitions to teach Africans to write. Now I do not think that is still being done at the present moment and I

just wanted to know from the hon. Minister why it has been discontinued. I think they were offering prizes of £10. That was encouraging Africans to write in their own languages or English and I would like to see that that is adopted with the Literature Bureau.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I want to take first of all the points raised by Mr. Awori. I was not aware of the particular competition. I will take the matter up with the East African Literature Bureau and convey his comments to them. In so far as the much-discussed *Tazama* is concerned, Sir, I think I must come back to what I said before. That is, that I will convey to the East African Literature Bureau the comments of hon. Members in this Council. I did not say that I would make recommendations one way or the other; I merely said the comments would be conveyed, because, of course, the matter—the final responsibility—rests with the East African Literature Bureau and the East Africa High Commission, but I will see that the opinions of Members are conveyed to the Bureau.

I think, Sir, not having seen this much-discussed paper, I am at a bit of a loss as to what the standard that everybody is referring to is. Indeed, I feel rather inclined, at least, to order one copy in order to satisfy my own curiosity, but what I would say is this, that of course, there is a great deal to be said on both sides of this matter. I agree with the hon. Member for the Coast that it is essential at this particular stage that most of our African papers should have the educative and solid approach, but, of course, it is not much good having a good, solid educational newspaper if nobody reads it (Hear, hear), and, therefore, you have got to find the angle which attracts the reader. It may be that the angle in this particular case is not the right one, but I will have a look and in any case I will convey the opinions to the Bureau.

MR. JEREMIAH: I have reason for objection. I have also got to mention, Sir, that when the hon. Member for the Coast said that Africans should have a first-class paper, I must point out to him, Sir, that whether the paper is first class or not, it is for the Africans themselves to judge and they have judged that this is a first-class paper. (Laughter.)

[Mr. Jeremiah]

Another point, Sir, I do not understand at all why the hon. Member should feel that an African dressed in Western dress should appear objectionable to him.

However, I beg to withdraw my Motion.

MR. COOKE: I did not say an African dressed in Western dress was objectionable to me. I said the half-dressed African that they put in this paper was objectionable and I think you cannot have it both ways.

I never boost in this Council; but I think *Baraza* is an extremely good paper. It fulfils both functions. It is dignified and newsy; and I think read by many thousands of Africans. That sort of line—a picture paper like *Baraza*—would be my ideal in this country.

THE MINISTER FOR FINANCE AND DEVELOPMENT: There is a difference, I am not quite certain whether we are in order in continuing.

THE DEPUTY SPEAKER: I have not allowed the hon. Member to withdraw his Motion.

THE MINISTER FOR FINANCE AND DEVELOPMENT: There is this difference. *Baraza* is a free and independent paper which can publish political opinions and cause, therefore, controversy of that kind. I do not think that *Tazama* should start on that particular line or type of work.

MR. HARRIS: Mr. Chairman, if the hon. Minister for Finance would like me to, I could speak for another minute and a half, which would give both of us an opportunity of having our first view of *Tazama* so we could then discuss what we are talking about, this afternoon.

THE DEPUTY SPEAKER: The hon. Member who wished to reduce this item by £2 asks leave to withdraw it and unless any hon. Members object, I shall grant him that leave. The Motion for reduction is withdrawn and we will pass to the next item.

Sub-Head 13

MR. TYSON: Mr. Deputy Speaker, although this is not a very large item, it does seem to me to be an example of very bad management. If you look at the paper which has been published;

the Annual Report for this unit in respect of 1953, you will see that during the year comparatively little work was carried out. Both the Director and the malriologist who were on leave for the greater part of the year and both field officers were present for only the first five months.

THE DEPUTY SPEAKER: The time for the suspension of business has now arrived. I think I am right in saying that Mr. Deputy Speaker has previously ruled that we may suspend business in Committee and resume in Committee.

THE MINISTER FOR FINANCE AND DEVELOPMENT: On a point of order, Mr. Chairman, we shall not of course be resuming in Committee. We shall have to go back in Council. I therefore, with your permission, would move that the Committee do both report progress and ask leave to sit again.

Question proposed.

The question was put and carried.

Council resumed.

[Mr. Deputy Speaker in the Chair]

REPORT

MR. GRIFFITH-JONES: Hon. Members, I beg to report that the Committee of Supply has not completed its consideration of Vote 9-1—Contribution to the Cost of the High Commission Services, and asks leave to sit again.

ADJOURNMENT

THE DEPUTY SPEAKER: Council will now suspend business until 2.30 this afternoon.

Council adjourned at thirty minutes past Twelve o'clock and resumed at thirty minutes past Two o'clock.

Tuesday, 1st June, 1954

(Evening Sitting)

Council resumed.

BILLS

FIRST READING

The African-Poll Tax (Urban Areas) (Amendment) Bill—(The Minister for African Affairs)—Order for First Reading read—Read a First Time—Ordered to be read a Second Time—to-morrow.

The Poll Tax (Northern Frontier District) (Amendment) Bill—(The Minister for African Affairs)—Order for First Reading read—Read a First Time—Ordered to be read a Second Time—to-morrow.

The Pig Industry (Amendment) Bill—(The Minister for Agriculture, Animal Husbandry and Water Resources)—Order for First Reading read—Read a First Time—Ordered to be read a Second Time—to-morrow.

The Tea (Amendment) Bill—(The Minister for Agriculture, Animal Husbandry and Water Resources)—Order for First Reading read—Read a First Time—Ordered to be read a Second Time—to-morrow.

The Promissory Oaths (Amendment) Bill—(The Minister for Legal Affairs)—Order for First Reading read—Read a First Time—Ordered to be read a Second Time—to-morrow.

MOTION

REPORT OF THE PUBLIC ACCOUNTS COMMITTEE

LT.-COL. GHERSIE: Mr. Deputy Speaker, Sir, I beg to move that the Report of the Public Accounts Committee on the Colony's accounts for 1951 be adopted.

Mr. Deputy Speaker, this is a formal Motion and I do not think I, as Chairman, have anything very much to report or anything I particularly wish to draw to the notice of the Council, but I would like to take this opportunity, Sir, of paying a tribute to Mr. C. L. Todd, O.B.E., for the valuable service he rendered as the Public Accounts Committee as Secretary. I think, Sir, he has been Secretary of the Public Accounts Committee since its inception, and he did,

on one occasion, visit the United Kingdom where he studied procedure which was of great assistance to the Public Accounts Committee of this Colony. As it usually is the case with the Treasury, they have a habit of snapping up good men and, of course, Mr. Todd has been no exception, hence the Public Accounts Committee's loss; and I am sure we all wish him every success in his new appointment, Sir.

I beg to move.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, I beg to second. To reply to my hon. friend the Member for Nairobi North, it was when Mr. Todd was a member of the Treasury that he was the Secretary to the Public Accounts Committee. It was only when he became an Accountant General that he was taken from the committee. The Treasury, as usual, always endeavoured to do its duty by the hon. Member and his committee.

I beg to second.

Question proposed.

MR. MADAN: Mr. Deputy Speaker, Sir, may I ask the hon. Member—although I do not want to press him too hard for it because he sits on this side of the Council—may I ask the reason for the delay in presenting this report which is for the year 1951 and we are now in 1954.

THE EUROPEAN MINISTER WITHOUT PORTFOLIO: Mr. Deputy Speaker, as the late Chairman of the Public Accounts Committee may I say that the report has come in front of this Council almost as fast as it was possible for it to do so. First of all the committee cannot work until the accounts are laid for 1951 which is generally some time towards the middle of 1952. The committee then works hard and the report, if I remember rightly, finishes about the end of 1953. There is great stress at the moment because of urgent public business upon the printer, and for all these reasons it was very difficult for us to bring the report before the Council earlier. Perhaps I should say, Mr. Deputy Speaker, it would have been very difficult for me had I been remaining on the other side of the Council to have made this speech. (Laughter.)

THE DEPUTY SPEAKER: If no other Member wishes to speak, I will ask the hon. Member to reply.

LT.-COL. GHERSIE: Mr. Deputy Speaker, I do not think I have anything to reply to, thanks to the explanation given by my hon. friend, the Member for the Rift Valley, Sir, who is the ex-Chairman of the Public Accounts Committee.

THE EUROPEAN MINISTER WITHOUT PORTFOLIO: You are following in good footsteps!

The question was put and carried.

MOTION

GUARANTEE OF BANK LOAN

THE DIRECTOR OF AGRICULTURE: Mr. Deputy Speaker, Sir, in the absence of my hon. friend the Minister for Agriculture, Animal Husbandry and Water Resources, I beg to move the following Motion:

WHEREAS the Standard Bank Finance and Development Corporation, Limited, has agreed to advance to Uplands Bacon Factory (Kenya), Limited, a capital-sum or sums not exceeding in the aggregate the total sum of £240,000 for the purpose, *inter alia*, of enabling that company to erect a new factory at Uplands upon the terms that the amount advanced together with interest at the rate of 5 per cent per annum shall be repaid by 80 equal quarterly instalments of principal and interest combined the first of which shall be paid on the 31st day of December, 1955, or on such earlier day as shall next ensue after the expiration of six calendar months from the date upon which the erection of the factory shall have been completed;

AND WHEREAS the agreement to make the advance as aforesaid was made by the said corporation subject to the Government of the Colony guaranteeing to the corporation the repayment thereof by the said company together with interest as aforesaid;

AND WHEREAS the Standard Bank of South Africa, Limited, has agreed to grant to the said company certain facilities by way of overdraft upon having the repayment thereof

guaranteed by the Government of the Colony and subject to the total liability ultimately enforceable against the Government under such guarantee not exceeding the sum of £30,000:

BE IT RESOLVED that the Government enter into such guarantees as aforesaid in terms to be settled by the Honourable Minister for Finance and that the Honourable Minister for Finance execute all necessary documents on behalf of the Government for giving effect thereto:

Provided that the Honourable Minister for Finance shall prior to or simultaneously with the execution of such documents, ensure that the said company shall execute in favour of the Government all such first charges over its immovable and movable property as the Honourable Minister for Finance may consider necessary to secure the repayment to the Government of all such sums as the Government may be called upon to pay under the said guarantees.

THE MINISTER FOR EDUCATION, LABOUR AND LANDS seconded.

Question proposed.

MR. HARRIS: Mr. Deputy Speaker, Sir, I would like to support this Motion which has been brought to this Council as a result of two or three years negotiations for the enlargement, in fact for the complete rebuilding, of the Uplands Bacon Factory in order to try and enlarge the export trade of pig products in Kenya.

Already, Sir, the Pig Industry Board, through the very good services of its Executive Officer, Mr. Southall, have managed, for the last three or four years, to secure a Ministry of Food contract for Kenya for bacon and in the last year, Kenya was successful at the Smithfield Show in obtaining four out of the five first prizes for bacon exhibited at that show. (Hear, hear.)

I believe, Sir, that it shows that in the bacon industry and the pig industry generally, Kenya has a very great asset and this advance or guarantee by Government towards the cost of building the new factory at Uplands, should do much to enhance the reputation that Kenya bacon already has well outside the confines of East Africa. I can assure Mem-

[Mr. Harris]—I do not propose to make any speech in the introduction of these items, Sir. They are, I think, fairly fully covered by the Memorandum of Notes.

Question proposed.

Serial numbers 1 to 21 agreed to.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move:—

BE IT RESOLVED that a sum not exceeding £30,001 be granted to the Governor, on account, for or towards defraying the charges of Supplementary Estimates of Expenditure No. 4 of 1954, Part II.

This part, Sir, covers the Civil Contingencies Fund.

Question proposed.

Serial numbers 22 and 23 agreed to.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move:—

BE IT RESOLVED that a sum not exceeding £36,747 be granted to the Governor, on account, for or towards defraying the charges of Supplementary Estimates of Expenditure No. 4 of 1954, Part III.

This part, Sir, deals with Re-votes.

Question proposed.

Serial numbers 24 to 48 agreed to.

The question was put and carried.

DEVELOPMENT SUPPLEMENTARY ESTIMATES OF EXPENDITURE NO. 3 OF 1954, IN PARTS

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move:—

BE IT RESOLVED that a sum not exceeding £19,909 be granted to the Governor, on account, for or towards defraying the charges of Development Supplementary Estimates of Expenditure No. 3 of 1954, Part I.

This, Sir, is again covered by way of Memorandum notes.

Question proposed.

Serial number 1 agreed to.

I therefore can submit this Motion to the Council in the knowledge that all those persons, both producers and consumers, of Kenya pig products believe that here is the proper answer for their industry.

I beg to support. (Applause.)

The question was put and carried.

COMMITTEE OF SUPPLY

Committee of Supply—Order for Committee read. Mr. Deputy Speaker left the Chair.

IN THE COMMITTEE

[Mr. E. N. Griffith-Jones, Q.C., in the Chair]

MOTION

SUPPLEMENTARY ESTIMATES OF EXPENDITURE NO. 4 OF 1954, IN PARTS

(Governor's consent signified)

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move:—

BE IT RESOLVED that a sum not exceeding £120,781 be granted to the Governor, on account, for or towards defraying the charges of Supplementary Estimates of Expenditure No. 4 of 1954, Part I.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move:—

BE IT RESOLVED that a sum not exceeding £14,725 be granted to the Governor, on account, for or towards defraying the charges of Development Supplementary Estimates of Expenditure No. 3 of 1954, Part II.

This part, Sir, covers the Civil Contingencies Fund.

Question proposed.

Serial numbers 2 and 3 agreed to.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move:—

BE IT RESOLVED that a sum not exceeding £5,757 be granted to the Governor, on account, for or towards defraying the charges of Development Supplementary Estimates of Expenditure No. 3 of 1954, Part III.

This part covers Re-votes.

Question proposed.

(Mr. Cooke rises.)

THE CHAIRMAN: If the hon. Member wishes to speak, he had better speak now.

MR. COOKE: We seem to be hastening over these matters—I was delayed unfortunately—and we are disposing of hundreds and thousands of pounds in a few seconds almost. But I would warn my hon. friend that I am quite clever enough for him, and most of the matters that have been disposed of, I shall have an opportunity of bringing up later on!

I am not trying to offend the hon. gentleman, but he rather gabbles—if I may use the word—and he gets over these matters quickly and we have hardly time to make up our minds. We are not all so mentally alert as the hon. Minister; we are getting old and he must give us a little more time to get our wits together!

THE CHAIRMAN: He has scarcely spoken—these are formal Motions.

MR. COOKE: The Motion at Order No. 18 should have been disposed of in 10 minutes or a quarter of an hour; but it seems to have been disposed of in about 10 seconds. It is only a matter of a few hundred or thousand pounds—it is nothing really!

THE MINISTER FOR FINANCE AND DEVELOPMENT: I think, Sir, this was a point of order that was raised, Mr. Chairman. I cannot really say any point of order is involved. After all the Order Paper with all the items on, warning Members of the exact order, was given by myself, as Acting Leader of the Council, last Friday in order that Members should have ample time to study the business. The Estimates I am submitting now, and we are dealing with, have been in the hands of hon. Members for several days at least. The question of the Pig Industry Resolution, if I may call it that, was, after all presented and a formal notice was given some days ago. I would suggest, Sir, that the fact is that the hon. Members must be ready for any eventualities in the Council.

On the question of the Pig Board Resolution, after all, with the exception of the hon. Member for Nairobi South—who agreed with everything that Government and the Treasury have done in this direction—no speech was made on it at all. The responsibility cannot lie on the head of the Minister for Finance, nor the Government.

MR. COOKE: If Motion 18 had been read over, it would certainly have given me plenty of time to attend.

THE CHAIRMAN: I read the executive part of the Motion and Mr. Speaker has already ruled that: in regard to pretty lengthy Motions, it is not necessary to read over the recitals which form no part of the operative Motion.

I am advised that it was at the instance of the hon. Member for the Coast that that procedure was adopted! (Hear, hear.) (Laughter.)

I propose now to put the question on Part III of the Development Supplementary Estimates.

Serial numbers 4 and 5 agreed to.

The question was put and carried.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that the Committee do report to Council its consideration and approval of the Resolutions on the Order Paper.

Question proposed.

The question was put and carried.

Council resumed.

(Mr. Deputy Speaker in the Chair)

REPORTS

MR. GRIFFITH-JONES: I have to report that the Committee of Supply has considered Supplementary Estimates of Expenditure No. 4 of 1954 and has passed a Resolution approving thereof.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Council doth agree with the Committee in the said Resolution.

Question proposed.

The question was put and carried.

MR. GRIFFITH-JONES: Hon. Members, I have to report that the Committee of Supply has considered the Development Supplementary Estimates of Expenditure No. 3 of 1954 and has passed a Resolution approving thereof.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Council doth agree with the Committee in the said Resolution.

Question proposed.

The question was put and carried.

COMMITTEE OF SUPPLY

Committee of Supply—Order for Committee read. Mr. Deputy Speaker left the Chair.

IN THE COMMITTEE

[Mr. E. N. Griffith-Jones, Q.C., in the Chair]

Debate resumed.

THE CHAIRMAN: The hon. Member who was speaking when business was suspended is not in the Council.

I would remind hon. Members that we are at the moment considering Item No. 13—East African Malaria Unit under Vote 9-1—Contributions to the Cost of High Commission Services, page 254.

THIS DIRECTOR OF MEDICAL SERVICES: I would like to reply to the hon. Member on the assumption that he had finished his speech at the adjournment.

He asked why in the report of the East African Malaria Unit it was reported that apparently little work has been done by the unit as either the Director or the Entomologist was on leave for a greater part of the time. As far as I have been able to make out, Mr. Chair-

man, the reason was that the Director had to go on leave at that particular time as he was due for it and he had to enter into negotiations with the Colonial Office in connexion with the study of endemic malaria which he was about to undertake.

At the same time the malaria entomologist was due for leave and it was thought better that both of these senior officers should go together.

It must be borne in mind that, of course, this is an extremely small unit and if, as in this case, it was necessary for two members to go on leave at the same time, it necessarily follows that the activities of the unit must be considerably curtailed.

In regard to field officers, who, it was stated, were present during the first five months only of the year—as far as I can ascertain, there had been staff difficulties in the unit and I believe—though I have not been able to verify this—that the two officers in question had resigned.

Had the hon. Member been present, I would have liked to have drawn his attention to the first two lines of the second paragraph of the report which, with your permission, Sir, I would like to read. It reads as follows: "The interruption of the unit's activities that has, to a large extent, been inevitable during 1953, should not occur in the future". It then goes on giving the reasons why that should be so.

Sub-head 13 agreed to.

Sub-heads 14, 15 and 16 agreed to.

Sub-head 17

MR. HARRIS: Mr. Chairman, on this item I should like to make the point to ask Government to bring all the pressure they can to bear on the High Commission to give every possible encouragement to the East Africa Office in London. I was at home last year just before the Coronation when there was a financial wrangle going on as to who should pay for the entertainment of the distinguished guests invited by the Commissioner to view the Coronation from his office window.

Now I believe that £13,000—when you look at what the Meteorological Department gets—is a very, very small amount for the only shop window East Africa has outside East Africa.—(Applause.)

[Mr. Harris] and I would like to suggest to Government that they might suggest to the High Commission that a reasting of their Estimates next year—a reasting of their Estimates next year, Mr. Chairman—it might be possible in order to give the East Africa Office in London all the funds that are necessary for it to be able to present East Africa to the world. (Applause.)

THE MINISTER FOR FINANCE AND DEVELOPMENT: I would like to answer one point before my hon. friend the Minister for Commerce and Industry deals faithfully with the other points, and that is the hon. Member for Nairobi South said £13,000 was little enough for East Africa to spend. It is Kenya who is spending that. The East African Vote is some £30,000.

MR. HARRIS: I do not consider £13,000 is sufficient for Kenya to spend to put East Africa on the world map.

MR. GATHANI: Mr. Chairman, I would like this Council to consider the whole matter from a different angle. I, personally, think that Kenya has got more importance than any other territory as far as Great Britain is concerned and in view of the fact that our requirements have now increased considerably, the Government should not consider putting a separate office entirely for the benefit of Kenya alone. We have, Sir, in some respects to expect a clash of interest with the adjoining territories and at that time it would be difficult to persuade the Commissioner there, running three offices on behalf of the three territories, to press that particular interest about which the effect on Kenya is rather greater. I wonder, therefore, Sir, if the Government would in future consider putting a separate office entirely at the disposal of the Minister for Commerce and Industry and the Minister for Agriculture to look after these three branches in England.

Now, Sir, if we look at this Vote—Kenya, Sir, is contributing £13,526, which roughly amounts to two-thirds the value of the Vote that we devote to the Minister for Commerce, and Industry, and I wonder whether, comparatively, we get two-thirds benefit from this Office in London.

(Cries of "More.")

THE MINISTER FOR COMMERCE AND INDUSTRY: Mr. Chairman, I propose to deal with the point raised by my hon. friend the Member for the Non-Muslim Eastern Area first.

MR. MADAN: Rising on a point of order, Sir.

THE MINISTER FOR COMMERCE AND INDUSTRY: Are you sure it is a point of order?

MR. MADAN: Yes, May I, Sir, draw your attention to Ordinance 67 of 1951 which is entitled an Ordinance to Amend the Legislative Council Ordinance and refer you back to the hon. Minister for Commerce and Industry's referring to my hon. friend Mr. Gathani as "the Non-Muslim Member"? I would like to draw your attention to section 3 of the Ordinance, Sir, sub-section (2), sub-sub-section (b), which states that "one Indian Muslim Member shall be elected for, and by the Indian voters not being Muslims of, each of the electoral areas described in Part B of that Schedule" and then sub-sub-section (c) "one Indian Muslim Member shall be elected for, and by the Indian Muslim voters of each of the electoral areas described in Part C of that Schedule". I refer to that merely to point out that if anybody is to be addressed by any communal name it is my hon. friends the Muslim Members who should be called Muslim Members. But I ask you, Sir, now to "turn over" to the Schedule which appears at page 14, where the names of the areas are set out as Central Electoral Area, Eastern Electoral Area, Western Electoral Area, and for my hon. friends the Muslim Members—the East Electoral Area and the West Electoral Area. I submit, Sir, it is wrong for any Member of this Council to address me or my hon. friends Mr. Gathani or Mr. J. S. Patel as Non-Muslim Members. It would be, I think, funny if I were to address, for example, the hon. Member for Nairobi West Irish. I do ask for your ruling, Sir. (Applause.)

THE DEPUTY SPEAKER: I do not think that it is necessarily a breach of order to refer to a Member as Muslim or Non-Muslim, but I think that as a practical Muslim, but I think that as a practical Muslim, that arrangement it is highly desirable that arrangement it is highly desirable that Members should refer to Indian Members, whether they be Muslim or whether they be not Muslim, as the Member for

[The Deputy Speaker:] the particular area which they represent; and those, as the hon. gentleman has just pointed out, are, in the case of the Members who are not Muslims—the Central Electoral Area which has two Members, at present Mr. Madan and Mr. Gathani; the Eastern Electoral Area, at present represented by Mr. A. B. Patel; and the Western Electoral Area at present represented by Mr. J. S. Patel; the Muslim Members—the Indian Muslim Members represent the East as distinct from Eastern—the East Electoral Area at present represented by Dr. Hassan; and the West Electoral Area at present represented by Mr. Naihoo. I commend to the Committee, and to the House when it is in Council, references by those terms.

THE MINISTER FOR COMMERCE AND INDUSTRY: Mr. Chairman, with the greatest respect, would I be in order if I referred to the hon. Member elected according to the relevant sections and sub-sections of the relevant Ordinance? (Laughter.)

MR. COOKE: Would it not be simpler to refer to the hon. gentlemen by their names? It is very difficult sometimes to remember these very difficult constituencies.

THE DEPUTY SPEAKER: It is contrary to parliamentary practice to introduce personal references.

MR. JEREMIAN: Can one refer to an Indian Member as Indian Muslim or Indian Member representing East Area?

THE MINISTER FOR WORKS: Mr. Chairman, it would not be right because it has been laid down that Muslim Members—if they are addressed as such—must be referred to as Muslim, not Indian Members.

LADY SHAW: Is it possible to refer to Indian or Muslim—either they are Indian Members or Muslim Members?

THE DEPUTY SPEAKER: The difficulty about that is that they are all Indian Members in the eyes of the law.

THE MINISTER FOR COMMERCE AND INDUSTRY: With respect, Mr. Chairman, would you like to record the wisdom of your ruling in a short note for the guidance of Members on future occasions?

THE DEPUTY SPEAKER: I am quite prepared to.

MR. GIKONYO: I wonder if the same thing could be applied to Africans, because hon. Members of this Council are in the habit of referring to African Representative Members and not according to their constituency.

THE DEPUTY SPEAKER: The African Representative Members are correctly referred to as such, because within the framework of the Legislative Council elections, they have no recognized constituencies. They are appointed as African Representative Members.

MR. GIKONYO: Yes, but I think my recollection is that everyone has got a constituency and I think it is down in the Ordinance.

THE DEPUTY SPEAKER: No.

THE MINISTER FOR COMMERCE AND INDUSTRY: On a point of order, Mr. Chairman, is it correct, when you have ruled that there is not a constituency, for the hon. Member to say that there is?

MR. GIKONYO: I wanted to assist him.

THE MINISTER FOR FINANCE AND DEVELOPMENT: On a point of order, Mr. Chairman, we can be guided by the list of Membership which is circulated to all Members. (Hear, hear.) That definitely shows, Sir, what you have stated and that is that African Representative Members, while they may be—by coincidence, or by hidden design—chosen to represent a certain area, are not chosen on a constituency basis so far as the law is concerned and so are generally representative. Certainly, Sir, in so far as the Asian Elected Members are concerned, there is a guide which says "East Electoral Area" and "West Electoral Area" and so on. I do suggest, Sir, that we might proceed with business.

THE DEPUTY SPEAKER: The point of order, so far as I am concerned, is now closed.

THE MINISTER FOR COMMERCE AND INDUSTRY: Mr. Chairman, if I may refer to the hon. Member who last sat down—

(Cries of "The Minister for Finance!")

THE MINISTER FOR COMMERCE AND INDUSTRY: If I had been referring to the hon. Minister, I would have said so. When the debate was continued and before the point of order was taken, and if the hon. Member had just allowed me to finish, then I think he would have understood that I was referring to the hon. Member opposite. However, Mr. Chairman, I find it somewhat difficult, after the intellectual treat that we have experienced on this point of order—this very interesting point of order—to carry in my mind everything that the hon. Member said. (Laughter.) However, I will try to do my best. I seem to remember the hon. Member had a new constitutional design for the East African Office and that there should be three offices under one Commissioner. I think that that is what the hon. Member said, although I see he shakes his head. Now I see he nods. Well, Sir, I would have thought that that is purely a matter for organization, and I would submit that it is not always the most economical proceeding to have three separate offices when there are so many common services. After all, in any office of that size, it is necessary to have some kind of filing system and some kind of typing pool; it is necessary to have some kind of registry; it is necessary to have an office boy to clean the office. (Hear, hear.) I would suggest that there are many economies contingent upon the fact that there is a single office, rather than three separate offices with one Commissioner. If he says, "That is not what I meant, and I spoke of three separate offices under one roof, in fact sharing all these common services with one Commissioner presiding over all three", then I submit that this is only another description of the existing East Africa Office and I fail to see where the advantages would lie. It is to be remembered in regard to certain services which are necessarily territorial, such as the representation, for instance, of the Kenya news, through the Kenya Information Office—that is already done. Again, in regard to settlement in Kenya, that is handled by an officer in the East Africa Office who has no other duties. I am not suggesting that there are not possible ways of improvement—that, I am not suggesting; what I am suggesting is that the procedure proposed by my

hon. friend is not the one most calculated to achieve both economy and efficiency.

To turn to the point raised by my hon. friend the Member for Nairobi South, I listened with great attention to what my hon. friend said and I will see that the views he represented are passed to the proper quarter. I do not think he would wish me to comment further on them at this stage.

MR. GATHANI: I did not wish to interrupt the hon. Minister because sometimes he is in a mood to give way and sometimes he is not. I did not suggest that Uganda and Tanganyika should have also separate offices. That is a matter on which, I think, people in Uganda and Tanganyika can speak better. I am here to represent Kenya and my idea was, as I conveyed earlier, that in view of our importance and our requirements it would be to our benefit to have a separate office. So far as other common services are concerned, which can be directed under one East Africa Office, they can be carried on as before. But there are certain occasions where there might be a clash of interests and at that time it might be difficult for the Commissioner to lay more emphasis on Kenya requirements.

THE MINISTER FOR COMMERCE AND INDUSTRY: I think I made it clear that in those cases where there might be a clash of interests—such as representing Kenya views—there is a Kenya Information Office; and with regard to settlement—there is an office dealing with settlement alone. I feel the hon. Member, by explaining himself, may be getting deeper into the toils. Naturally, I was not in any sense of the words suggesting what Uganda and Tanganyika should do; that is their affair. I was merely observing that the separation of the Kenya Office in regard to those particulars which the hon. Member had mentioned would be uneconomical and would result in more than one office presided over by one Commissioner.

Finally, Sir, I would point out that as the hon. Member did not ask me to give way while I was speaking, to suggest that I would not be willing to do so, it to say the least of it, somewhat previous. (Hear, hear.)

MR. CROSSKILL: Would it not be achieving greater economy if it had its

[Mr. Crosskill]

office in the same building as the Central African Federation?

Sub-head 17 agreed to.

Sub-head 18

Mr. TYSON: To some extent this item was dealt with under Item 6, East African Industrial Council, but I would like to remind hon. Members of this Committee that for many years the commercial community had been pressing for further unification of our essential services, and one step in this direction was taken at the last session of the Associated Chambers of Commerce in 1951, when they recommended that commercial legislation, bankruptcy, company law and so on, should be transferred to the—

Mr. HARRIS: On a point of order, is this not anticipation of a Motion of which notice has already been given? Notice has already been given, Sir, on the unification of commercial services under the High Commission and I understood the hon. Member was going to anticipate that debate.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I am not aware of any such Motion being on the Order Paper for this Session. Is the hon. Member for Nairobi South thinking about the one— if I may put it like this—one of the last things my hon. friend, the Member for Rift Valley had—did move a Motion, which was adopted for something in that regard?

Mr. HARRIS: Then, Sir, is it not repetition rather than anticipation?

THE MINISTER FOR COMMERCE AND INDUSTRY: Does that not come under the lapse of time rule?

THE DEPUTY SPEAKER: The six-months rule, I think I am right in saying—it is a rule preventing the moving of a Motion on the same subject, if it does not prevent references, pure and simple. The hon. Member may continue.

Mr. TYSON: Thank you, Sir, I was merely wanting to emphasize what I had already said earlier in this debate on another item—that the commercial community have been pressing for some considerable time for a unification of a still further number of essential services

which had originally been included in Colonial Paper 191. This Council has already agreed to adopting, I think, a recommendation in regard to commercial legislation but I would like to emphasize under this item the question of licensing of industry which is another item in regard to which the commercial community have been pressing for unification.

At the last session of the Associated Chambers of Commerce it was asked that the High Commission should examine this particular item as well as one or two others, but it is very much tied up with the question of industrial expansion in Eastern Africa which the hon. Member for Finance referred to a few days ago. He reminded us in the course of his speech that while agriculture was the life-blood of our economy, it may well be that in industry we shall find our best means of rapid progress. That rapid progress I submit, will come through the expansion of our industries on an East African basis and I would like the hon. Minister for Commerce and Industry as well as the hon. Minister for Finance to keep seriously in mind the need for this unification, particularly in regard to the licensing of industry which is at present in my opinion on a rather cumbersome basis, and to seriously consider whether we, from this Council's point of view, could not recommend that industrial licensing should be transferred as one of the scheduled services of the High Commission. I am quite satisfied in my own mind, Sir, that we shall attract a much larger interest if we can attract an East African basis rather than if we try to encourage these industries purely on a territorial basis.

Mr. HARRIS: Before the Minister replies to the last hon. Member, would he also include in his reply a statement as to whether the licensing of industry has anything to do with the East African Production and Supply Council?

THE MINISTER FOR COMMERCE AND INDUSTRY: Mr. Chairman, I did not wish to interrupt my hon. friend, but of course, the licensing of industry has nothing to do with the East African Production and Supply Council. It has to do with the Industrial Council, which has been taken. However, as my hon. friend was not interrupted, could I ask your indulgence and that of the Council to reply to him very briefly.

[The Minister for Commerce and Industry]

First of all, I would like to make the point that when my hon. friend asks me to bear something in mind in the same way that one of my colleagues does, I think he is aware, or if he is not, he should be, that there is such a thing as collective responsibility and when my hon. friend, the Minister for Finance speaks, he is speaking for me and the rest of the Government just as when I am speaking, so am I, and, therefore, my hon. friend is stating the policy of Government, in one particular, or one of my other friends in another, then he is speaking of the Government as a whole and I suggest it is invidious to make comparisons. (Hear, hear.)

My second point, Sir, is that as my hon. friend knows, the question of industrial licensing is a matter for territorial decision inasmuch as items are added to the Schedule. That is the declared wish of the legislatures in all the territories. The terms under which the Ordinance is operated, however, are a matter for interterritorial administration. To surrender the right for the individual territorial legislatures to decide what will go on the Schedule and what will not, would be a very much bigger step than, for instance, the steps advocated in the Motion moved by my hon. friend, the Member for Rift Valley, the "European" Minister without Portfolio, some months ago. I am not at all this stage opposing or supporting what my hon. friend the Nominated Member suggests, I am explaining the position so that there can be no mistake about what has been the policy, not only of this Government, but of the legislatures of all three territories up to this time. That does not mean that my hon. friend should not, if he believes that a further advance should take place, why he should not seek every possible means to advance his views, but, Sir, this is the present position.

In regard to the encouragement of industry, there are many ways apart from licensing that it can be encouraged. It is the endeavour of this Government, by every possible means, to encourage it, but as regards a unified market for the East African territories, that again

is the object of at least 98 per cent of the customs tariff. Where differences exist, there is good reason for them or they are unimportant.

THE DEPUTY SPEAKER: If no other hon. Member rises to speak on this item, we will pass to the next item which is item 20.

Sub-head 20

Mr. COWIE: Mr. Chairman, I would like to take one minute in paying tribute to the East African Statistical Department. I know it is a department which can so easily be maligned, but it rather depends, I think, on what they are asked to do. Recently, I have been closely associated with them in the registration of European manpower. I would like here to place on record to say that they have rendered a very valuable service and that the advice and willingness of Mr. Martin, the Director, made that registration possible and successful. I would therefore like to place it on record that we recognize their assistance.

Sub-head 21

LADY SHAW: I wish to move a reduction of £100 in this as I wish to have a discussion on the whole subject which I raised earlier in this debate, this question of fundamental research from the East African angle as against the other forms of research which exist at present.

Now, it is my belief, and I believe it would be extremely difficult to dispute, that Kenya as a territory has a very great deal of tacite research of its own. I believe there is a world organization of tacite research and I believe there is an East African organization which, it is suggested we should pay for here. Now, Sir, I received a lecture from the hon. Minister for Finance last time ago, which I can only compare with the kind of lecture I received from my headmistress when I was a child, telling me what a perfect fool I was and how perfectly right he was. He may be perfectly justified in that point of view, but as in the process past I usually felt that my headmistress was not justified, I still do not believe that the hon. Minister for Finance is justified. I do not, however, believe you have to be a leper, or that you have to be a farmer suffering from tacite fly or a permanent malaria patient to regard this thing fairly which was suggested by the

[Lady Shaw]
 Minister for Finance who suggested to me that because one was not affected by a particular disease or distress, one could not take a fair point of view when discussing these subjects. I am not concerned with this because I am a leper or any other form of diseased person—I am regarding it as a person who is responsible, just as the hon. Minister for Finance is responsible, for the finances of this country—I do not mean in anything like the same degree, but in my own small way I have a certain responsibility for the finances of this country and I know the hon. Minister for Finance will be the first person to recognize that fact. Sir, I do not believe that it is in the interests of this country or in the interests of East Africa as a whole that too much of this research business should be done by too many people. I believe, Sir, that there is a great overlapping in this matter. I believe, for instance, tsetse fly—I am not attempting to twist my tongue round the other half of this item, I have heard too many people, including the hon. Minister for Finance, fail to twist their tongues adequately round it—but, Sir, I do believe that this is an instance in which too many people are concerned. I believe that tsetse, as a whole, is obviously a South of the Sahara matter—I believe it may be a Kenya interest as well, but I cannot believe that Africa South of the Sahara is an individual Kenya interest or a purely East African interest, and I would ask the hon. Minister for Finance to regard this whole matter very seriously indeed in order to prevent what I do honestly believe—and I know a lot of other people believe—is a question of gross overlapping.

Sir, I wish to move a reduction of £100. (Applause.)

Question proposed.

THE DIRECTOR OF AGRICULTURE: I think the hon. and gracious lady, to some extent, is confusing research and the application of research. The Tsetse Section of the Veterinary Department applies in the field the results of research. This item, we are concerned with here, deals with what one can call basic or fundamental research in the tsetse problem, the bionomics of the tsetse, the ecology of the tsetse, the use of insecticides, which insecticides are effective,

when effective, what type of machinery to use, the use of aircraft in control, the use of defoliation against tsetse—all that kind of work which is quite outside the scope of the Veterinary Section or the Veterinary people, who deal with the practical application, and I believe that these people are doing an extremely good job in finding out ways and techniques of dealing with the tsetse fly. Surely it is a point rather against the hon. and gracious lady's argument that if we can find-out techniques on an East African basis, and apply them territorially, that surely it is the function of an organization such as this to deal with common problems on an East African basis. These techniques are applied departmentally by departmental services.

On the question of overlapping, there is in being what is known as a Tsetse and Trypanosomiasis Committee, which is presided over by the Minister for Agriculture and on which are representatives of this East African organization and of territorial departments. In addition, there has been recently set up a governing body of the various research services which come under the High Commission and to which unofficials from Kenya sit and, as was suggested this morning with all these research services, I do think that a lot of doubts and fears could be dispelled if people who are interested in this subject made it their business to find out what was happening and took complaints up through their representatives on the Central Legislative Assembly.

MR. AWORI: Mr. Chairman, I must oppose what the hon. and gracious lady has said about this Vote. I come from a tsetse fly area and I know what is being done and I just for personal reasons, I think it is wrong if we have to cut down this amount of money. My hon. friend, the hon. Minister for Community Development, who comes from almost the same area as myself, is aware of what is being done regarding reclamation in Nyanza, particularly in the tsetse fly infested areas, and I would ask the hon. Minister for Finance to give us double that amount of money.

MR. COOKE: Mr. Chairman, I think the hon. gentleman, like some other gentlemen of this Council, has misunderstood the point that the hon. and gracious lady has made. She is not

[Mr. Cooke]
 opposed to tsetse fly research but thinks it might be more efficiently done if a main tsetse fly organization in South Africa co-ordinated research in Kenya and other places and would probably be more efficient and cost less money. I agree with the hon. and gracious lady on most of the contentions in this matter. I think it would apply to forests and various other things. I think there is a misconception and that is the reason why I have risen to my feet.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I wish to clarify the matter raised by the hon. and gracious lady, the Member for Ukamba. I think she will find they were not addressed to her at all nor did they deal with her particular point. They dealt with the point raised by the hon. Member for the East Electoral Area, Dr. Hassan, who was dealing with the question as to whether the objects of the High Commission had been fulfilled and I dealt with his point of the two functions—one the executive and the other research—when I pointed out that it was not an obvious thing to the ordinary man that functional research had been fulfilled. Had I addressed it to the hon. and gracious lady, I should have felt a little more guilty than I do. I deeply regret that defence from this side of the Council should have been interpreted as a lecture. After all, if questions are asked, answers have to be given. We have to deal with them in our own particular way. However, I would come back to the general point I did make this morning, and that was that a number of these problems have a peculiar East African application. That I think, is the first factor, and the second factor is that I am by no means convinced that it would be cheaper to have a large central organization, somewhere thousands of miles away, over which we would have no intimate control and contact than it is to have a type of organization which we have now where advice and consultation is sought at the centre. That, I think, was the point that I made and that is the point which I must reiterate now. Of course, the hon. and gracious lady is well aware that if I could see any chance of saving money on this, I should be only too pleased to save it.

MR. HARRIS: I am glad to see that the hon. Minister for Agriculture has come at last as it had been my intention if we had finished this debate, to move a reduction on Item 30, to see if the hon. Minister for Finance knew as much about plant quarantine as he seemed to know this morning about fish, and this afternoon about flies. I know he is an expert at setting a sprat to catch a mackerel and he is now casting a fly across the troubled water of tsetse control.

I would like at this stage to say that I support the hon. and gracious lady on this matter, and I do suggest, in future years when we are debating the High Commission Services which affect many departments of Government, that the Minister concerned should make a point of being present.

THE SECRETARY FOR HEALTH, LANDS AND LOCAL GOVERNMENT: The hon. and gracious lady, the Member for Ukamba, in her remarks this morning, did mention the possibility of some overlapping between medical research in East Africa and medical research on a Pan-African basis—

THE CHAIRMAN: Unless this deals with tsetse and the other thing—

THE SECRETARY FOR HEALTH, LANDS AND LOCAL GOVERNMENT: I am dealing with the principle of co-ordination between research on an East African basis and on a Pan-African basis, and I suggest an analogy of this applies equally in the medical field. The problem of tsetse fly is not a problem of stock disease alone, it is also a problem of human disease, i.e. sleeping sickness.

There are numerous interterritorial organizations in Africa, with which liaison is maintained not only by East African agencies of research, but also Kenya agencies. There is a body known as the CCTA—the Council for Technical Co-operation South of the Sahara—which periodically holds conferences to which representatives of all colonial powers south of the Sahara attend. That body has, I know, given its own impetus to research on malaria, but maintains liaison with East African agencies as far as possible in all fields. There must be some overlapping, but the two

[The Secretary for Health, Lands and Local Government] schemes wed together and provide information of value to this territory without unreasonable extravagance or over-lapping.

THE CHAIRMAN: Does the hon. and gracious lady wish to reply?

LADY SHAW: With the leave of Council I wish to withdraw my Motion.

THE CHAIRMAN: The Motion is withdrawn.

Sub-head 21 agreed to.

Sub-heads 22 to 28 agreed to.

Sub-head 29

MR. USHER: Mr. Chairman, Sir, I am intervening here because I have an unanswered question on this matter. I am speaking now as if we were members of the public, pack animals passing through a particularly arid piece of country carrying many grievous burdens under which we grunt and sweat. Amongst these grievances is the administration of section 22 of the Customs Management Ordinance. It bears intolerably on private companies and I do not know how this matter may be aired.

I asked the other day about the Gill Report, when we were going to have the privilege of seeing it. I do not know if the Gill Report covers section 22, but I have a shrewd suspicion that it might, and I should like to know when we are going to have this report, and if information of that kind cannot be given us, how are we going to bring into prominence the iniquity of the administration of section 22.

MR. COOKE: I cannot see how section 22 has much to do with the Income Tax Department. Section 22 policy is laid down by this country—the Income Tax Department has got to carry it out.

MR. USHER: Perhaps my hon. friend does not realize that what I am attacking is the administration of section 22 and not section 22 itself. (Laughter.)

MR. COVENTRY: I have been asked by some of my colleagues in Mombasa to make a few remarks in regard to comparative income taxes which have been mentioned in this Council on a few occasions, particularly in regard to United Kingdom and ourselves. I am sure

Members are fully aware of what I am going to say. In fact, the hon. Minister for Finance has quite often alluded to it, and that is, in the United Kingdom, there are numerous benefits which are obtainable—you have National Health schemes, you have free doctors, free dentists, you have free treatment, you have false teeth, hospitalization, old age pensions—all of which are not available in this country, and it is felt by my colleagues in Mombasa that a very strong point should be made, when comparing different rates of income tax in the United Kingdom from East Africa, that these points must be borne in mind.

There is also the question of schooling, education—here, one has not only to pay for education but also transport to and from schools. There is also the question of customs duties on clothing and items of that sort. All these must, I think, be considered when comparing income tax. We ourselves are continually asking the Mother country for assistance. Their reply might and can easily be—"Until you tax yourselves in the same way as we are taxed in the United Kingdom, we are unable to assist." That has not arisen so far but I have been asked to place it on record that there is this difference between the two countries.

THE MINISTER FOR FINANCE AND DEVELOPMENT: On the point raised by the hon. Mr. Coventry—as he says, I have already stated in this Council, and indeed in speeches in Great Britain I have said that the comparison between rates of taxation is not complete unless it covers the whole picture, direct taxation and indirect taxation, and most important of all, the level of benefits received as a result of taxation. I think it is unnecessary for me to elaborate this matter once again.

On the point raised by the hon. Member for Mombasa, I must say that hon. Members on the opposite side of Council—they do liken themselves to queer things. They were likened to school-children, now if I understand the hon. Member for Mombasa, he is describing them as mules and donkeys, a description with which I would by no means agree.

However, I did say on the point of the Gill Report that this was being considered by the Government. I cannot offer, with present pressure of business,

[The Minister for Finance and Development] any hope of it being presented during the present sitting, but we will do our best to get it forward at the earliest possible moment.

On the question of administration of Section 22, I do not propose at this particular moment to be drawn into the trap of saying anything very definite at all. I will say, once again, that Government has considered and will continue to consider the administration of Section 22.

Section 29 agreed to.

Section 30 agreed to.

Question put and carried.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Committee doth report progress and ask leave to sit again.

Question proposed.

The question was put and carried.

Council resumed

[Mr. E. N. Griffith-Jones, Q.C., in the Chair]

REPORT

MR. GRIFFITH-JONES: I beg to report that the Committee of Supply has considered and approved a Resolution that a sum of £1,103,368 be granted to the Governor to defray the charge which will come in course of payment for the year 1st July, 1954, to 30th June, 1955, for Vote 9-1—High Commission Services.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Council doth agree with the Committee in the said Resolution.

Question proposed.

The question was put and carried.

COMMITTEE OF SUPPLY

MOTION

That Mr. Deputy Speaker do now leave the Chair.

THE MINISTER FOR LEGAL AFFAIRS: It is I think the first time for many years that the Vote of the Judicial Department has come before this Council for discussion and debate. Indeed, so far as I have been able to discover, it has never previously been discussed since we intro-

duced the new Budget procedure whereby policy matters are debated under the Motion that Mr. Deputy Speaker do now leave the Chair. It may well be that it is no bad thing that we should discuss not only the policy of the Judicial Department (if that is the right word to use in this context) but also the expenditure and activities of the Department. It has been very rightly said by a learned Law Lord that justice is not a cloistered virtue and she must be allowed to suffer scrutiny and respectful comment of ordinary men. Perhaps one reason why it has not been customary in the past to place this particular Vote down for discussion is that of necessity, owing to the separation of the judiciary from the legislature and the executive under our constitution, the judiciary must appear, so to speak, by proxy, in this House and if there is any criticism or any comments with regard to their activities they must be answered by someone speaking on their behalf. On this occasion it falls to my lot to appear as proxy on behalf of the judiciary on this vote and to assume vicarious responsibility for the discharge of their functions during the past year.

One of the Members opposite, the Member for Central Area, who asked for this Vote to be put down for debate during the Budget Meeting, has very courteously informed me of the points which he wishes to raise under this head and I will, as far as possible, endeavour to deal with those points by way of anticipation when moving this Motion. I say by way of anticipation because I have made tentative arrangements with one of my colleagues, the Asian Minister without Portfolio, to wind up the discussion on this Vote. In doing so, I have been adopting a procedure which I gather from my hon. friend, the Minister for Finance, who is my mentor and guide in these matters, is the procedure invariably followed in the best circles in Westminster whereby the minister moves a motion by way of proxy, one with one well-engaged colleague, preferably one without portfolio, to wind up the discussion. Therefore, I have arranged with my hon. friend, the Asian Minister without Portfolio, who is a member of my profession and a very old and experienced practitioner in this country, to deal with points raised by hon. Members during the course of this debate.

[The Minister for Legal Affairs]

Now, Sir, if I may turn to speak briefly of the work that has been performed by the judiciary during the past 12 months. Perhaps I can cover the matter succinctly by saying that the volume of work which has been thrust upon the judiciary as a result of the Emergency has been vast—it has been without precedent in this Colony, without precedent in any other Colony and, so far as I am aware, without precedent in any other country in the Commonwealth. During 1953 the Supreme Court tried over 1,500 persons, almost all of them on capital charges. During the first four months of this year, no less than 448 informations have been filed in the Emergency Assize Courts, and again almost all of them dealt with capital offences. If, I am sure, hon. Members will appreciate, a tremendous burden suddenly to have thrust on the judiciary of this country. It is quite true that some months ago there were considerable delays, delays of several weeks in the closing with capital cases from the time that information was filed by the Legal Department and the time when the case came before the courts for trial. The chief cause of those delays was the shortage of judges—the bureaucrats call it manpower deficiencies—but at the present time, in fact last week, there were no less than 10 judges sitting day after day dealing with Emergency Assize cases. That is the highest number of judges that have been sitting at one time in Emergency Assizes since the procedure of Emergency Assizes was first introduced. As a result of the increased availability of judges to deal with Emergency Assize cases, I think one can say with confidence now that the waiting period between the filing of an information on a capital charge and the trial of the person accused on that charge will be no longer a matter of weeks but a matter of days. I have been discussing this matter with the Acting Chief Justice within the past few days and he has expressed the view quite confidently that the period might be about 14 days in future; in some cases it will be considerably less and as we know there have been cases where the information and the actual trial has been a matter only of a few days. In dealing with this vast amount of work, judges

have been greatly assisted by the help which is being afforded to them by those members of the local Bar who have accepted the invitation to act as temporary judges. In many cases, they have been senior practitioners, who have had to leave their private practice at some considerable personal inconvenience and I know, in some cases at some considerable financial loss, but they have done so from a sense of public duty in order to assist in this very important aspect of dealing with the work of the Emergency and I am sure will continue to do so in future.

That brings me to the point which I know has been a matter of some concern to the hon. Member for Central Area and which no doubt he wishes to raise in the course of his debate. The Council will recollect that many months ago, I promised, on behalf of the Government, that consideration would be given to the proposal that suitable Asian advocates of the requisite seniority would be selected for appointment as acting temporary judges in Emergency Assize Courts. I think Council will agree, and the Member for Central Area, I know will agree, that Government has adequately and completely fulfilled its promise in this regard. Certain Asian advocates have accepted the invitation to serve as temporary judges and I can say from first-hand knowledge that this innovation has been a complete success. It is satisfactory to know that in this step forward in multi-racialism, the legal profession has been in the vanguard; even before multi-racialism was as fashionable as it is to-day. That of course is as it should be, Sir, and indeed as one would expect of a learned profession with 600 years' tradition behind it, and the most cherished tradition of all being equality before the Law.

But there is one aspect of this matter which I know still gives grounds for concern, and even for criticism, among certain hon. Members opposite. Whereas it has been possible to appoint Asian advocates to act as temporary judges in the Supreme Court, as yet no Asian advocates have been appointed to the magisterial bench. The hon. Member for Central Area has brought this to my notice on more than one occasion. He has pointed out the illogicality and the anomalous situation which arises when

[The Minister for Legal Affairs]

you find Asian advocates who are qualified and suitable for appointment to the Supreme Court, but as yet no Asian advocates secured appointments to the magisterial bench. Of course I appreciate the force of logic always, and I appreciate it in this particular context, but, as the hon. Member for Central Area knows very well, there have been difficulties in this matter, and I am confident—as I think he is confident—that those difficulties will be overcome. This is another matter which I have discussed recently with the Acting Chief Justice and indeed, I have his authority for saying that not only is there no objection to the appointment of suitable Asian advocates to the magisterial bench, but that he would welcome these appointments in order to deal with the vast amount of work that has fallen to be dealt with by magistrates as well as the Supreme Court owing to the Emergency. The work that has been imposed on the magistrates by the Emergency is in volume perhaps greater than that which, relatively speaking, has had to be borne by the Supreme Court. Nearly all offences, other than capital offences, have been transferred to magisterial jurisdiction from the Supreme Court and, in relieving the Supreme Court of those cases, magistrates have merely added to their own burden, which was heavy enough even before. Although I would not wish to take up any time in giving statistics to the Council, I think it would be useful just to mention that, during the past twelve months, magistrates throughout the Colony have dealt with no less than 53,000 criminal cases and over 15,000 civil cases. In their case also they have received assistance from outside. They have received assistance from what we call in this country special magistrates, who correspond very closely to Justices of the Peace in England. They are the great unpaid, who offer their services from a sense of public duty, and who assist in disposing of minor offences without the necessity of the Government having to find professional magistrates to deal with such cases.

Now, ancillary to the magistrates' work is the work of the Probation Service. A few years ago—less than three years ago—the Probation Service was a Cinderella department in this Government. In fact,

it was not even a department. It was a sub-department attached to the Prisons, which was fundamentally a wrong method of organizing this Service. In the last two or three years considerable changes have been made in organization and, whereas a few years ago there was only one probation committee in Nairobi, there are now probation committees in practically every large town in the Colony, and also probation officers working under the guidance and direction of those committees.

Last year the Probation Service dealt with over 1,000 cases in this country, and in 88 per cent of those cases they were successful. When I say that they were successful, I mean that the persons who were placed on probation kept the terms of their probation orders—kept away from crime and eventually, at the expiration of their probationary period, resumed their position as good and useful members of society, without having slipped back into a life of crime. If one were to look at this cost of the Probation Service, and compare it with the cost which would fall upon the Exchequer if they were sent to prison, it is quite clear that there is a considerable saving. If one judges it by the rather sordid standards of the Treasury—

These 1,000 cases placed on probation would have cost the Government about £30,000 if they had been sent to prison, as each person sent to prison costs £30 per head per year. The Probation Services cost considerably less; so that, on the financial basis alone, very valuable work has been done by the Probation Service for the country. Of course the moral and spiritual value of the work, saving a first offender from a life of crime, and preventing homes being broken up owing to a first offender being sent to prison, is quite incalculable in terms of material benefits.

So that, Sir, in a few broad strokes, covers the scope of the activities of the Judicial, Magisterial and Probation Services which fall under this Head. Perhaps, in conclusion, I may be allowed just to say a few words, which I might say on behalf of the judiciary speaking as proxy, which they might not say on behalf of themselves. It is one of those persons who believe that the judiciary of

[The Minister for Legal Affairs] in this country, based as it is on the traditions inherited from the British judiciary, is one of the finest living assets we have in this country—(Hear, hear.)—the impartiality, the integrity and, above all, the independence of the judiciary, reflect in a very special manner the genius of our race—the British race—and command, as perhaps no other institutions in this country can command, the respect, the trust and the confidence of all the other races with whom the British live and work in this country. This institution, as I profoundly believe, Sir, is part of our message to the world and, in particular, to this multi-racial community, and it is therefore, in my submission, the duty and the privilege of this Council to sustain it with all the moral and material resources at its command.

I Sir, I beg to move. (Applause.)

THE MINISTER FOR COMMUNITY DEVELOPMENT SECONDED.

Question proposed.

MR. MADAN: Mr. Deputy Speaker, Sir, I will support the hon. Minister in the Motion he has moved. I firmly believe, Sir, that the essential factors are required for the maintenance of law and order in any country. The first is a sound system of administration of justice, and secondly an adequate and respected police force.

Now, of course, I will not say anything about the police force, but I would like to pay a tribute to the Judicial Department of this Colony. Having come into contact with its members, because of the special and peculiar vocation that I follow in life, being a lawyer myself, I know that the Judicial Department has been working under tremendous pressure against heavy loads of work, and the increased number of cases that they have had to try and dispose of, but, as is the tradition of such a Department, and also of the legal profession, they have risen up to the occasion, and I am quite satisfied, Sir, that nobody would say that they have failed to discharge their duties.

To that I would like to add, Sir, my tribute to the Department of the Minister himself, who have had to work at no less speed and under no less pressure. While the Judicial Department comes

into notice, as a result of publicity being given in the Press to certain cases—certain more glamorous cases that are reported—the Department of the Minister himself rarely finds such encouraging publicity. I should like to add my tribute to this Department also.

But that does not mean, Sir, that I am entirely satisfied with the structure of the Department—the Judicial Department as it exists to-day. I think there are many shortcomings which can be remedied, and I want to make it clear that, when I say that, it is in no way a criticism of the existing system or the men who work the system. The hon. Minister has been good enough to refer to me as being the Member who is very anxiously and closely interested in the personnel of the Asian advocates in relation to appointments to the bench and to magisterial posts. He has pointed out that the Government has fulfilled its promise, and did appoint certain Asian members of the Bar to the bench in the Emergency Assize Court. That of course is perfectly true, but when I pressed for the appointment of the other members of the community living in this Colony to the bench and to magisterial posts, I was not—and I am quite certain the Minister also realized this—referring to appointments to the Emergency Assize Courts, because such appointments are of an extremely temporary nature. They are brought about by unfortunate circumstances, and they hardly provide a community with an adequate opportunity to give expression to their capacity and capability to prove that they can discharge the work as well as the members of any other section of the community, whether they be appointed to the bench or to the magisterial posts.

This is by no means a new matter. It has been raised in this Council again and again, and I have tried to discover what really is the objection to the appointment of Asians—I am going to be specific— to the bench of this Colony, as well as to magisterial posts. As the Minister knows, Asian advocates have—and I may justly take pride in saying so—distinguished themselves at the Bar of this Colony. They have been by popular election elected as presidents of the Law Society of the Colony, and those were elections in which a large number of

[Mr. Madan] European advocates—if indeed not a majority of European advocates—took part. As the Minister has stated, Sir, they were also appointed to the bench as assize judges. I was very glad to hear that that venture was a complete success.

It is not the promise of appointment of Asians to Emergency Courts that I referred to, but permanent appointments, if I may call them so.

THE DEPUTY SPEAKER: Council will suspend business for fifteen minutes.

Council adjourned at fifteen minutes past Four o'clock and resumed at thirty minutes past Four o'clock.

MR. MADAN: Mr. Deputy Speaker, I was referring to the question of permanent appointment of Asian advocates to the bench and as magistrates. With your permission, Sir, and that of the Council, may I refer to a speech that the Minister made in 1953, which appears in column 318 of the Second Session Reports. This is what the Minister said:—

“A more serious matter raised by my hon. friend, and one of more practical application, is the point that he raised about the use of Asian manpower in the judiciary and in the magistrates' courts. It is a point that members of the community have raised on many occasions previously, but never have they been able to raise it with such forcefulness or with such strong arguments based upon the facts of the situation as they have to-day. He is quite right in saying that because of the shortage of judicial manpower both in the Supreme Court and in the magistrates' courts: there are to-day hundreds, even thousands, of cases waiting to be tried. He is also right in claiming that so far as the local Bar it concerned there are many Asian advocates who rank as high as those of any other community and as to that claim, far from questioning it, I would gladly underwrite it and endorse it myself. I would like to add here, too, that I have, in the course of this Emergency had the advantage of consulting with my hon. friend the Member for Central Area on legal matters, and have had great assistance and benefit from his advice. As far as I am con-

cerned, the hon. Member may have my assurance that there is no objection or prejudice against advocates belonging to his community assisting us in this Emergency.”

Now, Sir, that was in May last year. More than a year has gone by now, but not one such appointment has been made. Now, of course, I am not referring to the appointments to the assize courts. If I understand the Minister rightly, the objection cannot be on the grounds of race, ability. It is not on the grounds of race, because we have a multi-racial Government already in this Colony, and it cannot be said, Sir, that we have such an abundance of judges and magistrates in the Colony that there is no need for further appointments to be made. I, therefore, Sir, do not understand what the real objection is, unless—and I am sorry to have to say this—unless it is mere lip service that is being paid to the Asian community by glorifying the work and the standard of their advocates, and just leaving it at that—but, knowing the Minister as I do, I do not think that that is the case.

He has referred to difficulties. Well, of course there are difficulties. There are always difficulties in the way of new ventures, and there are always prejudices. Some people will always oppose certain new ventures, even if they are of a progressive nature, and I am glad to see the Minister, Sir, that the time has come for him to make a bold decision in the matter and, if he cannot personally make that decision, the time has come for him to induce the Government to make a bold decision. It cannot be any worse, or it cannot be going any further than what we see sitting opposite us to-day—all sorts of colours and all sorts of faces. (Laughter.) Let us reproduce this pattern—even in a judicial system. I know, Sir, that the hon. Minister said that the Asian Minister without Portfolio would be replying to this debate. He happens to know to my section of the community. I would expect a more favourable reply from him—(Laughter.)—except for one factor. I strongly fear he might turn out to be his master's voice. (Laughter.)

I did say at the beginning, Sir, that a sound system of administration of justice is one of the safeguards for the maintenance of law and order, and in that

[Mr. Madan]
system trial, by jury plays a very important part. I refer to it here now, because the answer to a certain question only this morning, in my opinion, was not satisfactory. The Minister said that at the moment it is not being considered whether other races besides the Europeans could also claim the privilege of having trial by jury. Sir, I would suggest that trial by jury is the fundamental and human right of all accused people in any progressive court of law, and denial of it in the British court of law to Asians and Africans does not add to the otherwise excellent prestige of the courts of justice and the system of administration of justice in this Colony. I have said it before, Sir, and I will repeat it now, that I have a tremendous amount of respect for the British system of jurisprudence, and the way they administer their justice, and I do not hesitate to pay that tribute, but there is something fundamentally wrong with that system if it denies to certain sections of the community a privilege which it reserves for one section only: but what is the answer in this Colony to the demand that all sections of the community should be entitled to a trial by jury? I do not think, Sir, the answer lies in allotting or assigning a system of jury—communal juries—for each section of the community. I do not think, Sir, it would be satisfactory to have Asians tried by an Asian jury and Africans by an African jury, as happens in the case of Europeans, who can claim the privilege of being tried by a European jury only.

I am strengthened in this argument by the remarks of my hon. friend, the Member for Mombasa, who, after a supplementary question this morning, wanted to know if it would not be desirable to abolish the system of trial by jury for all races in this Colony. Well, I think he had good grounds for saying so, because the Minister probably will admit the system of trial by jury for Europeans has not worked as satisfactorily as it should or as it does in the United Kingdom. But if you are going to abolish it—by all means abolish it—for the Europeans, that does not mean other sections of the community should not be given it. But, as I have said before, the splitting up of the system into com-

munal sections will not provide a satisfactory answer. It is my considered opinion, Sir, that the solution lies not in the abolition of the system completely, but in having a mixed jury of all races, no matter to what section of the community the accused on trial belongs. Once we have achieved that, the flaws, the shortcomings and dissatisfaction which we have experienced in the case of Europeans will disappear. It is but human nature that in a community of mixed races, when a person is being tried by a panel of his own countrymen, that panel should feel prejudiced towards the origin of the accused in order to maintain the prestige of their own community. That is, Sir, but human nature. That, in my submission, would apply to any communal jury.

The next point that I would mention in this debate, Sir, is the question of the delay that takes place in the trial of civil cases. I am told, Sir, and I think my information is correct, that there is a tremendous and heavy backlog of civil cases pending. The learned Chief Justice cannot but help give priority to trial of criminal cases, and that is only right, but it does mean, Sir, that the population is being denied a right to have their grievances redressed in courts of law by trial of their cases, and that is not a very satisfactory state of affairs. Of course, the remedy that has already suggested, of the appointment of additional judges and magistrates, would solve the problem—immediately—and when the Minister mentioned that 13,000 civil cases were tried by magistrates, I would like to know how many cases were filed and how many are still pending. That would give this Council an idea of how the civil work is being neglected.

Another point, Sir, that I would make is in relation to the Minister's own department. Now, I think it is quite safe to say—from the worried look that I see on his face every day when he is sitting opposite me—that there must be tremendous pressure of work in his own department. Has not the time come, Sir, to ask when we should appoint Asians as Crown Counsel also? There are a lot—many of them in this Colony—who will be able to discharge that duty. I am confident, to the entire satisfaction of the Minister,

[Mr. Madan]

You will, Sir, recall the case of the Asian prosecutors who went as far as Embu to conduct assizes, in a moment of grave necessity, for the Government, and they lived there under dangerous conditions, unmindful of their personal comfort, and, I would like to say, even unmindful of the financial loss which they suffered as a result of having had to give up their own practice in Nairobi. Sir, I will submit, the time has come for the Minister to consider his own department also, and to make a bold decision in this respect also, and to induce the Government to make such appointments.

The last point, Sir, I would make is in relation to the judges themselves. I see from page 38 of the Estimates that our puisne judges are paid £1,850 a year. I suppose they also get their cost of living allowances—I am not sure in the matter. They do, do they? Good. Well, that would calculate on the basis of 35 per cent—that is, speaking in rough terms—that would make it about £2,500. Now, in my submission that is hardly adequate pay for people who are asked to do a very responsible job, and to discharge a very heavy task in life. It becomes all the more unfair when you consider, as I think, even the Ministers opposite get more than that, and I do not suppose it could be satisfactorily justified. It is in a public judge is any less important than that of anybody sitting opposite us.

Sir, I beg to support.

LADY SHAW: Mr. Deputy Speaker, Sir, I have listened with considerable interest to the points that have been made by the last speaker on the subject of trial by mixed juries and I cannot, for one moment, say I agree with him. Now, Sir, in saying this I am not trying to produce any form of racial discrimination, or racial hatred or any racial nonsense of any sort or kind, but I would like to try to point out to the last speaker that trial by jury has been a tradition of the British and, in fact, I could say almost especially of the English, over a matter of many hundreds of years. That, in fact, was one of the great points which have been made over many years among the British—in the British set-up—and the whole atmosphere of Britain is that a man should be tried by his peers. Now, Sir, talking about a man being tried by peers does not

mean anything like social equality. It means that a man's peer has, in general terms, the same social outlook as the man whom he is trying. Now, Sir, without wishing to cast any apple of discord into this debate, I would like to suggest to Council and to the last speaker that the social outlook—that the whole question of law as we have known over hundreds of years is regarded quite differently and quite unequally by the different races in this country and I would like to suggest, Sir, that in fairness—and after all however egalitarian we may be, the thing we are aiming at ultimately is justice and fairness—in justice and fairness let us try to stick to a principle that a man is tried by his peers. (Applause.)

MR. SLADE: Mr. Deputy Speaker, Sir, the judiciary are rightly jealous of their independence and of their freedom from political interference. Therefore, it is wrong to speak about the judiciary I want to make it clear that I respect that freedom and independence and have no intention of trespassing upon it. Indeed, it is vital in the interests of the whole community. But, Sir, there are some matters in respect of which this Council can assist the judiciary, particularly, of course, in matters of finance in which in the end the judiciary are dependent upon us; and there are other matters where judges and officers of Government have problems in common. Indeed, it is important that respect for the judiciary should not go so far as to lead to neglect of the judiciary, which as the hon. Minister pointed out we have been rather near doing during recent years. So I very much welcome the opportunity of discussing this Vote.

Now, on the financial side I would like to repeat what I said in the general debate on the Budget, because I think it has peculiar application to the judiciary; and that is that in seeking to effect economies we must be very careful not to sacrifice quality. In other words, however much we need to economize we shall not rightly do it by trying to pay people less than they are worth. Now, perhaps because I am a professional man, it has always appeared to me to apply particularly to professional men in Government service, and it has always appeared to me that on the whole they are paid too low. It is, after all, a question of going into an open market and getting the best men you

[Mr. Slade] and to get the best men you can you have to compete with others who are making attractive offers elsewhere, and I do think that we are extremely lucky with the quality of the judges that we have had and, particularly, have now in this Colony, and magistrates, for their dignity, learning and wisdom, considering what we pay them. I need not say any more on this, Mr. Deputy Speaker, because I know the Salaries Commission will be making a report fairly soon and we shall have plenty of opportunity of discussing it then, but I do hope that the result of that report will be a recommendation for offering our judges rather more.

As regards the possibility of economy in numbers I would suggest, Sir, that there may be room for improvement. It has struck me from time to time over the years and even now, that our judges are not always fully employed. That, I know, is never their fault. They are as anxious as anyone to do a full day's work and I know it is due largely to the difficulties of organizing judicial work, to the fact that cases which are expected to last a day suddenly fold up through being settled or witnesses being absent, and so on, but I would respectfully suggest to His Honour, the Chief Justice, that it may be possible to economize by a little careful reorganization of the work of the judiciary. I would not presume to tell him how, at any rate in this Council, though I have a few ideas in matters of detail.

While on this subject, Mr. Deputy Speaker, there is another point which I would also recommend to His Honour, the Chief Justice, for investigation. It is a point which bears both on the cost of the judiciary and economy in general and on the other aspect of making the office of a judge more attractive. It is this—that in this Colony, I think in common with most colonies, but unlike the United Kingdom, it is the duty of the judge to make a complete record of the evidence in any case that he tries, civil or criminal. His record, is in fact, the only official record, whereas in the higher courts in England the judge makes what notes he cares to make but they have no official bearing and he need not make any if he does not want to, and the official record is kept by stenographers or some other

mechanical means. Now it may be urged that to employ Palantype or other mechanical methods of recording evidence in this Colony would involve tremendous expense, but I would suggest, Sir, that it might be found on inquiry to involve saving in the end. After all, the time of a judge is worth quite a lot of money, particularly if you pay him properly, and if you can cut down the time, you cut down the number of judges that you have to employ, and if by employing Palantype or other means of recording evidence, you do save him considerable time, then you are saving money accordingly. But you are not only saving the cost of the judge himself, you are saving, indirectly, a tremendous amount of money elsewhere. You are saving the time of the police in criminal cases; you are saving the time of witnesses; you are saving, indirectly, for the public the parties to cases, the time of lawyers and consequently the cost to them of the lawyers. I do not know, Sir, what the answer may be, but I would suggest that it is well worth investigation to see whether the employment of Palantype or something similar in the Supreme Court would not justify the expense while, at the same time, making the judges' work very much more attractive. Sir, I do know that some judges dislike extremely the necessity of having to scribble as fast as they can throughout a long case when they ought to be concentrating on the demeanour of witnesses or just listening to arguments. Indeed, I can think of some advocates who might possibly have been tempted to accept appointments to the Bench but have thought it unattractive on that very score alone.

Of course, Mr. Deputy Speaker, I fully realize that if one is to attempt anything of this kind the standard of recording, whether by Palantype or whatever the method of recording concerned, must be of the highest quality and utterly reliable, but perhaps I might say, Sir, I think with the consensus of the whole Council, that HANSARD sets a very good example of how highly reliable Palantype can be. (Hear, hear.)

There is one more small point or two, Mr. Deputy Speaker, on the question of economies and they may seem rather curious suggestions for economy, but one of that we should be rather more liberal in our supply of reference books to judges

[Mr. Slade] and all the courts in the Colony. I have reason to believe that there is a shortage of law reports, particularly local law reports as an example, and if that is so, at the saving of a small amount of capital outlay, you are wasting a great deal, again, of time of highly-paid judges and magistrates. It would be economy in the end to save their time by being more liberal in the matter of books, that otherwise they have to wait for, or send for, or look around for, and possibly make do without altogether with consequent loss to the efficiency of their performance. And the same applies to the speed of reporting local cases. It appears to me that even now we do not get our law reports in local cases quickly enough and the courts suffer accordingly; because some people know that a decision has recently been given on certain lines, but there is great difficulty in getting hold of reports and consequently to convey exactly what the decision and the reasoning was. It is no doubt due to a desire for economy, but again I suggest that it is false economy. If we were to spend a little more money on speeding up local law reports we might save money in time and in other ways.

Now, Mr. Deputy Speaker, another aspect of the judiciary, I would like to advocate once again that a greater effort be made to attract local practitioners to the Bench as they come on in experience and show their qualifications for that high office. It is not only a question of local knowledge and experience, though I think everyone must agree that a judge is better off for many years of experience in the law which he has to administer. In fact, our judges do extraordinarily well in their assimilation of local law when they come from other territories, and we have been extremely lucky in having judges who have stayed with us for quite a long time. But apart from that, there is always the question of having seen the law from the ground floor and having had to deal directly with people in various conditions of life, of a type who eventually appear before the courts; just as in England it is recognized that a man is well qualified to be a judge when he has practised as a barrister for many years, as I believe it is here. That experience of people and having direct human contact with people in trouble or people with problems, and moving among them in their own world,

rather more than the judge has the opportunity to do, is an experience of unparalleled value on the Bench, and that brings me to the point with which the hon. Minister and the hon. Member for Central Area both deal. That is the question of whether there are not some Asian advocates fully qualified for appointment to the Bench—permanent appointment—either as magistrates or in the Supreme Court, but I would point out, Mr. Deputy Speaker, before I say any more, that that is not a question for Government. It is a question for His Honour, the Chief Justice, unless I am greatly mistaken in the independence of the judiciary to which I have just referred. It is a matter of extreme importance that we should recognize this to be so, so anything I say is by way of recommending to His Honour the Chief Justice through his proxy the Minister here and no more.

Mr. Deputy Speaker, to a great extent I support what the hon. Member for Central Area said. Most of us, whether or not, it is as the hon. Minister said, fashionable to be multi-racial, but most of us now, and for some time past, have paid lip service to the principle of merit and ability as the yardstick for advancement of non-European races. By that we have said and meant, I hope, that men should be fit by character and skill for particular positions, however, high, are not to be debared from those positions because of their colour—(Hear, hear.)—and *per contra* men who are not fit by character or skill for particular positions are not to be thrust into them because of their colour. It is extremely important, Mr. Deputy Speaker, that we adhere to that principle with honesty and sincerity—(Hear, hear.)—and that we never make a pretence either way.

Now, I am going to be honest and say honestly that there are not, as yet, many fields in which I think that this principle can properly be applied to high office; but the learned professions are among the most fruitful fields for assimilation by other races of Western culture and traditions and ethical standards; and therefore, they are the most promising fields for the early application of this principle to which I have referred. That I can say, Mr. Deputy Speaker, as a lawyer, has been proved to my satisfaction in the legal profession and I believe that in the

(The Minister for Education, Labour and Lands)

Now, Sir, the total estimated expenditure for the year is £3,220,000 or 15 per cent of the Colony's total expenditure on all services. If this percentage is compared with similar percentages in other territories, it will be found to be high and can be taken as a token of the importance which Government attaches to the progress of education even when its finances are strained to the utmost by the Emergency. Even so, the educational estimates have been framed on a standstill basis—allowances only being made for what the Minister for Finance termed expansion of services at existing levels. This means, in effect, that Government proposes not only to carry out its obligations in respect of the education of all races, but within the financial limits imposed to improve the quality of that education.

I would here observe that the Government is already providing facilities, considerably beyond those required by the statutory obligations. It is almost entirely as a result of these commitments that you will see Government staff increases amounting to 28 in European education, 57 in Asian education and 12 in African education as well as considerable increases in the various grants in A Votes. For this reason, too, there is a large building development programme in the Draft Development Estimates for the year. Details of the increase in numbers of pupils will be found in the Votes accompanying the Estimates. I hope that your finances, restricted as they are at present, will at least enable us to continue this expansion which we have embarked upon without interruption. I do believe, however, that by our own exertions much can be done to make the money which we have got further.

In the last policy debate, various Members opposite suggested that standards accommodation and buildings should be reduced in order to reduce building costs. Considerable research has taken place by the technical departments, both in the neighbouring territories and in the United Kingdom, with this object in view and I am advised that the introduction of more austere standards can be expected to reduce costs by some 10 to 20 per cent. You will have heard the remarks of my hon. friend, the Minister for

Works, on this particular subject, and I am sure that I can rely upon his co-operation to keep down these costs if it is in any way possible.

Turning now to European education, the story during the past six months or so has been one of notable achievement in the provision of accommodation for an increasing number of children. The Public Works Department has been severely handicapped by the calls made upon it by the Emergency, but even so I am certain that good progress has been made. A new primary school to accommodate 210 pupils was completed in Woodley Estate in Nairobi, towards the end of 1953, and opened in January with a total of 144 pupils. There has been continued progress in building of the Hill School, Eldoret. At the European Primary School at Nyeri a boarding block for 52 pupils was brought into use at the beginning of the year. Minor improvements have also been made to the European Primary School at Mombasa. I regret, as much as the hon. Member for Nyanza does, that work has been temporarily stopped on the construction of new boarding accommodation at the European School, Kericho. This accommodation is very urgently required before the end of the year and I am going into the matter with my friend, the Minister for Works, with a view to getting a move on with this particular project. At the Duke of York School final touches are now being made to the tuition and administration blocks of the school. So much briefly for building development.

As regards numbers, there has been a reduction in the European children sent from other Colonies for education here—presumably on account of the Emergency—but this has been more than compensated by the increase in the number of children from parents in the Services.

Now, Sir, in the main debate on the Budget, the hon. Member for Mombasa queried the arrears of school fees. My information is that there are arrears of Sh. 142,950 in respect of European tuition and Sh. 427,439 in respect of European boarding fees. These figures appear to be unduly high although there is reason to be sure that the amount includes a number of fees charged in full which may be due for remission. The matter, however, clearly needs tightening

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and I propose to go into this further with the Minister for Finance. Proposals for a uniform scale of remissions have been worked out by the Education Department and are now with the Treasury. When adopted, a uniform scale should enable the arrears to be further reduced. I do not propose, in the course of this speech, to say anything about the establishment of a separate European educational authority, in regard to which the Minister for Finance and I have recently had representation from the European Education Advisory Board. It is a very large issue requiring full consideration and is at present under examination by Government.

Turning now to Asian education, I think it is worth explaining in some detail what steps have been taken to reduce the number of dual sessions which now exist in Nakuru, Eldoret and Nairobi because the present accommodation falls short of the number of places required. In Nakuru, a new Asian primary school is now under construction for 560 pupils, and dual sessions will cease in 1955. In Eldoret, 11 new primary school classrooms should be available early in 1955, providing accommodation for a total of 840 pupils. When these classrooms are available dual sessions will be eliminated. In Nairobi, of course, the problem is the most serious. It is estimated that there are 1,500 places short at present which must be added another 500 places owing to the vacation of the Desal Road School to make room for boarding accommodation for the Nairobi Teachers Training College. To this must be added another 900 places which is the annual increase in the number of primary school pupils. This gives a total of 2,900 places required in January, 1955. During that year it is expected that the Highridge Primary School, accommodating 840 pupils, will be completed and that the Racecourse Primary School, when liberated by the building of a new secondary school, will provide accommodation for another 840 pupils, thus leaving a short-fall of just over 1,200—that is 1,200 places by the end of 1955. There are plans for the building of two new primary schools in Nairobi to be ready by the autumn, 1956; each of these schools will accommodate 840 pupils and if the plans can be ful-

filled there should theoretically be only a few children who will have to be taught in dual sessions in 1957.

Now, Sir, students of Greek mythology may remember a character called Sisyphus who was condemned in the underworld, for what offence I forget now, to roll a rather big stone up the very large hill and whenever he got somewhere near the top the weight of the stone was just a bit too much for him and he slipped back again, and as far as I know, he never completed his task. Now, Sir, I feel a bit like that character in dealing with the question of dual sessions: it is an uphill task and we are faced with the inexorable annual increase of children seeking admission and this bears very heavily down upon us. Nevertheless, I hope I have shown that we are making strenuous efforts to cope with the problem.

Now I believe that the Asian community in general considers that when dual sessions are abolished, all children will attend school in the mornings for a long session and that there will be no school in the afternoon. I should like to make it clear that the full objects of education cannot possibly be obtained in a single session and that if the Asian schools are to reach the desired standards, not only in academic subjects, but also in the wider cultural and athletic fields, it is absolutely essential that there should be both morning and afternoon sessions for all children in all schools.

Now, turning to Arab education, provision has been made in the Development Estimates for a new 14-classroom block on the site of the present Arab Boys' Primary School at Mombasa and I expect that work will start in the very near future. A significant provision in the Estimates this year is a new post for an education officer. This officer will be responsible for the supervision of the teaching of Arabic in all Arabic schools and will, himself, teach Arabic to Arab students at the Coast Teacher Training College as well as to pupils at the Arab Boys' Secondary School. This follows a recommendation of the Arab Advisory Council on education and I know that it will be welcomed. Unfortunately the Arab Members here, I think, preoccupied with Ramadan, I would add that it is proposed to complete the Arab Girls' Primary School in Mombasa during the

[The Director of Agriculture] are to build housing and offices for the Board staff, and to pay for publicity and research on behalf of the Board.

Sir, I beg to move.

THE MINISTER FOR FINANCE AND DEVELOPMENT seconded.

Question proposed.

MR. TYSON: Mr. Deputy Speaker, may I ask, in regard to the constitution of the Board, whether any provision is made for the representation of the commercial community on the Board. I see, according to the existing section 3 (1), five members are to be appointed by the Association; perhaps the Director of Agriculture could tell us what method is adopted for the appointment of those five representatives.

MR. MAITLAND EYDE: As Chairman of the Tea Board, I can answer the hon. Member by saying that election to the Tea Board is done by the members of the Kenya Tea Growers' Association, which is an association of producers and has nothing to do with the commercial side at all.

The question was put and carried.

The Bill was read a Second Time and committed to a Committee of the whole Council to-morrow.

THE PROMISSORY OATHS (AMENDMENT) BILL

Order for Second Reading read.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir, I beg to move that a Bill entitled the Promissory Oaths (Amendment) Bill be now read a Second Time.

This, Sir, is a Bill consequential upon the changes which have taken place recently in the Constitution of the country, and is, in its quiet and modest little way, Sir, quite a milestone in the history of our country. The Members of the Executive Council have always, of course, taken the oath of allegiance to Her Most Gracious Majesty the Queen, Sir; but now, Sir, Members of the Council of Ministers take—if I may read from the Bill—the following Ministerial oath: "I, being chosen and admitted to the Council of Ministers, do swear that I will be true and faithful to the Colony and Protectorate of Kenya and that I

will, to the best of my judgment; at all times, etc."

That is why I say, Sir, that in its little way this modest Bill represents a milestone in the history of our country. It recognizes an oath of allegiance to the Colony and Protectorate of Kenya.

Sir, I beg to move. (Applause.)

THE ACTING CHIEF SECRETARY seconded.

Question proposed.

The question was put and carried.

The Bill was read a Second Time and committed to a Committee of the whole Council to-morrow.

MOTION

PRODUCTION OF BIOLOGICALS BY THE EAST AFRICAN VETERINARY RESEARCH ORGANIZATION

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES: Mr. Deputy Speaker, Sir, I beg to move:—

This, His House, recognizing that the conditions which led to the Resolution of the 4th December, 1952, that the Kenya Veterinary Laboratories should continue the preparation and sale of biologicals have now altered; and that the facilities, both as regards staff and equipment now available to the East African Veterinary Research Organization have placed that Organization in a satisfactory position for the production of certain biologicals;

accepts the principle that the East African Veterinary Research Organization should assume responsibility for the manufacture of rinderpest K.A.G. and lapinized virus vaccine the date of transfer to be decided by the Minister for Agriculture, Animal Husbandry and Water Resources in consultation with the Director, East African Veterinary Research Organization.

Sir, the history which has led up to this Resolution is well known to a number of hon. Members opposite. Shortly after the war, discussions were held here with a number of visiting advisory scientists from England, and it was decided that certain forms—certain

[The Minister for Agriculture, Animal Husbandry and Water Resources]: avenues—of basic research should be conducted on an interterritorial basis at an institution to be set up in this country. After some discussion, it was decided to construct suitable laboratories, buildings and houses for the research staff at Muguga, some 14 miles from Nairobi, where would be the East African Agricultural Research Organization and the East African Veterinary Research Organization. In the meantime, Sir, it was at that time decided by interterritorial agreement that the manufacture of biologicals which had hitherto been conducted by the Kenya Government at Kabete should be handed over to the interterritorial organization which should continue the manufacture of these products at Kabete, in order that they should be fully experienced when the time came to move to the more modern and more suitable premises at Muguga.

Well, Sir, it is known that that particular experiment was not successful. There was a breakdown, more expressly in regard to the rinderpest K.A.G. virus vaccine and this Government stepped in and took over again the responsibility for the manufacture of these products and has been doing so ever since. It received a fairly substantial grant to enable it to do this from the United Kingdom Government, which did enable us, as a comparatively temporary expedient, to improve facilities at Kabete. It was always understood that this reassumption of this responsibility by the Kenya Government would be temporary and it was always understood by our two neighbouring territories and by the United Kingdom Government also, that as soon as the facilities were available and a more satisfactory staff had been engaged and had acquired experience, that the manufacture of some of these biologicals would be again taken over interterritorially.

Now, Sir, on the 4th December, or in December of 1952, there was a discussion in this Council on the whole of this subject, and I did give an undertaking that before we brought to finality the arrangement agreed upon, that is to say, before we handed the manufacture of some of these biologicals back to the interterritorial institution: (a) that this Council should be informed; and

(b) that they should have an opportunity of discussing the matter.

Only yesterday, Sir, I had a question asking whether we were going to honour that undertaking and actually this Motion was drafted before I was aware that that question was being asked.

Now, Sir, I would say this, that I have been under extreme pressure from the High Commission and from the other two Governments, to bring a Motion of this kind before this Council at a considerably earlier period; and, Sir, I have been unwilling to do so, because I wanted to be quite certain that when I did bring this Motion before the Council, I, myself, was personally satisfied that the facilities and the staff available to the interterritorial organization were adequate, satisfactory and the staff experienced; and I was aware, Sir, that there had been some delay in obtaining certain equipment, and there had been some considerable difficulty in engaging the full numbers of staff required.

Now, Sir, I think that I can quite honestly assure this Council that I now have no fears about the staff or the equipment. I do not know how many hon. Members have been to Muguga and have seen the new laboratories which have been put up for the East African Veterinary Research Organization. They are large, commodious and very up to date.

As regards experience of staff, Sir, the officer in charge of the East African Veterinary Research Organization was, in fact, one of the officers who was here at the time of the breakdown. He, therefore, is fully cognizant and fully aware of the very greatly increased dangers in that are prevalent under conditions in this country as compared, possibly, with conditions in the United Kingdom. He, himself, Sir, has considerable experience of colonial territories and has been working for some three, nearly four, years here with the Kenya Department on this particular production of biologicals, and, Sir, most of the staff that he has now, or will take with him, have either been trained in our own laboratories or are going over, in some cases, from the Kenya Department to the interterritorial organization. It is not suggested that they should hurriedly take

[The Minister for Agriculture, Animal Husbandry and Water Resources] over the preparation of all these products. At the moment, Sir, it is only suggested that they should take over two—the preparation of the goat-adapted virus, that is K.A.G. as we know it, and the preparation of the rabbit-adapted virus-attenuated vaccine, that is known as lapinized vaccine, and the responsibility of testing the efficacy of these two attenuated vaccines by vaccinating the presumably immunized cattle with rinderpest virus from time to time.

It was also suggested that in due course they should deal with the preparation of a new product, which has been developed here by an American team of scientists, known as adjuvant spleen vaccine which it was hoped would take the place of formalized spleen vaccine, hitherto well known to Members opposite. We are not entirely satisfied with this new product and this will remain with us in Kenya for the time being.

It is also proposed that the inter-territorial institution should take over the work on pleuro-pneumonia; there again it is not proposed that they should do so—certainly not in the immediate future. So it is suggested that they should take over the manufacture and testing and investigation into the products I have mentioned and it is suggested in the Motion that the date, the exact date, of the transfer should be left in my hands, in consultation and in consultation with the Director of the East-African Veterinary Research Organization.

The reason for that, Sir, is that again I want to be absolutely certain when they do take it over that they have got all the equipment and that we are not deprived of what we may still require for the many biologicals for which we still have to be responsible.

Now, Sir, there are two points I would like to make before concluding and they are these. The first is quite an important one. I have never been very satisfied, until recently, with the control exercised over these interterritorial institutions. I have, as a layman, had a good deal of experience over many years of scientific institutions and, although my head is often bitten off for

saying so, I personally believe that it is sometimes a good thing to have some measure of lay control over them. (Hear, hear.) I also, Sir, believe that in matters of priority and matters of finance and so on, the pure scientist is sometimes inclined to disappear through the clouds. Also, Sir, this is an East African institution and, until recently, I have been not at all satisfied that, in fact, it behaved as an East African institution. Its roots, not being really in East Africa, seemed to me to be wandering in London and all over the place. (Hear, hear.) So, Sir, after forcible expression of some measure of dissatisfaction not only by Kenya, but by the two neighbouring territories, we have now achieved a control over these institutions in the shape of a Board of Governors under the chairmanship of a layman—as far as this sort of thing is concerned and a very, if I may say so, a very competent gentleman—Sir Douglas Harris. I believe that there again we have a great safeguard in the handing over of these biologicals to this institution.

Secondly, Sir, the fact is that we must admit now that the demand for certain biological products is such that we cannot, even if there were no Emergency, comply with it from Kabete with its existing facilities, and—rightly or wrongly—we were committed to this interterritorial solution. I think—from the point of view of the other Territories, certainly—rightly and we have at Mugga very modern and up-to-date equipment, plant and buildings.

The position lately has been, Sir, that we have had immense demands, for instance, for the lapinized vaccine. Immense demands for it, on a scale that we cannot begin to comply with. We think that possibly they are using this particular form of rabbit-adapted vaccine not under the best circumstances, but that is a matter of opinion. The fact remains that one of our neighbouring territories demands it in very large quantities, far larger than we can possibly supply. The same goes for a certain amount of K.A.G. and we have recently been obliged to cut down, to some extent, the distribution in our own country in order to go as far as we possibly can to satisfy the immensely increased demand from neighbouring territories.

[The Minister for Agriculture, Animal Husbandry and Water Resources]

I think we have got to face it that we have got to do something on a very much bigger scale. We have also, Sir, I think got to face the fact that our two neighbouring territories are most anxious to have a measure of control and to see this work done interterritorially. That also, Sir, I would again repeat, was the arrangement agreed to by this Government. I think in 1946.

Well, Sir, as I say, I have been under great pressure from the High Commission who suggested even that their financial provision was threatened by our non-participation. I have been under considerable pressure from our neighbouring territories. I am under considerable pressure from the fact that we cannot supply the demands with our present facilities and, of course, we have in addition been very hard hit indeed by the Emergency. With the consequence, Sir, I am now satisfied that the time has come when we can safely trust this work to an interterritorial organization and, therefore, Sir, I commend this Resolution to this Council. (Applause.)

THE MINISTER FOR COMMUNITY DEVELOPMENT seconded.

Question proposed.

MR. CROSSKILL:—We on this side of Council have sufficient confidence in the hon. Minister to know that it is pure coincidence that the conditions, which have altered with regard to the manufacture of biologicals, have altered at the same time as conditions in this Council and we are rather in a difficult position as compared with the resounding victory which we had on this matter last December.

In the meantime, however, I believe that he has disarmed the guns which were fired on him so ably by the hon. Minister opposite for forestry, fish and certain resources. (Laughter.) I believe that the proposition now is one which can almost be accepted on this side of Council, Sir.

The hon. Minister referred to the adequacy of money, but I am not very happy—not quite happy yet about the efficiency and the proved ability of the new organization to manufacture these

biologicals and I would like the hon. Minister, Sir, in his reply, to state whether he will ensure that they are actually manufacturing before the existing organization at Kabete ceases operations. I think it would be much safer to have a hand-over on that basis, rather than one ceased before the other had proved its actual ability. Plant and equipment and money are all very well and very necessary, but it is not the whole thing and the know-how is also required.

With regard to the adequacy of the supplies, one point I would like the Minister to comment on is this. I believe the fiasco which occurred last year when the manufacture of these biologicals was first taken over by the High Commission Organization from our own, was with regard to K.A.G. rinderpest. Now, Sir, I would like to ask whether it would be possible for the continuance of manufacture of this, perhaps exclusively, by our own organization, and the other biologicals be taken over by Mugga. I think we should feel happier if an arrangement were made on those lines.

The hon. Minister has referred to the direction by a Board of Governors. That point was raised in the debate last December and I think it is very satisfactory that that has been agreed to by the High Commission. One point, which I think was the main point with which we were dissatisfied when this proposition was first raised in December, was the lack of direct responsibility to a Minister or to somebody else for the operations in the High Commission; that responsibility is of such good effect in this Council, and I am very happy to see that the hon. Minister has now arranged that there should be a Board of Governors.

Subject, therefore, Sir, to the assurances by the hon. Minister on the points I have raised, I beg to support.

GROUP CAPTAIN BRIGGS: Mr. Deputy Speaker, Sir, I intend to oppose this Motion.

I would first of all like to refer to the Report of the Committee of Inquiry which was set up by the East Africa High Commission to inquire into the causes of failure of K.A.G. vaccine at Kabete. There are one or two salient

[Group Captain Briggs]

points which I picked out of that report on which I think we might very well refresh our minds.

The first one is, that over a period of 10 years, vaccine has been produced by the Kenya Veterinary Department without any untoward incidents occurring.

Another point I noted particularly was the terms of reference, No. 5, which asked whether proper precautions were taken to ensure that the Kabete farms were kept free from infection. The answer was no. This is only an indication of the deplorable state of affairs which existed at that time and which I still have a lurking fear in my mind might recur. It seems to be quite clear that once the manufacture of biologicals is transferred to the High Commission, this country will have virtually lost control and, as far as I can see, they will have no real redress in the event of things going wrong again. I quite concede that the appointment of a Board of Governors is a step in the right direction, but, at the same time, the fact remains that we shall be handing over the manufacture of these biologicals to the High Commission which is, very largely, a bureaucratic institution.

As the hon. Member for Mau has already said, I think it was about two years ago that the opposition combined to defeat the Motion which was produced in Legislative Council at that time, and I hope that on this occasion the opinion will be the same, and that the Government will not take advantage of the newly created official majority to flout an official opinion in this matter.

It seems to me, Sir, that the transfer cannot really confer any real advantages, but, on the other hand, it does seem to me that the transfer may involve risks and the same sort of thing happening again. I think there is little doubt about it, although I think I am right in saying the Minister has not touched on this point, the cost of vaccine to the farmers in this country will almost certainly increase. Perhaps the hon. Minister will clarify that point when he is replying.

It seems to me, Sir, that the present arrangements have been built up over the years at a very considerable cost

to this country, and we are now faced with the prospect of writing off that cost and, with it, losing the benefit of a large part of the experience which has been built up over the years. As I said before, I cannot see that this proposed transfer can improve the position; on the other hand, it might very well worsen it.

I note that the Minister said that he had been under pressure from the other territories and also from the United Kingdom in regard to the transfer. I have a feeling myself that the Minister has probably been under very heavy pressure, and it does seem to me deplorable that this country should have to give up something which has proved itself over a very long time, in order to meet these pressures from outside this territory.

The Minister mentioned that at the present time we cannot meet the demand for its products. But I would suggest, as an alternative, that Kabete should be retained for the manufacture of biologicals for consumption in Kenya and as the other territories are anxious that their supplies should be drawn from Mugguga, then I see no objection why they should not be supplied from there.

Mr. Deputy Speaker, I beg to oppose.

(Applause.)

MR. HARRIS: Mr. Deputy Speaker, Sir, it seems to me that this Motion is another method of filling the marble halls of Mugguga with people who are going to do something instead of talk about it.

I feel, Sir, that we are faced, numerically anyway, with considerable weight of opinion in favour of transferring the manufacture of biologicals to the High Commission. When he replies, Sir, I would like the Minister to tell us who in the High Commission is responsible, who is responsible to the Central Assembly, if the manufacture of biologicals by the High Commission goes wrong as it did do in the past. I cannot believe, Sir, that the Administrator can make himself responsible for biologicals as well as other matters of the High Commission in detail. Perhaps the Minister would also give the Director of Manpower (European), some directive on the staff required by the High Commission for this purpose, because for

[Mr. Harris]

several weeks now, one of the Directors of Manpower Committees has been considerably disturbed to find competing demands by both the Kenya Government, Kabete, and the High Commission, Mugguga, asking for different bodies to manufacture the very same things as we are now being asked to transfer to Mugguga. I presume, Sir, that the Minister will have no objection to one or two of his staff at Kabete being called up now the demands of Mugguga are being met, and presumably the request will come through for releases from the security forces to enable the staff to go to Mugguga to manufacture these biologicals.

Mr. Cowie: Mr. Deputy Speaker, I am not provoked to join in with this debate because of the remarks—by the last speaker, but for two other quite different reasons. The one is that I was one of those people who joined what was called the opposition in this Motion when it came up before, and the other reason is that it does affect, rather indirectly, my constituents.

My point, Sir, is this. If the manufacture of biologicals is to be taken over on an interterritorial basis, that is a decision which I believe only the Government can make, but so far we have not heard, and I would like the Minister to assure us on this point, how the distribution of these biologicals is to be handled. My recollection of the breakdown of the K.A.G. virus some years ago, was more a matter of its incubation after manufacture until applied, but not so much to its actual manufacture, and so if the Kenya Veterinary Department can still retain control of the actual distribution and application of these biologicals within Kenya, then I believe there is sufficient safeguard for those who feel rather worried at the hand-over of the manufacture of them. Perhaps the hon. Minister would answer that particular question. I am not rising to oppose the Motion, but to ask for clarification of a point.

LADY SHAW: Mr. Deputy Speaker, the question I want to raise is similar to the one raised by the last speaker. I remember at the time when we were discussing the transfer of biologicals some time ago now, there was a question

as to whether there were going to be difficulties in distributing these biologicals in comparatively small quantities. This does very much affect farmers and so also does the question of their increased cost.

Now, all I want to ask (and I do not propose to make a speech on this subject)—neither to oppose nor to support; all I want to ask, Sir, is this: Is it going to be possible to distribute these biologicals, as and when required, in comparatively small quantities—not in vast blocks suitable for an enormous outbreak or something of that kind? Is it, at the same time, the fact that they are going to be very much more expensive?

These are things which are going to be asked by people who are going to use them, and which I feel the people who are going to use them have a perfect right to know. I cannot believe, Sir, that the Minister—I have known him for many years—would have moved this Motion unless he believed that there was a working chance, anyway, of this thing working out reasonably well. Therefore, Sir, I am not going to oppose it. At the same time, there are these particular points to which I should be very grateful for an answer.

MR. TAMENO: Mr. Deputy Speaker, Sir, I remember during 1952 when this Motion was raised, I did not have very strong feelings about it. I did say that I would support it, but at some time, the production of these biological products should go back to the East African organization because it is the proper body to deal with it.

At this point, Sir, I congratulate the Minister for Agriculture for having brought this Motion at this time.

I have only one other point to raise which has been mentioned by the hon. Member representing the animal constituency, I am sure, Sir, that had proper research been done before, there would have come a time when there would be no use at all in producing this rinderpest vaccine, and I say that, because during outbreak, game itself was greatly responsible for spreading the breakdown of the disease. Even up to now, Sir, we still stand a very great chance of having another outbreak—not very much, Sir, because of the professionals who are,

[Mr. Tamenjo].

I should say, at this point, the real persons concerned who are responsible for dealing with the production of vaccines, but because of the presence of a lot of game in this country in places where there are cattle.

THE MINISTER FOR FOREST DEVELOPMENT, GAME AND FISHERIES: Mr. Deputy Speaker, Sir, on a point of order, is the hon. Member in order in discussing other matters than those before the Council?

THE DEPUTY SPEAKER: First I must hear what the speaker has to say. He is, of course, not in order if he is speaking outside the scope of the Motion, and, if he is doing so, I must ask him to confine himself within the rules of relevancy to matters such as affect this Motion.

MR. TAMENJO: Thank you, Mr. Deputy Speaker, but I was actually trying to aim at applying the point which was raised by the hon. Mr. Cowie.

I support entirely what the hon. and gracious lady representing Ukamba said—that what we have to realize is that it is not a matter of administration—it is a professional sort of work, and we must realize that in both the Kenya department and the East African Veterinary Research Organization we have professionals, and they are the people who are ultimately responsible for the production and maintenance of the production of this vaccine.

MR. DEPUTY SPEAKER, SIR, I beg to support.

MR. SLADE: Mr. Deputy Speaker, I oppose this Motion on the grounds given by the hon. Member for Mount Kenya for the most part. I have very little to add to what he said, but I should like to emphasize one or two points that he made.

I do think, Sir, that we sometimes forget that our primary duty in this Council is to look after the interests of Kenya. We have obligations, I know, to the adjoining territories—Tanganyika and Uganda—and to other parts of the world, but Kenya is our primary responsibility, and in matters such as this we have to be somewhat parochial. We have here a service that has been completely satisfactory to us. It has satisfied our own needs for a long time. It has proved itself and we want nothing else. We have

every reason to wonder whether the proposed change is going to leave us with something so satisfactory. We have no reason whatsoever to suppose we are going to benefit in any way by this proposed change. I have been taught by wise men that you should never make a change just for the sake of making a change, and this is what I am rather afraid we are in danger of doing. We have reason to become rather more nervous when told that we are not at present satisfying the needs of the other territories. We are, at present satisfying our own needs, but if it comes into the hands of the interterritorial services, it is going to satisfy the needs of Kenya? This, Sir, is vital to us, and we cannot afford to take any risks in the matter.

There is one further point on which I also feel further greatly anxious, and that is when the hon. Minister tells us how many pressures he has been subjected to by the United Kingdom and other external sources. Now, again, in a question of this kind, from the point of view of Kenya, it seems to me extremely important that we should not be moved by external pressure into doing anything which otherwise we considered undesirable and not in the best interests of Kenya, and if in other respects there is no clear case for this proposed change or a departure from what we decided 18 months ago in this matter, still more is there a case for opposing the change if it is being advocated by pressure from external sources: so we should take this proper opportunity of showing that we do not always succumb to external pressures of that kind. (Applause.) (Hear, hear.)

Sir, I have to oppose it.

THE DEPUTY SPEAKER: The time to enter upon the business of Committee of Supply is just with us. I therefore propose to interrupt the debate and call upon the Clerk to call Order No. 11, which is the business of Committee of Supply.

COMMITTEE OF SUPPLY

Debate resumed.

THE DEPUTY SPEAKER: When we adjourned yesterday, I think I am right in saying that the Motion had just been proposed, but had not been seconded. Could we have a seconder?

THE MINISTER FOR INTERNAL SECURITY AND DEFENCE seconded.

Question proposed.

MR. MATHU: Mr. Deputy Speaker, I should like to apologize to the hon. Minister who moved this Motion because I was absent unavoidably yesterday. I have taken advantage of the copies placed in the library to study his speech, and I would like to congratulate him on the very clear way he has presented this Vote.

I should like also to throw some bouquets at the staff of his Department, whether in the actual Civil Service or in grant-aided schools, because I think they are a body of men and women doing a service that we cannot do without in this Colony, and I think they are doing it marvellously well.

I should like also to congratulate the Minister and Government for the very close co-operation that has taken place in the field of education between his Department, between the Missions and between the Local Authorities throughout the country. I think it is a triumph if I may put it that way—that, I think, has a very strong foundation for the future of Kenya.

On these congratulations I have two more to do. The first is to pay a tribute to Mr. Astley, who has retired from the Education Department and taken duties elsewhere. He has been a very able officer—courteous and respected by all those who have had contact with him in his official capacity as Assistant Director of Education in the Colony.

And the final one is again of a general nature—to pay tribute here to the staff and students of most of our senior secondary schools and those at Makerere, where we send students. There was a report in the Press not so very long ago of the wonderful success these students had made in the School Certificate and Examinations and in vocational and degree courses at Makerere, and I think we should recognize the achievement that they made.

Now, Sir, in general I agree with what the hon. Minister has said about African education in general. I think I endorse most of what he has said, but there are

a few aspects of his speech which I should like to be critical—not, I hope, destructively, but to suggest to him that certain things which he thinks are impossible, with goodwill on all sides, are possible. I refer to the suggestion for compulsory primary education for African children in urban areas—particularly in Nairobi City.

Now, his reason for saying that Government has rejected the proposal to introduce primary education compulsorily for African children was, I think—to use his words—on financial grounds alone. I do not agree that on financial grounds alone it is impossible to introduce compulsory primary education for African children in Mombasa or Nairobi or Nakuru or Kisumu for that matter, because our purpose has always been to impress upon the Government that we know it is impossible to have compulsory education for all African children in Kenya to-day, and that it is also impossible to start off with all urban areas, but we do not think it is impossible to start off with one urban area, like Nairobi or Mombasa, or any other towns I have mentioned.

Now, during discussions with the officers of his Department, and also with the Minister who was holding his portfolio recently, we made proposals to the Minister as to how best to achieve our purpose. On financial grounds alone we suggest it is not impossible to raise sufficient money to start compulsory primary education in Nairobi. The additional funds, in our calculation, which would be required to start this scheme, say, in 1956, was nearly a quarter of a million pounds, and we made proposals of how to raise that money. Firstly, that the parents should contribute more in the way of school fees, and certain deductions from existing taxation, and we worked out that that was two sources from ordinary taxation, including the money owing to African District Councils and Native Trust Funds—and with these fees that it was possible to raise money to the extent of nearly £40,000, which could be done for the African community, in addition to the funds already under the Becher Plan and already under the Development Plan, already under the Education Plan, could raise in Nairobi alone a further £43,000 a year—maybe more—I do think

[Mr. Mathu]

that is an indication that the African in this respect does not need spoon-feeding and that he would like to make his own contribution for the education of his children himself.

That is a proposition which, so far, has not been challenged by his Department, although proposals were put to the Department on the 9th April this year.

Now, the capital funds, Sir, is the main stumbling block: On assuming that you want twenty further schools in Nairobi—primary schools in Nairobi—to give the necessary accommodation for all the children of school age when they are compelled to attend school, we find you require something like £220,000, and for recurrent expenditure, on the basis of the figures which have been supplied by the Education Department, you require a further £20,000 for the twenty extra schools—I say extra schools because I am not talking about the schools already in existence, which I think I will mention in a minute.

That, then, is the capital amount we would like to have before we actually start building the schools—it would be nearly a quarter of a million pounds, as I said earlier. Then out of that quarter of a million pounds, additional funds from Africans in Nairobi alone would be able to contribute, I think, towards the extent of £43,000. I think the balance—it would not be unfair for me to expect that Government will get the extra balance from capital, from the Development programme, from general revenue, from the Colonial Development and Welfare Vote and from loans; and, therefore, what I am trying to put across to the Council here is that he is saying that on financial grounds alone Government has decided at the present moment not to proceed with the scheme, but those are not grounds that convince me, or at any rate a very large number of African people who are very desirous of having their children educated.

Now, in Nairobi at the present moment, Sir, we have six double-stream and two single-stream primary schools for Africans, and I understand it is estimated that we require nearly £9,000 to run these schools as they are at the present moment. I also understand that we

require accommodation for 400 children for each school which we put up, and, on the basis of the figures that one can work on—on the basis, say, of 100,000 Africans in Nairobi—it is, I think, reasonable to assume that perhaps 10,000 of those will be children of school-going age. I do not think it is impossible to start it on financial grounds.

Now, the Minister did say in his speech if we did that for Nairobi—he said we should interfere, I think with the plan for African education, I do not think I can call that interfering. It is really making a tremendous improvement. If we did that it would make sure that the child would be ready to go to school. I do not call that interference. I would call that a wonderful reform. Instead of roaming in the streets—becoming corner boys in the streets—it would prevent many of them from joining the gangs. It would not be interference in my mind—it would be a reform of the best magnitude in the right direction.

I realize, Sir, that there might be some, perhaps, disturbance of the equilibrium—of the plan laid on paper under the Beecher Plan. There might be some, but it would not be to the extent of producing anything but a social reform of the first order. I agree, for instance, we may have to shuffle teachers about from some areas to Nairobi—or Mombasa; or whatever town we choose. I realize we may have to deal with the limiting of the number of children who come to stay in Nairobi. I agree, but this is inevitable in a growing country or city or town, but I do not think it is impossible to control this matter. I think it is very possible to control this matter, and therefore achieve the end we want.

In my plan I have not suggested how to finance intermediate schools. I know there again that once we start a system of primary schools, and compel parents to send their children to school in Nairobi or any other town—I agree that intermediate school development will be consequential to that, and that perhaps more money will be required to finance those but, having established the principle that parents should be asked to pay more, and that they are prepared to pay more, and Government also to have that

[Mr. Mathu]

willingness for the development of this type of education, I do not think that even here, on the intermediate school level, we would fail to achieve this end.

Now, Sir, the Government having decided not to proceed with this because it is a very expensive affair, in 1952 the Minister estimated that it would cost Nairobi £1,150,000, Mombasa £700,000 and Kisumu £16,000—having rejected it on financial grounds; the Minister says that he will give further consideration on how best to accelerate the pace of education in Nairobi and other towns, and even then he says that he is doubtful because he does not think that it would be justified to do anything more except what we are doing at the present moment. I assume he did say that because perhaps he is not aware that the African Members—and I am sure every man of goodwill in this land—would do their utmost to influence civilization, to the extent that the African would contribute as much as he can according to his means, and therefore I suggest to him that he has not been as encouraging in his attitude towards this matter as to other matters in his speech. I am suggesting in his reply to see whether he can give us some hope whether in compulsory education—to tell us to what extent he is going to accelerate primary school education in Nairobi or other places. It is a matter in which we feel very strongly, Sir, and I think it is for the good of the country that this should be done.

I would like to support his view on the experiments going on now with regard to rural training centres and adult literacy classes. I think this is another field in which we can bring our own people from low levels to very high standards of living. In this connexion I think we should pay attention to the women's side—homecrafts, institutes and women's clubs. I think we should move to get the support of everyone who has the welfare of Kenya at heart.

I was a bit disappointed about the education for the African Muslim. He agrees that there is a need for education in D.E.B.-managed schools in places like Kwale and Tana River and certain parts of Nyanza. There is a Muslim Education Committee. I agree that he has tried to

do something, but what I want to refer to is that we have not touched the fringe of the African Muslim in education. We have left it almost in the air. Until I mentioned it in 1952 but time it had never been mentioned in Council. In the present debate I do not want the answer I got the last time. It is an important element in our community, and we should not forget that, and I do think we should do something concrete to bring them in line with the other African developments in education. That is a very important point, Sir.

I was inquiring when these discussions on compulsory education were going on as to how many African Muslims had reached any standards in primary school education. There are very few—even in the Muslim Institute of Technical Education. We want the opportunity to give them the impetus and encouragement and the facilities for education. As I say, Sir, I was not very cheered by the attitude of the Minister in that regard.

On technical education, Sir, I support the view expressed by the Minister, and I would like to suggest that there should be openings for all those in training. We know there are certain discouragements of African tradesmen to get employment, particularly in the Public Works Department, and I do think the Minister who has taken the reins in that Department will satisfy us that that is not the case in future. I do not want to go into detail in this matter. I think he knows it very well. As far as the Royal Technical College is concerned, we are looking with tremendous eagerness to see it come into being in 1955. I think it will be a tremendous landmark in the future of our country. We claim that we can put up our own development of our Colony and African education is contributing to it, and white-collar boys who want white-collar jobs must be reduced. We should produce African technicians who will develop the country in the way we want.

Finally, Sir, the question of African senior staff. It has been again—I do not say my very easy job, but very difficult job—of dealing with this matter with the Education Department for many years, but at last I find, like a drop of water on a rock incessantly—you can beat on a rock—I should like to thank the Education Department and the Minister

[Mr. Madan] for at last appointing an African Education Officer. It has been placed in the Estimates for a number of years, but at last we are now seeing the light in that direction. I think that is a matter that is going to give encouragement to African staff. They can see that they have a future ahead of them and not a stone wall, even if they have got qualifications. I should like now to give the Minister and the Education Department and Government my advice that they should take the opportunity of not making a suitable person mark time for too long. He becomes frustrated. Usually his energies are centred around thinking how best the Education Department is, instead of arranging the curriculum in the right way. I do think he should take the opportunity of putting Africans with enough university qualifications in the right jobs. If we mark time for too long then they may go underground and we would not like to see that happening.

Sir, I support the Motion.

MR. MADAN: Mr. Deputy Speaker, Sir, in a very lucid, if not completely cheerful speech, the hon. Minister for Education has presented to us the educational problems of this Colony. He has drawn a clear picture of the difficulties that exist in the case of Asians—and they are going to increase. I realize that the Minister is not responsible for that—(Laughter.)—but those are difficulties that have to be faced.

You will recall, Sir, towards the end of his speech he said that the Department was encouraging the formation of parents' associations, and that advice was appreciated and earnestly welcomed. I am encouraged by his remarks, Sir, and I wish to refer to the incident of the Racecourse Secondary School, and bring the matter to the notice of this Council which, although an incident of the past, will not, I trust, happen again in the future. I am told, Sir, the Racecourse Secondary School closed for the usual vacation on the 20th April this year, and it was not due to reopen until the 17th May last. I am informed it was taken over by the military authorities in connection with some operation or other and, on the date fixed for the reopening—that is, the 17th May—the pupils turned up there, only to be told that there

was no accommodation available, and that the school was still in occupation by the military authorities. Now, in this particular school, Sir, there is a Parents' Association; in existence, and even that body was not informed that the pupils should be advised not to attend on the date fixed for the reopening. I repeat that, Sir—I am sorry to have to say it, but I would be failing in my duty if I did not say it—as a careless disregard of the interests of the pupils.

I am not one of those who has ever held the opinion that in times of emergency, or in times of war, the military authorities should be prevented from taking over any building that is available in order to prosecute more urgent purposes, but it seems to me that no attention was paid to this matter at all, because I can name at least half a dozen public institutions or premises which would have served equally well the purposes for which the school was taken over for the military authorities; such as the Goan Club in Fairview Road and, next door to it, the Asian Railway Institute, in Duke Street, S.S.D. Hall or Patel Brotherhood, and premises of that nature—large and spacious, which the Government could easily have made available to the military authorities, without disintegrating the education of those children, in which 25 teachers and at least 550 pupils, who are at a very impressionable age—between 14 to 18 years old—were involved.

Now, Sir, the next point I want to refer to is the question of overcrowding in the schools, and it is a matter to which the Minister has also referred. I think it must be admitted that at least in Asian schools, there are too many pupils in the classes. That affects, and it must affect, the quality of teaching, as well as the capacity of the teachers, and I think the education that is being imparted, and the effort that is being put into it, must necessarily involve a certain amount of waste of money, because the circumstances under which education is being imparted are not as congenial—not as suitable—as we should like them to be.

That is due to many reasons, one of which, of course—and probably the most important—is the shortage of school buildings. Now, I realize, Sir, that the Minister cannot be blamed for this. I

[Mr. Madan] realize that those who work in his Department have been trying very hard to try and produce accommodation because they cannot—there seems to be no provision for it in grant-in-aid schools. Would he permit these schools to engage better class teachers? Secondly, because on the service scale grade usually made available to these schools, they are unable to offer them really attractive salaries. The Asian community is also worried about the problem of the age of admission to schools which, as we know, is six years—that is to say, a child is admitted to school after he has completed his sixth year, or is in his seventh year. We think that is very late for a child to go into school.

In connexion with the teachers, Sir, I should like to ask the Minister if he is satisfied that the teachers—those being produced by the Teachers' Training Centre—are of the quality and calibre—are fit to take over the teaching of pupils in the higher classes, because we know, Sir, that these teachers go into the Teachers Training Centre, after having done the senior examination and London matriculation—without in any way trying to reflect on the quality of the educational training given to them in Teachers' Training Centres—I feel doubtful that we can produce teachers good enough to be able to teach efficiently in the higher classes. They may be suitable for the lower classes. If the hon. Minister agrees with my views, I would ask him if he does not consider there is a need to import more qualified teachers into the Colony. I know it is possible that he may give the answer that he has been giving in this Council again and again—that the Department is catching up with the deficiency in the number, but it is not that to which I am referring now. It is the qualification of the teachers to which I refer.

And this also refers to teachers in grant-aided schools. In Asian grant-in-aid schools mostly primary education is imparted, but I am sorry to say that the quality of the teachers is on the whole poor. If we cannot lay some basis and some foundation for good education in the early stages of the lives of children, then I think that perhaps we are wasting a large part of the effort that is being put into it. Would the Minister therefore not consider permitting these grant-in-aid schools in particular to be able to employ the services of better qualified teachers

than what we get now? Boys and girls who have done a few years in the schools, and who are taken over by them because, first, the Department will not—because they cannot—there seems to be no provision for it in grant-in-aid schools. Would he permit these schools to engage better class teachers? Secondly, because on the service scale grade usually made available to these schools, they are unable to offer them really attractive salaries. The Asian community is also worried about the problem of the age of admission to schools which, as we know, is six years—that is to say, a child is admitted to school after he has completed his sixth year, or is in his seventh year. We think that is very late for a child to go into school.

I think, Sir, it might help if the hon. Minister would declare his policy in this connexion, because I know of one or two incidents where people have tried to put up private schools and the buildings—where the approval of the buildings was turned down by the City Council and, in my opinion, quite rightly, because even I thought the accommodation was not suitable. But what I ask for is whether in this respect, whether he could not consider encouraging the starting of these schools on a temporary basis, say, for two or three years, until the hon. Minister is able to complete the buildings to which he referred, or until such time as any other buildings, as a result of private enterprise, come up. That, Sir, applies to both private effort and to Government efforts because I know the community feels very strongly about it. They would be prepared to start private schools—perhaps for many years the City Council would consider it undesirable to approve these schools—but I would ask the hon. Minister to start that as a temporary measure, for two or three years only.

If this can be done, then perhaps steps can be taken for admission of the young Asian children, say from the age of five years, into the nursery and in schools which now exist in Nairobi and in other parts of the Colony. I would like to see their have been allotted, whatever I am one of those who strongly believe that the time has come for this Colony to start multi-racial schools also. I know that I may be told—and quite possibly I shall be told—that we are going to start

[Mr. Madan] the Royal Technical College and that is the answer to combining the races in the educational sphere, but I do not think that that is the real answer. I think, in order to bring about a closer union between the races it is necessary to start educating them together, instead of in a college, where they are of an age where opinions and prejudices have already been formed, which would be very difficult to dislodge.

I was very glad to note, to hear the hon. Minister state—I think I have got almost his exact words—that the department intended to make increasing use of the valuable Asian senior staff, whose advice and experience would be of considerable benefit to the Director? It is a point on which I congratulate him. I think it is a very advanced and progressive point of view and I hope that as time passes, this policy will reach its logical conclusion, and one day we may see an Asian Director of Education in charge of the education for Asians.

But, Sir, I would ask for that only as long as the present system prevails—I hope it will not be necessary and I hope that before long that we shall have schools where the racial factor will disappear.

Now, there are a few points which I would like to touch very briefly. There is the question of playing-fields for Asian schools. There is a very acute shortage—I think I would be right in saying that most of the Asian schools do not enjoy these facilities.

Then there is the question of teachers in the Duchess of Gloucester School. I understand that facilities in regard to—here I am subject to correction—in regard to maternity leave have been curtailed. Whereas they were previously allowed six months, I believe now they are allowed only one month and if that is not acceptable they are told that they may resign. Again I am subject to correction but I have been informed that at least four teachers have resigned because of this very personal problem.

Now, Sir, once upon a time there was a man called E. A. Vasey who used to sit on this side of Council as Member for Nairobi North. He had a habit of making very long speeches—a habit, if I may say so, which he has carried over to the

other side of the Council—but one day in his pleasant but compelling voice, he said in Council, in 1949, on the 2nd of December—with your permission—I quote him: "I think it is correct to say that there is no Member of this Council who does not recognize the duty of this Council to lead in the attempt to lift the people who are backward educationally, hygienically, and in all the fundamental things that matter. The hon. Member, Mr. Patel, accused us at this end of this side of Council of having made no positive attempt to lead. With all due respect to the hon. Member, I would remind him that in 1946, 1947 and 1948, and at the African Conference, I put forward the suggestion that education was the finest long-term productive policy on which we could embark".

Now, Sir, there are two points that I would make there. The first is in relation to the hon. Minister who moved his Vote—I would ask him if he is satisfied that his department is pursuing an education policy that is really of a productive nature.

The second point that I would make is this: it is addressed really to the hon. Minister for Finance—that when he said it may be necessary to cut down certain social services because of the lack of funds, I hope he will remember these backward communities to which he referred in 1949, whose good I am sure he still has at heart, those are the communities who would suffer most and become less productive. I wish, though, they were less productive in certain respects! (Laughter.)

I beg to support.

MR. GATHANI: Mr. Deputy Speaker, Sir, I, having been a member of the local Indian School Committee about ten years ago, had the opportunity of comparing the progress made ten years ago with the progress made in the last ten years. After making that comparison, I have come to this conclusion—that during the last ten years considerable progress has been made by the Department of Education in promoting the educational welfare of all three races in Kenya, and I think for that I should like to pay tribute to all who have been responsible, during the last ten years, for this progress.

[Mr. Gathani]

Now, Sir, I am sure that the hon. Minister for Education is not satisfied with the progress that exists to-day, in spite of whatever progress the Department of Education has made during the last ten years. I would therefore quote some figures. I did the arithmetic two days ago and it is so simple, that if there are any mistakes in it the hon. Minister for Education can correct me when he replies.

These figures which appeared in the Budget are not so innocent as they look at first glance. For example, for the Africans, the total expenditure, after deducting fees, etc., is £1,238,637. As far as the Asians are concerned, the total net expenditure is £489,332. As far as the Europeans are concerned the net figure after deduction of fees, etc., is £435,150. But if you divide these figures, with the number of children of each race studying in the Government and grant-in-aid schools, the figures which appear so innocent so far would turn out to be dreadful. Now, Sir, the figures of children which were—

THE DEPUTY SPEAKER: I will ask the hon. Member to leave the figures until afterwards, Council will suspend business for fifteen minutes.

Council adjourned at fifteen minutes past Four o'clock and resumed at thirty minutes past Four o'clock.

MR. GATHANI: Mr. Deputy Speaker, after giving the net figures—I was quoting the number of children in Government and grant-in-aid schools as are disclosed by the department on 31st July, 1953. Now, Sir, these net figures, if you divide by the number of children of each race, we find that on African education, we are spending at the rate of £5 per head per annum. On the Asian child, Sir, we are spending over £16 per head per annum, and on the European child over £77 per head per annum.

Now, Sir, in giving these figures, my idea is not to suggest—to this Council—that the expenditure either on European or Asian education be reduced in any way. I think, Sir, the amount spent on European education is justified, because if the European race is accustomed to a certain standard of education in its

own country it would be unwise for this Government to suggest they accept anything lower than that. European settlement is as vital in this country as the settlement of other races; and to offer anything else than that is in my opinion not desirable. The purpose of Sir, quoting these figures, was to keep the Vote on European education per child per head as something which Government should aim at as far as the other races are concerned as a whole. It is not possible to bring the African Vote to the same level as that of the European level immediately. Sir, if instead of £5 per annum which we are now spending on African education, we spent £77 per head per annum, the expenditure on African education alone would amount to over £20,000,000, roughly £2,000,000 more than the total revenue of the Colony, provided we have no expenditure. This position is very difficult to sustain. Likewise, Sir, if we spend £16 per head per African child the total expenditure on African education alone would amount to more than £4,000,000 and that also, Sir, means more than the total Education Vote for the whole Colony.

Likewise, Sir, if we give £77 per head to an Asian child, total expenditure amounts to over £2,000,000 and that is roughly less than what we spend on the European, Asian and African education at present in the Colony. This disparity, Sir, is however, so big that if we do not attempt to reduce it, it may give rise to a conflict at a later stage. It may also prevent us from attaining the objective as proclaimed by the hon. Minister for Finance the other day, of creating one nation and which proclamation was acclaimed by everyone in this Council on that day. This disparity, Sir, suggests that if we continue pursuing this policy we will have not one nation but three nations with such a big disparity in many respects growing in this country. I, therefore, Sir, suggest that steps should be taken by all to that steps should be taken by all to see that this disparity is reduced as quickly as possible, keeping in view the economic position, of course, of the Colony. Because poverty anywhere in education would encourage prosperity everywhere in education and it is therefore necessary to find a solution of this

[Mr. Gathani] difficult position. I have been thinking very seriously and I have come to one conclusion which I would place before the Council, not for implementing immediately—but for giving it the consideration that it deserves so that we may, one day, after the Emergency is over and the credit-worthiness of this Colony has improved, test it. That suggestion, Sir, is that we should aim at negotiating a loan from the United Kingdom either with or without interest, of a sum which would be sufficient to spend on an ambitious educational programme for the African race. (Hear, hear.) If we succeed in negotiating this loan, conditions should be stipulated that payment thereof should be made in about 40 years so that those who benefit from this vote or loan would pay for it at a later date, and the money that we would save from the general revenue which we are now spending on African education could be spent to improve European education and Asian education.

This, in my opinion, Sir, appears to be the only solution if we really wish to remove such a big disparity and to work towards creating one nation. At present, Sir, we are already spending roughly 15 per cent of our total expenditure on education and this figure, in my opinion, is something which we cannot improve upon until there is a substantial improvement in the economy of the Colony, and improvement in our present economy depends on so many factors which are of long-term range and we have, therefore, to move in the direction I have suggested.

Now, Sir, I would refer to a few minor points as far as the Asian education is concerned and I hope these will receive the sympathetic consideration of the Minister for Education.

When referring to these points I would again make it clear that this is in no way a reflection upon the department which has done such admirable work during the last ten years. I think the credit for that should go to the hon. E. A. Vasey who first started that progress ten years ago, and the record of which progress is since maintained quite satisfactorily. As far as, Sir, the Asian grant-in-aid schools are concerned, the Government is only giving four-fifths

aid towards the salaries of teachers, but no consideration is given to passage, medical aid, travelling concession, and the pay of a clerk engaged in grant-in-aid schools.

THE MINISTER FOR WORKS: Mr. Deputy Speaker, I think the hon. Member is mistaken. Four-fifths is given, not only on the salaries of the teachers, but also on the passages and leave pay.

MR. GATHANI: Mr. Deputy Speaker, I am thankful to the hon. Minister for Works, but I did not say that Government is not giving any aid towards the passage of the teachers. I was referring, Sir, to medical aid, travelling concession, clerks' pay and housing allowance to the teachers engaged in grant-in-aid schools.

THE DEPUTY SPEAKER: The hon. Member did mention passages, I personally recall.

MR. GATHANI: Mr. Deputy Speaker, Sir, I am sorry if I did mention that. I know this passage money is being provided by the Education Department to teachers in grant-in-aid schools—I am sorry for that, Sir.

Now, Sir, there is at present a shortage of teachers, particularly in grant-in-aid schools and due to the requirements of the Director of Mampwep, and general shortage in commerce and industry, teachers are not available in the same number with the required qualifications. I know the Department is doing admirable work in training teachers, but until a sufficient number is forthcoming, I think it would be advisable if the Department would consider importing some from outside Kenya so that the education of children in grant-in-aid schools may not suffer in the meantime.

About superannuation, Sir, I understand that this is being vigorously applied in most of the Government schools. The reason before, Sir, given by those associated with Asian education, was that there was no room in the Government schools and consequently they had to apply superannuation even to borderline cases. I hoped that this position would be reconsidered by the Department and that it would not be applied because of the shortage of accommodation.

[Mr. Gathani] Regarding dual sessions, Sir, the hon. Minister has already informed this Council that some progress is made. I hope this progress will be quick so that we can avoid dual sessions as soon as possible. For reasons already explained by my hon. friend, Mr. Madan, the results, Sir, in the Asian schools were not satisfactory recently and this has something to do with teaching, particularly in the Government schools. I hope something would also be done in that respect because most of the failures recently were in English language. In this respect, Sir, I would suggest that the Department should see that from preliminary standard and upward, particularly the teaching of English language is done by properly qualified teachers.

Another point, Sir, which I wish to raise is about the unspent Vote on Asian education during the last ten years. I hope the Minister for Education would give an assurance to this Council that all unspent money during the last ten years on Asian education would be properly utilized as soon as possible so that this small Vote that we are already receiving is not further reduced by underspending.

As far as general certificate of education classes are concerned, the complaint generally of the public, Sir, is about the engagement of unqualified teachers and I hope in order to improve the standard in forms 5 and 6, Government would see that properly qualified teachers are engaged so that when they join colleges in England and other countries, the boys' standard is more or less similar to the standard of boys and girls studying in England and other countries.

As far as the Asian education is concerned, Sir, there is no provision at present, even in Nairobi, for a boarding-house. I think the Department should see that some provision is made so that up-country students do not suffer on account of the absence of boarding facilities in Nairobi. I would request the Department to see that, particularly in cases from centres where the highest education available is up to the preliminary standard, the boys who wish to have further education have got somewhere to go to.

With these few remarks, Sir, I support the Motion before the Council.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir, I would like to intervene in this debate because of the remarks of the last speaker, my hon. friend for Central Area, Mr. Gathani, who spoke about the consideration of a loan to cover African and Asian expenses in general. I am surprised, Sir, that from an hon. Member so addicted to research into other people's speeches as my hon. friend, that he did not produce a speech of mine made in 1946 or 1947 where the same idea was put forward. That was the time, as my hon. friend, the other Member for Central Area, Mr. Madan, said a little earlier in this debate, that I had referred to education as being a long-term productive policy which, of course, I still maintain. In that speech, I think it was 1946/47, speaking from the other benches, I did try to point out the inevitable conflict which must come between the rate of desired expansion of African education and the ability of the Colony's revenue to carry that expenditure from recurrent revenue sources, and suggested at that time that we should apply for a loan on, say, a ten-year, interest-free basis, with a moratorium of capital repayment of ten years, to enable us to meet the margin between what we could afford and the desired rate of expansion of African education without burdening the taxpayer of the present generation too far. I persisted in that scheme, both during the whole of the time I was on the other side of the Council, and, indeed, since I have been on this side of the Council, and had the hon. Member for Central Area, Mr. Gathani, been a Member of the Council, for instance, last November, when I came back from the United Kingdom and when I read the statement made by the Secretary of State for the Colonies in the House of Commons on the question of financial assistance, he would have seen the point was raised then as to whether this loan for additional educational assistance through finance was possible.

Her Majesty's Government found themselves faced with this problem which has not been peculiar to Kenya but rather common to most of the colonies—and therefore, they felt they could not deal with this in isolation as they could with the question of assistance to African agriculture or assistance to

[The Minister for Finance and Development]

the Emergency. But there was a promise made, and indeed I am speaking from memory, but I think I am right in saying that the Secretary of State for the Colonies made it either at the same time or very shortly after, in answer to a question in the House of Commons, that the question of assisting recurrent expenditure, or expenditure for African education by means of loans, would be considered by Her Majesty's Government if and when schemes were submitted to deal with the period that would be covered by the new Colonial Development and Welfare Act. I say this, Sir, to show the hon. Member (a) that the idea is still in the mind of Government, (b) that we shall endeavour to seek what assistance we can on this basis and (c) that, strange as it may seem to the hon. Member, there are some things on which hon. Ministers are consistent.

I beg to support.

MR. J. S. PATEL: Mr. Deputy Speaker, Sir, I have never been a good student at mathematics and I do not think I will bother this Council with a lot of figures. I have visited a few colonies around East Africa and from what I have seen of schools—Asian schools—particularly in Southern Rhodesia, Uganda and Tanganyika, I think I cannot help congratulating the Minister for Education and the team of staff he has got, for doing what they have done in this Colony. By saying this I do not mean to say that we have reached a stage where we should feel satisfied, and I would like particularly to draw the attention of the Minister with regard to the aided school and the very low standard of teachers that we have got in those schools. I would request him to consider examining their qualifications and replacing them at an early date, so that when these students are coming to higher schools in Nairobi they can fit in without any great trouble.

Another point, Sir, I would like to mention is, there has been quite a lot of centralization in Nairobi, and in small towns grow, places like Kericho, Kakamega and Kisii, where children number more than 200, the Government should seriously consider taking over these schools because their present standard

and efficiency is not up to the mark of the Government schools.

I would also urge the hon. Minister to see that boarding-houses are established, both in Kisumu and Eldoret, so that people in the surrounding area have no difficulty in sending their children to these higher schools.

I beg to support.

DR. KARVE (Nominated Member): Mr. Deputy Speaker, Sir, I only want to make one or two points, but before I make them, I must associate myself with my predecessors in congratulating the Department on the big strides they have made in Indian education during the last few years. I know very little about European or African education in this Colony, so the remarks which I am going to make now are purely for Indian schools.

During the last year and early this year, some of us were making an effort to find out what students in the final year before they leave school were thinking about regarding their future careers. There are many students who leave before they start the secondary stage because their parents very often cannot afford to give them higher education, and others, who can do so, complete their secondary education and their Cambridge School Certificate examination, and only a very few of them can afford to go to foreign countries for higher education. All these three sets of children by entering on their future life have got great difficulties before they themselves, and their parents, do not know what vocations are open to them and in what vocations they can enter their children. It is true—I found that out—that in some schools there are one or two teachers appointed as career teachers and career masters, who do try and help the students a little, but I found out that their own knowledge of what vocations are suitable, or which will be suitable, for their particular children, and their own knowledge of the vocational education which could be obtained, is very poor.

I would suggest starting, under the Asian Education Department, a bureau of professional guidance. I have had literature from a similar one and that was from the Bureau of Vocational

(Dr. Karve) Guidance in Bombay. I saw from their literature, booklets and pamphlets that they have prepared—of course, they are more useful for students there than here—that a similar kind of effort could be made in this country, and the problem of what to do in after life could be made a little more easy for the student when they are thinking of choosing their careers.

For students who are thinking of going to foreign countries for further education, at present they are aware of only two or three careers, law, medicine and teaching. I think that is wrong. In these days, all information about technical education and such should be available, and quickly available, to every student, who is thinking about going for higher education and they must have all the information as to the costs, as to the length of the time that they will take to go through those careers. I do not think that such a thing will be possible without a proper bureau of vocational guidance for students in this country.

I make only one more point and this is a point for urging the teaching of music in primary schools to children—particularly in girls schools. We in Mombasa, a few years back, I think it was about ten years back, urged this experiment. This experiment was started in the Indian Girls School and found to be very successful and was appreciated by the principal of that school, the principal of the primary school, which separated from that school and is now vacated, I do not know for what reason, but that experiment was stopped last year, or the year before last. I would urge the department to think of doing it again, and I do not think that it will cost any more, because after all, one class requires only one teacher at a time, and if you had one or two lessons a week in music it would not cost any more by the introduction of that subject in primary schools and particularly in girls schools. It also helps, they help the girl students in their extra-curriculum work by the production of concerts which also add greatly to the education in life.

Mr. Deputy Speaker, I beg to support. (Applause.)

MR. GIKONYO: Mr. Deputy Speaker, I wish to make one or two comments

with regard to the question of African education.

First of all, Sir, I would like to make it quite clear that any criticisms that I may make do not necessarily mean that I am ungrateful for what the Government has done for Africans in the field of education during the past 50 or so years, but merely a desire for betterment and extension of what has been already done.

Well, Sir, as the Members may be aware, the African people are so far not satisfied with the progress that has been done in educating their children. In relation to other races—European and Asian—African education lacks very much more to be desired, and in the opinion of the Africans much more could have been done to meet the requirements of the African people.

For that reason, Sir, we, the African Members of this Council, feel that it is our duty for the interests of our people, to keep on pressing for more facilities—educational facilities—in order to meet, at least improve, the situation as regards the education of African children, because we are convinced that no progress can be made when the majority of the people are illiterate, and if we have to progress at all, we must aim at achieving a high standard of education.

The hon. Minister for Education said yesterday, and quite rightly so, that the whole of African education in Kenya is based on the Beecher Report. He is aware, perhaps, that when this report was approved, I think in this Council in 1950, it did not meet with the general acceptance of the African people because they did not think that it had gone far to meet their desires, and, whether or not the Education Department has been working on schedule, it does not mean that we, the Africans, are satisfied. We feel that much more could be done. There are quite a number of objectionable features in the report and I hope that the department will keep on improving or it until perhaps it lapses in time. I think it was a five-year trial.

Well, Sir, I agree entirely with the Minister when he says that African education should be founded on Christian ethics. I feel that that is very vital, but I will go further and say, not only

[Mr. Gikonyo] African education, but also other education. It must be based on some kind of religion, because unless we have that as the basis of education in this country, I do not think we are doing the right thing.

Mr. Deputy Speaker, I turn to the question of compulsory education and with special reference to Nairobi. I do not want to retrace the argument that has been so ably advanced by my colleague, Mr. Madan, but I say that I very much regretted when I heard that Government cannot find it possible to accept this responsibility. I do not want to put the case on a racial platform, but I cannot help feeling very strongly that it is wrong, when you have a precedent—you have compulsory education for Europeans and Asians in Nairobi—to reject the demands from the Africans, and in particular when they have suggested that Africans should tax themselves especially for this. I think it wrong because the Africans do not want to have it free like that; they have come forward to say, "We want our children educated", and I am sure they will back us up if the Government is only willing to support this scheme.

It has been suggested, Sir, that as an alternative to this question of compulsory education for the Africans in Nairobi, acceleration in building schools should be embarked upon; I very wholeheartedly welcome this suggestion, but I want something done, because I do not think in the past the Education Department has paid enough attention to educational facilities for the Africans in Nairobi. In the reserves we have the local authorities there who are responsible for primary education. That is not the case in Nairobi, with the result that not much attention has been paid to it, and I do feel that the Government in the absence of local government—accepting that responsibility, should do more for Nairobi. At the moment we have only very few schools, and the demand is very great, so I think if the acceleration is hastened, we will have more schools with the result that we will be able to admit larger numbers of children and I hope this suggestion will be carried on as quickly as possible.

I will also suggest that in Nairobi a secondary school is built. At present we have none, and I think it is a deplorable state of affairs to have no secondary school in Nairobi.

In connection with the acceleration of school buildings, I want to state what the Minister said. He expressed concern on the question of dual sessions in the Asian schools. The same condition applies to African schools, and if we have to give proper and good-quality education, we should bring to an end, as quickly as possible, this question of dual sessions in the African schools. I hope that in regard to this, the Minister will do all he can to build more schools so that we do not have to contend with a dual system.

Finally, Sir, I wish to associate myself wholeheartedly in thanking the department and the Minister for Education for filling the vacancy of an African Education Officer. It has been standing vacant for a long time, and I am very glad to hear at last that it has been filled.

Mr. Deputy Speaker, I beg to support.

MR. SLADE: Mr. Deputy Speaker, I should like to congratulate the hon. Minister on his presentation of Government policy with regard to education, and in what he has said, or rather what he has positively offered us, I have no quarrel with him. Indeed, Mr. Deputy Speaker, in the last Budget debate in December last year, we had a very full discussion on the policy of the Education Department, and I do not think it necessary to cover that ground again. There was, however, one matter which was raised in that debate and left in abeyance and it is in respect of that matter in which I am now somewhat disappointed in the hon. Minister. That is with regard to the prospect of a European education authority. In the debate, which I have referred to, the general Budget debate of December last year, the then hon. Minister for Education mentioned that he had been approached by representatives of the European Education Advisory Board with a view to setting up a committee to look into the desirability of establishing a European education authority, and it was apparent that the hon. Minister intended to do so at an early date. For that reason there was no discussion then,

[Mr. Slade] but, after a lapse of six months, we are now told by the hon. Minister for Education that the matter is still being examined by the Government and we have not yet any assurance that a committee is to be appointed, even to look into this matter and advise this Council on the ways and means of setting up such an authority. That being so, it does appear to me necessary, Mr. Deputy Speaker, to say now that many of my community think it is an extremely important and urgent matter to have this committee set up at the earliest possible date. If the committee was already assured, I would be able to jettison, not wishing to prejudice the work of the committee. In view of the fact that we have no such assurance even yet, I must speak on this subject now.

Mr. Deputy Speaker, the first ground on which I would advocate the establishment of separate education authorities, and I am not necessarily referring exclusively to the European community here, is the ground of increasing dissension between races as regards distribution of available money from revenue for education purposes. In this debate, we have been happily free from dissension and criticism and the usual scramble for funds that we have witnessed on other occasions, but as the hon. Member for Central Area, Mr. Gathani, pointed out that dissension is always there in the background and is likely to give rise again to a meretricious dispute and as years go by it becomes more and more inevitable and more and more acute.

The fact is, Mr. Deputy Speaker, that expenditure from general revenue on education per head is completely disproportionate between the different races. The fact is also that the total amount spent on the different races for education, is likewise totally disproportionate the other way round. That is to say, although the amount spent on European children per head is very much more than that spent per head on any other race, the total amount spent on European education is far less in proportion to the direct taxation contributed to the European community, than the amount—the very much larger amount—spent on other races. All these things give rise, and are bound to give rise, to jealousy

and acrimony, without any clear prospect of solution so long as we are trying to deal with all educational problems out of general revenue. However, we were to establish separate educational authorities starting with the European community and with the Asian community, if they so desired, and say to those communities, "Here you have your authority. We shall contribute to that from general revenue a fixed amount, a grant-in-aid instead if you like, and it is up to you to collect the rest from your community by fees, by taxes, in whatever proportions you think fit." Then we have cut the knot; then we have left each community to fend for itself and provide such education as it can afford—and as it desires. We already have a precedent, of course, in the European Hospital Authority where the European community taxes itself and provides its own needs in the way of hospitals. What I am suggesting is the precise parallel with regard to education; the authority to be given such discretion as to the adjustment of the burden between fees paid by parents and taxes made by the whole community as seems proper.

In addition to that reason, Mr. Deputy Speaker, there is another very urgent reason from the point of view of the European community for having this authority. That is to ensure that as long as the European community thinks it necessary, their children in Government schools will be educated in exclusively European schools. Now I want to make no pretence about this matter at all. We all, I think, look forward in the future to closer and closer relationship between the races in every field. We have already made a preliminary experiment of multi-racial education at the highest level of technical knowledge, but it is the view of many of us in my community that in our march towards closer association with other races, education is one of the things that lies furthest off and it must be so. I hear the hon. Member for Central Area, Mr. Madan, urge that there should be multi-racial schools that is, no doubt, he meant multi-racial Government schools—as soon as it is possible so that children of the earliest age can learn to live with people of other races and develop interest in common. Now I see his argument, but there are other arguments which, to my mind, tell

(Mr. Slade) for more heavily against the establishment of official multi-racial schools. Mr. Deputy Speaker, I have no objection, of course, to those who want multi-racial schools enough being allowed to establish them as private schools. It is the question of Government schools: My point of view is this.

It is a point of view I put forward in another debate only yesterday and I would like to repeat it to-day. It is relevant to this question too. This is a British Colony which has to develop according to one civilization and the civilization I believe we are seeking to develop here, is the civilization of Great Britain. The European community here are the emissaries of that civilization and if we have that duty to perform, it is extremely important that we maintain in full the purity of the traditions which we have brought from the Mother country. It will be difficult for us to do that if our children are not separately educated. It will be still more difficult for us to do that if we continue as we are now such a very small minority in the population of this Colony and yet have multi-racial schools. I must say on this subject, Sir, as I would say on many others, that our object must always be to help other races in this Colony to achieve the traditions and standards of our race and not to try, or to even risk, anything in the nature of levelling by levelling down.

Lastly, Sir, very closely allied to that, is the reason that the European community—I have no doubt the Asian community too—like to feel they have a fair measure of control over the type of education that their children should get. Now we have no control whatsoever with the education that is given to our children by the Education Department at the present time. I think I have said on other occasions, and I certainly say it again now gladly, that for the cost, and even for a higher cost, what we receive for our children is full value, both in teaching and in kindness and in welfare, but we do like to be assured that that will continue and we shall feel most assured if we have a greater say even than now in the direction of education and that, with a separate education authority, would be permanently assured; and I am suggest-

ing, Sir, that if the Asian community felt that they would like an Asian education authority, there is no reason why they should not have one.

I heard the hon. Member for Central Area, Mr. Madan, say just now that he was looking forward to the time when there would be an Asian Minister for Education. Surely if he had an Asian education authority, he would be achieving what he wants in another way. There would be no need for an Asian Minister for Education, but there would be an authority controlling the education of the Asians in which his community would have a greater say.

With regard to African education, likewise, Sir, it almost falls in logical sequence that if there was a European Education Authority and, an Asian Education Authority, then African Education would probably also fall to a separate department, but at the present stage of development there would have to be a distinction in that the African Education Authority could not, in my view, be so independent and composed so exclusively of the African community as those of the other two races as this stage.

I appreciate, Mr. Deputy Speaker, that there are financial problems involved in a suggestion of this kind. You have to determine the yard stick for the contribution to be made to each authority from central revenue. I am not going to waste the time of this Council in suggesting the yard stick now beyond saying that I am quite sure a suitable yard stick can be found and it would be the duty of the Committee, such as I am suggesting, to find it. I would suggest an example that it could be an extension on the basis of the present grant-in-aid. Instead of having grant-in-aids to specific schools, you could have one large grant-in-aid to the authority based on very much the same principle as the present grant-in-aid are based on. Related to the same sort of factors, possibly not the same percentage because it would have to produce as a start some figure nearly equivalent to what Government now pays for European education, somewhere near the same net figure; or you might relate the grant to each community somehow to the amount contributed by that community by way of direct taxation. I do not think anyone

(Mr. Slade) could quarrel with the fairness of that method; but I am only suggesting that to show the different lines the Committee might pursue. Again I know there would be problems with regard to existing buildings and the future of capital requirements, but I am quite certain, Mr. Deputy Speaker, that those problems are not beyond the bounds of reason to solve. We have buildings belonging to Government already allocated to the education of different races. There is no reason, that I can see, why they should not be taken over by those races, under the control of separate authorities and continue with the education to which they have already been dedicated.

With regard to future needs, further development, I would visualize again without saying it is the final answer, that there should be some provision for the educational authorities borrowing what they need either from, or through, the central Government and amortizing their debt over the years by means of fees and taxes which they are empowered to collect.

I have no more to say on this subject now, Mr. Deputy Speaker, but to urge once again that Government presses ahead with the establishment of this Committee to investigate ways and means of setting up, at any rate, a European education authority; and that in the examination which that Committee has to undertake care be taken to let members of the European community outside this Council have share in the deliberations and a full measure of opportunity to give their evidence and suggestions.

Mr. Deputy Speaker, I beg to support this Motion.

Mr. Crosskill: Mr. Deputy Speaker, I also should like to associate myself with the words of my hon. colleague for Aberdare with regard to the most comprehensive report that the Minister has presented to us. I should also like to associate myself completely with his summary of his views with regard to European education. I believe that at the present time it can serve no useful purpose whatsoever to have inter-racial schools and; personally, I would oppose it as strongly as he would and I think it is only right that one should make

that position quite clear. Naturally, when debating the question of education, the big problem which always confronts us is that of cost. My hon. colleague Mr. Gathani, Member for Central Area, has produced statistics by which he has endeavoured to solve the problem; but personally, I am not quite happy about that. I think that his solution lies in getting more loans and so forth. In a small way I have been investigating the statistics in this admirable book which has been presented to us by the hon. Minister for Finance on the Budget and a quick analysis of this shows that if you divide the number of pupils by the population you get an index figure which is increasing too quickly for the finances of the country and I think of all trouble in the country is at the root of all trouble. A solution was given to us by the hon. Member for Nairobi West when speaking the other day and I think we should mark with earnest attention the words that he gave us because I believe that, whatever happens, we must concentrate on quality in our education, rather than on quantity. Quality should be the criterion by which we judge our ability to increase the education in the country of all races.

Education, as we have learned sadly in the last 18 months, is a two-edged weapon and I think we have learned a lesson and we must not forget it.

An African colleague on this side of the Council said this afternoon: "How can we improve the lot of the African people until they are literate?" But I would emphasize that literacy is not the end of education. I would rather have a hundred fully, properly educated citizens who have had moral education, who are stable and who can present a picture to their fellows, rather than a thousand or ten thousand just-literate people and I think that we must view education in a deeper manner, in a more thorough manner than by just looking upon it as a little knowledge which is a dangerous thing. (Hear, hear)

We must do everything in our power to increase education, but with that limiting factor of the maintenance of quality for all races. We have an enormous responsibility with regard particularly to the education of the African people. We have, as has been pointed

[Mr. Crosskill]

over many times, removed a great number of them from tribal influence—very valuable tribal influences in the past—and we have got to find a substitute for that. We have got to find a very full form of education. The hon. Minister emphasized, I am very glad to say, the question of the Christian ethic, but I would like to go even further than that. One evidence which I have to-day in talking to a very able man from a screening camp, he has assured me that when he has screened Kikuyus and got them into a receptive state of mind by persuasion, by peaceful persuasion, he has then found that they have a vacuum in their minds which can only be filled, not just by the Christian ethic, but by the Christian religion; and that he has found an immense response by offering the Christian religion to these people and I do earnestly ask him not only to consider the Christian ethic, but the Christian religion which I think would play a tremendous part in the development of the African people.

So, in supporting this, Mr. Deputy Speaker, I do just ask that in assuming this enormous responsibility for the African people, that we consider quality rather than quantity. (Hear, hear.) I beg to support.

Mr. TYSON: Mr. Deputy Speaker, whilst I appreciate the very clear and lucid statement on our education programme which was given to us by the Minister yesterday—I must say I was rather disappointed at what seemed to me the scant attention which he paid to the subject of African trade and technical education. In the past, we have, I think, paid too much attention to turning out what you might call African clerks or office boys. There is no harm in anybody starting at the bottom of the ladder in that fashion, so long as that is not regarded as the end.

But, side by side with it, I feel we have paid far too little attention to technical and trade training. Tied up with this question, Sir, is the question of teaching of English, because in trade and technical training, most of us will recollect that we learned a good deal from text-books and until we can enable the African to get a sufficient knowledge of English to read these text-books, I do not think we are going to make much progress. A

good deal of knowledge that we require in technical subjects, whether building construction, sanitation, carpentry and so on, can only, very largely, be obtained from text-books.

Now, on this question of technical and trade training, Sir, I think we have a very good example of what can be done by what is being done in the Railway Workshops, in the Medical Department and, if I may say so, in pre-war days at any rate, in the Prisons. But this work has not been done on a sufficiently large scale. It has got to be done on a very much bigger scale than it has been done in the past. What we want, I feel, is simple trade and technical training for the African so that he can go out into the villages—we are talking about villagization—so that he can go out and set up in business in those centres and carry on business on his own account.

Looking through these Estimates, Sir, I do wonder whether we are paying sufficient attention to the salaries which are being paid to the instructors. If Members will refer to page 203 of the Estimates, you will see that out of 66 so-called instructors, 45 of them are on what is called C(3) scale and if you refer to page 4 of the Estimates, you will see that scale C(3) carries a salary of £72 a year rising to £87 and up to £105. Now, I do submit, Sir, that you can hardly expect very much in the way of satisfactory instructors when that is the scale of pay which they receive and it does come back to the question which we have heard referred to previously, that we must pay rather more attention to quality.

Now the Minister in the course of his speech yesterday said that the numbers in technical training are considered adequate to meet the known demands. But surely, Mr. Deputy Speaker, that is proof positive that the facilities we are providing are far from adequate and I do suggest that some effort must be made to speed up this training in technical training far in excess of the figure that we have before us to-day. I think we must ask ourselves what do we visualize for the next few years regarding the development of these territories. Surely we are expecting considerable development in many directions. The picture, as I see it, is something on these lines. We have recently seen the opening of the

[Mr. Tyson]

Owen Falls hydro-electric scheme. At the other end of the territory you have a somewhat similar, but smaller, scheme at the Pangani Falls in Tanganyika and there are in between various smaller plants. That, to my mind, has the making of a "grid" system covering the East African Territories. What will this electric scheme bring in its train? Can anyone visualize the extent to which industry will follow the development of electric power on these lines? In addition to that, we are hopeful of a Refinery at the Coast. In addition again there are other industries by way of being established—textile factories, cement factories and so on. On top of this we anticipate the implementation of the Troup Report and the Swynnerton Report. All these developments, I submit, will provide openings on a very large scale for skilled African tradesmen.

We have got to be prepared, under our education system, to provide the training to enable the Africans to fill these posts which will undoubtedly become available.

The upshot of all this surely will be higher wages, increased output, bringing more and more goods within the buying and spending power of more and more people: what is generally referred to as a general raising of the standard of living of the African people.

I would also like to emphasize the need to make more use particularly in this training of Africans—technical training particularly—of the cinema and broadcasting. A booklet, a monthly staff magazine, issued by one of the biggest firms of building contractors in Great Britain who have also done a large amount of work in South Africa and the Rhodesias, included this little statement in its last issue. "More than 140 pupils and apprentices were present at the monthly film show at Carlisle when the film on 'Building Homes' was of great interest, especially as many of those present had worked on these schemes."

This increase, Sir, in technical and trade training will, I feel, play a very large part in the solution of the agrarian problem in this country by providing employment for a large number of the African people who will have to find their employment and livelihood otherwise than on the land.

I support the Motion.

Mr. LEITCHER: Mr. Deputy Speaker, Sir, I believe the retiring age for members of the Education Department—schoolmasters—is 55 years. Now, in his reply, would the Minister tell us what encouragement is given to those masters wishing to continue to serve after they have reached the retiring age.

I know of one case of a master continuing, but, I understand, under a new salary. If that is so, Sir, I do not think it is encouraging people, useful people, to continue, especially at a time like this.

I beg to support.

THE MINISTER FOR WORKS: Mr. Deputy Speaker, Sir, one or two points which were raised by hon. Members opposite come under my purview. The hon. Member for African Interests, Mr. Mathu, referred to the absorption of African technical students who came out of the trade schools. Sir, I would like to assure the hon. Member that, apart from doing everything we can to absorb these people who come out, it is Government's policy to see that every avenue of technical training, whether under the Education Department or other departments, should be explored so that our people can be trained and absorbed in the economy of the country.

With regard to the point raised by the hon. Member for Central Area, Mr. Gathani, regarding the building of schools, the only thing, Sir, at this stage in this training of Africans—technical training particularly—of the cinema and broadcasting. A booklet, a monthly staff magazine, issued by one of the biggest firms of building contractors in Great Britain who have also done a large amount of work in South Africa and the Rhodesias, included this little statement in its last issue. "More than 140 pupils and apprentices were present at the monthly film show at Carlisle when the film on 'Building Homes' was of great interest, especially as many of those present had worked on these schemes."

Sir, I beg to support.

LADY SHAW: Mr. Deputy Speaker, Sir, I have only a couple of points I want to raise. One of them is on this question of compulsory schooling for African children in Nairobi.

Now, Sir, I happen to be one of a comparatively few people on this side of Council who have had a good deal to do with the education of all three

[Lady Shaw] races. Curiously enough, I was on the Hartwell Committee which dealt with Indian education; the Beecher Committee which dealt with African education, and I am on the European Advisory Council and several other committees and boards connected with the higher education of all races. So that when I speak on education, I am not taking a completely insular view of it.

Now I do myself remember very well when I was on the Beecher Committee—and I am sure the hon. Mr. Mathu remembers very well, too—we entered into this whole subject of compulsory education of the African children in towns, particularly, as he says, in Nairobi. I do not think there was a member of that committee who did not believe that such education was pre-eminently desirable. To have these small children running about, uncared for, undisciplined and untaught, was, from every point of view, bad—both for them and for the country that they live in. However, when we went into the whole matter we were faced with very great difficulties. Apart from the actual difficulties of finance, apart from the fact that at the time—and I think it was due to financial difficulties—the local authorities were not willing to undertake this task, the main obstacle, which we ran into—and I would be very anxious to know if the Director of Education could give any comment on this question—was the difficulty of sorting out the children who really and by right lived in Nairobi and who really and by right should be educated in Nairobi and the children who would be brought in automatically if there was any such system started in Nairobi. In fact, Sir, nearly everybody who is working in Nairobi would find themselves with an adopted child or two and everybody knows that that is so, or it certainly was so at that time.

It would be very interesting to know whether any possible means can be found of overcoming this particular difficulty because until it is overcome, I think it is impossible to make a serious, reasonable plan that could be put into any sort of effect for compulsory education of African children in Nairobi.

I myself, Sir, am absolutely sure that it is a desirable end. I believe the matter should be explored in every possible

way and if these difficulties can be removed, and I am not underrating them, Sir, then they should be removed.

Now the other point I want to make, Sir, is on the question of European education. Already mention has been made of the possibility of setting up an authority. Now, again, I feel sure that the proper authority for European education, or perhaps any other education, is a local authority. If it were possible, instead of calling any impost which may be put on the individual or community, a tax, if it could be treated as a rate, I believe a great number of objections which are raised against the taxation of a community for the purpose of financing an authority might well be removed. I believe, from many points of view and some of the reasons for it have already been produced by other people, that the setting up of authorities is wise and would make for peace and good government in this country.

The reasons, I think, are so obvious and I have already spoken on them in other debates in this Council, that I do not wish to go over them all over again, but I would like to say that we are now living in a country which gives, anyhow, lip-service to the suggestion that we are all going to try to live together and love one another and make friends and think of one another's good and really and truly try and do our best to make a country in which we can all live in peace and harmony.

Now the first thing we must do if we are going to have peace and harmony is to remove such an absurd bone of contention as education from the political arena. Education is a thing which we have all got to do our best to acquire for our children, whether we be African, Indian or European. We have got to try to preserve our traditions, improve our standards, and help one another, but if we are going—I have said this before and I say it again—if we are going to make this question of education and what is called inter-racial education, and various things of this kind, into points of argument and discussion and quarrelling, we are going to put back possible unity and possible friendship by years and years and years.

I do believe, Sir, that everybody has a right to aim at educating their children in the way they choose. If a man chooses

[Lady Shaw]

to send his child to an inter-racial school, no doubt he will find one to send him to; but in Government policy it is absolutely necessary, in my view, that the wishes of the people whose children are being educated should be regarded.

Now, Sir, if the Indian wishes to raise the standard of education of his children, let him do his best to raise it, but do not interfere or meddle with the traditions, the system and beliefs under which the children of another race are educated. I feel perfectly certain that the setting up of authorities is not a petty or a foolish or even a very insular attitude—not at all an insular attitude—to the education of our children. I believe—and I say it again—that the sooner we can remove this question of education from the political arena, the better for all concerned.

I wish to support. (Applause.)

Mr. COOKE: Mr. Deputy Speaker, Sir, I rise to support the African Members in their plea for compulsory education. I do that, Sir, without any equivocation whatsoever and without any reservations—it is all very fine—and I know that the hon. and gracious lady who has just spoken has seen the difficulties and that those difficulties are bound to arise in any problem that we have to examine in this country—I know as well as anybody else knows what would happen or what Africans would try to do—they would try to bring in their *ndugus* as they say, their cousins and brothers to live in Nairobi to share the benefits of compulsory education. But surely it is up to the African elders and the African people, like the hon. Mr. Mathu, to see that that sort of thing did not happen.

Now, when I was in the Administration, we did not stand for any nonsense of that sort whatsoever. In every place I have been stationed in in this country, if that sort of thing happened we jolly well saw that it stopped and there was no nonsense about it. I am perfectly certain that, with the African Members' co-operation, in Nairobi we could see that that did not happen because it would be in their interest and duty to do so.

Now, I did not mean to speak, but having got to my feet, there is one point

I must make. I have, I suppose, attended 20 or so Budget debates in this Council and every time I have heard the plea put up that we must put the shaft on industrial work in the towns and that sort of thing, instead of literacy, but, Sir, I say they are complementary. You cannot teach a man a trade unless he has got a literary education. It has been found in South Africa—I sometimes say: "of all places"—but it has been found in South Africa that in the industries which they are establishing—in technical industries—that one primary schoolboy is worth three ignorant boys. He can do three times as much work in secondary industry. In South Africa, which has had very much longer experience, longer than we have—I think I am correct in saying that their ideal, which is very near fulfillment, is to have compulsory education throughout their territories.

I do hope that Government will not look round for an excuse for doing nothing—it is both a social as well as an educational problem and it is a very good insurance to send these children to school. I have here a small survey of Nairobi and the position of the children in urban areas and there it makes it abundantly clear that if these children are not looked after in the same way as boys and so on and they will have to pay far more later on in the upkeep of prisons and other kinds of camps. I believe that the *Mau Mau* movement is due to many factors, but one of the factors—it was started in Nairobi—one of the factors was the children in Nairobi who grew up unsupervised, the teenagers, and that sort of thing and had no employment. If I may put it that way from the insurance point of view alone—it would pay us to have compulsory education in Nairobi. I hope Government will not let anything stand in its way, any kind of excuse or anything of that sort, not to go ahead with this project of compulsory education with the least possible delay.

Sir, I support the Motion.

THE DIRECTOR OF EDUCATION: Mr. Deputy Speaker, Sir, a number of points have been raised by hon. Members opposite on which I should like to comment. First of all, I should like to express, on behalf of my Department,

[The Director of Education] my thanks to those who have commented so kindly on the work of my Department and on the improvements which have taken place in the last—up to—10 years is; I think, the figure mentioned in various branches of education.

If I may turn first of all to the remarks made by the hon. Member for African Interests, Mr. Mathu, he referred to, or rather he appreciated rather reluctantly the step which has been taken by my Department in at last promoting an African to the rank of education officer. He referred, I believe, to this progress as having at last—the dripping of water having at last made a hole in the stone. Well, Sir, I should like to say that it was with no feeling of reluctance that this acting appointment has been made. (Hear, hear.) The hon. Member knows that I am very keen that as far as Africans prove their worth they should fill posts of higher responsibility. I made this appointment with great pleasure and I should like to say this; if the officer concerned shows the promise, which I have every reason to believe that he will show, he will not have to wait long before he gets substantive promotion. I fully expect and I hope that that promotion can be made well before the end of this year. I sincerely hope, too, that within the next few years other similar posts will be filled by Africans.

Another point to which he referred was the adult literacy campaign in the Machakos area—and he expressed the hope that women would be included within the scope of such a scheme. I should like to assure him that they are already. I have visited this scheme which is extremely popular; it is well attended by men and women of all ages and I saw, among other things, a sewing class in progress. He can rest assured that that side of things is very adequately dealt with.

In regard to the education of African Muslims, there are, as the hon. Member is well aware, a number of difficulties. There is no reason why African Muslims should not attend the African schools which are available throughout the Colony. They have, however, until very recently shown a lack of interest, or at any rate a reluctance to go to school and their numbers generally speaking are in

such small groups that separate schools are not generally a practicable proposition. However, I would like to refer to what has happened in Mombasa, which was one of the places specifically mentioned by the hon. Member. There is there what is known as the Myta School, which is managed by the Mombasa District Education Board and which has an enrolment at the moment of 250 pupils of whom 50 per cent are Muslims. There is a Muslim-African teacher on the staff and during the periods allotted to religious instruction pupils are divided into groups according to their faith and put in charge of a member of the staff of that particular faith. I should like to add, Sir, in reference to this particular school, that it is a mixed school and that girls also attend.

While we are on the subject of African education, I should like now to refer to one point made by the hon. Member for African Interests, Mr. Gikonyo, who said that the Africans are not satisfied with the progress which is being made with African education and he referred to the inadequacy of the provisions of the Beecher Plan. He also urged the Education Department to keep an eye on things and to do all they could to step up the pace. Well, Sir, I would like to point out that it was made very clear at the beginning that the Beecher Plan was not a rigid one from which no departure could be made. The position is being watched all the time and modifications are being made all the time; and I should like to mention a number of elaborations and improvements which have already taken place.

Provision has been made for more girls' schools than were included in the original Beecher plan, because we felt that the interest of women's and girls' education had not been sufficiently emphasized. The number of European women Education Officers has been increased. More administrative Education Officers have been appointed and further, a number of schools, which strictly speaking should have remained as primary schools covering a four-year course, have been allowed to retain or to add two extra standards, standards 5 and 6; that has brought about a very considerable benefit to a very large number of pupils and I feel quite sure that if the hon. Member will reflect he

[The Director of Education] will agree that all those things I have mentioned are very considerable improvements.

But there is one other thing I would like to say, and here I would like to express my appreciation of what the hon. Member for Mau has already said, and that is the need for quality. There is a pace beyond which we cannot go in safety. In my opinion, during the last few years we have reached that pace and it would be unsafe to go any faster than we are now going. You must remember that it is easy to multiply schools and pupils on paper; it is very difficult to translate those figures into actuality and to provide school teachers of the right quality. It is absolutely essential that quality should be maintained. At the moment our resources are strained to the utmost and I would like to repeat what I suggested. I think it would be unsafe to proceed more quickly than we are doing now, but I would assure the hon. Member that within the limit of our resources, financial and human, we shall go as rapidly as we can.

Turning now, Sir, to Asian education, I notice that most hon. Members, after saying very flattering things proceeded to criticize rather a large number of criticisms. However, if I may deal first with a point made by the hon. Member for Central Africa, Mr. Madani; he referred to the use of the Racecourse School in connexion with a recent operation and expressed dissatisfaction about the way in which things have been managed and indeed with the use of the school at all. Now, Sir, I should like to assure him that my information is that, that particular school in that particular place was the only suitable building for the particular purpose for which it was used. As regards the return of the children on the day when school should have resumed, without any sure knowledge of whether they were going to start school or not, the answer there is that it was impossible to give prior warning for security reasons.

The hon. Member also referred to the standard of teaching and to overcrowding in schools. Well, Sir, no one could agree more than I do that we are not—we cannot yet be satisfied, in spite

of all the improvements that have been made with the present standard in Asian schools; but I do feel that the first task is to get rid of dual sessions. When we have got rid of dual sessions I think we can then turn our attention to seeing whether we cannot bring about some reduction in the size of classes and the reduction of course, is needed mostly at the lower levels.

The hon. Member then asked whether we were satisfied that locally-trained teachers were suitable to teach in higher classes. Now here, Sir, I would like to explain that the teachers trained in Kenya in the Teacher Training Colleges we have are intended to teach in primary schools. They are capable of teaching in any class in the primary school and some of them, by virtue of special qualities, are suitable for teaching in the lower forms of secondary schools, but by and large they are primary school teachers only and it, therefore follows that something else has to be done to provide better staff in secondary schools. In the past we have done this by importing teachers from overseas but as the hon. Member will be aware, we feel that the best policy for the future is to choose our own teachers—promising young teachers from among those in the field—and to send them to the United Kingdom for degree and other courses so that they may come back and teach in secondary schools and Teacher Training Colleges. However, although that scheme has started, there will be a time lag of a few years before it is in full operation, and during that period it is clear that something else must be done. To some extent this has been achieved by the appointment of more European staff, but we have arranged; this year, for an officer—an officer engaged in Asian education now on leave—in the course of his return passage to Kenya to spend some weeks in India and Pakistan on a recruiting tour with a view, particularly, to finding teachers suitable for employment in secondary schools and Teacher Training Colleges.

ADJOURNMENT

THE DEPUTY SPEAKER: Council will now stand adjourned until 10 o'clock to-morrow morning.

Council rose at fifteen minutes past Six o'clock.

Thursday, 3rd June, 1954

The Council met at Ten o'clock.

[Mr. Deputy Speaker in the Chair]

PRAYERS

PAPERS LAID

The following Papers were laid on the Table:—

Supplementary Estimates of Expenditure of the Colony and Protectorate of Kenya No. 5 of 1954.

Supplementary Estimates of Expenditure of the Colony and Protectorate of Kenya No. 6 of 1954.

Supplementary Estimates of Expenditure of the Colony and Protectorate of Kenya No. 1 of 1954/55.

The Estimates of Revenue and Expenditure of the Road Authority for the Year 1954/55.

6 of 1954, No. 1 of 1954/55

(BY THE MINISTER FOR FINANCE AND DEVELOPMENT)

ORAL NOTICES OF MOTIONS

SUPPLEMENTARY ESTIMATES NOS. 5 AND 6
THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motions:—

BE IT RESOLVED that a sum not exceeding £6,014 be granted to the Governor, on account, for or towards defraying the charges of Supplementary Estimates of Expenditure No. 5 of 1954.

BE IT RESOLVED that a sum not exceeding £5,000 be granted to the Governor, on account, for or towards defraying the charges of Supplementary Estimates of Expenditure No. 6 of 1954, Part I.

BE IT RESOLVED that a sum not exceeding £42,521 be granted to the Governor, on account, for or towards defraying the charges of Supplementary Estimates of Expenditure No. 1 of 1954/55.

CUSTOMS TARIFF

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:—

That, subject to the provisions of an Ordinance entitled the Customs Tariff (Amendment) (No. 2) Ordinance, 1954, published in the Official Gazette on 3rd June, 1954, and to be passed in the present session, the rates of duty be amended in accordance with the provisions of the said Ordinance.

SANCTION OF LOANS

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:—

BE IT RESOLVED that this Council sanctions the application of the proceeds of the raising of a loan of £1,000,000 and the conversion of East African War Bonds, 1952/54, amounting to approximately £2,900,000 under the provisions of the Local Loan and Conversion Ordinance, 1954, for the following purposes:—

(a) A loan of £750,000 to the Land and Agricultural Bank of Kenya.

(b) A loan of £750,000 to the Local Government Loans Authority.

(c) A loan of £1,000,000 to the Local Government Loans Authority for the purpose of lending to the City Council of Nairobi on terms to be negotiated by the Minister for Local Government, Health and Housing with the approval of the Minister for Finance and Development and to be repayable by the Local Government Loans Authority on 1st June, 1961.

ORAL ANSWER TO QUESTION

QUESTION No. 112

MR. R. C. J. LETCHER asked the Minister for African Affairs to state: What is the number of desertions by Kikuyu Home Guard with their arms and ammunition since the formation of this Unit?

THE MINISTER FOR AFRICAN AFFAIRS: Mr. Deputy Speaker, I beg to reply the number is 12, Sir.

COMMITTEE OF SUPPLY

Debate resumed.

THE DIRECTOR OF EDUCATION: Mr. Deputy Speaker, Sir, when Council adjourned yesterday I was dealing with

[The Director of Education]

the point raised by the hon. Member for the Central Electoral Area, Mr. Madan, about the recruitment of Asian teachers, and I was describing the steps which were being taken to secure teachers for secondary schools and teacher-training colleges through a special recruiting effort in India and Pakistan.

Whilst it is true that the main object of this is to secure more teachers for Government schools and institutions, nevertheless, I should be very willing to ask the officer concerned to bear in mind the needs of aided schools whilst he is undertaking this work.

There was another point raised by the hon. Member in regard to the inadequacy of the staff in aided schools. Here I should like to say that funds are available and are likely to be available, so far as I can see, for the employment of teachers with better qualifications if they can be obtained.

Now I should like to take this opportunity, while we are on this subject, of dealing with the point raised by the hon. Member for the Western Electoral Area, Mr. J. S. Patel, when he referred to the very great difficulty which is experienced in finding suitably qualified teachers for Asian schools in small up-country areas. We have in Kenya three first-class teacher-training centres for Asians and so far we have not been able to bring our recruitment up to the level

it is desired. We are trying to expand the colleges with a view to making Kenya self-supporting in Asian teachers and I do hope that hon. Members opposite will do all they can to encourage young Asian men and women, who have completed their secondary school courses, to go in for teaching. There is a very good career open to them and a very great need. If we can get young men and women from the new secondary schools in Nakuru, Eldoret and Kisumu, we can then solve the problem to which he has referred.

Another question which was raised by the hon. Member for the Central Electoral Area, Mr. Gathani, was that of the terms of service of teachers in Asian aided schools which, he pointed out, were not so good as those of teachers in Government schools. That is true, and I think there must inevitably be a move

in the direction of bringing all teachers on to the same, or practically the same terms of service. He seemed to think that the next move was to point to the Government, but I would like to point out this: namely that the recent increase in the basis of grants-in-aid to Asian schools, whereby there was an increase from two-thirds to four-fifths of the amount paid for salaries of teaching staff, does represent a very considerable improvement and there should be a margin in most schools after teachers' salaries have been paid from the revenue from Government grant and school fees to find something extra to carry out the improvements to which he referred.

I should like to mention also that grant is paid not only on salaries and passages and the salaries of relief teachers, but also on contributions to provident funds and that a provident fund has been established this year to which all teachers, new and appointed, must contribute and to which 75 per cent of the existing teachers do belong. That provident fund will confer very considerable benefits.

The hon. Dr. Karve referred to the question of the need for careers, open to pupils in Asian schools, to receive attention from the school authorities. All secondary schools now have careers teachers and those teachers have been asked to keep in close touch with the officer in the Education Department Headquarters who is responsible for higher education and for overseas bursaries. They do in fact do so, and I can assure the hon. Member that no effort will be spared to keep these teachers informed, not only of courses available overseas, but of suitable openings available here in Kenya. He seemed to be under the impression that most of those students who went overseas were interested only in law, in medicine and in teaching. I should like to assure him that this is not so, and that many bursaries are awarded every year for students who are going in for such courses as radio engineering, electrical engineering and architecture.

So far as the teaching of music in Asian schools is concerned, I can assure him that this is something which will be encouraged. The difficulty, of course, is in securing teachers able to deal with this particular subject.

[The Director of Education]

Reference was also made under Asian education to the poor results in English, particularly at the School Certificate stage. Whilst this is true, nevertheless very great improvements have been made in recent years and perhaps Members will be interested to know what particular steps have been taken to deal with this problem. There are three Education Officers responsible for the teaching of English in the three main areas of the Colony. They visit schools, give help to teachers and conduct refresher courses. In addition, we have asked for six additional posts for secondary schools so that every secondary school in Kenya will have one European officer whose main responsibility will be the teaching of English and the improvement of the standard of English. That should bring about a very considerable advance.

We have also dealt with the problem in the primary schools, and there will be a progressive lowering of the standard in which English is taught as the medium of instruction. I would also like to mention that even in the lower classes where English is not the medium of instruction, the number of periods devoted to the teaching of this subject has been very greatly increased in the last few years. There is, I should like to say, no quick solution to this problem. The steps we are taking will bear fruit probably in three or four years' time, but we are going in the right direction.

I would like now, Sir, to refer to the comments made by the hon. Mr. Tyson on the subject of trade training. I cannot help feeling that there is some confusion of thought over what is needed in this regard. There are two types of people which we are aiming to produce. There is the skilled craftsman who is produced in the African trade and technical schools and there is the general handyman who will be produced in the new rural training centres. Our view is—and here I must disagree with the hon. Member—that on the information we have, we are producing enough in the first category. I should like to assure him, however, that the needs of the country are continually borne in mind and the intake into the various courses is being, and indeed has been, adjusted to meet the varying needs as we see

them. It is also true that we can expand fairly rapidly without any increase in capital expenditure, provided recurrent funds are made available. We can expand fairly rapidly to meet any new need which may arise in a particular field.

There is one more point I should like to make on this and, that is that there is in existence an Advisory Council on trade training and vocational education of which, I believe, the hon. Member is a member, and problems of this kind are the proper responsibility of this Council. In the light of any advice we may receive, we shall, of course, be only too willing to modify our plans and projects.

The hon. Member raised also the question of the use of the cinema and of broadcasting. So far as broadcasting is concerned, there are technical difficulties. We do, however, realize the very great advantages which might be derived from a really good system of school broadcasting, and when the report of the Broadcasting Commission is received, we hope that this matter will be capable of a satisfactory solution. In the past, our efforts were nullified because of technical difficulties. So far as the cinema is concerned, we have, over the last few years, built up a considerable library of films and film strips and we have installed in all secondary schools and training colleges, where electricity is available, not only cinematograph projectors, but such other aids as epidiascopes and film strip projectors. Good use is also made of film libraries run by the British Council and various commercial interests. In some schools also, we have been able to install film strip projectors which are worked by kerosene lamps rather than by electricity.

There is one further point, Sir, which has been raised on which I should like to comment, and that is the question of the retirement of over-age officers, which I believe was referred to by the hon. Member for Trans Nzoia. Our policy here, Sir, is that when officers reach the normal retiring age we allow them to continue in the service, if in any suitable replacement is available, but, of course, the time must come when officers reach a very advanced age when, in any event, they should leave the service. There is an added difficulty at the moment, in that a number of posts held by these officers are promotion posts, and we feel that it

[The Director of Education]

will be unfair if there are promising younger officers, below the retiring age, who are capable of holding these posts, who they should be held back by the retention in the service of officers considerably over the normal retiring age.

There is one more point, Sir, I should like to make in conclusion, and that is to refer once more to the excellent work which is being done by teachers of all races in all parts of the Colony. I referred to this on the occasion of the past Budget. I should like to do so again. Many of these people, both in Government and aided schools, are working under great strain, often in great danger, and I should like now to express my appreciation of the very fine job they are doing. I feel quite sure that they will continue in the future as they have done in the past, and I am confident that they will make a very real contribution to the solution of the serious problems with which this country is faced.

Sir, I beg to support.

MR. J. S. PATEL: There is one point, Mr. Deputy Speaker, Sir, that the hon. Member omitted to reply to. I would like to ask the hon. Director with regard to the taking over by the Government the schools at Kericho, Kakamega and Kisii. This matter is very important, and I would be grateful if he would let us have his views.

THE DIRECTOR OF EDUCATION: I am sorry I have omitted to deal with that point, but I can assure the hon. Member it is being carefully considered.

MR. COVENTRY: Owing to the unavoidable absence of the Nominated Arab Member, Sheriff Abdulla Salim, he asked before he left if I would say a few words in connection with the Arab appreciation of the progress and development which the Education Department has made towards education in Mombasa. The Arab Girls Primary School was one of the things he was very pleased about, and it is obviously true that there can be no progress without the female side going hand in hand with the male. The girls school now in Mombasa is full, and I do hope the Minister will bear this in mind because development on these lines is so essential.

He also mentioned his pleasure at the Arabic Specialist Officer who has been appointed. This—although I cannot state it is my own view—is a big advance towards attaining the desires of the Arab community.

Finally, we were also very pleased—he and myself—to see that there are 14 new classrooms being built in the Arab primary schools. The popularity of this school is amazing in so far as the Education Department, or, I presume, the Minister of the Public Works Department, is continually building new classrooms, and they are continually being filled up. I do ask that he will consider the future plans so that there is not the congestion that there has been in the past.

No mention was made of the Arab girls' education in village schools, and I would like this matter to be borne in mind, as this is one of the essentials of the progress in the Arab community at the Coast.

Finally, Sir, I would like to pay a tribute to the principals and the staff who have done such excellent work at the Coast. There is one point which is to be deplored, and that is the lack of Arab teachers at these Arab schools. I am hoping that it is merely a question of time when the results of these schools are available, or as they come from schools a certain number will devote their time to teaching, and here, I feel it is right the Arab community to press this amongst their own kith and kin.

Now, Sir, turning to another point, the African Muslim schools, as opposed to Arab. There is not a single school confined to this purpose in Mombasa. It is perfectly true there is a District Education Board School, which has 50 per cent Muslims and 50 per cent of other denominations, but, knowing the African Muslims fairly well, I do know that it would be a tremendous benefit and something they would like to obtain—to have a Muslim school for Muslims only. I know, as the Director or the Minister said, that they are very backward in coming forward, but if the Minister will give his sympathetic consideration for the founding of an African Muslim school, I am sure that, with a little encouragement, they will respond.

[Mr. Coventry]

Finally, Sir, there is the question of compulsory education. Here, again, I would like the assurance of the Minister that this, in principle, is the policy of the Education Department in places like Nairobi and Mombasa. Whilst I appreciate that it is very difficult owing to financial reasons, I do feel that if we had a statement from the Minister to say that it was the policy of the Government to progress and to proceed with compulsory education as and when money became available, it would allay the fears and the frustrations of what so many Africans feel. In the figures given us, Sir, it was going to cost a capital amount of £700,000 for Mombasa, and taxable Africans in Mombasa are probably in the region of 35,000. That means, although the Africans state they are prepared to contribute and help, it is beyond all reasonable proportion to expect every taxable African to pay £20, which it would mean, but on the other hand, if we say it is the policy of compulsory education, and every year put on one side £50,000 or £100,000 with the idea of obtaining compulsory education, I feel it would do a lot to allay the fears of my African friends. It has been stated first of all "We have no teachers," now "No money," and it seems from the African point of view that Government do not want compulsory schools. Well, if we could have the assurance the other way round, I think it would help considerably.

Mr. Deputy Speaker, I beg to support.

MR. COOKE: Mr. Deputy Speaker, on a point of explanation, in regard to compulsory education, we all know it is the policy of Government to have compulsory education, but promises are no substitute for performance, and I think that is the point my hon. friend raised.

MR. JEREMIAH: Mr. Deputy Speaker, Sir, I rise first of all to congratulate the hon. Minister for his very good explanation of the work of the Education Department, and, at the same time, Sir, to thank the Education Department for what they have been doing towards improving African education.

Now, Sir, when I say to thank them, I do so, Sir, thanking them heartily,

because when I look back about ten years, or even five years ago, Sir, and compare that time and now, I find that there is much difference. In spite of the much talked-of Beecher Report, however, Sir, one thing which I think most of the Africans are not satisfied with is the restriction placed on the progress or expansion of African education.

In some areas the Africans have advanced far, and over-reached the Beecher Report and, having done that, Sir, although they still want to go on, they are restricted and are asked to halt. I understand, Sir, that in some places the fact is that some of the schools have to be closed because they have over-reached the Beecher Plan. Now, Sir, that, in my view, is very unsatisfactory.

Another point, Sir, which I also must join my hon. colleague, Mr. Mathu, is the dissatisfaction we all feel about the Government not being able to introduce compulsory education for African children. We know, Sir, that it is very difficult for Government to do so throughout the country, but we cannot understand or believe that the Government cannot do so in towns, especially to start with—at least by one. What we are afraid of is that perhaps Government is not willing to do that, for which reason no one knows. They have not told us about money—we do not agree with that question—and we plead with Government that they should not delay any longer before they introduce compulsory education for African children—either in Nairobi or Mombasa, or both. If they wish to do it they can do it easily.

Another point, Sir, which I am going to mention, is about the much talked of quality and not quantity. Now, Sir, if it is quality which is wanted, I am sorry to say that Government is bent on quantity and the quality produced is very poor. Most of the children are given poor quality of education. Now, Sir, I refer to the fact that African children, in most cases, have to leave school compulsorily after standard 4. Sir, to think that a child at standard 4 can do very well in the world, I think, is only hoping for something which is not possible at all. However, that has been the policy of Government, and when we

[Mr. Jeremiah]

talk about quality, not quantity, well, we would like quality, but it is not provided, and quantity is what we are getting. I would like to see the system of having an examination for standard 4, and sending children away from school at that standard, stopped immediately. It will not help this country at all, in my view. At least competitive examinations should take place after standard 6 and not standard 4.

May I say, Sir, that in this case we must compare with what is taking place in the other races. The other races are provided with education, if I am not wrong, up to standard 7 before anything is done to weed them out, but that is not the case with Africans. Perhaps the hon. Minister will tell us why it has been so possible to differentiate between African children and non-African children on that line.

Furthermore, Sir, what I understand, that an African child, to reach form 6, will have to do 11 or 12 years, whereas the others—the Europeans and Asians—have to reach there after learning for 13 years. I do not see, Sir, why in that case they should have more periods.

My hon. friend, the Indian Member for Central Area, complained that the Asian children are not admitted to school before they reach the age of six. Now, Sir, if that is too late, as he said, well—what about the African case? The African children are not allowed to enter school before they reach the age of seven so, Sir, I think when we have such matters—we may call them—small differences on such important matters as education one can be excused to feel dissatisfied, and I would ask the hon. Minister to consider smoothing out these small differences and let us have education on the same plan.

Another point, Sir, which has been much mentioned is about religion—religious teaching in schools—and when such mention is made, it is only made in connexion with African schools. Now, Sir, I think if we are to teach religion in schools it should be in all schools, but whether it is Christian or Mohammedan religion, religion should be taught in every school. Now, Sir, as regards the Christian religion, I think it is found out to be the best religion to

be taught in schools, but my very great regret, Sir, is that we Africans take the Christian religion as belonging to the Europeans, and in that case we are very apt to look as to whether the religion preached by the Europeans is a religion that they themselves practise, and in many cases we find it is not the case, and if we do not hold very much affection for that religion, of course we cannot be very much blamed because it is human nature to copy other people.

Another point, Sir, I think we cannot depend very much on religious instruction in schools, especially the Christian religious instruction in schools, because my belief is that a child learns very much more from what he sees from his parents and, unless we try to improve the religion amongst the parents themselves, we shall achieve very little in schools; and what now militates against proper religious understanding amongst Africans in my view, Sir—is because what is being taught in schools is not being practised—not only by the Africans who are teaching Christianity, but they are not practising it, it is the same with the Europeans. It is up to everyone of us to try and be honest with oneself, and practise what you teach, otherwise, Sir, it is all very hard to understand what to believe.

Now, Sir, another point is that we are talking at present very much about our great hope of promoting a multi-racial Government, and ultimately a multi-racial nation. I wonder, Sir, where we are going to start to do that. My belief, Sir, is that we can start best if we would start with the children, but it appears to me, Sir, that mixing of children is a very bad thing amongst some of the hon. Members of this Council. Some hon. Members talk about tradition and preserving old tradition. Now, Sir, tradition, if it is a civilized tradition, Sir, I believe that is what we Africans would like to learn about and adopt in our life, but if it is a tradition to be hidden from us, then I wonder if it is a tradition at all worth having. We also have our traditions, but most of them have been broken down by the European teachings, because we have agreed that their traditions and teachings are better. Now, if they are better and useful for us, let us have them and let us have them all. You are showing us light, but

[Mr. Jeremiah]

if it is a blinking light it is going to hurt the eyes, so, if you are showing us the light, let us have the full light.

Another point which was mentioned—and which I am not going to support—is that made by some hon. European Members that the education system in this country should be separate and placed on a racial basis. Now, Sir, what I know is that if there is any need for racial schools, that can be done by private individuals or private societies, but I would strongly object, Sir, to Government slowing the different races to break away from its control and have its own control. The reason for all this—I do not agree—is because tradition has got to be preserved. If the Europeans take their own schools under their own authority because of their traditions—these European traditions are what we are being taught in our schools and I do not think there is a better tradition in any way than the European tradition.

Therefore, Sir, I do not see why they should claim for separate school authorities. It is time, Sir, we think and think deeply whether it is not worthwhile for a multi-racial nation to give their children a chance to learn together and understand each other. That, I think, will improve the outlook of the different races in this place and make them more friendly and make them live more harmoniously. I know, Sir, it is quite difficult for those who are well advanced to agree to accept amongst them those who are less advanced, but pride does not always pay and as accepting the less advanced does not at least do any harm, it is time we consider this matter seriously and start somewhere and the sooner we do so the better.

Mr. Deputy Speaker, I think I have finished what I have got to say, but these two points I must emphasize. The first is that we must have compulsory education for African children started somewhere immediately, and the second point is that this churning children away from schools after Standard 4 should also be discontinued. We want to have more education. We are less educated and you still give us less. I think that is not fair.

I support the Motion.

Mr. COWIE: May I ask the Minister if he would give us some information on what his policy will be in regard to appointing boards of governors. As this Council will remember, not so very long ago, a new Education Bill was passed which contained provisions enabling the Minister—the Member then—to appoint boards of governors in certain cases and I think it was applied particularly to secondary schools. I know, Sir, there are objections and I do not think that the actual virtues of boards of governors in this country have been carefully analysed. One of the difficulties I know was explained was the control of finance, and the other the extent to which they could control staff, but just recently there was a matter of some public importance when a number of masters were drawn from schools for other duties and it gave rise to a certain measure of feeling through the Press, and I believe it would be profitable if the Minister could make some statement as to the reasons why these masters were drawn from these schools for other duties and the length of time for which their services will be required. Why I mention that is that if there were in existence a board of governors for each of the European secondary schools, it is conceivable in my mind that the transfer of these masters to those other duties would have been carefully examined and to some extent controlled by the board of governors.

I beg to support.

THE MINISTER FOR EDUCATION, LABOUR AND LANDS: Mr. Deputy Speaker, Sir, most of the detailed points which have been raised in the course of this debate have, I think, been answered very fully by the Director of Education and I do not propose to say much about them. I will deal mainly with some of the major issues, some of which are highly controversial. But before doing so, I would like to thank many Members for their most helpful suggestions and, in particular, for their appreciation of members of the Department and teachers generally. It makes a tremendous difference for them to know that their work is appreciated and when, in a debate such as this, appreciation comes from any quarters, it is very welcome indeed.

Now, Sir, the hon. Member for African Interests, Mr. Mathu, also the

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hon. Members Mr. Gikonyo and Mr. Jeremiah, have very rightly, on behalf of their community, pressed for compulsory education for Africans in urban areas, and particularly in Nairobi. The hon. Mr. Mathu has himself taken a great interest in this particular problem. I know, and I am grateful for the many suggestions which he has made from time to time. If I may say so, however, I think that he has tended to over-simplify the problem and if I heard his speech aright, he indicated that, with the expenditure of about a quarter of a million pounds, compulsory education for Africans could be introduced in Nairobi by 1956.

Mr. MATHU: Quarter of a million pounds in addition—because I am not taking into account the fund already allocated by Government through other channels—this is in addition.

THE MINISTER FOR EDUCATION, LABOUR AND LANDS: I thank the hon. Member for his explanation—a quarter of a million pounds additional money—and in that connexion he mentioned that contribution from African sources could be expected to reach some £42,000-£43,000.

Sir, in dealing with compulsory education in Nairobi, I have estimated that the number of children of school age to be provided for would be in 1954 about 10,000, in 1957, when housing facilities have developed, about 18,000, and by 1962 24,000. Now provision must be made, not only for primary education, but for a proportion of children to proceed to intermediate and secondary schools. It was on that basis that we provided figures for capital expenditure. In 1954 they would amount to about £320,000, by 1957 £276,000, and by 1962 £444,000.

Now, in addition to this heavy capital cost of providing for buildings, it is, of course, quite impossible to proceed without heavy capital provision for teacher-training schemes in addition to what we have already. There, I am advised, would cost a further £103,000 and that is how I arrived at the figure of £1,151,000 of capital expenditure—that is to introduce full compulsory education by 1962.

[Quite apart from that, there would be recurrent costs which would build up as high as £157,000 per annum by 1962 on that basis.]

Now, Sir, I do not wish to appear to be making this issue unduly difficult and I am not, as the hon. Member for the Coast suggested, finding a lot of excuses why nothing can be done, but I would like, and I think it my duty, to tell the Council some cold facts in terms of money—and the problems of trying to introduce compulsory education for all Africans in Nairobi now.

Quite apart from the financial aspects, there are, of course, other difficulties such as the aggravation of the housing position from the influx of families, the need to control the migration into the town of children who are not children of bona fide town dwellers.

Mr. MATHU: You can control this.

THE MINISTER FOR EDUCATION, LABOUR AND LANDS: I understand that if we used the methods which the Member for the Coast used to adopt, that would be fairly easy to solve. (Hear, hear.) (Laughter.)

Also, of course, there is the difficulty of teachers which I have mentioned, and the provision of sites in Nairobi alone would call for an additional 320 acres.

This problem has been considered at a high level and it was decided that, for the time being, it should be deferred, but I would not like to say that it has been shelved indefinitely by any means. It was considered inadvisable that the African educational programme generally should suffer for the sake of introducing compulsory education in urban areas—that is, at the moment. But we are planning ahead and, in those plans, we have always at the back of our mind the desirability of introducing compulsory education for Africans. It is as a result of the deferment of this question that consideration is being given—and this was the ray of hope which I think my hon. friend, Mr. Mathu, wanted—consideration is being given to a modified programme designed to accelerate the development of intermediate and primary education in the City. I should mention here a fact, which is possibly not widely known, that the Nairobi City District Education Board has a fairly large plan

[The Minister for Education, Labour and Lands] of development which is being followed and which ensures that development in Nairobi does not fall behind other areas. It has a fairly large building programme, planned right up to 1960 for which sites have already been earmarked, and allocated.

Now, Sir, the hon. Member for Central Electoral Area, Mr. Madani, raised the somewhat controversial issue of multi-racial schools and this, in turn, has led to some spirited comment from other Members. I do not think that I have much to add to what was said by the Minister for Education and Labour in the last policy debate. I am quite sure that it would be the greatest folly to attempt to force the pace in this matter against the wishes of important sections of this community. There are two experiments in progress at the moment—one, on a comparatively small scale, at the Inter-racial Primary School in Nairobi, and the other is of course at the other end of the scale, the Nairobi Royal Technical College. It is proposed that we should see how these work out before any steps are taken to force the pace. Personally, I have had some experience of this because both sons of mine were educated at inter-racial schools, but that was at a place where, over a period of 150 years, an inter-racial community had been evolved. It had been evolved into a definite pattern. Here, in my humble opinion, no such pattern has yet been evolved and it may be prudent to await the process of evolution. (Hear, hear.)

Now, Sir, amongst other things raised by the hon. Member for Central Electoral Area was the age of entry in Asian primary schools. The statutory age of admission is 7, but any child after passing the age of 6 will be admitted. This is the same as in the case of Europeans. The question of dealing with children under that age is mainly a question of providing nursery schools, and there again the difficulty is that we would have to train teachers for those schools before they could be opened. In the Kazimi Report, I believe, the recommendation was that it would do more harm than good, but I am certainly willing to go into the matter again.

On the subject of playing fields, I am advised that all new schools have ade-

quate playing fields earmarked for them. The existing schools in the City are the real problem as I understand it and their only opportunity is to avail themselves of facilities in sports clubs and so on. However, I will speak to the Minister of Lands about this and see what can be done.

The hon. Member for Central Electoral Area, Mr. Gathani, raised the subject of disparity of expenditure as between children of different races. Well, here again, this issue was raised at the last policy debate and will no doubt be raised on each occasion when what Sir Philip Mitchell called "the robust annual controversy of education" takes place. I think everyone will agree that any exact equation of expenditure would be clearly impossible. There are many arguments which have been cited before. To take at random just a few—the fact that the European community contributes in direct taxation out of proportion to its number; that the European community again pays comparatively high fees, and also—and this I think is one of the most important points—limits their families. I am, however, conscious of the tension and uneasiness to which the hon. Member for Aberdare has referred when speaking on the subject of a separate European education authority. I can quite understand this at a time of political change.

THE DEPUTY SPEAKER: Order, order. Council will now suspend business for fifteen minutes.

Council adjourned at Eleven o'clock and resumed at fifteen minutes past Eleven o'clock.

THE MINISTER FOR EDUCATION, LABOUR AND LANDS: Mr. Deputy Speaker, on the adjournment I was speaking on the subject of a separate education authority, and I said that I am quite understood that there should be anxiety on this subject, especially at a time of political change. Now whether separate education authorities are the answer to this question I am not prepared to say, especially after having been such a short time in this Portfolio. One thing, however, is certain in my mind and that is that if separate education authorities were to be established there could certainly be no automatic removal of the

[The Minister for Education, Labour and Lands] problem from the political sphere; for the appropriate role of Government contribution, without which the authority would not be able to function, would still have to be debated annually. However, that is by the way. The matter is, of course, a complex one as the hon. Member for Aberdare has recognized, and has certainly not been made easier by the financial stringency imposed by the Emergency. It seems right that this very important subject should be considered dispassionately without haste, though I hope to be able to reply to the request for the establishment of a committee to consider the problem in the very near future.

Now, Sir, there are one or two other points which were not covered by the hon. Director of Education: I was very pleased to hear from the hon. Mr. Coventry the appreciation of the Arab community at steps which have been taken to improve the education of that community. We will certainly give consideration to the points which he made.

The hon. Mr. Jeremiah raised one or two points of importance. One of those was the standard to which African children should be educated. I should like to make it clear that it is the policy, ultimately, to provide eight years' education for all African children, and we are working towards that aim. How soon we can achieve that aim depends, of course, largely on finance, but that certainly is our policy.

As regards the closing of schools, I think it was suggested—that certain schools, when they had exceeded the number provided at this stage in the Beecher plan, were automatically closed. That is not correct. There has been no reduction of facilities, but there may have been a few cases where in the best interests of local organization a school has been closed here and there, and in those cases arrangements have been made for pupils to be educated elsewhere.

The hon. Mr. Cowie raised the question of Boards of Governors. Some consideration has been given to this aspect and I would like to look into it more fully and sympathetically and give an undertaking to do this.

'As regards the question of Education officers who have been taken away from their duties for Emergency duties, the position is that 13 Education officers have been used for this purpose. Five have been taken from European education, but of those only three are teachers. The other two are Bursars. In respect of Asian education four have been taken and three from African education and one from Headquarters, making the total of 13. It is proposed that these should be returned not later than the end of August when other officers will be able to take their place. The reason for seconding these officers for this particular work was that it was considered essential when camps were being started up to have officers of good quality in the initial stages, especially at a time when an element of rehabilitation was essential at these camps.

Well, Sir, I think that covers all the points and I beg to move. (Applause.)

The question was put and carried and Mr. Deputy Speaker left the Chair accordingly.

IN THE COMMITTEE

[Mr. E. N. Griffiths-Jones, Q.C., in the Chair]

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that a sum not exceeding £3,220,889 be granted to the Governor to defray the charges which will come in course of payment for the year ending the 30th June, 1955, for Vote 6-4—Education Department.

Question proposed.

Sub-heads 1 to 11 and (50) agreed to.

The question was put and carried.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that the Committee do report progress and ask leave to sit again.

Question proposed.

The question was put and carried.

Council resumed.

[Mr. Deputy Speaker in the Chair]

REPORT

Mr. E. N. Griffiths-Jones: Hon. Members, I have to report that the Committee of Supply has considered and approved a Resolution in the following

[Mr. Griffith-Jones]

terms that a sum not exceeding £3,220,889 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 6-4—Education Department.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, I beg to move that the Council do agree with the Committee in the said Resolution.

Question proposed.

The question was put and carried.

COMMITTEE OF SUPPLY

MOTION

THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR

THE DIRECTOR OF MEDICAL SERVICES: Mr. Deputy Speaker, I beg to move that Mr. Deputy Speaker do now leave the Chair.

It is now four years, Sir, since the Medical Department Estimates have been debated. I have never been able to make up my own mind whether this is a compliment to the Medical Department or not. Whatever may be the reason, it is several years since I have had an opportunity of making a statement in this House about developments in the field of public health.

I would, first of all, like to deal with the question of hospitals, which is, perhaps, that branch of our work which is of most interest to the general public. Hon. Members will, of course, be well aware that during the last few years there has been a development whereby the European community have built their own hospitals and are now managing them. In fact, there is only one European hospital under the control of the Medical Department and that is the European Hospital, Kisumu.

The same tendency is already becoming apparent in so far as the Asian community are concerned. They have plans for developing hospitals for their own communities on quite a large scale. There are still, however, a number of Asian hospitals, some of them up-to-date institutions, which have been built recently, which are still under the management of the Medical Department.

But it is a fact that in so far as the hospitals are concerned, our hospital system is now very largely a service for the African.

Now, hon. Members will be well aware that we have in Nairobi, in the King George VI Hospital, probably one of the finest hospitals in Africa. It is a large and up-to-date institution containing nearly 700 beds, it is well equipped and it is comparable in size with some of the famous teaching hospitals in London. It is staffed by a staff of specialists and medical officers engaged in specialized duties, and we are trying to staff it in such a way as to make it, in a very real sense, an up-to-date teaching hospital for the whole country. Recently an experiment has been started whereby we have invited certain specialists in Nairobi to join the staff of the King George VI Hospital in an honorary capacity. That experiment has, I think, been a success and I think it has gone far to bring together members of the profession, both on the official and the unofficial side. This hospital is by no means finished; we are adding to it from time to time, and in a year or two, I hope next year, we shall be able to add a new consultative clinic which is badly needed.

A staff has been made on the building of a new Infectious Diseases Hospital. The need for this is very urgent indeed because the present hospital is becoming more and more engulged in the commercial area, and conditions for both patients and staff are becoming almost intolerable. Phase I of the new building has been completed, and Phase II which will enable it to be opened will, I hope, be started in the very near future.

With regard to our hospitals in the provincial centres, we have developed our four provincial hospitals, namely at Mombasa, Nakuru, Kisumu and Nyeri, by the addition of certain special facilities which are not available in district hospitals. We have recently provided at each of these hospitals an X-ray department, a well-equipped laboratory and certain specialized officers such as surgeons and physicians engaged in whole-time duties, so I think in a very real sense provincial hospitals are now providing amenities for the district hospitals in the provinces which the district hospitals lack.

[The Director of Medical Services]

With regard to our district hospitals, under the development plan, we have not been able, very greatly, to increase the number of beds, but we have done quite a lot in the last year or two, to improve the facilities and add to the amenities and the general standard of these hospitals, and now with the exception of one or two of the older ones which we hope to replace by new hospitals in the very near future, we have throughout the country a chain of district hospitals of which I think this country has every reason to be proud. (Hear, hear.)

Possibly one of our greatest needs is to develop the medical services in some of the districts which have had, up till now, no medical officer. I refer, particularly, to certain of the northern districts of the Rift Valley Province and certain districts at the Coast. It is a fact that the number of fully qualified doctors available for the African Land Units is only, speaking in round figures, one to a hundred thousand of the population. The corresponding figure in England is one to a thousand, so that in England the proportion is a hundred times as many. Now, that is a matter which can, of course, only be remedied if, in the future, conditions in this country improve and my hon. friend, the Minister for Finance is able to make more money available. But a start was made last year when this Council voted an extra post on the establishment of a medical officer at Kabarnet and who is in charge of Baringo and Elgeyo/Marakwet districts. If the provision for four medical officers which has been inserted in this year's Estimates is approved to-day then I hope it will be possible to open up some of these other districts which are not yet properly served.

Perhaps our greatest need for the development of the district services is for more African medical officers. Unfortunately although the number is increasing, the number which Makerere can turn out is still very far short of the number we required.

Hon. Members will remember, perhaps, that some little time ago, I was responsible for introducing into this Council, enabling legislation to enable

African qualification officers to obtain registrable qualifications in East Africa. I am very glad to say that in recent weeks a number of our African medical officers have now attained this higher status and, incidentally, the enhanced salary which goes with it.

MR. MATHU: How many?

THE DIRECTOR OF MEDICAL SERVICES: I think it is five.

I would now like, Sir, to turn to what is certainly one of our most important functions in the Department. I refer to the training of Africans in various grades of medical work. We have always given this very high priority in the Medical Department, because a service such as ours can obviously only expand on the basis of more and more trained Africans to carry out their various duties. I do not want to go into this matter in detail; I would just like to mention that we train 14 different kinds of medical auxiliaries in different kinds of work, and the latest grade to be trained is African radiographers. The first of these have completed their training and are already doing useful work, but I would like to mention two recent developments which I think are of very great importance. The first of these is that we have now arranged for every district hospital in which a nursing sister is stationed—that is to say most of the larger district hospitals—that these should become training schools for dressers. Until very recently a dresser who was taken on in the Medical Department picked up what he could by a kind of hit and mist method. Nowadays they are given a systematic training lasting for two years at their district hospital and I have no doubt at all that this measure will very greatly increase the efficiency of nursing in our district hospitals.

The other matter in connexion with training which I should like to mention is the training of African girls as nurses. It is only recently that we have been able to recruit English-speaking African girls of Form II standard or higher. This, of course, provides one of the very few avenues for a career which are open to educated African girls. We have just started to build a nurses' home in connexion with the King George VI Hospital which will hold a hundred nurses and as

[The Director of Medical Services] soon as that is finished we intend to step up the training of nurses very considerably. Those who are in training now and the few who have qualified already, I am glad to say, have shown a very real vocation for their work. (Hear, hear.)

I would now like to say, Sir, something about the project for the development of rural health centres. I have already said something in this Council before on this subject, but when I last spoke practically no health centres had been built, and what I was trying to outline was what we hoped would happen in the future. Now a number of these health centres have been built and have been functioning for some time, and I think there can be no doubt at all that this policy is on the right lines. They are certainly very popular with the people. Perhaps I should explain very briefly the functions of these rural health centres. The first of their functions is to provide a better standard of treatment for the sick—something better than the old type of dispensaries where a rather uneducated dresser dished out cough mixture and aspirin and treated ulcers and did a very few simple dressings of that kind. These health centres are now placed in the charge of a hospital assistant who has had a long training—four years—followed by a number of years' practical experience in a hospital. They are entirely run by Africans and the hospital assistant in charge is able to give up-to-date and modern methods of treatment including injections of penicillin at each health centre. At the same time we have started, what I think, is a new idea in the African areas of this country, namely, domiciliary treatment. He is able to go round on a bicycle—and possibly will later have a motor bike—and is able to treat the sick in their houses. It is now perfectly possible to treat short-term fevers such as pneumonia by these means instead of having to send the patient all the way to the hospital.

I feel quite certain that we are on the right lines in developing these health centres, because it is the best way of making a little money go a long way. If you can treat people satisfactorily in their homes, obviously you can afford to treat far more than if you send them all to hospital which is the most expensive way of treating the sick.

The second objective of a health centre is to combine with the treatment of the sick a service for the prevention of disease and for the promotion of better health. On the staff of a health centre is a health assistant, an African female health visitor and a midwife, who are able to teach the people ways of better living. The health assistant is able to show them how to build better houses and so on and the midwife is able to treat women in labour in their own homes.

Now, Sir, I would like to say a word or two about the way in which the Emergency has affected the work of the Medical Department. It is, I think, most unfortunate that, just at a time when we hoped there would be great developments in the work of our Department, this Emergency should have caused such a very great embarrassment to us and such a tendency for a contraction of our services.

First of all, of course, it has meant that funds are more difficult to obtain for expansion of services. Then the Medical Officers and other members of the Medical Department have had thrust upon them very greatly increased responsibilities and an enormous amount of extra work and this has come at a time when, partly as a result of the Emergency itself, recruitment of technical staff is becoming extremely difficult. The necessary expansion of our work has also come at a time when we cannot enlarge the number of trained Africans in the service because it takes many years to train an African in medical work. We have had to undertake the responsibility for the medical services and also for the sanitation of numerous camps up and down the country. These include, of course, prison camps and prisons, detention camps and works camps. Medical Officers have had greatly increased responsibilities in regard to medical legal work—more post-mortem work and more attendances in Court. At the same time our hospitals in the disturbed areas are becoming filled with casualties from both sides, necessitating, more often than not, emergency surgery.

I think that it reflects very great credit on the whole staff of the Department that, in spite of all these additional commitments and with no extra staff, they have been able to carry on without letting

[The Director of Medical Services] down, to any material extent, the normal routine services of our hospitals and public health services. (Hear, hear.)

Another way in which the Emergency has affected us, unfortunately, has been that quite a number of our senior staff have been detained under the Emergency Regulations. They are quite irreplaceable because, as I have already said, it takes years to train people up to the standard of a senior hospital assistant. Three days ago I visited Mackinnon Road and Manyani Camps and it was very sad to see some of my old friends and, indeed, some of my old students, detained in those camps. I can only hope that in course of time they will be able to rehabilitate themselves in order that once again their services may be available to help their own people. (Hear, hear.)

Now, Sir, I would like to turn to a branch of our work which is perhaps less understood by the public in this country. I refer to our public health services. In the field of preventive medicine the Medical Department, in past years, has achieved a good deal of success in the control of certain epidemic diseases. Smallpox and plague, which used to be common in this country and to occur in epidemic form and which formerly took a frightful toll of the lives of the people, are now comparatively rare. Much has been done for the control of malaria, particularly in our towns. In Nyanza Province we have been successful in virtually eradicating, over a portion of that province, a disease which causes blindness and which is known as *onchocerciasis*. This considerable achievement does not seem to have attracted much attention and possibly, as my hon. friend suggests, it may be because it has an unpronounceable name. Nevertheless, we believe we have eradicated it in the southern part of Nyanza Province and we are hoping to complete the eradication of the disease—I hope we shall be successful—in Northern Nyanza later on this year. (Applause.)

But in the field of public health it never pays to be complacent and we have to be continually on our guard. The pattern of communicable disease seems to be changing and we are now confronted with other formidable epidemic

diseases such as poliomyelitis, typhoid, kala azar and, perhaps most important of all, tuberculosis.

The poliomyelitis epidemic has, of course, created a good deal of public attention. I am unable to say very much about it at the present stage except that the trend of present figures seems to show that the sharp increase in the incidence of the disease is gradually flattening out and it may be hoped—though it is quite impossible to predict—that this may be followed later by a fall in its incidence.

Typhoid has been very greatly on the increase in the last year or so. Reports have been received from all over the country that the incidence is increasing and in Kiambu we had a sharp outbreak which, I am glad to say, now seems to be under control.

With regard to kala azar, this is a comparatively recent introduction, as far as we know, to Kenya but last year it broke out in epidemic form in Kiuli district. This outbreak constituted a very grave threat, I think, to the health of the country and at one time we were afraid that it might extend further into the low-lying parts of Kenya. It is a disease which is extremely fatal if it is not treated. Fortunately we were able to make arrangements for the treatment of very large numbers of cases in this remote district in improvised bush hospitals, with the result that some 2,500 cases have now been treated with a very small mortality indeed, and I believe that the disease is now under control.

With regard to tuberculosis, this is in some ways our most formidable problem. As far as we know it is on the increase, particularly in the towns. It is particularly a formidable problem because the basis of treatment of tuberculosis is to admit people to hospital and to keep them there for as long as you can. Now, of course, this is extremely expensive and that is one of the reasons why it is so extremely difficult to deal with this disease. We have given a very great deal of thought to this problem and a certain amount of investigational work is going on in order to find out whether we can cut down the length of time spent in hospital and continue the treatment under domiciliary or ambulatory conditions, so that we can treat a larger number of people with the resources

[The Director of Medical Services] which are available to us. But I would like hon. Members to realize that if we are to tackle this problem of tuberculosis on a country-wide scale, then very much larger funds will have to be made available for this purpose than are at present in sight.

I would now like to turn, Sir, to the third service for which the Medical Department is responsible—that which is nowadays known as the promotive service, that is to say, Sir, services which are directed towards the promotion of better health amongst the people. The Medical Department has been for many years instrumental in teaching the people better ways of living. It has been instrumental in encouraging self-help in building better houses, in improving their sanitation—particularly, of course, in the African Land Units—and in installing domestic water supplies.

In certain districts very great progress in these directions has been made, but there are other ways in which we have been less successful. The mortality amongst children is still very much higher than we can face with equanimity. Particularly in the field of nutrition—I do not believe that in recent years we have made much progress. The declining potential in the fertility of the soil combined with the rising population has meant that the nutritional state of the people is still not very much higher than it was a few years ago. It is for this reason that the plan for the improvement of African agriculture, which was recently laid on the Table of this Council is so timely and so much to be welcomed. (Hear, hear.) I feel that this may have a most profound effect on public health by raising the standard of living of the people. Not only will they be enabled to have a better standard of subsistence, but the material prosperity which will result from the growing of cash crops, will improve their standard of living and consequently there is every reason to suppose will raise their standard of health.

Now, Sir, whether in the long run such an enlightened agrarian policy will by itself, be able to maintain and increase material prosperity and a rising standard of health, in face of an increasing African population, is I think more

open to doubt. If the health and prosperity of the people is, as I think it should be, the first care of a politician, then I would suggest to the hon. African Members that the possible adverse biological effect of the unbounded fecundity of their race should command their serious attention. (Laughter.)

Mr. Deputy Speaker, I beg to move. (Applause.)

THE SECRETARY FOR HEALTH, LANDS AND LOCAL GOVERNMENT seconded.

Question proposed.

LADY SHAW: I do not want to talk very long on this subject, but I would like to tell the hon. Director of Medical Services how very glad I am that this Head was brought up, including the whole question of medical services in this country, which has enabled us, as he pointed out himself, after four years, to have heard what is being done in this country and personally I was extremely interested, and I may say very gratified, by the great progress which has been, and is being made. I think he, himself, must have wished last year to have been able to tell us what was going on there, and he must take very considerable pride in what has been done.

Now, Sir, I am going to raise just two points. One of them, the more important of the two, is the question of finance. Now it seems to me that here we have, as has been pointed out already, services very necessary to the health of the people, not only remedial services, but also services whereby people are taught to help themselves and generally to improve their standard of living, and it seems to me that if this is to continue, finance has got to be found for it. It does also appear to me, Sir, that it is perfectly impossible to imagine that this can always come out of general revenue. I believe that for a long time past, it has been necessary to consider whether some form of fees should not be paid by everybody for the services rendered—or anyway by those who can possibly afford them. I can see perfectly the difficulties of taking money from individuals for services, in so far as when a man comes in with pneumonia, or something like that, he takes care to see that he has got nothing in his pockets so that he cannot pay for those services. At the

[Lady Shaw] same time, it might be possible to deal with the thing through African District Councils. I believe the African District Councils are very ready to undertake the responsibility for their people, possibly by some hospital rating system or something of that kind; some contribution could be made towards this extremely necessary and extremely expensive service. Anyhow, I would like to commend this to the hon. Director of Medical Services. I have no doubt that he himself will be able to tell us in some detail his own views upon that when he comes to reply.

Now the second point, Mr. Deputy Speaker, is a very much more local one, but I think it is a matter of great importance. The Director of Medical Services has mentioned this question of the Infectious Diseases Hospital. He has told us that it is being built and that the second stage is under way, but he did use the expression, I think I am right in saying, "It would be open in the very near future." Now I would ask him to make that very near future, very near indeed. It does seem to me that the Infectious Diseases Hospital for all races is one of the most complete and absolute priorities in this country. I believe this whole problem is of the first priority. It has become even more urgent with diseases such as poliomyelitis and things of that kind, which have to be treated in this hospital and; if anything can possibly be done to hurry the building of this hospital, I hope it will be done. I hope also when it is built, considerable attention will be paid to the set-up of that hospital because; and I do not think I will be telling this Council anything it does not already know, when I say that there is the greatest possible dissatisfaction felt in the method by which this hospital is at present run, and I commend that also, to the attention of the hon. Member.

Sir, I beg to support.

Mr. COOKE: Mr. Deputy Speaker, Sir, I think we were all very much impressed by the straightforward and informative speech of my hon. friend, the Director of Medical Services. There is one thing I do notice, and I go about a lot, and that is the extremely good *esprit de corps* in the medical services to-day, and I

think it is very largely due to the personality, if I may say so, of my hon. friend. (Hear, hear.) The only group that I have heard when I go round is one of housing, and of course I am sure that my hon. friend probably agrees with me in this. It is probably not really his fault. It is very difficult to get money from the reluctant Treasury nowadays, but I do think that if you bring medical officers out from home—and most of them come out at an older age than the administration officers, at 27 or 28—I think we should see that they are not only well housed, but comfortably housed. I know that at one or two stations I have visited, although it does not grumble very much, it is a cause of complaint.

I am one of those who believe, Sir, and I agree with my hon. friend—I think he was talking about expenditure of money—as Gertrude Bell said: "The hospital is worth a battalion," and I think there is a great deal of truth in that. It is much better to spend money which is appreciated by the people themselves than to perhaps have these big military propositions and so on although, at the present moment, of course we cannot do anything else during the Emergency. I have often wondered when you get an outbreak of polio, if I may call it that—and I am speaking as a complete amateur—why it is not possible to find out if any common factors exist which might give a clue as to why polio is so rampant. For instance in Australia, and at the moment in Kenya there is a large outbreak of polio—and probably in some other countries as well—and this is probably trying to teach my grandmother to suck eggs, but I do not think if the experts are trying to find out if there are any common factors common to all those countries when we get these diseases, it seems a funny thing that it should be in Kenya, of all places, which has a very healthy climate. I wonder if it has anything to do with being endemic in Africa, as we have heard suggested recently.

There is just one point. I would like to pay a tribute to the backroom boys—as it were—the entomologists and parasitologists—who do such very good work and who often give themselves these peculiar diseases in order to find out what the reaction is and I think

[Mr. Cooke]

those people are very much to be praised.

Sir, I support the Motion.

MR. GATHANI: Mr. Deputy Speaker, Sir, I would like to congratulate the hon. Director of Medical Services for the progress his department has made during the last few years. I think, Sir, that progress will continue until the himself and all the Members on this side of Council are fully satisfied in regard to the medical services.

Now, Sir, yesterday in the debate on education, one or two principles were discussed and as these principles equally apply in the case of medical services I would like to refer to them briefly. After bread, in my opinion, the question of health comes second and after health, education. As far as medical services in this country are concerned, I think the disparity between all the three races is more or less the same as in the case with educational services. The policy which was advocated was that the social service should be based on three principles. First according to the contribution made by each race to the general revenue of the Colony; second the contribution by way of fees, etc., and the third the desire to bear further responsibility for extra services required. In my opinion, Sir, these principles are very unwise, undemocratic and undesirable. If we base our welfare services on these principles, I do not think we would ever be able to make the progress that we desire in this Colony.

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING: Would the hon. Member tell us who laid down the principles he is now advocating?

MR. GATHANI: Mr. Deputy Speaker, the hon. Minister for Education, while replying to the debate which took place yesterday, drew the attention of this Council to the policy debate made last November on the welfare services with particular reference to education, and if my memory serves me right, Sir, I think in that debate these three factors were raised by my hon. friend Mr. Hartwell. I mentioned, Sir, these points because the same principles appear to have been applied in connexion with medical services.

THE ACTING CHIEF SECRETARY: If the hon. Member would give way, Sir, I think I know what he is referring to. It is perfectly true that in the last debate on the education head I said that it must not be forgotten, when we are considering the cost of the education system of the various races, that they make very different contributions to the revenue of the country. But I would not for a moment ever support the proposition that the expenditure for any particular community should be proportionate to its contributions to the revenue. I do not think that would be correct and I would entirely disagree with that principle.

MR. GATHANI: I am grateful for that correction, but yesterday I think, from this side of the Council, more or less the same views were expressed.

Anyhow, Sir, since there is a feeling in this Council, or inclination towards such principles, I think it would not be irrelevant on my part if I briefly touched on them. When we consider the contribution of each race towards the general revenue of the Colony, I think one could safely say that the highest item in our revenue is from customs duties and excise duties and the contribution to this source, I think, is very substantially from the African community. Now, if the hon. Minister for Local Government would, one day, find time to study the figures of the contribution made by each race towards the City Council of Nairobi, the Municipal Board of Mombasa, and other local authorities in urban areas, he would find the contribution of the Asian community is more than the contribution of any other race.

THE SECRETARY FOR HEALTH, LANDS AND LOCAL GOVERNMENT: May I ask if the hon. Member is in order in erecting his own windmills for the pleasure of knocking them down?

THE DEPUTY SPEAKER: I do not propose to stop the hon. Member from erecting windmills if he so wishes.

MR. GATHANI: Mr. Deputy Speaker, I am sorry I did not follow the last speaker from the opposite side.

THE DEPUTY SPEAKER: Carry on, please.

MR. GATHANI: Now, Sir, if we adopt that principle of contribution to the

[Mr. Gathani]

general revenue, then the Africans have a right to demand special consideration in view of the fact that they contribute more than other races to the largest source of our revenue, by way of customs duty and excise duty. This is due entirely to the fact that they are more than 95 per cent of the population. If we also take the case of the Asian community, as far as contribution to the local government is concerned, the Asian community should have a bigger say in the management of local governments.

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING: Mr. Deputy Speaker, I do submit that this is out of order.

THE DEPUTY SPEAKER: That is so, but I understood the hon. Member to be developing an argument regarding medical services in urban areas, and to support that argument by reference to the contribution of certain communities to the resources of local government in those areas.

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING: Mr. Deputy Speaker, the hon. Member stated that as the Asian community has made a considerable and major contribution to the City of Nairobi, they should have greater representation on that Council, and I submit, Sir, that such remarks are out of order, having nothing to do with the Judicial Estimates.

THE MINISTER FOR COMMERCE AND INDUSTRY: With the greatest respect, Mr. Deputy Speaker, while following the points the hon. Member has made, is there not some limitation to the number of themes? (Laughter.)

THE DEPUTY SPEAKER: I agree that the hon. Member is not entitled to develop arguments solely designed to advocate the greater representation of the Asian community on local authorities. In so far as he refers to local authorities in the present debate, that should be to support some argument or point germane to the Medical Estimates.

MR. GATHANI: Sir, my idea in referring to this matter of contribution was as a result of views expressed by Members on the base that each community

should get services according to their contribution made to the general revenue of the Colony. If you apply that, Sir, to medical services, then you should likewise apply the same principles in other fields; but I would not, Sir, feel they disturb very much some of the hon. Members on the opposite side (Laughter)—because they appear to realize the danger inherent in such policies.

I would only, Sir, mention one small thing, and afterwards I will return to other aspects (Laughter.) When you consider the question of contribution, you should also, at the same time, consider the question of similar opportunities. You cannot say that one is contributing more because he has certain opportunities which are denied to others.

Now, as far as the Asian community is concerned, Sir, I would request the hon. Member to consider their case more generously in view of the fact that they cannot, during the next few years at least, contribute more over and above what they are contributing now. As the Council is aware, one Asian gentleman recently contributed a sum of somewhere in the region of £60,000 to provide hospital accommodation for the benefit of the entire community. Taking into consideration this help that has come forward and which has reduced the burden of the Government to provide that accommodation to the Asian community, I hope, in all centres, sufficient accommodation will be made available so that nobody suffers in the absence of such accommodation.

Regarding preventive measures, and about which I am glad the hon. Member is conscious, I would suggest that, particularly in big centres, Government should make available free dispensaries so that those who are in need of such dispensaries could get the benefit without having to pay too much.

With these few remarks, Sir, I would support the Motion before the Council. (Hear, hear.) (Applause.)

MR. MATHU: Mr. Deputy Speaker, Sir, I shall be very brief indeed. In the remarks that I am going to make, one is that I was impressed very favourably with the speech moved by my hon.

[Mr. Mathu]

friend the Director of Medical Services. I think that he has not been in incubation for four years in vain, because the products he has placed before the Council are most satisfactory and I should like to congratulate him, and his Department, on behalf of the African Members of this Council and on behalf of the African community. I should like to give my hon. friend the assurance that Africans appreciate most deeply the services that his Department are rendering in the various spheres he has so ably described. (Hear, hear.)

There are a few particular references I should like to make and that is the one that he mentioned of promoting certain African medical officers to registrable status in East Africa. It has been, Sir, a favourite topic of mine and he knows that I have pressed for many years that this should be done and when Mukerere assumes a higher standard of education than it has now, it is possible that it will take a further step to promote these men to registrable status, acceptable anywhere outside East Africa.

I was very glad, Sir, to hear that he thinks that the training that his Department is offering to African nurses is proving a success. I do think, Sir, it is a most important potential for the manpower in the medical services—that is the line of the African womenfolk—and I do think, Sir, that the Department is moving in the right direction and anything that the African Members can do to help the achievement of that end by the Department, they would be very glad to help.

Now, following on that, Sir, is the peroration of my hon. friend in the field of increased population where he inferred that the African Members should pay attention to the question of fecundity of Africans in the Colony. Now I agree with him that it is something that you might call alarming but I think our view is that, unless we have the women and the men educated sufficiently to understand the reasons for birth control and so on, we will be wasting our time. These illiterate people would not listen. The number of children, just as the number of cattle, in pastoral areas is the end and, Sir, that is why we put education as a high priority in these matters and that

is, I think, the solution because uneducated people cannot understand the importance of rearing first-class quality children, rather than a large number who are suffering from malnutrition. I think, Sir, my hon. friend the Minister for Education, should note this, because it concerns him more really than the African Members.

Two further points, Sir, and I sit down. The first is his reference to the Emergency and the difficulties that the Emergency has brought to the Department's work. I am extremely sorry about it all and I agree with the hon. Member on what he said and I do hope, Sir, that now we have a multi-racial Government on the other side and a sense of urgency running through the minds of the hon. Ministers, that the Emergency will be brought to an end more quickly so that the Medical Department can continue their most important work under normal conditions.

In that connexion I would like my hon. friend to look again into the medical arrangements at Mackinnon Road and in Manyani. There have been some comments in the Press and also some information that all is not well from the health point of view in those two camps and in a few other camps as well. I just leave it at that and ask him to look into it.

Now the other points raised by my hon. friend—and gracious lady—for Ukamba, the question of contributing to the services rendered. In principle I do not think we African Members of this Council have ever opposed that, but we do think, Sir, with the Committee which was appointed to go into this a few years ago, that the administrative difficulties outweigh the advantages we would have in collecting a few cents here and a few *suminis* there and I would like to reply to her that the African District Councils, as I think she is aware, are contributing large sums of money towards maternity services, towards dispensaries and, in certain areas, towards rural health centres. In some more centres where, after Government put up the health centres, recurrent charges for African District Councils. It would be incorrect to give the impression that the African is not contributing financially to the running of these services.

[Mr. Mathu]

Now, before I sit down, I forgot one point and that is to congratulate the medical officers who tackled the problem of the black disease—I think they call it *kala azar* in Kitui. I think it was a marvellous job and I should like to record the appreciation of the Wakamba on this one as well as the African people generally. If we could tackle the problems as quickly and as speedily as they did in Kitui in this matter, nothing would become beyond our shoulders.

(Sir, I have great pleasure in supporting this Motion. (Applause.)

DR. KARVER: Mr. Deputy Speaker, Sir, I will also associate myself with other Members who spoke before me in congratulating the Director of Medical Services in his most lucid and clear statement of the policy and work that has been done by his Department during the last few years.

As a fairly old resident and medical practitioner in this country, I know what strides the Department has made during these last years.

ADJOURNMENT

THE DEPUTY SPEAKER: Council will now suspend business until 2.30 this afternoon.

Council adjourned at thirty minutes past Twelve o'clock and resumed at thirty minutes past Two o'clock p.m.

Thursday, 3rd June, 1954

(Evening Sitting)

MOTION

THE CHIME AND STRIKE OF THE PARLIAMENT BUILDING CLOCK

MR. USHER: (Applause.) Mr. Deputy Speaker, Sir, it is a pleasure to introduce a Motion which I regard as a family affair—(Hear, hear)—and I hope that it will not evoke the kind of controversy that we have become used to in the last two days.

I am going to copy my betters on the other side of Council by making a very short speech indeed and waiting to see what bowling is coming to me.

First of all, Sir, I should like to state how this controversy began. Many of us will remember New Year's Eve. I particularly remember how pleasant it was to hear for the first time this lovely chime and the strike which took us home again and how much we were all uplifted on that night—(Laughter)—by that sound. (Laughter.) It brought, of course, a certain amount of controversy thereafter and unfortunately for a portion of the night the strikes and chimes were cut off. There were letters to the Press; I do not know what was the volume of objection, but I do know that I was personally approached by very many people who urged me to try to see that the strike and chimes were resumed. There was a gentleman called "Morphis" who wrote to the Press. I rather suspect him of being a Government servant being very naughty and writing over a pseudonym but certainly it was a learned letter and he said the quality of the sound was saccharine and that the production was "electronic". I do not know what "electronic" is, but in any case I think we are all used to reproductions of fine sounds; we listen, upon various instruments, to symphonies, and so on, and I could see no objection upon that score.

On the other hand, as I say, there was a very great deal of support and the earliest and chief support I got was from a community which lives almost opposite this building. They said that it was a very fine institution and they were very glad to have it with them and they were very sorry when the order was given that for a time, for a portion of the night, it should cease.

[Mr. Usher]

I do not know, Sir, what will be the objections raised—if any—in this Council, but I think I had better break the usual rule and try to anticipate them in case the guillotine should deprive me of a reply. (Laughter.) First of all I am told—"What about sick people?" Well, Sir, I was brought up at Westminster, and I dare say that the majority of hon. Members will have heard of the Westminster Hospital and of St. Thomas's Hospital, and if any of them has been in St. Thomas's Hospital and realizes with what a crack the strike of Big Ben reaches the patients there, I do not think he would be likely to pursue that argument. In fact, Sir, I think it is well enough known that any regular sounds at night are more soporific than anything else, so long as they come every quarter of an hour. I also do not know of any city in the world—in the civilized world that is—in which there are not chiming clocks going at night. It may be that they do not do it at Kamachaika. Somebody suggested to me that they do not do it at Kamachaika; well, I tried to ascertain whether it was a place on a river or a mountain, but assuming it is a city and that it does not have a chiming clock at night, I still maintain that we do it in Wigan and what we do in Wigan I think we might just as well do here. (Laughter.)

There is, I believe, on record that some testy old judge used to have the clock stopped when he went on circuit to a certain town. That is quite an authentic story but I think it is a blot on our escutcheon.

What is reproduced here, Sir, is something that has been of the greatest comfort and encouragement to people throughout the Commonwealth, and particularly during the war—they felt that it was a symbol of stability and an assurance in the deep night that all was well. It is thus that it appeals. I think, to most of us. Falstaff, in his old and unrepentant age, said: "We have heard the chimes at midnight"—and, indeed, he had, many a time—and of course they can be, among other things, a reminder to the strayed traveller that to-morrow is another day. (Hear, hear.)

To those who lie awake, distressed in mind, body or estate, they can be, I think,

of the greatest comfort and solace. All of us have been to sea. How should we like it if we could not hear that reassuring cry, "All's well?"

I think there is very little that I need add, Sir, but to commend to the Council a Motion which I have not yet read—(Laughter.)—but which is in the following terms—"that this Council considers that the chime and strike of the Parliament Building clock should be continued day and night and orders accordingly". (Hear, hear.)

I beg to move. (Applause.)

MR. TYSON: Mr. Deputy Speaker, Sir—

THE DEPUTY SPEAKER: Are you seconding?

MR. TYSON: I will second it if I may go on and speak. The hon. Member of this Motion described it as a family affair, but I do suggest, Sir, that the Motion as tabled discloses a very serious state of affairs for which he, at any rate, is in part responsible and I would like to ask him, when he is replying to this debate, if he will tell us whether any authority was ever given for the installation of bells in this building. The reason I ask him is that in the interval I have been looking up a little book called "Barrow's Dictionary of Facts and Knowledge" and under the heading of "Bells" this is what it says—"Metallic instruments of sound, used as notices in churches and houses. They were introduced into English churches about the year 700 and used to be baptized and named before they were hung. The number of changes may be found by multiplying the digits in the number into one another, thus 4 bells will give 24 changes and 6 bells 720 and 10 changes may be rung in a minute", and this is the important thing—"St. Peter's bell at Rome weighs 18,000 lb.; Great Tom of Oxford, 17,000 lb."—they do not seem to think Cambridge is worth bringing into the picture—(Hear, hear—Laughter.)—"Lincoln, 9,000 lb.; St. Paul's, 8,400 lb., and St. Ivan's of Moscow, 128,000 lb."

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING: What about the Belle of New York? (Laughter.)

MR. TYSON: Now I would ask the hon. Member if, in fact, after hearing these—

[Mr. Tyson]

what are called—"Facts and Knowledge for the Use of Schools and Students" whether he is, in fact, satisfied that all is well.

Question proposed.

MR. HARRIS: Mr. Deputy Speaker, Sir—(Applause.)—I think the Council should be very grateful to the hon. Member for Mombasa for introducing this Motion. I, Sir, am privileged to have two Pucks on my side of Council and one of them is undoubtedly the hon. Member for Mombasa.

I think, Sir, that it is appropriate that this Motion should come immediately after lunch because it is a very excellent subject for an after-dinner speech. I feel we have been through so much heavy weather in the last fortnight that a little bit of levity—albeit serious levity—is not out of place.

Now, Sir, I could not allow this debate to pass without speaking, because I happen to be the equivalent of the Member for the Abbey Division of Westminster. This Council happens to be in my constituency and actually, Sir, the only people that could possibly complain are my constituents. If one narrows it down still further, one would say that it is an area bounded in the east by the Law Courts; in the north by the District Commissioner's Office; in the south by Nairobi Prison; and in the west by Chambers of the Minister for Legal Affairs. Now, Sir, when you think of the people who live and work in that area, knowing their habits and having listened to many criticisms of people of that sort of ilk, I would have thought it is just as important to have silence between two and four in the afternoon as it is between two and four at night. In fact, Sir, I am assured that there is a habit in all those offices, from the Law Courts—not, of course, Sir, the Legal Branch but the people now tenating the Law Courts—down to the Prison and across to the Minister for Legal Affairs' Chambers and over to the District Commissioner's Office, much to prefer to have silence immediately after lunch rather than immediately after dinner.

(Interruption—"What about the Chamber of Commerce?" "What about the Nairobi Club?")

Quite apart from that—that; Sir, is another institution used greatly by the same people—I feel that we should never let it be thought that Members of this Council sleep. We should always be active in the interests of our constituents—I am speaking of course, particularly for Members on this side—and; Sir, if this clock strikes during the small hours of the night I would like to think of those constituents of mine who hear it realizing that I, too, though outside the sound of the bells, am lying awake, trying to work out their problems for them in order to represent their views the following day.

Now, Sir, on this question—the fact that this Council is in my constituency—several hon. Members on the other side have, in fact, made me responsible for representing their views on constituency matters and I am wondering, Sir, if this question goes to Division, whether you would rule that as they had elected me on constituency matters—that is essentially a constituency matter—that they should remain in their seats and that I should double in and out of the Division lobby six or seven times in order to represent their views in the way, Sir, that I believe I should as a representative and not a delegate.

Finally, Sir, just replying to the hon. Nominated Member, Mr. Tyson, I have to disappoint him. In this building there are no bells. In fact, Sir, what we have here is a mechanical reproduction of a very fine institution—the chimes of Big Ben.

I beg to support.

THE ACTING CHIEF SECRETARY: Mr. Deputy Speaker, Sir, I rise merely to say that on this side of Council it will be at free vote, so every Member will be at liberty to vote accordingly to his inclination. I feel inclined to vote for the Motion, and that is what I intend to do.

MR. COWIE: Mr. Deputy Speaker, if I may say so—I think the Motion and the way it was proposed by the hon. Member for Mombasa bears a striking resemblance to the general pattern of speeches blance to the other side of Council, in that from the other side there can be many countries I believe there cannot be many countries in the world with so few people meeting so frequently, saying so much and yet achieving so little.

[Mr. Cowie.]

On the question of the strikes and chimes of the clock, Sir, there are two points which I feel the hon. Mover has missed. One is, as explained by the previous speaker, that it is an electrical device that produces the noise and therefore surely it is capable of being baffled, muzzled or controlled by some other means not beyond modern ingenuity, to make less noise, and might be restricted precisely to the constituency of the Member for Nairobi South. At the moment, Sir, there are reports that the sound from the building can be heard four miles away. If the noise was therefore reduced down to a point where it would no longer offend those people who have the right to be offended, the problem no longer exists. So it is purely relative, Sir, and I would like the hon. Mover to deal, in his reply, with the point as to the amount of noise that should be emitted from the contraption at the top of this tower.

The next point is one that concerns us here in this Council. I have had the misfortune to listen to the hon. Member for Mombasa speaking at times when he has spread across the period of the strike or chimes of the clock. At that particular moment I have been deprived of the privilege of hearing what he was saying and I think it does, at times, become embarrassing to hon. Members of this Council, especially when it is striking twelve o'clock because it is a great deal of noise. There again I wonder if it could be considered as to whether the amount of the noise could be reduced or even directionally controlled. I believe there are four speakers and one or two of those could be directed in another way leaving less noise in the direction where there appears to be offence. Then I think the hon. Mover will be getting on to the mechanical points of what should be done.

In general terms, Sir, I support the Motion.

THE MINISTER FOR WORKS: Mr. Deputy Speaker, Sir, there are only one or two points which I want to deal with on this Motion. (Applause.) The first is the fact that I must congratulate the hon. Member for Mombasa for having traced down as to who is responsible for anything happening in this Council. Once,

Sir, we were trying to find out the appropriate authority for dealing with matters and at two or three House Committee meetings we could never pin it down as to who was the right authority. I am glad to hear from his Motion that this Council is the proper authority to deal with that matter, and for that I must congratulate him.

The second thing I want an assurance from him on—what he said just now in his speech when he mentioned that what they do in Wigan is good enough for us. I hope, Sir, it is not a warning of the shape of things to come because there are few more lugubrious places than Wigan on a Sunday night, except perhaps Aberdeen, and we do not want anything creating a precedent—that what they do in Wigan will be done here.

Sir, I beg to support.

MR. MATHU: Mr. Deputy Speaker, Sir, I did not intend to intervene at all but I feel that the hon. Mover moved his Motion with tremendous ability—(Hear, hear.)—and I thought I should stand to congratulate him on it.

Now the second point, Sir, is that following on the remarks made by my hon. friend, the Member for Nairobi South, about his constituents and his constituency and also the point raised by my hon. friend, Mr. Cowie, that the noise goes beyond the boundary of his constituency, I would like to suggest, Sir, for the consideration of Members, whether it is possible to relay these chimes over the wireless in our local broadcasting—(Hear, hear.)—as we do listen to Big Ben's chimes over the wireless. I think it is a very important point—(Hear, hear.)—so that other people outside my hon. friend's constituency could join in enjoying it.

I beg to support. (Applause.)

THE DEPUTY SPEAKER: Is the hon. Member moving an amendment? (Laughter.) Perhaps it is beyond the competence of this Council to order Cable and Wireless to include the chimes in their programmes.

MR. MATHU: I do not think I should like to move an amendment. I am doing it in anticipation of the report of the Broadcasting Commission—that Government will take this in view before they

[Mr. Mathu]

accept the final recommendation of that Commission.

THE MINISTER FOR COMMERCE AND INDUSTRY: Mr. Deputy Speaker, I did not intend to intervene but I could not let pass the remarks made by my hon. friend, Colonel Cowie, when he suggested about that happy interval of a few seconds before noon when the chimes and the striking prevented hon. Members from hearing each other. As far as I am concerned, Mr. Deputy Speaker, I would like the chimes to be turned up and I am quite sure my hon. friends would like them to be made louder when I am speaking. (Hear, hear.)

THE DEPUTY SPEAKER: If no other hon. Member rises to speak, I will invite the hon. Mover to reply.

MR. USHER: (Applause.) Mr. Deputy Speaker, I do thank the hon. Leader of Government and hon. Members who have supported this Motion.

Into the campanological niceties introduced by the hon. Nominated Member, Mr. Tysyn, I cannot go, but I can assure him that the weight of Old Tom is a very important matter because it has to strike 101 every night.

With regard to baptism, I rather fancy that that ceremony has been omitted because of the impossibility of baptizing, in any decent form, an electrical device.

With regard to what was said by Colonel Cowie, I can only say this—that I myself live within twelve hundred yards of the Parliament Building and that I have to strain my ears to catch these mellifluous sounds. It is also a complaint of my cook, who is getting rather old, that they cannot turn it up a bit. (Laughter.) With regard to the strike at midday, Sir, well, of course, it ought to put us all in good heart because we feel that there are better things to come in a very short time—(Hear, hear.) (Laughter.)—and if hon. Members feel that their voices are not being heard sufficiently, let them pause and listen reverently and gratefully. (Laughter.)

Of course, with regard to what was said by the Minister for Works, I can only say that I myself have never sojourned in Wigan. I passed through it on a wet day once and that was quite

enough for me. (Hear, hear.) I merely wished to draw an antithesis, which I think he appreciates.

I thank the hon. Member for African Interests, Mr. Mathu, for what he said very much, and I think it is a matter which ought to be pursued in another place. (Hear, hear.)

Sir, I beg to move. (Applause.)

The question was put and carried.

COMMITTEE OF THE WHOLE COUNCIL

Committee of the whole Council—Order for Committee read. Mr. Deputy Speaker left the Chair.

IN THE COMMITTEE

[Mr. E. N. Griffith-Jones, Q.C., in the Chair.]

THE AFRICAN POLL TAX (URBAN AREAS) (AMENDMENT) BILL

Clauses 1 to 3 agreed to.

Title and enacting words agreed to. Bill to be reported.

THE POLL TAX (NORTHERN FRONTIER DISTRICT) (AMENDMENT) BILL

Clauses 1 to 3 agreed to.

Title and enacting words agreed to. Bill to be reported.

THE PIO INDUSTRY (AMENDMENT) BILL

THE CHAIRMAN: In this Bill there are a number of references to "Member" which, as in the case of Bills we have taken in Committee earlier in this meeting, I shall correct under Standing Order 112 without any Motion for amendment.

Clauses 1 to 8 agreed to.

Title and enacting words agreed to. Bill to be reported.

THE TEA (AMENDMENT) BILL

Clauses 1 to 3 agreed to.

Title and enacting words agreed to. Bill to be reported.

THE PROMISSORY OATHS (AMENDMENT) BILL

Clauses 1 to 3 agreed to.

Title and enacting words agreed to. Bill to be reported.

THE ACTING CHIEF SECRETARY: Mr. Chairman, I beg to move that the Committee to report back to the Council.

Question proposed.

The question was put and carried. Council resumed.

[Mr. Deputy Speaker in the Chair]

REPORT

MR. GRIFFITH-JONES: Hon. Members, I beg to report that a Committee of the whole Council has considered clause by clause, the African Poll Tax (Urban Areas) (Amendment) Bill and has approved the same without amendment.

THE AFRICAN POLL TAX (URBAN AREAS) (AMENDMENT) BILL

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the African Poll Tax (Urban Areas) (Amendment) Bill be now read a Third Time.

Question proposed.

The question was put and carried.

The Bill was accordingly read a Third Time and passed.

REPORT

MR. GRIFFITH-JONES: Hon. Members I beg to report that a Committee of the whole Council has considered clause by clause, the Poll Tax (Northern Frontier District) (Amendment) Bill and has approved the same without amendment.

THE POLL TAX (NORTHERN FRONTIER DISTRICT) (AMENDMENT) BILL

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Poll Tax (Northern Frontier District) (Amendment) Bill be now read a Third Time.

Question proposed.

The question was put and carried.

The Bill was accordingly read a Third Time and passed.

REPORT

MR. GRIFFITH-JONES: Hon. Members I have to report that a Committee of the whole Council has considered clause by clause, the Pig Industry (Amendment) Bill and has approved the same without amendment.

THE PIG INDUSTRY (AMENDMENT) BILL

THE DIRECTOR OF AGRICULTURE: I beg to move that the Pig Industry (Amendment) Bill be now read a Third Time and passed.

Question proposed.

The question was put and carried.

The Bill was accordingly read a Third Time and passed.

REPORT

MR. GRIFFITH-JONES: Hon. Members I have to report that a Committee of the whole Council has considered clause by clause, the Tea (Amendment) Bill and has approved the same without amendment.

THE TEA (AMENDMENT) BILL

THE DIRECTOR OF AGRICULTURE: I beg to move that the Tea (Amendment) Bill be now read a Third Time.

Question proposed.

The question was put and carried.

The Bill was accordingly read a Third Time and passed.

REPORT

MR. GRIFFITH-JONES: Hon. Members I have to report that a Committee of the whole Council has considered clause by clause, the Promissory Oath (Amendment) Bill and has approved the same without amendment.

THE PROMISSORY OATHS (AMENDMENT) BILL

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Promissory Oaths (Amendment) Bill be now read a Third Time.

Question proposed.

The question was put and carried.

The Bill was accordingly read a Third Time and passed.

REPORT

THE SETTING ASIDE OF CROWN LAND.

THE MINISTER FOR FINANCE, LABOUR AND LANDS: Mr. Deputy Speaker, Sir, I beg to move the following Motion:—

WHEREAS the Governor considers it desirable to set aside the area of

[The Minister for Education, Labour and Lands]

Crown Land situated in the Highlands and described in the Schedule hereto as a Native Reserve for the purpose of satisfying the economic needs of the Kamba tribe:

AND WHEREAS the consent of the Highlands Board to the setting aside of such land has been given:

AND WHEREAS an amendment to section 55 of the Crown Lands Ordinance (Cap. 155) which received the approval of this Council but has not yet received the consent of Her Majesty the Queen provides that it shall be in the Governor's discretion to decide whether or not rent shall be paid for Crown Land set aside as a Native Reserve.

BE IT RESOLVED that this Council approves of the setting aside of the said land for the aforesaid purpose without the imposition of rent.

The Schedule, Sir, is defined on the Order Paper and the land in question comprises 16,026 acres. It lies east of the Thika River and is bounded on the north and east by the North Yatta Native Reserve and on the south by the Yatta Plateau Native Reserve. It thus forms a salient into the native areas.

The land is urgently required for use as part of the reconditioning scheme and for the settlement of families. The Land Board, the Highlands Board and the Executive Council have all agreed to the area being declared a native reserve—subject to certain conditions which have been fulfilled. These conditions include the release for European settlement purposes of an area of about 1,800 acres of land at Timboroa.

Now, Sir, the reason for this Motion is that, under the provisions of section 55 of the Crown Lands Ordinance, addition to native reserves can only be made with the approval of Legislative Council.

As regards the payment of rent, it is not customary for an economic rent to be charged when additions to native reserve areas are made in circumstances such as this. This Motion seeks the authority for the waiver of such rent.

Sir, I beg to move.

THE MINISTER FOR LEGAL AFFAIRS seconded.

Question proposed.

LADY SHAW: Mr. Deputy Speaker, very briefly I wish to give my blessing to this. It has been a matter in which I have been interested for a very long time. It is very right and proper that this land should pass into the possession of the Wakamba people.

I believe, equally, the Government has shown great wisdom in recognizing the claims made by the Highlands Board in so far as certain land is to be given in exchange for this land.

I back the Motion most wholeheartedly. (Applause.)

MR. STADS: Mr. Deputy Speaker, while supporting this Motion, I would like to make it clear that, in my view, there may be occasions where it is necessary and proper to charge rent and, therefore, although it is not customary as the hon. Minister says—to charge rent for land set aside for native reserves, the acceptance of this Motion cannot be accepted as a binding precedent on other occasions.

What I have in mind is the land that may hereafter be opened up by the setting aside of irrigation and such development of the Government—sometimes quite considerable expense—and then made available to Africans who need further places in which to live. It is my view, Sir, which I will press when the occasion arises, notwithstanding the previous precedent which there may be at the moment—that in those cases it would only be right that the Africans occupying the new land should pay rent by way of re-imbursement of the cost of the developing of those lands—parallel to the rent which Europeans and Asians pay when they take up land from the Crown.

I support the Motion:

THE DEPUTY SPEAKER: I will ask the hon. Member to reply.

THE MINISTER FOR EDUCATION, LABOUR AND LANDS: I would just like to comment, Sir, on the point made by the hon. Member for Aberdare.

In the new Ordinance, when it comes into force, it will, of course, be in the Governor's discretion to impose an

[The Minister for Education, Labour and Lands] economic rent or not. Therefore there cannot be any question of a precedent being created.

The question was put and carried.

COMMITTEE OF SUPPLY

Debate resumed.

DR. KARVE: Mr. Deputy Speaker, Sir, when the Council was adjourned, I was speaking about how very well our Director of Medical Services put his case by giving us, in a very lucid and clear manner, the management of his Department. (Hear, hear.)

I, as a medical practitioner of some 30-odd years' standing, do very clearly realize what those strides are. Quite a few years ago our medical arrangements, particularly I am referring to hospital arrangements, were—to say the least of it—primitive. To-day, our hospitals can compare with the very best in any other comparable country. In spite of the fact that our hospitals could not be brought in together, as was intended in the original idea of group hospitals, and there have been some necessary bifurcations of, I might say, infirmarys of our hospital arrangements, still, in spite of these things, have maintained the excellence of our hospitals in the last few years, and improved them out of all recognition.

In this connection I must particularly mention specialized hospitals like the chest hospitals which have been recently opened—at least, one is running now, and I know that some more are in progress. These hospitals which are going to be known as chest hospitals will provide the facilities or the treatment for diseases of the chest, particularly tuberculosis, the danger of which was clearly shown to us in the speech made by the Director of Medical Services.

I must admire the excellent way in which particularly the chest hospital in Mombasa—with which I came into contact—is conducted under the able guidance of the medical officer there—the tuberculosis medical officer, Dr. Haynes.

There are, however, one or two things in the matter of provision of hospital beds that I must refer to and which have not yet been taken up by the Medical

Department, but which I am sure will be done in the near future, funds permitting. I am particularly referring to the provision of hospital beds for the aged sick. At present there are quite a good number of aged persons, of each race who are cases that ought to be really looked after in hospital, and cannot be looked after at home, but who cannot be admitted because of the length of the hospitalization that these cases require. This applies to all races. I have seen, even amongst Europeans, aged people wandering from place to place trying to get their aged relatives admitted in hospitals, and I have seen them travelling from Kisumu to Nairobi, from Nairobi to Mombasa to try and get them for some time in hospitals where they are kept for a few days and then discharged after being told that they cannot be kept permanently in hospital as there is no provision for beds for such people. There are many cases of that kind amongst Asians, and I know there are quite a number of cases of that kind amongst Africans as well. In the Old-age Home that is at present running for Africans in Mombasa, I have seen old people living there who ought never to be outside a hospital, but still have got to be kept there simply because there is no provision for such long-term hospital beds in any hospital in this country—as far as I know about it. I may be wrong, but I do not think there is any provision of that kind in this country.

There is another thing which I would like the Medical Department to look into as early as possible, and that is the provision of deep X-ray and radium therapy in this country. Our country, I think, is now big enough, at least if we join with the neighbouring territories of Uganda and Tanganyika, to have a medical centre which will provide facilities for the treatment of that great scourge, cancer, which can only be done satisfactorily at present by the use of deep X-ray and radium.

Coming next to the question of the appointment of medical officers, I was informed some time back—I am not sure what is the present position to-day—but I was informed, and I happen to know that there was a great shortage in the recruitment of medical officers as their present salaries do not compare favourably with incomes that are earned by medical men in England under the new health scheme. I must plead guilty that

[Dr. Karve] I have not got the most recent figures, but in the old days many posts of medical officers used to be vacant simply because the recruitment was not possible: I would urge, in that particular matter, that some consideration should also be given to locally born and bred boys who have been, and who are now, studying in England in medicine; that when they come back some of these posts of medical officers should be kept open or reserved for them so that they will also be able to take part in the Government medical life of this Colony which is a very important thing for every community.

We were told by the Director of Medical Services that they are now employing specialist officers, not in Government service, to help in an honorary capacity in the running of Government hospitals. I think that principle should be extended to all centres wherever it is possible, and not be confined to Nairobi alone. I would further add that in small district centres where the keeping of a full-time medical officer is not possible, some scheme on the lines of half-time officers as is being used for some centres at present, should be extended a very great deal so that the fully trained medical men will then be willing to go to those centres. There is of course a very great difficulty in that matter and that is the impossibility of finding suitable house and office accommodation in those small places, and in that matter it would be worth copying the example of the Government of India where they, in small villages, give free housing and free surgery facilities to new graduates who are ready to go to those places, and give them also stipends in order that they can go to those small places, and settle and give the benefit of their knowledge, to surrounding villages.

In the matter of hospital facilities in Mombasa, our Director of Medical Services accepted that the arrangements there were very unsatisfactory and that there were very unsatisfactory and new arrangements are being made and new hospital that is being built has been built up to the first stage. I do not know what that first stage means. I do believe that the hospital has started to be built, and that the plans are quite ready, but I would put in a plea that if this hospital is built quickly, or will go even

further, if it was built some two or three years ago, a very large revenue would have been derived by selling the land, which is absolutely in the centre of the commercial area; and that revenue—I am not quite sure about the figures—would have paid for a large part of the expenditure of the new hospital. (Hear, hear.) I am sorry that that was not done then, but even now, if it is done quickly, it will be all right, otherwise the time is coming when land values may go down, or people may not be willing. I do not say the land values will necessarily go down, but people may not be willing to buy the land at those very big prices which really are adequate for that type of place in that type of situation in Mombasa.

Our Director of Medical Services gave us a good deal of information on training of Africans. I would in that matter sound a small warning. In my experience the dressers, I might say the junior dressers, are, I think, far more than are needed for the purposes of the hospitals that are in existence. In Mombasa, in that area, we generally get one or two applications a week from these dressers, and it seems to me that there is a great deal of unemployment among the lower category of dressers, and I would like the Director of Medical Services to inquire whether it is so, and, if it is so, to stop producing more junior dressers for the time being.

I would now like to enter into a rather controversial view—Opinions were expressed by many people that the expenses of all these medical services are very high, and that it would be impossible to carry on at this rate for some other time because of the Emergency and other things. I would submit that it is now things that at least in big towns; hospitalization of the local inhabitants in those towns be carried out by the local governments there. It may mean that those emigrants there. It may mean that the local government for some time to a certain extent, subsidized for some time to a certain extent, but I think hospitalization of the people in those towns and medical living in those towns and medical facilities, like dispensaries and health centres and such other things, are the proper sphere of a local authority and not the central Government. I am open to correction, but I think I am putting my views.

[Dr. Karve]

"One more thing I would like to point out, and that is that a great deal of expense and unnecessary irritation to travellers is caused by the necessity of yellow fever inoculation for those entering this country or going out of this country. As far as I know we have not, for a long time, had a case of definitely diagnosed yellow fever. There have been one or two cases rather suspicious, but there has not been definitely diagnosed yellow fever for a great many years. The only thing that was found out was that blood taken from individuals in this country did have a sort of anti-yellow fever element which means that there must have been some infection from yellow fever round about, and that is, I think, the evidence on which this particular yellow fever vaccination was inflicted on all of us. I think it is time now that representations are made to the appropriate international bodies to have this particular thing lifted so that when we are not in the yellow fever quarantine area the difficulties felt by the travellers, as well as by many other people, will all vanish.

This was the first time I have ever heard about the promotional services that have been explained by the Director of Medical Services, and I am very glad to hear that these services are being rendered. I am also very interested indeed in the health centres and clinical centres of which description was given so ably by the Director of Medical Services.

Now, I turn to the last point that I want to bring up and that is in regard to the remarks made by many people about the fecundity of the African and Asian races, and the necessity of birth control. I have heard these remarks made by Members of this Council on this and on previous occasions, and I think it is the duty of the Government to give a definite push to that particular thing. I would suggest that in the health centres and rural health centres, or whatever was told us by the Director of Medical Services, the midwife and the lady health visitors there must be themselves trained in birth-control methods and be asked to convey that information to the people whom they visit. It is true that with the present state of knowledge, the methods that are supposed to be very good for birth control, and other things, are much

too costly and much too scientific to be carried out by the ordinary African women or the Asian women. But in spite of that, efforts must be made to do an amount of research to find out cheaper and easier methods to achieve that end and carry those methods out, and give information about those methods to the people concerned. It is no use making remarks here in Legislative Council saying, "If there is so much growth of population, it will be very difficult to control it." In this connection I would also say that the Government of India has now taken a bold step in this matter and has, in fact, asked experts to come to India—they were called the Congress for Family Planning—or whatever they call it—and they are conducting researches in these small centres, and in the small village health centres these midwives, or *dayas*, as we call them in India, and health visitors themselves are actually taught the cheap methods, for example, the cheapest in Indian use at present is the oil rag method, and instruction is given in those methods to the women living in the villages, and many of them are not even literate. Unless we do that, I do not think we will have any right in saying these things.

I would like the Minister, when making his reply, to make special reference to this particular point because I am doubtful whether the Government will be able to bolderly take that step in the face of certain opinions in this country.

Mr. Deputy Speaker, I beg to support.

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING: MR. DEPUTY SPEAKER, I would like to reply to a number of points that have been raised, and I am sure that the hon. Director of Medical Services will be waiting in the slips in case something is passed by, which I am sure there will be.

First of all, I would like to say how much I appreciate the remarks that have been made about the hon. Director, the excellent speech he made and the obvious keenness and enthusiasm in the department of which he is the head, which, as he said himself, has not been brought to the notice of this country for a con-

[The Minister for Local Government, Health and Housing]

I personally consider myself a very lucky man in having such a department under me.

First, Sir, I would like to touch on a few points raised by the hon. and gracious lady, the Member for Ukamba. She mentioned with certain perturbation the matter of the Infectious Diseases Hospital. Well, all I can say is that the Medical Department is also worried about that, and very keen indeed to see the completion of the scheme which is very necessary for the treatment of persons of all races having infectious diseases. It is unfortunate that the programme for completion of this building has probably had to be put back because of the Emergency and because the department under my hon. friend, the Minister for Works, is considered, more urgent and vital matters, but I only hope that the hon. Minister will come and see the old Infectious Diseases Hospital with me and possibly he might be able to see his way to giving it a little bit more priority than he has up to now. In any case, it will not be for a very considerable time—I believe the time at the moment is given at something in the region of 36 months for completion of the first phase, unless the hon. Minister can speed it up.

The hon. Member for Ukamba also hinted that the administration of this particular hospital had left something to be desired. Well, that has certainly not come to my notice, nor has it come to the notice of the hon. Director of Medical Services, as far as I know, and I personally would like the hon. Member to let me know more about it.

On the other hand, I think one must state that, with the Infectious Diseases Hospital in the condition it is to-day, it must be a very difficult institution to manage and administrate, and there is no doubt at all that, with the facilities the new building will provide, the method of management will definitely be improved.

The hon. Member for the Coast brought up the matter of housing for Medical Officers and I, of course, agree with him entirely, the point—which he no doubt recognizes himself—being lack of money. There have been a certain

amount of improvements made to houses—not necessarily new houses being built—but improvements have been made to old, and I certainly agree with him that those medical officers, as he says, are usually older men who are stationed in the more outlying districts, and should be given better consideration. I, as he knows, intend to tour round the districts in the very near future, and will make a special point of looking into that aspect.

The hon. Member for the Coast also felt, I think, that we could, with justice and with advantage, spend more money on medical and health services, as have been outlined by the Director of Medical Services. Of course, as the Minister concerned, I would welcome—but the Medical Department, as with everybody else, has to fit in with the overall picture, but I do think one can say, looking back at the Estimates of the Medical Department, and looking at the Estimates of this year, in spite of the Emergency, that the services given to the public by that Department, are being given on a very economical basis.

With regard to poliomyelitis—which, I think, the hon. Member for the Coast also raised—it is, of course, a technical matter which the hon. Director of Medical Services might answer better than myself. I am told that the common factor is not so common. There are factors and not so many common factors with regard to poliomyelitis concerning different areas, and of course the Medical Department is very closely in touch with centres of research into this matter. As the hon. Member knows, there is one in South Africa, which is one where a considerable amount of money is being spent, and all information that is available is sent to us immediately. We are here, therefore, adapting—and will adapt—every possible idea, and the result of that investigation to our own situation. It is, in my opinion, at the moment still a headache, a real puzzle, but I did go into—there has an opportunity to see records there have an opportunity to see records there every day, and I must admit there were some surprising features coming out of those records, and all these things tied together, put together like a jigsaw puzzle, may produce a whole picture, but I am afraid it is rather a long-term policy.

[The Minister for Local Government, Health and Housing]

I now refer to the hon. Member, the Acting Member for Central Area, Mr. Gathani. I must admit I was rather puzzled with a lot that he said, but what I feel he was getting at in social services and the Medical Department was included—that an examination should be made of the revenue derived from different races in general taxation, and then all applications should be made on that basis with regard to social services. If that was what he meant, I would say, I could not possibly accept that principle. It would lead to complete confusion. It is in many cases completely impracticable. The hon. Member quoted further figures of direct and indirect taxation. Now, it is nice and easy to quote those figures. I think he said actually that indirect taxation was more than direct taxation. Whether he meant that customs duties were more than income tax I do not know. But he was incorrect in making that statement, and it merely goes to show when one gets down to that sort of investigation you will get into such a muddle that you will never get any advantages out of it and the principle itself, in any case, is wrong.

The hon. Member also asked that the Asians should be treated more generously. I think he will not remember, but other hon. Members will—that when I was on the other side of Council I, and other hon. Members admitted in last year's debate, that the Asians did not had a really proper share of the Medical Services up to date, especially with regard to capital expenditure. The reason for that, although money was allocated to them for their hospitals, the opportunities had not been there for the spending of that money, and because of that, support—general support—was given to a rather more generous allocation of money in future—near future—years than had been given before, and I think that may well be carried out.

I should like to give one figure to the hon. Mr. Gathani to show him that the Asians have not been completely neglected by any means. Since 1950 I understand that there has been a net increase of Asian beds throughout the Colony—details of where they are can be supplied if the hon. Member is

interested—of some 148. About 50 have been supplied in the last year. The situation is definitely improving, and I think the committee which has been inquiring into the matter of the Asian Hospital—Relief Fund has been sitting lately and has been going into all these figures. I think you will find when their report comes out that it will be interesting reading to the hon. Member in view of his remarks.

I would point out also that, although the Government—indeed, I presume, though I am not quite sure, the Asian community itself—is very happy and very grateful for the contributions made by certain Asian individuals—wealthy gentlemen—towards hospitals for Asians, the Government has also contributed their pound for pound, in most cases—in any case where the contribution was for a hospital. This is a principle that has been accepted for a number of years, and I think this is the principle that the hon. Member was trying to advocate when I interrupted him during his speech, the principle being, of course that providing there is necessity—providing the public will show that they are interested—that it is their intention to help themselves—mostly by the provision of capital and secondly, that they are prepared to undertake recurrent expenditure, and thirdly that the money is available to Government—that was the principle started on a pound-for-pound basis that has been in force for some time.

Now, the hon. Member also mentioned and suggested that there should be free dispensaries in big centres for Asians. I am afraid that this is not a matter to which I could possibly give my blessing at this stage, because if there are free dispensaries for Asians, there will obviously be a demand for other races, besides the fact is that it is in complete conflict with the suggestion made by the hon. Member for Ukamba that the public, the patients themselves, should start to contribute more towards medical hospital and dispensary facilities. Another hon. Member touched on dispensaries—Dr. Karve did—but I will go back to that in a minute.

Now, turning to the contributions by Africans especially—in fact, other races are making their contribution—that is

[The Minister for Local Government, Health and Housing]

direct contribution by patients for hospital services—fees for Africans—raised by the hon. Member for Ukamba. Hon. Members will remember that this matter has been investigated by at least one—in fact, I believe two—committees in the past, and that the principle—the general principle—can be said to have been accepted. It was indeed this matter—the difficulties of administration—that has slowed up the adoption of that. There are moves being made in that direction, and I have been undertaking discussions just lately on this particular subject. In fact, I should like to take the opportunity—I should like to discuss on this subject with hon. African Members at some period if they would be prepared to meet me and discuss it. I should like to point out that under African District Councils fees in many areas have been accepted—fees paid for maternity and ambulance services—not all African District Councils, but some do. We are, as I say, working on ideas of pilot schemes to try to work out how it can be done and the idea, the suggestion, put up by the hon. Member for Ukamba, that African District Councils might come in on the payment side for hospital services supplied by a central government—which is, I think, what she meant, rather than medical services supplied by themselves—that is a matter which I will look into in the discussions which are now going on.

The hon. Mr. Mathu—I think the first point he raised was that of the registrable status of African medical officers. They are, as the hon. Director of Medical Services stated, now acceptable in East Africa—I think he said he hoped that it could be expanded to include other areas in the near future. I think that will probably come, but of course, the hon. Member will realize this is a matter for the General Medical Council and not for the Medical Department.

Two hon. Members—Mr. Mathu and Dr. Karve—touched on the matter of family planning, and in principle I would most certainly agree with Mr. Mathu that education is a necessity before such a matter could be adopted voluntarily by a large number of people. On the other hand, there are quite a large number of

educated Africans to-day and, if they are interested, I see no reason why they should not receive the advice they require—in fact, I am quite certain of this—I want it to be an answer to Dr. Karve as well—that facilities can be made available on a voluntary basis for those who wish to inquire for advice in this matter. With regard to Government adopting such a policy, that is very different. I think the position is one surrounded with very considerable complications, which Dr. Karve realizes himself. It is not one I can accept for Government in a debate of this sort. It is certainly one which will need very considerable consultation with the Government itself and between different Ministers.

The medical arrangements at Mackinnon Road and Manyani were mentioned by the Member representing African Interests, the hon. Mr. Mathu. We have taken a very special interest in these camps ever since they were started. The hon. Director of Medical Services has been to visit both camps—I think twice at least—possibly more—and senior officers of the Medical Department are always visiting them to see how the medical facilities are faring.

I would like to make one point here in regard to the report which the hon. Director of Medical Services made to me when he came back the other day from those camps. He felt, under the circumstances, that the medical facilities were as good as we can expect—I should like the hon. Member to realize that the hon. Member was not completely satisfied when these thousands of detainees were sent to it. It was still a little under construction. You can imagine, therefore, that it was extremely difficult—not only detainees, but also the labour of people who are constructing the camp—is still in being—still in their camp—to organize medical services in a short time. The Medical Department have put up suggestions for the improvements we require—certain constructions and equipment—and so on, and they will be given forward, and I am sure they will be given the appropriate consideration in the appropriate quarters. All I would say is that the Medical Department has this very much in the forefront of its mind. We have excellent officers posted there and I am afraid other areas have thereby

(The Minister for Local Government, Health and Housing) — suffered to some extent—not very considerably—and inspection—regular inspection—is carried out and will be carried out.

The hon. Dr. Karve mentioned one or two—quite a considerable number of matters. The first was the matter of chest hospitals, and he expressed the hope that more would be built on the lines of the one at Port Reitz. That same hope is held by the Medical Department but once again the money and actual stringency comes in, but at the moment it may well be, and I am afraid it is a fact, I think, that—(Noise of motor-bike interrupts.)—

That must be an ambulance taking off. Chimes—(Laughter.)

I think for the time being any way general hospitals will have to be adapted for treatment of tuberculosis—chest cases—until the money is available. I do not think any more separate hospitals can be envisaged for some time.

He also raised a very important subject—the provision of hospital beds for the aged and sick. I think it is right to say that even in Europe, and in Britain, that is not usually the responsibility of the central government. It is the responsibility of the private community, and also certain local government authorities have given their attention to it. I hope that local government authorities in this country will also see that this is part of their responsibility, and that they will put their minds to seeing how it can be coped with. It is a very important and a very difficult problem. As regards the African, I would suggest, as a ray of hope, that the health centres that the hon. Director of Medical Services described, and home treatment will help the aged and infirm again to some extent. The European community has looked at this problem, and Dr. Karve may remember that the European Hospital Association—that their full programme included a hospital for the old and infirm but, as the money was not available they had to put this at the bottom of the list and hope for the best in the future. The matter has now been raised again with me by the Chairman of the European Hospital Association. We will go into it. That is only at the moment for Europeans. All I can say is that it will again

be consistent with what money is available. This matter is being given very serious consideration and I personally sincerely feel that it is an important and pressing problem.

Again the suggestion was made that we should provide ourselves with deep ray therapy treatment. That again is a technical matter which the hon. Director of Medical Services might like to comment upon. All I can say is that it is most expensive equipment, and once again that we have got to cut our coat. For a number of cases, I understand, that required such treatment—urgent treatment—the expense entailed might not be economic. It might still be better for some time to continue to use the facilities of other countries, and pay for transporting the patient elsewhere than instal our own.

DR. KARVE: Will the hon. Minister give way, Sir?

Are any transport expenses paid these days, Sir?

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING: Transportation expenses are paid in certain cases, and of course Government officers also have their transportation expenses paid.

Now, this shortage of medical officers: The hon. Member did admit he was a little bit out of date. There was a revision of salaries for medical officers two years ago, and since then their recruitment has been much better—in fact, our position to-day is—not perfect—but much better than it was before. We are not very worried about it.

There was also the matter of locally born and bred boys, being given the opportunity to serve in this country as medical officers, and that suggestion is certainly very near to my heart. I will go further into it, but I can say that an application has been received from a locally born and bred boy who has just qualified overseas, and the Director of Medical Services has agreed that he can serve his internship in the King George VI Hospital—which I hope will lead to others of all races having the same facilities.

THE DEPUTY SPEAKER: The hon. Member must address the Chair.

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING: I am sorry, Sir.

Now, there is the question of part-time officers. The hon. Dr. Karve wished that we should establish a system on the lines of the Government of India in order to attract medical officers to the smaller centres. This particular principle has, I think, been applied to some extent in the Medical Department and, curiously enough, it was one I was discussing with the Director of Medical Services only yesterday—and again in regard to detail I will go into the matter.

Again, all the matters that the hon. Dr. Karve raised—all the suggestions he made—the Medical Department would very much like to adopt. He mentioned the fact that the Mombasa Hospital should be constructed more quickly than it is. He mentioned—that revenue from the land on which it stands might be used by the Treasury, and help to pay for the hospital itself. This is not my particular province, but I remember raising this sort of matter so often before, and I do think I can say, even if the Crown does sell land, the whole value of that land does not come into the Crown coffers in one year. Only a small proportion does—the rest is received in rents. So the stringency of the money problem is not solved just because a certain amount of land is sold in one year. There again, the building of the Mombasa Hospital is once again a matter of priority, and the hon. Minister for Works has heard the remarks made, and again he and I might be able to discuss it.

The hon. Dr. Karve mentioned that there seems to be a surplus of junior dressers in Mombasa, and I am not quite sure of the point he was making, but presumably we should stop training dressers now because there is a surplus.

HON. MEMBER: Send them elsewhere.

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING: All I can say is, if junior dressers offer themselves for employment in Mombasa, such persons cannot be of a satisfactory capacity, otherwise most certainly they would be employed by the Medical Department. It is the policy—with which the hon. Member may not agree—it is the policy that the Medical Department shall employ all such products of our

training schools, because the demand is unlimited and, although there may be a surplus in certain places from time to time, the country-wide demand is almost unlimited. As I say, and repeat, anyone offering himself for employment certainly was not suitable for the Medical Department. I do not know, therefore, whether they would be suitable for Dr. Karve.

Hospitalization by Local Government was the next point raised by the hon. Member, and this, of course, brings in other parts of my portfolio. It is a very important subject. I think it will be some time before we can expect it—whether we will ever reach that time and whether it is right that Local Government should ever really consider taking over hospitals as such. That is anyway for the future, but as regards dispensaries, and health centres, maternity and ambulance services—ancillaries to hospital treatment—most certainly they should ultimately be taken over by Local Government Authorities. The Nairobi City Council has, of course, taken over some of it and they are now considering taking over further of these facilities. African Local Authorities have also taken over or have contributed to and set up these ancillaries in these areas. County Councils are also going into the matter, and some are on the way to being appointed Public Health Authorities, which again will bring these services into their purview. A number of them—one or two of them—have them already applied—municipalities and townships have already applied for loans to establish such services. I can assure Dr. Karve that this is a progressive development which is being encouraged in every possible way. I can also assure any other Member interested that all Local Government Authorities, and even County Councils, are most interested in providing these services for all races, and that is one reason why there is no possibility of their becoming "foreign pockets".

With regard to yellow fever inoculations, this—as Dr. Karve knows very well—is an international matter, but it has been held by the hon. Director of Medical Services that it is not so much a matter of individuals—it is taken from individuals and it was not the reaction to that blood that made the international authorities insist that we toe the line in this regard, but it is blood

[The Minister for Local Government, Health and Housing]—that is taken from monkeys—and, in fact, there are a number of monkeys in Kenya who may be infected with yellow fever, and the International authorities will not allow us to get away without inoculation. (Laughter.)

I am very glad that the hon. Dr. Karve touched upon what he called "Promotive Services", which the Director of Medical Services described in his opening remarks. I personally believe this is one of the most important branches of medical activity—and, in fact, the principle of these services is really to help people to help themselves. That in itself, I believe, is something that we should give the greatest attention to and I would say probably the most of our energies.

If I have missed any points that hon. Members have made I would ask them please to remind me or the Director of Medical Services, who will reply, but I think I have covered most of the points and once again, I would thank hon. Members for their reception of the Medical Estimates and their recognition of the work—the great work—that I did not know before but I do know now—the Medical Department are doing for this country. (Applause.)

THE MINISTER FOR WORKS: Mr. Deputy Speaker, arising out of the remarks of the hon. Dr. Karve, followed by those of my hon. colleague, the Minister for Local Government, Health and Housing, I would like to say that, as far as the administration block of the Mombasa Hospital is concerned, it has got priority, and the work is going ahead very quickly. As a matter of fact, we expect the operating theatre and other ancillaries will be ready by the beginning of next year. The other phase, consisting of wards—is this a matter of priority—but in view of the remarks made by the hon. Members during the debate—I am sure the hon. Minister for Local Government, Health and Housing will take notice and see if the committee allocating priority will put this on high order, and we will do our best to see the work completed as soon as possible. (Applause.)

Sir, I beg to support.

THE DEPUTY SPEAKER: No other Member wishing to speak—

THE DIRECTOR OF MEDICAL SERVICES: My hon. friend has felled so well, he has taken all the catches in the slips and left nothing for me to pick up in the gulley or perhaps I should say at long-stop.

If any hon. Member feels that his question has not been answered properly, I hope he will rise on a point of order. Oh! He cannot. (Laughter.) I am sorry.

If I may sum up this debate, Sir, it seems to me that it has consisted of many bouquets, some comments and a few criticisms, and I am very deeply grateful to hon. Members who have been so kind in the remarks they have made both about my speech this morning and particularly about the work of my Department.

I am particularly grateful to the hon. African Member, Mr. Maritu, who paid a tribute to the work of the Medical Department, which I value very much, seeing that so much of the work of my department is for his community. I think this debate has been useful in ventilating some of the matters connected with the public health problem.

Once again, I beg to move.

The question was put and carried.

IN THE COMMITTEE

[Mr. E. N. Griffith-Jones, Q.C. in the Chair]

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move—that a sum not exceeding £1,408,319 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 7-7, Medical Department.

Question proposed.

Heads 1, 5 and 50) agreed to.

The question was put and carried.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Committee do report progress and ask leave to sit again.

Question proposed.

The question was put and carried.

Council resumed.

[Mr. Deputy Speaker in the Chair]

REPORT

MR. GRIFFITH-JONES: I beg to report that the Committee of Supply has considered and approved a Resolution that a sum not exceeding £1,408,319 be granted to the Governor to defray the charge which will come in the course of payment for the year ending the 30th June, 1955, for Vote 7-7, Medical Department.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Council doth agree with the Committee in the said Resolution.

Question proposed.

The question was put and carried.

COMMITTEE OF SUPPLY MOTION

THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that Mr. Deputy Speaker do now leave the Chair.

Sir, this Item, Vote 4-6, Public Debt, is put on the Order Paper at the request of hon. Members opposite. I understand however, that the hon. Member who originally asked for this item to be put on is intent that I shall supply him with statistics and figures by means of a letter. The statistics and figures are, of course, there, and largely to be drawn from the estimates which are in front of Council. As I am aware that some hon. Members have other matters which they wish to raise, I do not intend to delay the Council at this time, near the end of the ten Supply days, by unnecessary speeches. I beg to move.

THE MINISTER FOR COMMUNITY DEVELOPMENT seconded.

Question proposed.

The question was put and carried.

IN THE COMMITTEE

[Mr. E. N. Griffith-Jones, Q.C. in the Chair]

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that a sum not exceeding £1,435,809 be granted to the Governor to defray the charge which will come in the course of payment for the year ending 30th June, 1955, for Vote 4-6, Public Debt.

Question proposed.

Heads A, B, C, agreed to.

The question was put and carried.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Committee do report progress and ask leave to sit again.

Question proposed.

The question was put and carried.

Council resumed.

[Mr. Deputy Speaker in the Chair]

REPORT

MR. GRIFFITH-JONES: I beg to report that the Committee of Supply has considered and approved a Resolution that a sum not exceeding £1,435,809 be granted to the Governor to defray the charge which will come in the course of payment for the year ending the 30th June, 1955, for Vote 4-6, Public Debt.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Council doth agree with the Committee in the said Resolution.

Question proposed.

MR. TYSON: May I ask a question of the hon. Minister? I do not know whether it is out of order—I did want to ask whether, in connexion with the recent guarantee this Council gave—I think it was in connexion with the loan to the Pig Industry Board, where the rate of interest was laid down, I think as 5 per cent—

THE DEPUTY SPEAKER: I fear the hon. Member is quite out of order.

The question was put and carried.

COMMITTEE OF SUPPLY

Committee of Supply, Order for Committee read. Mr. Deputy Speaker left the Chair.

IN THE COMMITTEE

[Mr. E. N. Griffith-Jones, Q.C. in the Chair]

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that a sum not exceeding £37,485 be granted to the Governor to defray the charge which will come in the course of payment during the year ending the 30th June, 1955, for Vote 1-1, The Governor.

Question proposed.

THE CHAIRMAN: Page 36. There are no items. I will get the Clerk to call out the Vote and Head.

MR. COOKE: I am sorely tempted to discuss this Vote. We seem to be going rather with rather indecent haste. I am rather worried at the moment—billions of pounds are being spent and we do not seem to have very much chance of discussing the Votes. I thought Standing Order 134 was to be invoked, in order to allow us to discuss Supply. I rise to make that protest. This is not going to be a Council of State—we want this to remain a debating society with a vigorous opposition.

THE CHAIRMAN: It is not Standing Order 134, it is Standing Order 136, under which ten days are allocated to the business of the annual Estimates, and this afternoon is the tenth day. Provision is made there for a Motion to be moved after notice; and to be decided without amendment or debate for such additional time not exceeding five days as may be proposed, and no such notice of any such Motion has been given and no such Motion is therefore being moved. But I cannot accept the hon. Member's imputation that there has been any indecent haste in dealing with the annual Estimates. The procedure adopted has been that laid down by Standing Orders and the full time provided by those Standing Orders; in fact, more, if the odd additional periods are aggregated, has been devoted to this business of Supply.

MR. COOKE: There is no imputation on you, Sir. I had informed the hon. Minister for Finance that I intended to bring up certain items—now it has been crowded out. I am afraid you may say it is our fault for not moving this Motion but there has been a mistake somewhere. Naturally, it is not yours—if I may say so, it is no imputation on you.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I would like to speak on this one. As you have said, we have indeed lengthened the time this year and instead of the usual ten days of two hours, we have taken it for three and a half hours a day for ten days, except for the Morning Sessions which have only been just over two hours. In addition to that, there was one day completely free, practically because it was just beyond the allotted time. Nevertheless the position surely is that had the hon. Mem-

ber opposite moved a Motion, asking for further time, Government in accordance with the practice of this Council would not have opposed it, but, with all due respect, no notice of such a Motion was given—it is not of course, for Government to anticipate the wishes of hon. Members opposite that more time is needed; but in spite of that I would remind the hon. Member for the Coast that when he spoke to me in the Lobby outside about this matter, I did say that I would discuss the matter with the Chairman of the Unofficial Members' Organization and my own Leader at the tea break and see if there was any way in which we could undertake to meet the hon. Member's request. I therefore do regard as being rather unfair, to put it mildly, the imputation that there has been any haste when I had already informed the hon. Member, I would do what I could in the discussion at the tea break to meet his wishes, although I think they should have been anticipated by that side, by a Motion a day or two ago.

THE CHAIRMAN: The time for the tea break has now arrived—(Laughter.)—and I propose to suspend business for fifteen minutes. We shall resume in Committee when Vote 1-1—The Governor will be re-proposed and the question put after any debate thereon. Council will suspend business for fifteen minutes.

Council adjourned at fifteen minutes past Four o'clock and resumed at thirty minutes past Four o'clock.

THE CHAIRMAN: When business was suspended the Committee was considering Vote 1-1—The Governor. The question had been proposed. No one wishing to speak to it; I will put the question.

The question was put and carried.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Committee doth report progress and ask leave to sit again.

Question proposed.

The question was put and carried.

Council resumed.

[Mr. Deputy Speaker in the Chair]

REPORT

MR. E. N. GRIFFITH-JONES: I beg to report that the Committee of Supply has

[Mr. Griffith-Jones] considered and approved a Resolution that a sum not exceeding £37,485 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 1-1—The Governor.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Council doth agree with the Committee in the said Resolution.

Question proposed.

The question was put and carried.

MOTION

SUSPENSION OF STANDING ORDERS

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir, with your permission, I beg to move that under Standing Order 168, Standing Order 136 (j) be suspended to the extent necessary to allow the Chairman to proceed in accordance with such Standing Order for thirty minutes instead of one hour before the interruption of business.

MR. HARRIS seconded.

Question proposed.

The question was put and carried.

THE DEPUTY SPEAKER: Council will resume in Committee of Supply.

IN THE COMMITTEE

[Mr. E. N. Griffith-Jones, Q.C., in the Chair]

THE CHAIRMAN: I understand it has been agreed—by both sides of the Council—that the votes and heads listed in Order Eight should be taken in selective order, in order to enable the Unofficial Members to raise such points as they require on a few votes which they wish to raise points on. The first vote is Vote 3-1—Office of the Minister for Legal Affairs.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that a sum not exceeding £8,167 be granted to the Governor to defray the charge which will come in the course of payment for the year ending 30th June, 1955, for Vote 3-1—Office of the Minister for Legal Affairs.

Question proposed.

MR. COOKE: I must thank you for your act of grace in allowing extra time and also apologize to my hon. friend the Minister for Finance and Development

for the misunderstanding over the discussion we were going to have at the tea interval.

Some of these matters are important but because I know hon. Members are impatient to get away, I am not going to deal with a great many of the items I might have dealt with. I am going to put—we have only dealt with about one-quarter of the items in these Estimates and it is undesirable—certainly less desirable I think we should go—that it does not happen that these other heads should be passed on a motion without discussion.

I want to deal with the first one—Office of the Minister for Legal Affairs—in order to bring up—I am going to be quite pithy and quite frank—in order to bring up the question of the newspaper Comment.

There are a number of people in this country who think that the newspaper Comment, which as you possibly know, is a weekly paper, has not been treated harshly but rather—I will not use the word vindictive, it is the wrong word to use—has been rather harshly treated by the Legal Department. It is felt by some people that there is a great need in this country for a right wing paper that carries a punch and that such a paper, although it may be extreme in its views at times, is necessary in a developing country. I imagine that if one went into the history of South Africa years ago; I think you would find things said far more severe than Comment ever says. My hon. friend the Minister for Legal Affairs may say that it is impertinence on my part to query any advice which he may give, but although I could not hold a candle to him in legal matters, I think we are all fair judges; at least I hope we are all fair judges, of whether a newspaper is fair in its comments or not. I personally think that Comment, although it very often disagrees with my views and I do not agree with a great many of its views, it is about the only European weekly paper in Kenya worth reading. Therefore, I personally feel that, if possible, it should be allowed to carry on the expression of strong views without too much interference from the Legal Department. If it is seditious of course it must be proceeded against, but I have certainly read, since the Emergency started, many comments in other papers

[Mr. Cooke] which to me, as a layman, would seem just as seditious as anything *Comment* has written. But all I want to establish now is that they cannot, of course, have licence, but they must have liberty. We value very much in this country, especially a new country, liberty to say and do what we like within certain well-recognized confines. Now, within the past few weeks I know that perhaps *Comment* has been fairly near the mark. I think it has been warned but the danger is that a paper like this, if they are warned too much, will become merely wishy washy and namby pamby and no use at all. It would be suspected that they were so frightened of Government that they would not dare to criticize Government, which would be a very naughty thing if it happened.

I have been criticizing Government for a number of years and, but not been put inside yet, perhaps I am fortunate. I can sit inside this Council. I was warned by the hon. gentleman's distinguished predecessor—I think it is on record in HANSARD—that because of an article I wrote five years ago—and everything that has happened since was what I warned Government against—if I may boast. That hon. gentleman was very annoyed. He is not the Chief Justice who is coming to us soon from Jamaica. He was another A.G. He not only threatened me in this Council, but he threatened me on my way out of this Council, but as I have said, not with a very great effect.

I have risen to give my hon. friend knows, he is a fair minded man—to give him an opportunity to tell us what is his opinion about this matter, and to ask him that if possible, he will allow a little bit of outspokenness, even though at times it may be critical of the Government or the people of this country.

THE MINISTER FOR LEGAL AFFAIRS: Mr. Chairman, Sir, may I say that for my part I welcome this opportunity of explaining the reasons for the action which has been taken in regard to this journal over the past six or seven months and I have no doubt Council will welcome the opportunity also of hearing why it has been necessary to issue a warning to this journal and to take even more drastic action on certain occasions. Those who have criticized me for the action which I have taken in regard to this

paper, may not, in many instances, be familiar with all the facts and circumstances, and that is quite understandable. I think perhaps the hon. Member for the Coast is one who may be placed in this category. There are also many who have criticized me for the action I have taken against the paper, partly because their judgments are influenced, to some extent at least, possibly unconsciously, by the fact that they share the same political outlook and political aspirations as that journal. (Hear, hear) But I, of course, cannot be influenced in any sort of way by political considerations in a matter of this kind. I must be very careful not to have any sort of political approach when considering whether action is called for and deciding what action should be taken in regard to this publication or indeed, any other publication. That would be entirely wrong because I am, for the most part, administering the criminal law in regard to these matters or, at least, administering what I might describe as being akin to criminal law when exercising some of the arbitrary and far reaching powers vested in the Executive under the Printing Press Ordinance. I would like to repeat the assurance which I gave in the Council some months ago in answer to a question put to me by the hon. Member for Nairobi North, when I concluded by saying that the action which had been taken on that particular occasion in regard to *Comment* was not influenced in any way, by the fact that this publication held certain political views, and frequently severely criticized Government and persons with whose political opinions it does not agree. Therefore, I have taken great care to remove, as far as possible from my mind, all prejudices that one might feel when applying the law to the activities of this journal and I have endeavoured to approach the problem in as detached a manner as is humanly possible, applying the principles recognized to be the proper principles when enforcing criminal law or, in some cases, enforcing the law akin to criminal law. And I claim to have succeeded in doing that.

In order to make good that claim I must ask the Committee to bear with me a little while I examine the facts because I am sure that is what the hon. Member for the Coast would wish me to do more than anything else. Altogether there have

[The Minister for Legal Affairs] has been suggested—and certainly no one could be blamed for thinking it—that perhaps it was done with the idea of stimulating controversy on this subject, particularly in the correspondence columns. The corollary to that very often is an increase in sales. But however objectionable it might be, this new line of abuse was not a breach of the previous undertaking, if I can call it such; that this newspaper should refrain from abusing the coloured races. It was a new kind of abuse. Once more a warning was conveyed to *Comment* indicating to them that they must refrain from abuse of this kind. That warning again had the required results since, so far as I am aware, there has been no further anti-semitism in that journal. So that was the second occasion on which action was taken against them, if you can call it action, to give them a warning.

The first of those occasions was towards the end of November of last year when a report was submitted by the proper quarter—a governmental quarter—to the Deputy Public Prosecutor concerning the tone which had been adopted by this paper over a period of many months in regard to the coloured races, as they described them. That matter, being one of some considerable importance, was referred to me personally and I formed the view that the tone of this paper over several months in regard to this matter was a direct encouragement to racial animosity. Therefore, I took appropriate steps and under the Printers' Ordinance—not to enforce the statutory provisions of that Ordinance—but to warn the paper that if they continued on that course then the provisions of that Ordinance would be applied. As I said in answer to the hon. Member for Nairobi North when he asked me a question on this matter, the action taken was intended to be fair and helpful. Subsequent events showed, I think, quite conclusively that it was helpful because there was a marked improvement in that particular respect by this paper and much less abuse of the other races—or coloured races—in this Colony. So that the first warning justified itself by its results.

Matters continued fairly satisfactorily for some time afterwards until this newspaper suddenly adopted another line of abuse; if I may so call it. This time it did not abuse the coloured races but the Jews. They suddenly that somehow or other World Jewry was implicated in the *Mau Mau* movement. It was, of course, fantastic nonsense, but it gave great offence to certain members of the Jewish race and was, indeed, a gross libel on certain leading citizens in this City and this Colony. It is very difficult to understand why a responsible newspaper should suddenly launch an attack of that kind, abusing Jews and World Jewry. It

has been suggested—and certainly no one could be blamed for thinking it—that perhaps it was done with the idea of stimulating controversy on this subject, particularly in the correspondence columns. The corollary to that very often is an increase in sales. But however objectionable it might be, this new line of abuse was not a breach of the previous undertaking, if I can call it such; that this newspaper should refrain from abusing the coloured races. It was a new kind of abuse. Once more a warning was conveyed to *Comment* indicating to them that they must refrain from abuse of this kind. That warning again had the required results since, so far as I am aware, there has been no further anti-semitism in that journal. So that was the second occasion on which action was taken against them, if you can call it action, to give them a warning.

The third incident which called for the attention of the Legal Department or myself, was when this weekly began to publish letters from self-styled Generals and Brigadiers and the like, terrorists who were in the forest and claimed to be actually assisting the *Mau Mau* in the Reserves. One of those letters was quite fantastic. I suppose that it is about the most suitable adjective one can describe it by. It actually sought to invoke the assistance of a Foreign Government to assist the *Mau Mau* movement. Of course any responsible editor, or publisher would throw a letter of that kind into the waste-paper basket. (Hear, hear) but so far from doing that, this paper—and so far from doing that, this paper—gave these letters currency and published them in this weekly paper and published them with the problem of deciding whether to prosecute. There is no doubt the letters were seditious, but I was of the opinion that it was not the sort of case that calls for prosecution. That would only give far more publicity to the letters and might even enhance the pretence of these completely insignificant, vague, self-styled Brigadiers. The proper way in the public interest, to deal with a situation of that kind, in my opinion, is to try and persuade the persons who are receiving "the liberty of the press," that responsible publishers of things, there just do not do that kind of behaviour which are certain standards and they do not publish journalistic queries and they do not publish rubbish, particularly when it is, as

[The Minister for Legal Affairs] in this instance, harmful to publish. I was fortunate in this matter in being able to take advantage of a close liaison with responsible members of the journalistic profession in this Colony and particularly with a person whom I may describe as the doyen of the newspaper men in Kenya. He and others have been most helpful in trying to maintain proper standards of journalism in this Colony. In this particular case, the *Adaya* at my suggestion approached the publisher of *Comment* and after talking to him, succeeded in persuading him that in the public interest he should refrain, in future, from publishing letters from terrorists of this kind and I am glad to say that so far there is every indication that that kind of troublesome publicity will be stopped in the most suitable way, that is, by the publisher himself exercising proper restraint over matters which appear in his paper.

Now, I have dealt with three different instances where it was necessary to take action, either direct or indirect, to prevent what would otherwise have been abuse of the liberty which is accorded to this newspaper. But the matter does not end there, I am afraid, not at all. Last month the printers of this journal apparently refused to print certain matter which the editor had submitted and so the following week, in an attempt to circumvent the law, the publisher inserted a leaflet in his journal which contained the matter which the printers, the previous week, had refused to print. This leaflet, contrary to the law, contained no indication as to where it had been printed, who printed it or, indeed, who the publisher was. It was a clear breach of the law and this, after he had been warned three times—on different matters I agree; but three times is a lot of warnings to receive. As I say it was a clear breach of the law and again I had to consider whether it was appropriate to set the criminal law in motion against him. But the matter which the printer had refused to print the previous week, subsequently published in this leaflet was not, in itself, objectionable from the point of view of the public interest, though it might well have been objectionable to certain individuals. Therefore I formed the opinion that it could properly be regarded as a technical offence

rather than as an offence of substance. I mention that to show that I am concerned with the substance of complaints, and not merely trying to prosecute when ever an opportunity presents itself. I adopted the principle which is well known and often observed by those who have the responsibility of initiating criminal prosecutions, of first ascertaining whether guilt was admitted, by the proper methods of course, and then when guilt is admitted, issuing a warning to the effect that a prosecution would be launched if there was any repetition. As I say, this is a well known principle applicable to the institution of criminal proceedings. It was not long ago referred to by the Attorney General of England in the House of Commons—"Almost every day in particular cases, where guilt has been admitted"—as it was in the case I have described—"the interest of justice will be best served not by prosecution but by causing a warning to be administered instead." And that is what I did in this particular case. But, alas, the story still does not end there. (Laughter.)

As recently as April 15th this paper published a report concerning the arrest of Suk tribesmen for having taken the *Mau Mau* oath which was entirely untrue. There was not a syllable of truth in it. The publisher published this report and made no attempt whatever to check the source of his information. Naturally the Suk live were very indignant at this false report and what is more, farmers living in those areas were much concerned, especially as the report went on to say that the Government had deliberately suppressed this information. If ever there was a statement or a report published in a newspaper which was reckless and irresponsible, this was one. I ordered prosecution and when the police officer, acting under my instructions, went round to take a cautionary statement from the publisher, if he wished to make one—I need not go into the question here of what he said—he very sensibly went at once and saw his lawyers. I must say they gave him good advice because within a matter of 24 hours they came to me on his instructions to say that notwithstanding that a prosecution might be brought against him, they would be willing to publish a

[The Minister for Legal Affairs] retraction and an apology. They subsequently submitted a draft of what they proposed to publish, which I rejected as being quite inadequate, and I told them what they should publish and that nothing less than that would satisfy me. Furthermore, I said there must be no observations or comments elsewhere in the Journal on the subject that week, and that the apology must appear in the same place and with the prominence which I would prescribe. As it happens, I think they call it in the newspaper world "coincidental" that apology appears to-day, and just to give the Council some idea of how reckless this publisher is and how wrong he is, I will, with your permission, read out this apology. It appears on the first page of the Journal and reads as follows: "On the 15th April, 1954, I published a report that the District Commissioner, Kapenguria, had arrested a large number, said to be 60, of such tribesmen who had taken the *Mau Mau* oath, and that the Government had deliberately suppressed this news. I am now satisfied that that report is entirely untrue and without any foundation whatsoever. Furthermore, I acknowledge that I took no measures to verify the accuracy of the report before publication. I wish to express my sincere apologies to the members of the public who have been misled by the publication of this false report and especially to those to whom it has caused unnecessary alarm. Signed L. E. Vigar."

That covers the five specific incidents in which action has been taken by myself and by the Legal Department in connexion with the publication of this newspaper. If additional action has been taken against the publisher, that is no concern of mine and was not taken at my instigation. I stick to that which I have done in this case.

That, Sir, is the lamentable litany of Mr. Vigar's transgressions—one, abuse of the coloured races; two, abuse of the Jews; three, publishing terrorist correspondence; four, illegally publishing false pamphlets; and five, publishing false reports.

Sir, if anyone has criticized me for dealing too harshly with this particular

paper, I should think there must be for every such person at least one, probably more people, who think that perhaps I have not dealt with them severely enough. (Hear, hear.) All I can say is that I have done my best throughout without fear or favour to administer the law fairly but fairly with no other thought than to promote the public interest.

MR. COOKE: Mr. Chairman, I am perfectly certain that the hon. gentleman never hesitates to administer the law, nor is he a very busy man, but it is possible that he is a very busy man and may not have time, perhaps, to go into these matters as thoroughly as might be. I am not going to say very much.

The hon. gentleman referred once or twice to the "desired effect". Well, if he meant by "desired effect" is to make a man eat humble pie, he certainly succeeded as evidenced by that last apology he read out. If a big man jumps on a little man, knocks him down and jumps on his stomach—the little man is not going to reply and the big man has thus achieved the desired effect. As my hon. friend said, one case he read out was merely a technical error.

There is only one point I want to join issue with and that is—the publication of these *Mau Mau* letters. I have received several of these letters and have sent them straight to the Provincial Commissioner or the Member for Native Affairs. I do not think the letters should have been published. I think I am being correct in saying that *Comment* was not the only paper that published these papers. I think, I am certain, I have seen them in two other local papers and that is the gravamen of my charge, and that is *Comment* seems—as my hon. friend knows as well as, but I must only just justice be done, and it seems to me to be seen to be done and very few, and a people—it may be very few, and a minority—that *Comment* has been placed out to be punished. But I do make this point and I will take it if I may—I think on a day or two, or, perhaps, on some other papers have published the same, but others—perhaps not quite the same, but letters from terrorists—but now I have raised the matter—and I am grateful for the courtesy he has shown me, I am now prepared to drop the matter.

Mr. SLADE: There is one point I would like to make in this: It has already been covered by the hon. Member for the Coast and that is, I think, it would help the public confidence and I think, perhaps, particularly the proprietors of this newspaper who, in spite of what we have heard from the hon. Minister, feel aggrieved—if the hon. Minister could give us an assurance that all other publications in the Colony do receive and will continue to receive from him the same close attention that this publication has received.

THE MINISTER FOR LEGAL AFFAIRS: I am not sure whether the hon. Member for Aberdare is in the Council when a question was asked on this subject, several months ago, by my hon. friend, the Member for the Coast; but in case he was not, I will remind him that precisely the same sort of question was put by the hon. Member for the Coast in November last year, when he asked—"Will the hon. Member give a guarantee" (by which I take it, he meant an assurance)—I have spoken to the hon. gentleman on this point before—"that he will take similar action against other papers which take the like action that *Comment* is supposed to have taken." And I replied to him then as I reply to the hon. Member for Aberdare now—"I will deal with every case as it arises on its merits".

The question was put and carried.

THE CHAIRMAN: We will take the next head which the Unofficial Members wish to be taken and that is Vote 4-5—Pensions and Gratitudes.

VOTE 4-5—PENSIONS AND GRATITUDES

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that a sum not exceeding £821,600 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 4-5—Pensions and Gratitudes.

Question proposed.

MR. COOKE: Mr. Chairman, I must declare my interest in this. It is not a very great interest, but when pensions were first paid to the minority of the pensioners, of course, the salaries were pretty small in those days. Since then there have been two salary revisions. We pensioners have had very slight increases

as I said here once before, just enough to buy a case of whisky every year! My increase of pension was about twelve pounds. But pensioners are very aggrieved and especially the pensioners receiving a very small pension—and there are pensioners on the scale of about £200 a year who incidentally will now have to pay—unless they plead poverty—this £10 personal tax. But they feel very strongly when Government servants get a Cost of Living Allowance of 35 per cent of their salaries and of their increased salaries, that is, the salaries were increased a few years ago, and we hope will be increased in a few months' time, and I have always certainly backed up Government servants in these increases—that they do feel aggrieved that when pensioners only get 50 per cent of the Cost of Living Allowance, that is they get 17½ per cent.

Now my hon. friend, the Minister for Finance, I must say, has been extremely sympathetic and has put in a lot of work and whenever approached has been extremely good, but we do feel this lack of decision is going on a bit too long. I do not care two hoots personally even if he has the means to test or if he limits it to a certain maximum of pension, but I do feel that certain lower pensioners are entitled to something more than 17½ per cent increase. I think my hon. friend will say perhaps that other countries are not coming into line, but even if he does say that, I think Kenya should take unilateral action. Even though—I should not say this—even if they do not raise it to 35 per cent, it might be, at any rate, possible to pay 25 per cent or something bigger than the present percentage which comes very hard on the lot of the pensioners in this country. We have encouraged them to come and live in this country, but every day cost of living goes up and every day taxes go up. Some pensioners are leaving here to live in South Africa where, apparently, the cost of living is cheaper and pensioners are not taxed. I simply wish to bring that to the attention of the Council.

THE MINISTER FOR FINANCE AND DEVELOPMENT: The hon. Member for the Coast knows, as he says, that I am in sympathy with this. Certainly I will take it up again to see where the delay is. We shall, I think, be having a conference between the Financial Secretaries of

[The Minister for Finance and Development] the East African Territories before long. I promise him, I will raise the matter there and endeavor to get united action, and I have no reason to think that there will be any great difficulty, but if I cannot, I will try to do something individually. I must, of course, say that he understands that my remarks apply to the lower pension groups only, the people on whom I think we are both agreed, hardship is pressing as a result of the change in circumstances.

The question was put and carried.

VOTE 4-13—CONTRIBUTION TO THE EMERGENCY FUND

THE CHAIRMAN: This Head appears at page 146 of the Draft Estimates.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that a sum not exceeding £8,000,000 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 4-13—Contribution to the Emergency Fund.

Question proposed.

MR. COOKE: Hon. Members will be relieved to hear that this is the last point in this debate that I am going to make; I am going to drop the other ones because obviously Council would get irritated.

I have been asked by several people since we had the debate the other day—I would say approached by two or three—alimen—not Royal Air Force naturally—about the question of the efficiency of the bombing, and I want again to draw the attention of Council to this terrific expense. It is for that reason, on account of this expense that I ventured to suggest that the hon. Minister of Finance should be a member of the War Council because finance enters a lot into this matter—but that is, no doubt, a high policy question.

We heard, Sir, from the Minister without Portfolio the other day that there had been two incidents where bombing had; in one instance, killed 62 and the other 59. But there were all on reports of Africans. Well, we all know how unreliable not only Africans' reports are, but Europeans' reports are and, of course, the African will always, on

interrogation, say what he thinks the *bwana* wants him to say. For instance, the other day near my farm in the Kinangop, to a neighbouring farm an African came running and said that there was a terrific hullabaloo on a neighbouring farm and that 37—possibly 37—*Mau Mau* were attacking the farm. So my friend immediately proceeded with a number of Kenya Police Reserve and others and we found the 37 reduced to two old men, who had already been arrested by the farm labourers and roped. That is just an instance of the exaggerations with which Africans and others have judged.

I personally do not believe for one moment that one bomb killed 62 people or any other bomb killed more. If that did happen, why did not the forces follow up quickly and take photographs. I am drawing attention to this particular matter, and there was a letter in the *East African Standard* the other day from a distinguished and gallant Court Captain, Mervis Green, who bore out everything I am saying. I mean it is very doubtful as to the effect of the bombing and it is for Government in the highest quarters to give the very serious consideration to this matter. We cannot afford to go on spending a million and a quarter pounds on bombing if it is not really doing much good.

The question was put and carried.

THE DEPUTY SPEAKER: That concludes the selected Heads and I now propose to take the Heads in the order in which they appear on the Order Paper.

There is, however, one omission from the Order Paper; this is Head 3-4—Registrar General's Department, which will come between Vote 3-3 and Vote 4-1.

VOTE 1-3—LEGISLATIVE COUNCIL

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that a sum not exceeding £58,572 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 1-3—Legislative Council.

Question proposed.

Sub-heads A, B and C agreed to. The question was put and carried.

VOTE 1-4—AUDIT DEPARTMENT

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that a sum not exceeding £80,686 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 1-4—Audit Department.

Question proposed.

Sub-heads A, B and C agreed to.

The question was put and carried.

VOTE 2-1—OFFICE OF THE CHIEF SECRETARY

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that a sum not exceeding £60,472 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 2-1—Office of the Chief Secretary.

Question proposed.

Sub-heads 1 to 4 and (50) agreed to.

The question was put and carried.

VOTE 2-6—OFFICE OF THE MINISTER FOR AFRICAN AFFAIRS

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that a sum not exceeding £14,467 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 2-6—Office of the Member for African Affairs.

Question proposed.

Sub-heads A and B agreed to.

The question was put and carried.

VOTE 2-7—REGISTRAR OF CO-OPERATIVE SOCIETIES

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that a sum not exceeding £18,227 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 2-7—Registrar of Co-operative Societies.

Question proposed.

Sub-heads A, B and C agreed to.

The question was put and carried.

VOTE 2-8—MISCELLANEOUS SERVICES

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that a sum not exceeding £4,680 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 2-8—Miscellaneous Services.

Question proposed.

Sub-heads A and B agreed to.

The question was put and carried.

VOTE 3-2—IMMIGRATION DEPARTMENT

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that a sum not exceeding £53,916 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 3-2—Immigration Department.

Question proposed.

MR. GATHANI: I just want to raise a small point. I think I referred to this in my maiden speech and I think the hon. Minister for Works also referred to it, but no reply has come from the Government benches.

I would particularly draw the attention of Government to the acute shortage of manpower in commerce and industry and agriculture at present, due to the Emergency and other reasons. I hope the Government will consider each case on its merit so that neither agriculture, industry nor commerce may suffer in the meantime.

THE ACTING CHIEF SECRETARY: I have taken note of what the hon. Member has said and I will certainly bear it in mind.

Sub-heads A, B and C agreed to.

The question was put and carried.

VOTE 3-3—LEGAL DEPARTMENT

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that a sum not exceeding £33,400 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 3-3—Legal Department.

Question proposed.

Sub-heads A and B agreed to.

The question was put and carried.

VOTE 3-4—REGISTRAR GENERAL'S DEPARTMENT

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that a sum not exceeding £25,708 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 3-4—Registrar General's Department.

Question proposed.

Sub-heads A and B agreed to.

The question was put and carried.

VOTE 4-1—OFFICE OF THE MINISTER FOR FINANCE AND DEVELOPMENT

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that a sum not exceeding £4,346 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 4-1—Office of the Member for Finance and Development.

Question proposed.

Sub-head A

MR. CROSSKILL: Mr. Chairman, under this Head I should like to draw attention to the department recently made from the former allocation of departments to portfolios. In this case, referring to the portfolio which is responsible for Development and Finance, I do feel this departure is to the disadvantage of the country.

It is quite unnecessary for me to ask the Minister to accept the assurance that I am in no way being derogatory about his unquestioned ability, but I do firmly believe that no human being has the variety of characteristics which can deal with these two facets of government to complete satisfaction. I believe that naturally whilst the question of development must be worked out in close ment with that of finance, I do believe that those two facets are not so complementary as competitive. I much believe that whilst one can have Dr. Jekyll and Mr. Hyde, those two characters cannot fight and be as competitive as they should be.

The criteria, as I said earlier, on the Budget in general, for development, are

primarily ones, other than those of finance, when working out development plans; the question of human requirements, natural resources, markets and so forth. I would just like to draw the parallel, Sir, of the organization in the service where you have a Branch which is responsible for operations and only when they have made out their plans are the others, including finance, brought in for consultation.

I do feel we should work more on those lines. I believe, for instance, a man who is responsible for development would have characteristics in that he would visualize rows of factory chimneys, fields of corn where deserts were before and so forth. Very different characteristics from those which a man must have who is responsible for the finance of a country. Just in the same way I believe that a man who is responsible for development, when he is unable to sleep, he would count sheep going through a gate, whereas I think it would be a characteristic, and a proper one, for a Member for Finance to count envelopes coming in with applications for the loan.

The other day, on the 21st of the month, the hon. Minister, when referring to the Swynnerton Plan, said that it was an outline of what could be done. I do feel that that is an outline of what must be done and I feel it would be a healthier fight between a Minister for Development and a Minister for Finance, rather than a compromise between a Dr. Jekyll and a Mr. Hyde.

THE ACTING CHIEF SECRETARY: Mr. Chairman, before the Finance Minister explains his position I would like to say something about it from a point of view of the general organization of Government and the Constitution.

Now, Sir, although the Member for Finance and Development is so described, it does not follow that he has an exclusive interest in development. Each Member has an interest in development within his own portfolio, and, as Members are well aware, before the present Constitution began to operate, we had a Planning Committee, the function of which was to allocate, or make recommendations for the allocation, of capital monies for development purposes over the whole

[The Acting Chief Secretary] field of Government. That was a sub-committee of Executive Council, of which the Finance Member was chairman. It contained a number of other Members and other members of Executive Council who were not, at that time, Members in the Ministerial sense. Anybody who is familiar with the working of that committee would know that, although the Finance Member played a large and important part in the work of the committee he did not in any way dominate it; nor were his views considered to the exclusion of other Members. Every Member representing various aspects of Government, various activities of Government, had every opportunity of pushing forward and pressing the necessity for development within his particular portfolio. As Members know, the report of that committee will go to the Council of Ministers and, in due course, will be debated in this Council.

Now, Sir, I would like to read paragraph 4 of Command Paper 903 which sets out what the position will be under the present Constitution. That paragraph reads as follows: "There will also be a Development Committee under the Chairmanship of the Minister for Finance and Development, which will be responsible to the Council of Ministers for keeping the development and building programmes under review, and making recommendations on the question of priority."

So that there again, under the present constitutional arrangements, although the Finance Minister will also be Minister for Development, there will be this committee which will be responsible to the Council of Ministers for keeping development and building programmes under review; and of course every Minister will have the opportunity of putting forward the needs for development within his particular portfolio.

The Finance Member has got a particular interest in this matter—for two reasons. Firstly, no development can take place unless the money is available for it, and therefore naturally the Finance Member has special interest in a development project in whatever portfolio it may fall.

Secondly, the Finance Minister has a general responsibility for the economic

welfare of the territory, and that is closely connected with development within any portfolio. It is therefore natural that the Finance Member should have a special interest in development from the economic point of view.

Therefore, Sir, in the view of Government it is perfectly proper and appropriate that these two functions should be combined in the single Minister.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, of course I do not take this personally from the hon. Member for Mau. He will of course forgive me in return if I say, as I did indeed to part of his previous speech, that he showed great lack of understanding of the manner in which Government must be run and their duty towards the country. Economic development, Sir, is essentially—I say the economic interest of the country is essentially—the interest of the Minister for Finance, and, indeed, if the hon. Member would study the history, for instance, of Britain, he will find that there it has been found essential to bring the economic planning and the economic responsibility for planning back to the Treasury, so that indeed the hon. Member's suggestion has been tried and found wanting.

It is of course extremely easy to say that development must proceed, without us being the planning, and must proceed without regard as to whether finance is available or not, but that is a completely unreal attitude because if the finance is not there the planning is of little avail. We are indeed in a position to know the maximum amount of money that is likely to be available for use for instance during the next three and a half years. The Government are setting up a committee—a Development Committee. When you have as many demands as you have in this country from as many people, the Planning Committee then becomes a committee of priorities and at this particular stage that is what planning is in this country. It is a matter of priorities.

I, like the hon. Member opposite, can give a whole list of things which are desirable, which are extremely desirable. My hon. friend the Minister for Local Government, Health and Housing, my hon. friend the Minister for Education,

[The Minister for Finance and Development] Labour and Lands—all of them can give us these things which are absolutely essential and in their opinion are desirable to the country as a whole, but they cannot all be met. So the position arises where a Development Committee of the Government is set up where all Ministers have a right to present their wishes and their desires and what they believe to be the capable of achievement during the following period, and then the Government, as a whole, has to consider whether (a) is more desirable than (b), or whether (a) is more essential than (c) and that is the task of a Minister for Finance and Development; to place before the Government (a), the money that is available, (b), to remind all hon. Ministers of the need for economic development and to point out to them what is the impact on the economy of the country of the plans that are being proposed, and to accept the collective responsibility, with his colleagues, of the decision which the Government makes.

As an alternative, does the hon. Member suggest a Minister for Development alone? Did we indeed appoint a Minister for Development, would we find the Minister for Economic Development fighting the Minister for Finance? If the hon. Member will just stop to think, he will see how interests can be separated in any department or form. The hon. Member is perhaps getting a little mixed up with the point with which I myself several times in this Council disagreed and that was at one time the Member for Finance was also indeed the Member for Works. I would agree whole-heartedly that for the Minister for Finance to be in charge of a big spending department would be completely wrong, but to say that the attitude of a Minister for Finance should be one of saying, "No, no, no", well, all I can say is, if you have a Minister for Finance or a Chancellor of the Exchequer of that kind, the sooner you write him off the better because if the attitude of the Minister for Finance is to be, "No, no, no", when he knows that the thing is of economic value to the development of the country, then he is certainly not worthy of holding the position of Minister for Finance.

The Treasury is not a place that says, "No, no, no". The Treasury is sometimes accused of not making speedy decisions. Well, the only speedy decision the Treasury could give would indeed be "No", and the reason why the Treasury is sometimes slower to make decisions than people like to be, is because the Treasury is investigating the possibility of saying "Yes" within the finance available. But there must be somebody who will assess, not only what a development plan will cost, but what it will cost the country in the years to taxpayers and what chance there is of covering that interim cost without damaging the economy of the country, so, therefore at the end of that plan, the wealth of the country will have been developed to the point where it can bear the additional expense involved. Now I suggest financial expense involved. Now I suggest that the hon. Member may want to debate this point again and I would suggest that he stop to place to debate it, when he will have before him a full view of what collective development planning really means, is when he sees the development plan of Government laid on the Table of the Council in the near future. An opportunity for debate will be given and I trust then he will realize, as indeed anybody does who carries the responsibility of planning and Government work, fully of planning and Government work, and economic realize that planning and economic development and finance have to go hand in hand and that the one is limited by the other. The final issue of development is collective responsibility of the Government and is only put to this Council after all the Ministers, for the Government have had their say, and after it has been collectively agreed.

MR. CADSKILL: I thank the hon. Minister for being in the frame of mind to say "yes, yes, yes".

THE MINISTER FOR FINANCE AND DEVELOPMENT: Then why say "yes, yes, yes"? No doubt when we come to Committee of Ways and Means certain hon. Members opposite will be saying, "Why did he not say, no, no, no." (Laughter.)

Sub-heads A and B agreed to.

The question was put and carried.

NOTE 4-2—TREASURY

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that a sum not exceeding £156,160 be granted to the

[The Minister for Finance and Development].

Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 4-2—Treasury.

Question proposed.

Sub-heads 1, 2, 3, 4, 5, 6 and 50 agreed to.

The question was put and carried.

MR. HARRIS: On a point of order, that was six we just approved I cannot find it anywhere in the Estimates.

THE CHAIRMAN: No, it was a phantom.

VOTE 4-3—INLAND REVENUE DEPARTMENT

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that a sum not exceeding £79,613 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 4-3—Inland Revenue Department.

THE CHAIRMAN: In view of the fact that it is now a quarter to six in terms of the Motion suspending Standing Order 136, I now propose to put this question and the question on each of the succeeding heads successively.

Question proposed.

The question was put and carried.

VOTE 4-4—MISCELLANEOUS SERVICES

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £1,818,472 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 4-4—Miscellaneous Services.

Question proposed.

The question was put and carried.

VOTE 4-7—RENT AND INTEREST TO H.H. THE SULTAN OF ZANZIBAR

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £16,000 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 4-7—Rent and Interest to H.H. the Sultan of Zanzibar.

Question proposed.

The question was put and carried.

VOTE 4-8—PRICE CONTROL OFFICE

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £13,291 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 4-8—Price Control Office.

Question proposed.

The question was put and carried.

VOTE 4-9—LOANS FROM REVENUE

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £539,415 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 4-9—Loans from Revenue.

Question proposed.

The question was put and carried.

VOTE 4-11—PUBLIC WORKS RECURRENT

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £1,014,145 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 4-11—Public Works Recurrent.

Question proposed.

The question was put and carried.

VOTE 4-12—PUBLIC WORKS NON-RECURRENT

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £56,659 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 4-12—Public Works Non-Recurrent.

Question proposed.

The question was put and carried.

VOTE 5-2—AGRICULTURAL DEPARTMENT

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £634,211 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 5-2—Agricultural Department.

Question proposed.

The question was put and carried.

VOTE 5-4—GAME DEPARTMENT

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £76,576 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 5-4—Game Department.

Question proposed.

The question was put and carried.

VOTE 5-5—VETERINARY SERVICES

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £494,264 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 5-5—Veterinary Services.

Question proposed.

The question was put and carried.

VOTE 5-6—MISCELLANEOUS SERVICES

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £715,555 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 5-6—Miscellaneous Services.

Question proposed.

The question was put and carried.

VOTE 6-1—OFFICE OF THE MINISTER FOR EDUCATION; LABOUR AND LANDS

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £15,427 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 6-1—Office of the Member for Education and Labour.

Question proposed.

The question was put and carried.

VOTE 6-3—COAST AGENCY

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £18,498 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 6-3—Coast Agency.

Question proposed.

The question was put and carried.

VOTE 6-5—MILITARY

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £1,126,779 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 6-5—Military.

Question proposed.

The question was put and carried.

VOTE 6-6—MISCELLANEOUS SERVICES

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £75,462 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 6-6—Miscellaneous Services.

Question proposed.

The question was put and carried.

VOTE 6-7—PRINTING AND STATIONERY

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £224,471 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 6-7—Printing and Stationery.

Question proposed.

The question was put and carried.

VOTE 7-1—OFFICE OF THE MINISTER FOR HEALTH, LANDS AND LOCAL GOVERNMENT

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £19,625 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 7-1—Office of the Member for Health, Lands and Local Government.

Question proposed.

The question was put and carried.

VOTE 7-2—SERVICES UNDER THE AUTHORITY OF THE MINISTER FOR HEALTH, LANDS AND LOCAL GOVERNMENT

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £19,318 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 7-2—Services under the Authority of the Member for Health, Lands and Local Government.

Question proposed.

The question was put and carried.

VOTE 7-3—LOCAL GOVERNMENT DEPARTMENT

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £24,202 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 7-3—Local Government Department.

Question proposed.

The question was put and carried.

VOTE 7-4—LANDS DEPARTMENT

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £101,155 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 7-4—Lands Department.

Question proposed.

The question was put and carried.

VOTE 7-5—GOVERNMENT CHEMIST'S DEPARTMENT

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £5,870 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 7-5—Government Chemist's Department.

Question proposed.

The question was put and carried.

VOTE 7-6—LOCAL GOVERNMENT CONTRIBUTION

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £772,660 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 7-6—Local Government Contributions.

Question proposed.

The question was put and carried.

VOTE 7-8—TOWN PLANNING DEPARTMENT

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £9,556 be granted to the Governor to defray the charge

which will come in course of payment for the year ending the 30th June, 1955, for Vote 7-8—Town Planning Department.

Question proposed.

The question was put and carried.

VOTE 7-9—SURVEY DEPARTMENT

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £142,248 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 7-9—Survey Department.

Question proposed.

The question was put and carried.

VOTE 7-10—MISCELLANEOUS SERVICES

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £49,064 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 7-10—Miscellaneous Services.

Question proposed.

The question was put and carried.

VOTE 8-1—OFFICE OF THE MINISTER FOR COMMERCE AND INDUSTRY

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £19,717 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 8-1—Office of the Member for Commerce and Industry.

Question proposed.

The question was put and carried.

VOTE 8-3—MINES AND GEOLOGICAL DEPARTMENT

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £55,262 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 8-3—Mines and Geological Department.

Question proposed.

The question was put and carried.

VOTE 8-4—WEIGHTS AND MEASURES DEPARTMENT

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £12,878 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 8-4—Weights and Measures Department.

Question proposed.

The question was put and carried.

VOTE 8-5—DEPARTMENT OF TRADE AND SUPPLIES

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £36,487 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 8-5—Department of Trade and Supplies.

Question proposed.

The question was put and carried.

VOTE 8-6—MISCELLANEOUS SERVICES

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £9,533 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Vote 8-6—Miscellaneous Services.

Question proposed.

The question was put and carried.

VOICES 12-17—DEVELOPMENT EXPENDITURE

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £6,300,019 be granted to the Governor to defray the charge which will come in course of payment for the year ending the 30th June, 1955, for Votes 12-17—Development Expenditure.

Question proposed.

The question was put and carried.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Committee doth report to the Council its consideration and approval of the Resolutions covering the Votes on the Order Paper.

Question proposed.

The question was put and carried.

Council resumed.

[Mr. Deputy Speaker in the Chair]

REPORT

MR. GRIFFITH-JONES: Hon. Members, I beg to report that the Committee of Supply has considered and has passed the Resolutions approving the remaining Votes on the Order Paper.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Council doth agree with the Committee in the said Resolutions.

Question proposed.

The question was put and carried.

ADJOURNMENT

MR. HARRIS: Mr. Deputy Speaker, Sir, I beg to move that Council do now adjourn.

THE SECRETARY FOR HEALTH, LANDS AND LOCAL GOVERNMENT seconded.

Question proposed.

The question was put and carried.

THE DEPUTY SPEAKER: Council will adjourn until 9.30 to-morrow morning.

Council rose at Six o'clock.

Friday, 4th June, 1954

The Council met at thirty minutes past nine o'clock.

[Mr. Deputy Speaker in the Chair]

PRAYERS
PAPER LAID

The following paper was laid on the Table:—

The Psychology of *Mau Mau*, by Dr. J. C. Carothers.

(BY THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING)

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING: I would like to draw the attention of Council to the fact that the report is published for information.

MR. COOKE: On a point of order, I have here a copy of the *Kenya Weekly News* from which it appears that this report, only laid to-day, has apparently been in their hands for some time. Have they precedence over this hon. Council so far as papers are concerned? The first paragraph, if I may read it out is, "A report by Dr. J. C. Carothers on the Psychology of *Mau Mau*, will be laid on the Table of Kenya Legislative Council to-day." They then go on to discuss the report, so it has obviously been in their hands before it has been laid on the Table of this Council. I think that is an affront to this hon. Council and a grave breach of its privileges.

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING: On a point of order, this report was issued a few days ago by the Information Department on the understanding that it was not to be used until the Paper was laid on this Table. I was asked when it would be laid, and I gave the information that it would be laid to-day.

MR. HARRIS: Will the Minister give an undertaking he will take this matter up with the paper concerned? If they gave an undertaking that that was not going to be used, until after it was laid, then they have broken their undertaking.

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING: On a point of order. The report itself has not been issued. It is only a short synopsis from which presumably they have written this.

MR. COOKE: The report is discussed in detail as if they were in possession of it.

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING: I think the best thing would be for the hon. Member to read the report and the synopsis, then he could see.

MR. COOKE: Even so, it sounds as though they had the full report and it seems unfair to the other newspapers who did not, and it seems to be taking an unfair advantage of them.

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING: All newspapers are treated in exactly the same way.

The Report of the Committee on African Wages.

(BY THE MINISTER FOR EDUCATION, LABOUR AND LANDS)

THE MINISTER FOR EDUCATION, LABOUR AND LANDS: Perhaps I should explain here, that Parts 1, 2 and 3 have already been laid on the Table of Council. This report now contains Parts 4, 5 and 6, that is to say the complete report.

ORAL NOTICE OF MOTION

THE IMPOSING OF PROTECTIVE DUTY.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir I beg to give notice of the following Motion:

WHEREAS it is necessary in the interests of the local manufacture of glass bottles, and containers, to impose a protective duty upon such articles when imported.

BE IT HEREBY RESOLVED that the suspended duty of 20 per cent *ad valorem* be imposed upon such articles by Proclamation issued under section 3 of the Customs Tariff Ordinance, 1946.

ORAL ANSWERS TO QUESTIONS

QUESTION No. 108

MR. HARRIS asked the Minister for Education, Labour and Lands whether it is the practice of the Kenya Government or of the High Commission to call for tenders before placing contracts for aerial survey work.

If the answer is in the affirmative, will the Minister state why the only two licensed operators in East Africa

(Mr. Harris) were not asked to tender in the case of the Lake Compensation Survey and only one licensed operator in the case of the 43,000 square miles survey in Kenya and Uganda?

Further, is it a fact that the company awarded the above contract had already been refused a general licence by the Air Transport Licensing Board to carry out work of this type in East Africa?

THE MINISTER FOR EDUCATION, LABOUR AND LANDS: The answer to the first part of the question is as follows: (a) No contract is placed by the Kenya Government through the Survey of Kenya without calling for tenders. Other departments of the Government have always in the past called for tenders for aerial survey work placed direct by them with aerial survey companies. In future it is proposed that all departmental contracts will be placed through the Survey of Kenya after tenders have been called for.

(b) Hitherto the High Commission has only been concerned in the matter of aerial surveys as agents operating of aerial surveys and Welfare Colonial Development and Welfare schemes for the aerial survey of certain areas in Kenya, Tanganyika and Uganda. Such surveys have been arranged by the Director of Colonial Surveys and contracts with the air survey companies have been negotiated by the Crown Agents after tenders have been called for from operators.

As regards the second part of the question, the Lake Compensation Survey was not a Kenya Government contract; it was arranged by Sir Alexander Gibb and Partners on behalf of the Egyptian Government. The other survey, embracing 43,000 square miles in Kenya, Tanganyika and Uganda, is also not a Kenya Government contract, and was placed by the Crown Agents for the Directorate of Colonial Surveys after calling for tenders from operators.

The company awarded the contract for the 43,000 square miles survey has never applied for a general licence to operate air surveys in the East African Territories. Recommendation in favour of this company was, however, made by the Air Transport Licensing Advisory Board in April, 1953, and as a result an

ad hoc licence was granted. Owing to bad weather this survey was not completed in 1953, new tenders were called for and a new contract was negotiated which is the subject of a further application by the same company for an *ad hoc* licence. This application is under consideration by the Licensing Advisory Board at the present time.

MR. HARRIS: Arising out of the last part of the reply, Sir, would the hon. Minister state whether it is a fact that a subsidiary company of the successful tenderer has in fact applied and been refused two general licences in the last three years?

THE MINISTER FOR EDUCATION, LABOUR AND LANDS: I believe that is a fact, Sir.

QUESTION No. 116

MR. SLADE asked the Minister for Internal Security and Defence to give an assurance that Operation "Anvil" will not be concluded until all Kikuyu, Embu and Meru occupants of every house within the Nairobi Municipality have been thoroughly screened.

THE MINISTER FOR INTERNAL SECURITY AND DEFENCE: "Anvil" has been concluded and the most of the troops engaged in the operation are now engaged on other duties.

The intention of Operation "Anvil" was not to screen every Kikuyu, Embu and Meru in Nairobi. Put as briefly as possible, the intention of the operation is as far as it related to the Nairobi Municipality, was—

- (a) to carry out a comprehensive sifting of all Kikuyu, Embu and Meru in the municipality for the purpose of separating persons suspected of giving active or passive support to the terrorists from persons accepted as law-abiding citizens;
- (b) to undertake a thorough screening of all those suspected of supporting the terrorists, to separate those against whom suspicion was shown to be justified from those against whom suspicion was not shown to be justified, and to prosecute or to detain the former category.

A thorough screening of all Kikuyu, Embu and Meru occupants of every house in the municipality would have involved the temporary detention of every Kikuyu, Embu and Meru in the

[The Minister for Internal Security and Defence] city and quite apart from the desirability of such a measure, would have been beyond the local resources of men, transport and materials.

In these circumstances it is regretted that the assurance sought cannot be given.

MR. SLADE: Arising out of that reply, is it a fact that they have not even been sifting as yet all the occupants in every house in Nairobi?

THE MINISTER FOR INTERNAL SECURITY AND DEFENCE: Not every area in the municipality has yet been sifted. I am not prepared to say, Sir, what are the future plans in this connexion.

MR. HARRIS: Would the Minister state whether it is a fact at the moment that half of Westlands is surrounded by troops?

MOTION

SUSPENSION OF STANDING ORDERS

THE ACTING CHIEF SECRETARY: Mr. Deputy Speaker, I beg to move that under Standing Order 168, Standing Orders 91, 93A and 94 be suspended to the extent necessary to enable the following Bills to be taken through all their stages during the present meeting of the Council:—

The Appropriation Bill, 1954 (Bill No. 41).

The Customs Tariff (Amendment) Bill (Bill No. 27).

The Excise Duties (Amendment) Bill (Bill No. 28).

The Personal Tax (Amendment) Bill (Bill No. 34).

The Income Tax (Rates and Allowances) (Surcharge) Bill (Bill No. 35).

The Coffee (Marketing) (Amendment) Bill (Bill No. 38).

The Export Duty (Amendment) Bill (Bill No. 40).

The Customs Tariff (Amendment) (No. 2) Bill (Bill No. 39).

THE SECRETARY FOR HEALTH, LANDS AND LOCAL GOVERNMENT seconded.

Question proposed.

MR. HARRIS: Mr. Deputy Speaker, Sir, might I ask for a ruling, Sir. We have to-day, if we agree to the suspension of Standing Orders, these several Bills also the Appropriation Bill and the Motions in Committee of Ways and

Means. Am I correct, Sir, in assuming that the best procedure would be, if hon. Members wish to raise any doubts on these matters, which are all interlocked, to do this on the Bills themselves, rather than in the Committee of Ways and Means?

THE MINISTER FOR FINANCE AND DEVELOPMENT: On that point of order, Sir, I would like to point out that the idea of the Ways and Means Resolution is to give hon. Members a full chance of expressing their opinions and debating thereon. It is our common practice that that is where the Debate takes place. The Bills themselves are regarded as formal once the financial resolution of the Bill has been approved by the Council; because these are, of course, essentially financial resolutions.

MR. HARRIS: Thank you, Sir.

The question was put and carried.

BILL

FIRST AND SECOND READING

The Appropriation Bill, 1954 (The Member for Finance and Development)—Order for First Reading read—Read a First Time—Ordered to be read a Second Time to-day.

THE APPROPRIATION BILL, 1954

Order for Second Reading read.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir, I beg to move that a Bill entitled The Appropriation Bill be now read a Second Time.

This Bill of course, Sir, is the authorization by the Council of the expenditure which has been approved by them in the Estimates for 1954/55.

THE SECRETARY FOR HEALTH, LANDS AND LOCAL GOVERNMENT seconded.

Question proposed.

The question was put and carried.

The Bill was read a Second Time and committed to a Committee of the whole Council to-day.

COMMITTEE OF THE WHOLE COUNCIL

Committee of the whole Council—Order for Committee read. Mr. Deputy Speaker left the Chair.

IN THE COMMITTEE

[Mr. E. N. Griffith-Jones, Q.C., in the Chair]

THE APPROPRIATION BILL, 1954
Clauses 1 to 4 agreed to.
First and Second Schedule agreed to.
Title and exacting words agreed to.
Bill to be reported.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that the Committee do report back to the Council.

Question proposed.

The question was put and carried.

Council resumed.

[Mr. Deputy Speaker in the Chair]

REPORT

MR. GRIFFITH-JONES: Hon. Members, I beg to report that a Committee of the whole Council has considered, clause by clause, The Appropriation Bill, 1954, and has approved the same without amendment.

THE APPROPRIATION BILL, 1954

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Appropriation Bill, 1954, be now read a Third Time.

Question proposed.

The question was put and carried.

The Bill was accordingly read a Third Time and passed.

COMMITTEE OF WAYS AND MEANS

Committee of Ways and Means—Order for Committee read. Mr. Deputy Speaker left the Chair.

IN THE COMMITTEE

[Mr. E. N. Griffith-Jones, Q.C., in the Chair]

MOTION

PERSONAL TAX

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that, subject to the provisions of an Ordinance entitled the Income Tax (Rates and Allowances) (Surcharge) Ordinance, published in the Official

Gazette on the 15th May, 1954, and to be passed in the present Session, a surcharge on income tax be imposed in accordance with the provisions of the said Ordinance.

Sir, I do not propose to detain the Committee at great length on any of these Resolutions. I feel that the points raised in them, and in the Bills, have been explained in the main Budget speech and have been commented on to a very great extent in the main Budget debate. (Hear, hear.) I therefore think that necessarily, will merely delay Council unnecessarily. On the question of the Personal Tax Motion I would, however, say that if hon. Members will look at the Personal Tax Bill, they will see that, thanks to the representations of hon. Members opposite, the heart of the Minister for Finance has been softened somewhat and, as a result, it has now been decided not to remove unmarried women completely from the exemption list but to reduce it from £120 to £60.

To make further comment I would remind hon. Members that I have agreed, of course, that hardship should be considered on its merits, and I have no doubt that the Commissioner will use his discretion fairly to ensure that no undue hardship is caused. I am sure he will be unable to give a definite assurance in individual cases at the present moment, because the tax does not become payable until 1955, and he must review them at that time in the light of the existing circumstances of the applicant.

Question proposed.

LT.-COL. GHERST: Mr. Chairman, Sir, during the policy debate on the Draft Estimates there was a good deal of criticism of the proposals now before the Committee and several alternative suggestions were made. Some hon. Members felt that the proposals showed a lack of equity; and in certain instances would, in fact, create undue hardship. I do not propose to repeat that occasion arguments advanced on that: occasion except, perhaps, to remind the hon. Minister that there are a number of old people in this Colony—and I refer particularly to widows and spinners—who live on a very small income, and I would suggest that they can barely exist on £200 per annum, a figure in excess of which it is proposed to levy a tax of Sh. 200 per annum.

[Lt.-Col. Ghersi].

I would suggest that there should be a complete examination of the Personal Tax Ordinance, with a view particularly to examining the advisability of placing the tax on a graduated basis. I am fully aware that a number of hon. Members on this side feel exactly as I do and, having regard to the fact—as the Minister has just stated—that the payment of the tax is not due until the 1st January, 1955, I would ask him if he would agree to the setting up of a committee for the purpose of examining thoroughly the incidence of personal tax and submitting alternative proposals which may become a substitute for the proposals now before the Committee. I hope the hon. Minister can see his way to do that because I think it is only fair and only right that I should point out that if he is unable to do so, that I, and I think the majority of Members on this side of the Council, will have no option but to oppose the Motion.

MR. COOKE: Mr. Chairman, I would like to support everything that has been said by my hon. friend, the Member for Nairobi North. My hon. friend, the Minister for Finance, may save his conscience by saying that hard cases will be dealt with, but the fact is that people are afraid of what is called "pauperization". They do not like to come in front of a committee, and the poorer a person is the more pride he may have. I think my hon. friend must give way in this matter. I believe it is the unanimous wish of this side of Council that some ways and means should be discovered of graduating this tax, and I think it is a reasonable request to ask for a committee to consider the matter.

MR. GATHANI: Mr. Chairman, I would support everything that has been said by the two previous speakers, and as this tax does not come into operation until the 1st January there is sufficient time for Government to consider other ways and means of raising that amount of revenue which the hon. Minister wishes to raise through personal and poll tax. If, on account of the majority on the other side, our request is not going to be considered, then I certainly suggest to the hon. Minister that he should make some provision whereby those—particularly those—who come in the lower income groups, are not asked to pay

Sh. 200 at a time, and that they should be given an opportunity to pay this sum by instalments, so that the first month they can do without milk and pay to the Minister; the second month they can go without the baby's food and pay to the Minister; and the third month do without certain essentials of life as their contribution to the Minister. This amount of Sh. 200 to pay at a time, particularly for those whose income is £200 and over, up to, say, £300, is really a great burden, and in the light of that I hope he will make some provision so that during the first six months of the year the persons affected would at least go without one essential in life and make a contribution to him. (Hear, hear.)

THE MINISTER FOR FINANCE AND DEVELOPMENT: Of course, Mr. Chairman, I cannot accept the proposition put forward by my hon.—friend, the Member for Nairobi North. Hon. Members are well aware that in my reply on the main Budget debate I stated that the idea of a graduated personal tax appealed to me, and I am having the matter investigated during the year by the Treasury in order to get some foundation for a graduated personal tax, perhaps on a higher scale. I would point out that if I reduce the lower level I would have to get additional money by increasing the personal tax at the higher levels.

MR. COOKE: Not necessary!

THE MINISTER FOR FINANCE AND DEVELOPMENT: It is all very well for the hon. Member for the Coast to say "Not necessary". I should have thought even the hon. Member for the Coast's arithmetic would have gone as far as that—(Mr. Cooke rises)—No, I am afraid I will not give way. You have a chance to speak again in Committee. Also, there is the fact that the country must have the money this year. The Budget is based on the application of this particular tax, and there can be no question of my having to accept a review or a revision of this for this year. I stated in my main Budget reply that I must ask everybody in the country to make some measure of sacrifice. I was very interested to hear the hon. Member for Central Area's theory on this one, but, with all due respect, when one looks at the list of servants engaged, it is amazing the number of people in

[The Minister for Finance and Development] This country living on a certain standard of life at this wage, who are apparently still able to engage servants. I would say that one of the first things to be sacrificed in a case like that would be servants, and the work would have to be done by the people of the house instead. Everybody knows, and I am fully aware, that this is a hard-pressing tax, but all taxes at the present moment are hard-pressing under the circumstances, and when the bill that this country has to meet—and is going to have to meet—comes in, it is important and essential that it should be seen and known that we are carrying our share of the burden to the utmost limit.

MR. COOKE: Mr. Chairman, the hon. gentleman is probably quite right, and my arithmetic is not very strong, but I think that my vision is perhaps a little longer than that of the hon. gentleman. What I was going to suggest was an additional tax—why not a tax on mineral waters to get the money he needs? Why not a tax on pyrethrum export, and so on—I could name a great many others. It is probably not my arithmetic that is wrong—I appreciate the point that the hon. gentleman made, but I think his vision is a bit limited.

THE MINISTER FOR FINANCE AND DEVELOPMENT: With regard to the vision of the hon. Member for the Coast, he is now turning his vision to that of revenue. Not so very long ago the hon. Member for the Coast was turning his vision to that of expenditure, and his vision of expenditure was not that it should remain at its present level, but that it should be increasing in leaps and bounds by way of general services. So I say that the money will have to be, and provided by one way or another, and it will be essential to find additional money if the wishes of Members opposite are to be met.

MR. COOKE: Mr. Chairman, the hon. Minister is begging the question now—he says that the matter is to find the additional money. First, he said that the only way he could do it was by making arrangements whereby people of higher salaries paid more personal tax. He is now begging the question and saying we must get additional revenue—on that I agree with the hon. gentleman.

THE MINISTER FOR FINANCE AND DEVELOPMENT: The hon. Member for the Coast has not apparently grasped the situation at all. I was not talking about additional revenue for this year—I was talking about the suggestions the hon. Member for the Coast was making for taxation in the future, and indicating that the vision there, Sir, would be more than met because there would be additional expenditure.

THE DEPUTY SPEAKER: I fear that I have been somewhat lax in the last few minutes in permitting Members to rise on a number of occasions. I would remind Members that in Committee of Ways and Means under Standing Order 139 (c) no Member shall speak more than twice on any Motion.

LT.-COL. GHERSI: Mr. Chairman, this is my second occasion, Sir. (Laughter.) I fail to understand the hon. Minister's objection to my request, unless of course he has misunderstood what I asked for. The very fact, Sir, that this tax does not become operative—or at least the increased portion of it—until January, 1955, surely that allows heaps of time to set up the committee which I asked should examine the whole incidence of personal tax with a view to putting forward recommendations. Those recommendations may be unacceptable to the hon. Minister, but there is no reason why he should at this stage refuse a very reasonable request—that a committee be set up to investigate the matter. (Hear, hear.)

MR. J. S. PATEL: I am afraid, with the greatest respect that I have for the hon. Minister for Finance, that I cannot help feeling that he is getting into the help feeling that he is getting into the boots of a dictator. Surely this side of Council the hon. Members on this side of the fact cannot be ignored in time—and I endorse that there is ample time for the hon. Member for the Nairobi North: So long as he finds the money which he needs on the 1st January, 1955, I think he should agree to appointing a committee to put this personal tax on a very fair basis of a graduated. I hope it will not take a very long time in order to arrive at conclusions, and I see no reason why his own proposals without any modification.

MR. MATHU: Mr. Chairman, Sir, I would personally oppose any appointment of a committee. We know how Members appointed to committees—when they know how busy they are—and when they talk about heaps of time—we are in June now, and there is only another five whole months, and very few committees report under a year, and we may find ourselves by June next year without a committee report, and in view of that possibility and the fact that we want money quicker in order to get on with our development, I support the Motion to raise the money necessary.

I strongly support the Minister.

LT.-COL. GIBBS: We cannot hear a word you are saying.

HON. MEMBER: It's not worth reporting!

MR. HARRIS: Mr. Chairman, I do not know whether the hon. Minister for Finance is even able to get up and say whether he has changed his mind! Oh, he is—that's fine.

I cannot understand his attitude in this matter. He says that the Treasury are investigating for him the possibility of graduation. If they are investigating it, that surely shows that he realizes that there may be some merit in this suggestion, and if there is some merit in this suggestion, why cannot we take some of this heavy load off the Treasury and have a committee to investigate this matter and make recommendations.

I am very disappointed that the hon. Member for African Interests, Mr. Mathu, should have made the speech that he just has, as in fact, Sir, in his absence the other day his colleagues agreed to support the stand that we are taking now. I would appeal to the hon. Minister to reconsider his decision.

MR. GATHANI: As far as Members on this side are concerned, there is no objection at all to raising that amount in order to meet the extra expenditure. We are only objecting to the proposal of the Government to raise that amount by imposing extra personal and poll tax. I am sure that the Minister, instead of trying to find that amount by himself, if he would take our advice, we would find the means whereby that amount

could be raised, and he would not be bound to accept our advice. He has got a majority, and if he thinks our suggestions are not sound, he can ignore them, but at least he will have the benefit of the advice of Members this side, and have some new suggestions for next year's Budget. I would therefore strongly urge the Minister to reconsider this matter which I think is very fair. I am sure that some suggestions would definitely be advanced whereby the burden of the lower income groups would be lower than what the hon. Minister wishes to impose. Yesterday, Sir, while I was mentioning the raising of a loan for African education, the hon. Minister assured me that Ministers are consistent in their policies which they dictated some years ago. I would refer him to the same remarks that I said in Council—when he was opposed even to a rise of Sh. 5 in personal tax. He should surely reconsider this in the light of that explanation which he gave yesterday. I am sure that no harm would be done, and as even my hon. friend, Mr. Mathu, has got some suspicion of the findings of the committee in the time required, we can put a time limit on, and if the committee cannot make its recommendations by then, the alternative is in the hands of the hon. Minister for Finance to do what he likes. Since the tax is not coming into operation until the 1st January, I personally think that there is ample time, and that we can finish it in one month if there is so much urgency about it. There is no objection so far as this side of the Council is concerned to the hon. Minister raising extra sums for extra expenditure, the only objection is with regard to the ways and means by which he seeks to achieve his end.

THE MINISTER FOR COMMERCE AND INDUSTRY: Mr. Chairman, I think possibly the hon. Member—or some of the hon. Members—are missing the point when they suggest this matter should be considered. I would point out that my hon. friend, the Minister for Finance, has been considering this most carefully, with the greatest of thought, with his colleagues in the Government, Sir—the hon. Member may laugh—but I thought he would take this matter seriously—for a good many months. This was not a tax lightly imposed, as I think every hon. Member opposite appreciates.

[The Minister for Commerce and Industry]

I would suggest that the pressure to reconsider on the part of the hon. Member is, in its essence, an attack on one of the principles of the Budget. My hon. friend has said that he will, within the principle of the Budget, give sympathetic consideration to hard cases. He has gone—I would have thought—as far as any Minister for Finance, under these circumstances, could, in fact, go.

I would further point out that some hon. Members have, possibly by accident and possibly by implication, suggested that this is my hon. friend's personal Budget. This is the Budget of the whole Government. This is a matter on which all his colleagues support him, and I do wish to make that quite clear because there have been a good many suggestions that perhaps this was the personal desire or wish of the hon. Minister for Finance. (Hear, hear.)

MR. USHER: Surely the matter is a very simple one. Government wants so much money from A, B, C and D. Surely to goodness it is right and proper that they should accede to the request by A, B, C and D to say how they should divide it out between them, within the framework that they desire.

MR. MATHU: Mr. Chairman, for the purpose of the record—my hon. friend, the Member for Nairobi South challenged what I said earlier on about the views I expressed on this Motion. He said that my colleagues, in my absence somewhere, supported the proposals that there should be a committee appointed. I have checked with my colleagues, and they disagreed that there was any such understanding, and they support the views I express now that this Motion should go ahead and be passed so that there should be no further delay in the collection of funds that the hon. Minister requires.

MR. CROSSKILL: Mr. Chairman, I feel that on this side of Council we cannot accept, for the reason that this measure has been considered at length and other accepted by all Members on the other side of Council, that it is essentially right and fair. The very fact, I submit, and faultless. The very fact, I submit, that it has been agreed that sympathetic consideration will be given for remission, is an admission that it is not faultless. (Cries of "No, no.") Therefore, I feel,

that, on that admission by the hon. Member, they should accept the suggestion that a committee should sit.

LT.-COL. GIBBS: After all, he do represent the taxpayers on this side!

THE CHAIRMAN: If the hon. Member wishes to speak, he must rise.

MR. J. S. PATEL: Mr. Chairman, when the hon. Minister says that sympathetic consideration will be given to hard cases, I am afraid that he does not realize that sympathetic consideration will have to be 50 per cent of the cases, and it will involve more clerical work and more complications in the administration of Government, and I would request him again that he should give this sympathetic consideration to accepting the proposals from this side of Council.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I am sorry to hear that I cannot accept the suggestion made that there should be a committee appointed. I have said that I am going to get the Treasury—which, after all, is the proper machine—to start investigations of this kind to look into this matter, as a result of representations made by hon. Members opposite. But I cannot agree that in this year's Budget there could be any doubt about the amount of money that I am trying to raise, and the sources that I am trying to raise it from. The deficit gap is already big enough, and may be, indeed, bigger; and I must therefore be assured in this matter, if the things are to go forward, even on the standstill scale that we have accepted, except in regard to education, that the measures are now put into operation. I am prepared to consider the debate, in so far as next year is concerned, but has an aspect in it, as I explained to the hon. Member for Coast—indeed, I shall have to raise personal tax in the higher income groups in order to compensate for the concession that is given in the lower income groups. I take it that is the kind of thing that hon. Members opposite are obviously prepared to accept.

In so far as Mr. Gathani talked about putting forward other suggestions, most of the suggestions that the hon. Mr. Gathani or hon. Members opposite have been putting forward, have indeed been noted by me, and many of them have

[The Minister for Finance and Development]

indeed been considered by me, but for one reason or another they cannot be put into practice at the present moment. That is one of the reasons why one has got to seek money, as I have tried to point out before, from limited channels in this country at the present moment. This is indeed a sacrifice. It means that the lower income groups, a number of whom have not made any very great contribution in direct taxation in the past, are now going to feel the burden of direct taxation, and it is going to be an unpleasant shock. But the services that are provided have got to be paid for.

If, indeed, after investigation, the graduated personal tax system which may indeed, I warn hon. Members, mean tax running from £2 to £15 or £20 personal tax—if, indeed, that proves to be a more fruitful source of income and a fairer spread, then I will consider—our Government will consider—putting it forward in the next Budget, when indeed there is going to be—as far as one can see—every reason for additional money, being required again. But I cannot accept that one can at this stage bring uncertainty into this particular point of where the revenue to meet the country's heavy expenditure is coming from.

MR. GATHANI: On a point of explanation, the hon. Minister said that all suggestions made on this side were considered and found impracticable.

THE CHAIRMAN: This is not a point of explanation. The hon. Member must not put forward further argument and matter when he purports to make a point of explanation. I shall regard very seriously any further breach by that particular hon. Member of this form of breach of order.

The question was put.

The Committee divided.

DIVISION

The question was put and Council divided.

The question was carried by 22 votes to 9. (AYES: Messrs. Colchester, Coventry, Edey, Gikonyo, Hartwell, Havelock, Hope-Jones, Jeremiah, Dr. Karve, Mr. Mathu, Chief Mukima, Messrs. Nathoo, Petrie, A. B. Patel, Sir

Eboi Piribhai, Messrs. Roddan, Slow, Tameno, Tyson, Vasey, Wadley, Windley, 22. NOES: Messrs. Cooke, Crosskill, Gathani, Lt.-Col. Gheris, Messrs. Harris, Leicher, J. S. Patel, Slade, Usher, 9.)

MOTION

INCOME TAX (RATES AND ALLOWANCES) (SURCHARGE) ORDINANCE

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that, subject to the provisions of an Ordinance entitled the Income Tax (Rates and Allowances) (Surcharge) Ordinance, published in the *Official Gazette* on the 15th May, 1954, and to be passed in the present Session, a surcharge on income tax be imposed in accordance with the provisions of the said Ordinance.

Again, Sir, this has been debated at length in the main-Budget debate and I do not propose to go into the matter in detail. I regret it has not been possible to supply Members with copies of the Schedule to the Income Tax Ordinance as amended to provide for surcharge, but it is such a lengthy Schedule that it was found impossible to have it printed in the time at our disposal and because of the great pressure of work on the Government Printer's Department. I can, however, answer any questions as to how this surcharge will affect individual taxpayers in certain groups if Members wish me to. I have, I think, pointed out that tax will be levelled on income for the year 1953 and instalments will be payable in October, 1954, and March, 1955—surcharge to be levied at the rate of 75 cents on each £1 of chargeable income in excess of £800, with a maximum equivalent income of £8,750.

This means indeed, Sir, that the lower income tax groups will pay no additional taxation. Indeed, on an income of £1,000, a married man without children will pay no additional taxation nor, of course, will married men with children. On £1,200 a married man without children will pay Sh. 38 a year extra and with one child or more will pay nothing extra. The effect will be, taking £1,500 total income, a surcharge on a single man of Sh. 525— that is more than his present level—and a married man Sh. 263 more than his present level, and on a married man with one child will £1,500 total income—he will pay £8 12s. more than at present.

[The Minister for Finance and Development]

Those are indications of where the impact begins and in the £7,000 total income groups the single man will pay Sh. 4,350 more than at present; the married man with one child will pay Sh. 4,298 more than at present.

Sir, I beg to move.

THE MINISTER FOR COMMERCE AND INDUSTRY seconded.

Question proposed.

MR. HARRIS: Mr. Chairman, in the Bill to come before the Council as a result of our passing this Motion—if we do—in clause 2 is an apparently innocuous expression at the end of the clause which says "and each succeeding year". The effect, Sir, of that apparently innocuous clause is, in fact, to place the 75 cents per £1 surcharge as a permanent feature of the income tax structure. We have agreed on this side, as an Emergency measure, that this 75 cents is necessary at the present time, but we have not accepted the 75 cents as being a permanent surcharge tax. (Hear, hear.)

Now, Sir, in this and other Motions which come before this Committee, I would ask your indulgence to make one point which really could be made on it of them, but I think if I make it now it will save the time of the Committee, and that is that hon. Members on this side of Council—with varying exceptions—have agreed that the Minister for Finance has produced a Budget which, under the circumstances, is as good as it could be. We realize that he has gone to considerable lengths to try and make the spread of taxation, mostly due to the Emergency, as fair as he possibly can. But, Sir, that is for the Emergency. Having accepted as is for the Emergency, it is reasonable, Emergency measures the various proposals for raising additional expenditure, we do want to register—on all these matters—that they are, in fact, annotated as Emergency-measures for raising income and are not part of the permanent tax structure. Therefore, Sir, if the Minister finds that he is unable to give me an undertaking now that he will agree to an amendment to clause 2 of the Bill, and namely the deletion of the words "and each succeeding year" then, Sir, I am afraid my colleagues and I will have to oppose this Motion.

THE DEPUTY SPEAKER: I want to be myself, quite clear that I understand the hon. Member. Is he not referring to "and for succeeding years of income" in clause 1 of the Bill?

MR. HARRIS: Yes, Sir, I am sorry. I was speaking without the clause here.

LT.-COL. GHERIS: I shall oppose this surcharge, Sir, as I consider the incidence of direct taxation is as much as the community can bear at the present moment. Whilst on this point I would just like to clarify a point; during the policy debate the Minister rather juggled with my figures and challenged them and altered them to suit his own convenience.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, on a point of order, is the hon. Member in order in imputing dishonest motives to me in this respect?

THE DEPUTY SPEAKER: Certainly not.

LT.-COL. GHERIS: I would never dream of such a thing.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I suggest the hon. Member repeats what he said.

MR. COOKE: Ever since I have been a Member of this Council—20 years—no exception has been taken to mild insinuations.

THE DEPUTY SPEAKER: Exception has been taken to it now and I propose to imply Standard Orders—that that sort of implication must not be made.

LT.-COL. GHERIS: He challenged them and I suggested that the amount paid in direct taxation in this Colony by a married man with a wife and two children was £30 less than that paid by a person in a similar position in the United Kingdom. The hon. Minister increased that amount to something in the nature of £75—I forget what it was exactly—but what I find in direct taxation overlooked is that in direct taxation—and in the payment of direct taxation—we pay personal tax and hospital tax—and if he makes a calculation on that basis he will find my figures are correct.

There is only one point I should like to raise. When the hon. Minister made his speech during the course of the introduction of the Draft Estimates, he said "I propose to consider allowing some

[Ll-Col. Gherisi] set-off of the increased amount of personal tax paid by an income tax payer against the surcharge of income tax but as the proposed increase in personal tax relates to the year 1955 no set-off will be called for in respect of surcharge of income tax payable in 1954 on 1953 assessments'. Now, Sir, has the Minister given that matter consideration and has he made up his mind on what will be the basis of the relief?

THE DEPUTY SPEAKER: If no other hon. Member rises to speak, I will invite the hon. Member to reply.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I regret, Sir, I cannot accept the suggestion made by my hon. friend the Member for Nairobi South. I fully appreciate the fear that he is, shall I say, suffering from in this regard but I think it would be entirely wrong for the Government to be committed to this as purely a measure for this year only. I have, I think, told the hon. Member—as I have told this Council—that it is my idea that we shall arrive at a stage when all these main groups of taxation shall come back to this Council each year in order that opinions can be expressed annually, but if I were to give the undertaking as asked for by the hon. Member, there is no doubt that either myself or some successor at some time would be faced with the fact that in ten or 15 years' time, whatever the changing situation and whatever the increased expenditure, Government would be told there was a breach of faith because it had increased income tax and I do not propose to put the Government of the future into that position. What I would say is this—that so far as I am concerned and, I am sure, the Government is concerned, if this tax has at any time to be imposed after the Emergency is ended, before it becomes a part of the permanent structure of taxation this Council will be given the chance to debate such a move. I think that this is as far as one can go in this matter. It would mean, indeed, that when the Emergency was over and expenditure began to assume what one would take to be its ordinary or normal level, Council would have a chance of debating this particular measure of taxation—as to whether it should become part of the permanent taxation structure or not.

In so far as my hon. friend the Member for Nairobi North is concerned, what he said was that I took these figures and challenged them. Of course I challenged them. What I did not do was to juggle with them and "twist" them to suit my own purpose—(Hear, hear.)—and I defy the hon. Member to find anything of that in my speech.

Now the hon. Member said if I had counted up hospital tax and indirect tax I would have found we were paying more. If the hon. Member either listened or took the trouble to read what I said, he would see that I said at the end of my speech that taxation in this country is becoming very heavy, particularly when it is placed against the fact that the taxpayers in this country do not receive benefits such as national health schemes, old age pensions, unemployment benefit and things of that kind. I resent bitterly the type of phrase that the hon. Member has used when I have spent so much time in this Council trying to point out the burden that the taxpayers of this country are bearing. (Hear, hear.)

MR. HARRIS: Mr. Chairman, might I just ask the Minister if the undertaking he has given—which sounded very satisfactory—means, in fact, that either the 75 cents surcharge will be withdrawn at the end of the Emergency or alternatively he will bring it back to this Council before incorporating it in the permanent income tax structure?

THE MINISTER FOR FINANCE AND DEVELOPMENT: Yes, Sir, that is the assurance I have given. What I cannot do is to utter any words which might be taken as committing the Government of the future to the fact that there should be no increase in income tax during ordinary years.

The question was put and carried.

NOTION

EXPORT DUTY ON COFFEE

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that, subject to the provisions of an Ordinance entitled the Export Duty (Amendment) Ordinance published in the *Official Gazette* on the 1st June, 1954, and to be passed in the present Session, an export duty be imposed on coffee in accordance with the provisions of the said Ordinance.

[The Minister for Finance and Development]

This, Sir, has again been explained in the main Budget debate. The Bill does lay out the principles on which the tax will be collected. The methods may seem to be a little cumbersome but they are believed by the Coffee Marketing Board and by the Government to be the simplest method of collection which will cause the least inconvenience to the coffee trade.

Sir, I beg to move.

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING SECONDED.

Question passed.

MR. HARRIS: Mr. Chairman, I am afraid, although we agree that the Minister has reaped the best harvest he can, that we cannot possibly, of course, support this Motion. Most of my colleagues are opposed to the principle of export duty and have only put up a token fight this year because we realize the necessity of increasing the revenue of the country. I am sorry, Sir, that in fact this coffee tax has not been part of a separate Ordinance and has, in fact, been all bundled together with the old export taxes which unfortunately seem, in spite of annual protestations to the contrary, to have become a permanent feature of our taxation system.

Therefore, Sir, I have to oppose this Motion.

MR. SLADE: Mr. Chairman, I rise to record formally my utter opposition to all kinds of export tax. There has been argument on this on many occasions and I do not want to repeat these arguments, but I still fail to understand how an hon. Minister for Finance, who referred to agriculture as the life-blood of this country and to the importance of exports for the prosperity of this country—how the Minister for Finance or the Minister for Commerce and Industry can possibly impose any such type of tax.

LADY SHAW: My Chairman, I wish to record my opposition to export taxes—whether, as originally, for the purpose of raising capital or whether, as now, for the Emergency.

THE SECRETARY TO THE TREASURY: Mr. Chairman, I rise not to deal with the principle of the export tax but to

do a somewhat unusual thing in the Ways and Means Committee, although it has been very usual in the Committee of Supply; that is to pay a tribute to the taxpayer. The Coffee Marketing Board and the Coffee Board express very full dislike of this tax but they have worked very hard with the Treasury to ensure that the tax is levied in such a way as will impose the very minimum of hardship on the coffee trade and I am very grateful to them for their very helpful co-operation. (Applause.)

MR. CROSSKILL: I should like to point out that I believe hon. Members on the other side have recognized that in some cases this may be a crippling tax—that it is not a tax on profits but a tax on coffee. It has been pointed out that in cases where a plantation may be afflicted by disease or drought it may impinge very heavily and seriously on the owner of that plantation. That has been recognized on the other side by an agreement by the hon. Minister that he will sympathetically consider remission in cases of hardship. That acknowledgment amounts to an acknowledgment that the tax is a poor one and for that reason I believe that in any form that it should be recognized as a tax for one year only.

MR. GATHANI: Mr. Chairman, I rise to oppose the export tax in principle and I would like the fact to be recorded accordingly.

THE DEPUTY SPEAKER: If no other hon. Member wishes to speak, I will invite the hon. Member to reply.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Sir, I do not propose to argue again the virtue or otherwise of export taxes, because it has been an annual argument. I have said that Government will, of course, consider cases of hardship. I am a little dismayed to find that by giving way to that type of plea—that hardship cases will be considered—that time and again—apparently the argument is now to be used that any tax on which one says hardship will be considered a poor tax. Well I cannot imagine any particular case there will not, in some tax law case of hardship, of I were to listen to the arguments of the hon. Members opposite I would indeed say that I will listen to no cases of that kind, in order to try

[The Minister for Finance and Development] and defend across this Council their arguments that any tax in which hardship is inflicted must be a poor tax. I cannot believe the hon. Members have really given weight to that particular argument.

Dealing with the position raised by my hon. friend, the Member for Nairobi South, I would say that it is not my intention or the intention of Government that this coffee tax should become a permanent feature of our tax structure. Desperate measures need desperate remedies and desperate remedies had got to be taken at that moment in order to meet our present situation. I give him the assurance I gave him on the other tax—that before any measure of this kind is incorporated into the permanent tax structure, the measure will be placed before this Council which will be allowed a full debate, that is before any measure of this kind could be regarded as a permanent factor in our tax structure. More than that, Sir, I cannot say. The question was put and carried.

MOTION

EXCISE DUTY

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that, subject to the provisions of an Ordinance entitled the Excise Duties (Amendment) Ordinance, 1954, published in the *Official Gazette* on the 23rd April 1954, and to be passed in the present Session, the rate of Excise Duty be amended in accordance with the provisions of the said Ordinance.

Sir, that again has been, I think, fully explained and debated in the main debate and I therefore do not propose to speak on it further.

I beg to move.

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING seconded.

Question proposed.

The question was put and carried.

MOTION

CUSTOMS DUTY

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that, subject to the provisions of

an Ordinance entitled the Customs Tariff (Amendment) Ordinance, published in the *Official Gazette* on the 23rd April, 1954, and to be passed in the present Session, the rates of duty be amended in accordance with the provisions of the said Ordinance.

This, Sir, covers the customs duty proposals put forward in the main Budget speech. They have, I think, been discussed at length. I propose to say no more to the Committee now.

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING seconded.

Question proposed.

The question was put and carried.

MOTION

CUSTOMS TARIFF

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that, subject to the provisions of an Ordinance entitled the Customs Tariff (Amendment) (No. 2) Ordinance, 1954, published in the *Official Gazette* on the 3rd June, 1954, and to be passed in the present Session, the rates of duty be amended in accordance with the provisions of the said Ordinance.

Now, Sir, this is not a matter which concerned the Budget proper. This is a new measure and the financial Resolution which is essential before the Bill can be considered is now placed before the Committee of Ways and Means. If this is agreed to, Sir, the Bill—Bill No. 2, Customs Tariff (Amendment) Ordinance—will then be placed before the Council which imposes—or shall we say gives power to impose—customs duty of 20 per cent *ad valorem* on certain species of glass bottles, jars and containers imported into the Colony. If the Resolution or amendment is agreed to then I shall place before the Council the Resolution of which I gave notice this morning and that will complete the cycle of operation.

Sir, the Government has been approached by the people concerned in the manufacture of glassware in Kenya, who placed before the Government a position which, they said, had grown extremely serious as a result of competition from overseas—competition which in some cases undoubtedly showed signs of that type of unfair price-cutting

[The Minister for Finance and Development]

which gets near to dumping. The manufacture of glassware in Kenya was started in 1950. There are two factories engaged in this production in Kenya—Pitt-Moore Glassworks, Ltd., and Messrs. Kenya Glassworks, Ltd.—the latter in Mombasa. There has been a capital investment in this industry of something like £300,000. It is an industry which has provided employment for a number of our people and seemed, indeed, to have fair prospects of success and good development as a main supply source for a large proportion of the market of East Africa. In addition to that, I am sure that hon. Members will remember that during the war, the country, and the East African Territories as a whole, found themselves in very great difficulty through the shortage of glass containers and the like because there was no manufacture locally and the shipping position was extremely bad.

The Government felt that it could not, under any circumstances, allow this young and developing industry to die—(Hear, hear)—it felt it was essential to take the most rapid action possible to do what it could to protect that industry. The measures of protection were very limited. We have, of course, a committee which considers what assistance it can give to secondary industries by "draw-backs" upon customs duties, but there was little that could be done that would bring relief to the amount desired by the industry if it was to continue in being. The alternatives were a protective tariff of this kind or direct subsidy by the taxpayer. The obvious one to follow was the protective tariff because in the opinion of the Government a direct subsidy by the taxpayer would be a very undesirable precedent to start—therefore we moved to the consideration of a protective tariff.

This tariff is not likely to be imposed at any rate at present, by our friends to the north or to the south of us. It is, therefore, a measure that we are taking in this case in isolation. It can be defended in isolation because the commodity is one which is too heavy and bulky for it likely to be a profitable industry to move from one territory to another without paying customs duty so that that factor enabled the Government

in this particular case to decide that it would operate in isolation for the protection of our industry. I do not believe any hon. Member of this Council will oppose this particular measure because I think they will see that if secondary industries in a young and developing country are to be given a chance during those early years of experiment and development, they must have some measure of protection against anything in the nature of unfair competition. If, of course, the industry does not prove itself to be efficient behind this protective barrier, then the Government will hold itself free to withdraw the protective measure and allow competition to play its full part again. But we have no reason to suppose that these industries or the manufacturers taking part in this industry are not moving to a standard of efficiency which will enable them to compete on reasonable terms with anything short of dumping.

Sir, I beg to move.

THE MINISTER FOR COMMERCE AND INDUSTRY seconded.

Question proposed.

THE DEPUTY SPEAKER: I propose to suspend business at this stage. Council will resume in Committee at a quarter past Eleven o'clock.

Council adjourned at Eleven o'clock and resumed at fifteen minutes past Eleven o'clock.

THE CHAIRMAN: The question has been proposed and is now open to debate.

MR. HARRIS: Mr. Chairman, I rise to support this Motion. I should like to congratulate those Members of Government who have been responsible for being able to take action so quickly in this matter. I believe there was a crisis in the glass industry in this country which came to a head only a matter of some 14 or 21 days ago, and the fact that Government have been able to bring to this Council the Bill which gives protection to that industry so quickly, I think is a matter of great credit to them.

Now, Sir, there is always a suggestion with any protective tariff that the firm with any protective price: One of effect will be to increase prices. One of the reasons I support this measure of fairness is that the very erection of glass factories in Kenya had the

(Mr. Harris) immediate effect of reducing prices very considerably and, as the Minister has pointed out, overseas manufacturers have been obviously slashing prices in order to try to retain this market. The result will therefore be, Sir, that although this tariff may increase the cost of imported bottles, it should be possible for Kenya bottle users to buy their containers cheaper than they could have done before the factory started, regardless of any element of protection.

There is another reason, Sir, why I feel not only this industry, but other industries that are just starting up in Kenya, should be given every possible encouragement. In this particular industry there is a group of semi-skilled and skilled African labour growing up, which is earning wages which, until recently, had been unheard of for that type of labour in Kenya, and I believe that both the firms engaged in this industry are what we now call enlightened employers and are the sort of people that we must encourage if we are to find work for the very fast-developing African population.

In addition, Sir, this industry, as the Minister pointed out, could not be helped by a drawback of duty, because almost all raw materials are, in fact, obtained in East Africa and that is yet another reason why it is the kind of industry that we want to encourage. The very presence of this industry is giving a boost to other young industries in Kenya who are developing in order to take care of the requirements of the glass manufacturers. We now have the bottles, we have the beer and I hope very soon we will have the crown corks, and I am quite sure we will have the customers for the contents of the bottles.

I am very disappointed, Sir, that the Minister had to tell us that at the moment he could not expect similar action from neighbouring territories. I do believe, Sir, that it is in the interest of the whole of East Africa that these industries should be encouraged in one or other of the territories, and should be able to look on the whole of East Africa as their natural market. (Hear, hear.) The fact is, Sir, some of the raw materials used in glass manufacturing in Kenya are, in fact, imported from one of the neighbouring territories, and I hope that factor will

weigh with that territory when it considers the possibility of taking action similar to that which is now proposed for Kenya.

There is one point of detail, Sir, on which I would like a reply from the Minister and that is, I am told that there is a product in the glass trade known as A.C.L. bottles. It is a creation, I am told, Sir, of applied coloured labels in which the label is, in fact, part of the manufacturing of the bottle and so far the local industry is unable to produce that type of bottle. I am told, Sir, that, among other things, it requires considerable capital expenditure to be able to produce A.C.L. that is being sold, Sir, I am not quite sure if in the Schedule to the amending Bill, A.C.L. will be subject to the 20 per cent *ad valorem* duty or not, but I would ask Government to consider the possibility of enabling such bottles to come in free, at any rate until such time as Kenya is in a position, if not to produce A.C.L., at any rate something which could be substituted for A.C.L. bottles when I will also support a duty on that type.

I beg to support.

Mr. TYSON: Mr. Chairman, the hon. Member for Nairobi South referred to the fact that the prices of imported foreign bottles had been cut considerably recently. What I would like the Minister to tell us, is whether he has made any investigation to ascertain whether this drastic cut in prices of imported bottles, is connected in any way with subsidies given by the foreign governments concerned, because it does seem to me that if they are going to get round this difficulty by subsidies on the part of the foreign governments, it would, to a very large extent, nullify any protection which we can give in the way of import duty.

There is another aspect to that which I think, Sir, should be kept in mind. I do not think that any industry, which is established here, should regard an import duty as a form of permanent protection. (Hear, hear.) I think they must keep in mind that this protection is given to them to enable them to build up an industry which can stand on its own feet without this special protection indefinitely. It has caused, and is still causing, considerable difficulty in Australia where it is upsetting British export markets merely to bolster up an industry which has not been able to stand on its own feet.

(Mr. Tyson) Subject to that, Sir, I support the Motion.

LADY SHAW: Mr. Deputy Speaker, I just want to ask the Minister for Commerce and Industry, if he could tell me one thing before this finally goes to vote, and that is whether there has been any idea, or any suggestion, that the screw-top type of bottle can be made in this country? When I say the screw-top type of bottle, I really mean the type in which preserves and jam are bottled, fruit and things like that. I am not going to continue this, because if it is explained that this type, or some alternative, can be made out here, then I am perfectly satisfied, but I should not like to see a wholesale refusal to let these things in, and then find we could not get that type of bottle here.

THE MINISTER FOR COMMERCE AND INDUSTRY: Mr. Chairman, to deal with the point raised by my hon. friend, the Member for Nairobi South, first the type of bottle where the label is fused into the glass, does, I understand—and I will have to confirm this as the question was raised without notice—come in free. I do not think it comes into the definition of "bottles common". In other words, it is a particular type of bottle with an addition, which, in fact, excludes it from the definition.

In regard to the point raised by my hon. friend, the Member for Umba, we will go into the question with the manufacturers; I know that, at the moment, they cannot make the screw-top type, they would very much like to see it made here. It will be a matter of capital investment of course. Again, subject to confirmation and after consulting with the customs authorities, I think that "jars common" again will exclude the type of jars the hon. lady referred to.

To deal with the point raised by the hon. Nominated Member, Mr. Tyson, I agree with him, of course, that protection must be related to the needs of the industry and the needs of the country. I would point out to him, if rather not point out to him, but ask him to consider the remarks of Mr. Gladstone in regard to protection. Mr. Gladstone was, I suppose, the classic example of a free trader. In fact he, Cobden and Bright were the pioneers of free trade, and he pointed

out that in regard to individual industries, there was every reason to give protection when justified in the individual case. Now, Sir, in this country there are many infant industries, and few established industries. However, I can assure my hon. friend that I will bear in mind the point that he raised.

I would now like to make one or two general observations. First of all, I am very grateful to my hon. friend, the Member for Nairobi South in referring to the fact that the Government has acted with speed and what I believe is to be with decision in this matter. (Hear, hear.) We had very little time to do it. It is possible of the Budget season, if it is possible to discriminate in my hon. friend's ministerial year at his most busy time, that the approach was made. Now, Sir, that the approach was made, I would like to look at this matter of tariff protection for infant industries in terms of the welfare of this country. There is the question of sustained and steady employment. There is the fact that when capital comes to this country, we must take what steps we can to protect it; not against the healthy activities of competition, but against harmful competition in the form of dumping. I do not wish to pursue this matter further, as I believe that all Members will appreciate the distinction.

Another Member, in speaking, referred to the other territories. Their attitude difficulties in this regard. Their attitude has been entirely sympathetic to us in the actions we have had to take so rapidly. We hope that if their circumstances permit, and after all they must be the judges, they will be able to come into the line with us. I believe that in taking this step, in regard to the glass industry, which without this help might have disappeared, I believe that in taking this step, we are taking one that is important for the future of Kenya and has, where the facts in individual cases justify it, a great importance for the future.

The question was put and carried.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that the Committee do report back to the Council.

Question proposed.

The question was put and carried. Council resumed.

(Mr. Deputy Speaker in the Chair)

REPORT

MR. GRIFFITH-JONES: Hon. Members, I beg to report that a Committee of Ways and Means has considered the Resolutions on the Order Paper and has approved the same.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move the Council doth agree with the Committee in the said Resolutions.

Question proposed.

The question was put and carried.

BILL

FIRST AND SECOND READING

Customs Tariff (Amendment) Bill—(The Minister for Finance and Development)—Order for First Reading read—Read a First Time—Ordered to be read a Second Time to-day.

CUSTOMS TARIFF (AMENDMENT) BILL
Order for Second Reading read.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, I beg to move that a Bill entitled the Customs Tariff (Amendment) Bill be now read a Second Time.

This, Sir, as with a number of the following Bills, has been approved as a result of Ways and Means Resolution. In principle I therefore do not propose to speak to it.

THE MINISTER FOR COMMERCE AND INDUSTRY seconded.

Question proposed.

The question was put and carried.

The Bill was read a Second Time and committed to a Committee of the whole Council to-day.

BILL

FIRST AND SECOND READING

Excise Duties (Amendment) Bill—(The Minister for Finance and Development)—Order for First Reading read—Read a First Time—Ordered to be read a Second Time to-day.

EXCISE DUTIES (AMENDMENT) BILL
Order for Second Reading read.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, I beg to move that a Bill entitled the Excise Duties (Amendment) Bill be now read a Second Time.

THE SECRETARY FOR HEALTH, LANDS AND LOCAL GOVERNMENT seconded.

Question proposed.

The question was put and carried.

The Bill was read a Second Time and committed to a Committee of the whole Council to-day.

BILL

FIRST AND SECOND READING

Personal Tax (Amendment) Bill—(The Minister for Finance and Development)—Order for First Reading read—Read a First Time—Ordered to be read a Second Time to-day.

PERSONAL TAX (AMENDMENT) BILL
Order for Second Reading read.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, I beg to move that a Bill entitled the Personal Tax (Amendment) Bill be now read a Second Time.

THE SECRETARY TO THE TREASURY seconded.

Question proposed.

The question was put and carried.

The Bill was read a Second Time and committed to a Committee of the whole Council to-day.

BILLS

FIRST READING

Income Tax (Rates and Allowances) (Surcharge) Bill—(The Minister for Finance and Development)—Order for First Reading read—Read a First Time—Ordered to be read a Second Time to-day.

INCOME TAX (RATES AND ALLOWANCES) (SURCHARGE) BILL

Order for Second Reading read.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, I beg to move that a Bill entitled the Income Tax (Rates and Allowances) (Surcharge) Bill be now read a Second Time.

THE SECRETARY FOR HEALTH, LANDS AND LOCAL GOVERNMENT seconded.

Question proposed.

The question was put and carried.

The Bill was read a Second Time and committed to a Committee of the whole Council to-day.

BILL

FIRST AND SECOND READING

Coffee (Marketing) (Amendment) Bill—(The Minister for Finance and Development)—Order for First Reading read—Read a First Time—Ordered to be read a Second Time to-day.

COFFEE (MARKETING) (AMENDMENT) BILL
Order for Second Reading read.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, I beg to move that a Bill entitled the Coffee (Marketing) (Amendment) Bill be now read a Second Time.

THE SECRETARY TO THE TREASURY seconded.

Question proposed.

MR. HARRIS: Mr. Deputy Speaker, Sir, I must oppose the Second Reading of this Bill.

THE DEPUTY SPEAKER: If the hon. Member wishes to move an amendment, he has to do so by deleting the word "now" and substituting other words.

MR. HARRIS: Thank you, Sir. But that is on the Third Reading.

THE DEPUTY SPEAKER: No, the Second Reading.

MR. HARRIS: Second Reading is it? I beg to move, Sir, that the word "now" be deleted from the Motion, and substituted by "twelve months hence".

LADY STRAW seconded.

Question proposed.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, I deeply regret that Government cannot accept that amendment.

THE DEPUTY SPEAKER: If no other Member wishes to speak, I will ask the hon. Mover to reply.

MR. HARRIS: Except to say that we cannot accept the Bill.

The question that the word proposed to be deleted stand part of the Motion was put and carried.

The question was put and carried.

The Bill was read a Second Time and committed to a Committee of the whole Council to-day.

BILL

FIRST AND SECOND READING

The Export Duty (Amendment) Bill—(The Minister for Finance and Development)—Order for First Reading read—Read a First Time—Ordered to be read a Second Time to-day.

THE EXPORT DUTY (AMENDMENT) BILL
THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, I beg to move that a Bill entitled the Export Duty (Amendment) Bill be now read a Second Time.

THE SECRETARY FOR HEALTH, LANDS AND LOCAL GOVERNMENT seconded.

Question proposed.

The question was put and carried.

The Bill was read a Second Time and committed to a Committee of the whole Council to-day.

BILL

FIRST AND SECOND READING

The Customs Tariff (Amendment) (No. 2) Bill—(The Minister for Finance and Development)—Order for First Reading read—Read a First Time—Ordered to be read a Second Time to-day.

THE CUSTOMS TARIFF (AMENDMENT) (NO. 2) BILL

Order for Second Reading read.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, I beg to move that a Bill entitled the Customs Tariff (Amendment) Bill be now read a Second Time.

THE SECRETARY FOR HEALTH, LANDS AND LOCAL GOVERNMENT seconded.

Question proposed.

The question was put and carried.

The Bill was read a Second Time and committed to a Committee of the whole Council to-day.

COMMITTEE OF THE WHOLE COUNCIL

Committee of the whole Council—Order for Committee read. Mr. Deputy Speaker left the Chair.

IN THE COMMITTEE

(Mr. E. N. Griffith-Jones, Q.C., in the Chair)

THE CUSTOMS TARIFF (AMENDMENT) BILL

THE CHAIRMAN: The Schedule which it is proposed to amend is available in cyclostyled copies if Members require them.

Clauses 1 and 2 agreed to.
Schedule agreed to.
Title and enacting words agreed to.
Bill to be reported.

THE EXCISE DUTIES (AMENDMENT) BILL

Clauses 1 and 2 agreed to.
Title and enacting words agreed to.
Bill to be reported.

THE PERSONAL TAX (AMENDMENT) BILL

Clauses 1 to 4 agreed to.
Title and enacting words agreed to.
Bill to be reported.

THE INCOME TAX (RATES AND ALLOWANCES) (SURCHARGE) BILL

Clauses 1 and 2 agreed to.
Title and enacting words agreed to.
Bill to be reported.

THE COFFEE (MARKETING) (AMENDMENT) BILL

Clauses 1 to 3 agreed to.
Title and enacting words agreed to.
Bill to be reported.

THE EXPORT DUTY (AMENDMENT) BILL

Clauses 1 to 10 agreed to.
Title and enacting words agreed to.
Bill to be reported.

THE CUSTOMS TARIFF (AMENDMENT) (NO. 2) BILL

Clauses 1 and 2 agreed to.
Title and enacting words agreed to.
Bill to be reported.

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that the Committee doth report back to the Council.

Question proposed.

The question was put and carried.
Council resumed.

[Mr. Deputy Speaker in the Chair]

REPORT

MR. GRIFFITH-JONES: Hon. Members, I have to report that a Committee of the whole Council has considered, clause by clause, the Customs Tariff (Amendment) Bill and has approved the same without amendment.

THE CUSTOMS TARIFF (AMENDMENT) BILL

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Customs Tariff (Amendment) Bill be now read a Third Time.

Question proposed.

The question was put and carried.

The Bill was accordingly read a Third Time and passed.

REPORT

MR. GRIFFITH-JONES: Hon. Members, I have to report that a Committee of the whole Council has considered, clause by clause, the Excise Duties (Amendment) Bill and has approved the same without amendment.

THE EXCISE DUTIES (AMENDMENT) BILL

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Excise Duties (Amendment) Bill be now read a Third Time.

Question proposed.

The question was put and carried.

The Bill was accordingly read a Third Time and passed.

REPORT

MR. GRIFFITH-JONES: Hon. Members, I have to report that a Committee of the whole Council has considered, clause by clause, the Personal Tax (Amendment) Bill and has approved the same without amendment.

THE PERSONAL TAX (AMENDMENT) BILL

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Personal Tax (Amendment) Bill be now read a Third Time.

Question proposed.

The question was put and carried.

The Bill was accordingly read a Third Time and passed.

REPORT

MR. GRIFFITH-JONES: Hon. Members, I have to report that a Committee of the whole Council has considered, clause by clause, the Income Tax (Rates and Allowances) (Surcharge) Bill and has approved the same without amendment.

THE INCOME TAX (RATES AND ALLOWANCES) (SURCHARGE) BILL

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Income Tax (Rates and Allowances) (Surcharge) Bill be now read a Third Time.

Question proposed.

The question was put and carried.

The Bill was accordingly read a Third Time and passed.

REPORT

MR. GRIFFITH-JONES: Hon. Members, I have to report that a Committee of the whole Council has considered, clause by clause, the Coffee (Marketing) (Amendment) Bill and has approved the same without amendment.

THE COFFEE (MARKETING) (AMENDMENT) BILL

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Coffee (Marketing) (Amendment) Bill be now read a Third Time.

Question proposed.

The question was put and carried.

The Bill was accordingly read a Third Time and passed.

REPORT

MR. GRIFFITH-JONES: Hon. Members, I have to report that a Committee of the whole Council has considered, clause by clause, the Export Duty (Amendment) Bill and has approved the same without amendment.

THE EXPORT DUTY (AMENDMENT) BILL

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Export Duty (Amendment) Bill be now read a Third Time.

Question proposed.

The question was put and carried.

The Bill was accordingly read a Third Time and passed.

REPORT

MR. GRIFFITH-JONES: Hon. Members, I have to report that a Committee of the whole Council has considered, clause by clause, the Customs Tariff (Amendment) (No. 2) Bill and has approved the same without amendment.

THE CUSTOMS TARIFF (AMENDMENT) (NO. 2) BILL

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Customs Tariff (Amendment) (No. 2) Bill be now read a Third Time.

Question proposed.

The question was put and carried.

The Bill was accordingly read a Third Time and passed.

MOTION

CONTINUANCE OF EXPORT DUTY ORDINANCE, 1951

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir, I beg to move: BE IT RESOLVED THAT this Council approves the Export Duty Ordinance, 1951, being continued in force until the 30th day of June, 1955.

This, Sir, is the annual exercise which has taken place through the years over this particular Bill. I did draw the attention of hon. Members of the Council to the fact that, in the Budget this year, and I used the words "for the present", and the proceeds of this tax would have to be devoted to the ordinary recurrent revenue in order to meet increased expenditure and avoid additional increased taxation.

Sir, I beg to move.

THE ACTING CHIEF SECRETARY seconded.

Question proposed.

LADY SHAW: Mr. Deputy Speaker, Sir, I wish to move an amendment that the word "now" should be deleted and the words . . .

THE DEPUTY SPEAKER: The word "now" does not occur in this Motion. The operative words are "The Export Duty Ordinance, 1951, be continued in force until the 30th day of June, 1955".

LADY SHAW: Then I merely beg to oppose it.

The question was put and carried.

MOTION

SANCTION OF LOANS

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir, I beg to move:—

BE IT RESOLVED that this Council sanctions the application of the proceeds of the raising of a loan of £1,000,000 and the conversion of East African War Bonds 1952/54 amounting to approximately £2,900,000 under the provisions of the Local Loan and Conversion Ordinance, 1954, for the following purposes:—

- (a) A loan of £750,000 to the Land and Agricultural Bank of Kenya.
- (b) A loan of £750,000 to the Local Government Loans Authority.
- (c) A loan of £1,000,000 to the Local Government Loan Authority for the purpose of lending to the City Council of Nairobi on terms to be negotiated by the Minister for Local Government, Health and Housing, with the approval of the Minister for Finance and Development and to be repayable by the Local Government Loans Authority on 1st June, 1961.

Sir, this arises from the recent and, I think I might modestly say, from the point of view of the Government, successful loan issue which was made recently. The intention is that a loan of £750,000 shall be made to the Land and Agricultural Bank. This, of course, it is Government's intention, shall not be repayable—merely interest shall be payable and it will, indeed, be a revolving fund until such time as this Council or circumstances force the position to be altered.

With regard to the £750,000 to the Local Government Loans Authority, it is the intention that this loan shall not be repayable, but shall, indeed, be an addition to the resources of the Local Government Loans Authority. They will, of course, pay interest, but, in so far as capital repayments are concerned, it will be a revolving fund and will increase to quite a considerable extent the resources at the disposal of that Authority for the furtherance and development of local government.

The loan of £1,000,000 is payable to the City Council to help it proceed on its capital works programme and to give what assistance Government can, under present-day circumstances.

This loan will, of course, be repayable and it is hoped that repayment will take place on 1st June, 1961, in order that the time of redemption there will be cash available.

Sir, I beg to move.

THE SECRETARY FOR HEALTH, LANDS AND LOCAL GOVERNMENT seconded.

Question proposed.

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING: Mr. Deputy Speaker, Sir, I merely want to comment shortly on (c) in this Motion and make it clear that, after discussions with the hon. Minister for Finance, the £1,000,000 that will be made available to the City Council will not come under the normal scrutiny of the Local Government Loans Authority, as other loans do to other local authorities.

The Government is making this £1,000,000 available, because of the difficult times we are passing through, to the City Council; but in no way—any way at the moment whilst things continue to be as they are—do we wish to interfere with the financial autonomy of the City Council.

There will, of course, as is quite right and proper—and is the order, be the scrutiny of myself before the money is made available and the loan sanction will have to be given by me; but the Local Government Loans Authority have met and discussed this matter and passed a minute to the effect that the money shall be made available for the programme of the City Council as it has been presented and it will not come under, as I say, the close scrutiny of the Local Government Loan Authority at this time.

I hope sincerely that the availability of money to the City Council will not be affected by the present conditions in the future, and that the City Council will be able to continue with the privilege it now enjoys of semi-autonomy in financial matters.

I beg to support.

The question was put and carried.

MR. MATHU: Mr. Deputy Speaker, Sir, I would like to stand on a point of order, on one matter which has just passed, for your future ruling. I refer to the Motion on the Order Paper, number 25, when the hon. and gracious Lady Member for Ukamba wanted to move an amendment. What I would like your guidance on, Sir, is: could she not have done it this way—that we delete 1955 and put 1954 which would give the Ordinance only three weeks to run.

I just ask for future guidance, Sir, because it occurred to me that she could have made an amendment to restrict the operation of the Ordinance to a short time; rather than the whole year.

I am sorry to seek your guidance on that matter, Sir.

THE DEPUTY SPEAKER: It would have been open to Lady Shaw, or any other Member, to have moved an amendment of the date set out in the Motion. I am not sure whether the Ordinance to which the Motion refers would, apart from this Motion, have expired in any event on the 30th June. It would have been then, by an amendment to substitute 30th June no more than the present Motion. This is what the hon. and gracious Lady eventually decided to say.

LADY SHAW: Mr. Deputy Speaker, the reason why I pursued the matter was because of the use of the word "continuance" which I felt rather defeated me. I am very grateful to the hon. Mr. Mathu for having helped me out.

COMMITTEE OF SUPPLY

Committee of Supply—Order for Committee read. Mr. Deputy Speaker left the Chair.

IN THE COMMITTEE

[Mr. E. N. Griffith-Jones, Q.C., in the Chair]

MOTION

SUPPLEMENTARY ESTIMATES OF EXPENDITURE NO. 5 OF 1954
(Governor's Consent Signified)

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move:—

BE IT RESOLVED that a sum not exceeding £6,014 be granted to the Governor, on account, for or towards

defraying the charges of Supplementary Estimates of Expenditure No. 5 of 1954.

Sir, hon. Members who have the Supplementary Estimates before them will, indeed, see that this provides for expenditure arising from the new constitutional arrangements that come into force on the 28th April and the new Ministerial set-up. This should be tied with the Supplementary Estimates of Expenditure No. 1 of 1954/55 inasmuch as these Estimates No. 5 cover the consequent expenditure up to 30th June, 1954, whereas, No. 1 of 1954/55 covers the supplementary expenditure for the Budget year we shall just be entering.

Sir, I beg to move.

THE CHAIRMAN: If the Committee agrees, I think the first convenient way of taking the Supplementary Estimates, in view of the fact that there is no serial numbering in the margin, will be for the Clerk to call out Vote and Head and any sub-heads appearing, if that is acceptable to the Committee, that is the procedure which we will follow.

Question proposed.

MR. COOKE: Mr. Deputy Speaker, in the general memorandum note, I see reference to six stenographers, but I cannot find them in the details. Whether those stenographers are the clerks referred to, I do not know. "Clerks—Scale A"—I do not think it can be that because the salary is only £350 a year.

THE ACTING CHIEF SECRETARY: £350 is for half a year.

MR. COOKE: Is it necessary for a Minister without Portfolio to have a stenographer? Is his work of such an arduous nature as that? And, number two, will the stenographers' posts be open to non-Europeans, because I suggest that it might be a good time to get in perhaps Asian stenographers—give them a chance. I know, as a member of the Civil Service Advisory Board that we have been advising on stenographers, but I think they are all Europeans. Why should not these be open to other races as well? If they are not, why not?

THE ACTING CHIEF SECRETARY: Mr. Chairman, with regard to the first point, I think we are quite certain from ex-

[The Acting Chief Secretary] perience, even up to the present, that Ministers without Portfolio do require stenographers. I do not think there is any doubt at all about that.

With regard to the second point, it would be open to a person from any race to apply for a post of stenographer to a Minister. Scale A, as the Member knows, refers particularly to Europeans, but there are arrangements, even at the present time, for members of other races to be admitted to this scale. There is no reason that I know of why an Asian or an African should not be a Minister's stenographer. At various times I have, myself, employed Asian stenographers in the Secretariat.

MR. COOKE: Have they been actually advertised for? Do they know this?

THE ACTING CHIEF SECRETARY: I cannot answer that question, but I have no doubt that they are aware of it.

MR. MADAN: In the past, Sir, when posts have been advertised for, has it been stated in the advertisement that the post is open to European, Asian or African stenographers? In view of what the hon. Acting Chief Secretary has said, will he see that that practice is discontinued and the posts be advertised as being for all races?

THE ACTING CHIEF SECRETARY: I will certainly look into that, Sir. What I said was that the arrangements at the present time enabled members of one race to move up to scale B or scale A, as the case may be. In fact, a number of people have already moved up.

MR. MADAN: The point is this, Sir. Whether the advertising is restricted to a certain race and the others specially do not apply.

THE ACTING CHIEF SECRETARY: I said I will go into that.

All items agreed to.

The question was put and carried.

SUPPLEMENTARY ESTIMATES OF EXPENDITURE, No. 6 of 1954

(Governor's Consent Signified)

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that a sum not exceeding £5,000 be granted to the Governor, on account, for

or towards defraying the charges of Supplementary Estimates of Expenditure, No. 6 of 1954.

Hon. Members will see the only item on this Supplementary Estimates is a contribution of £5,000 to the cost of the International Federation of Agricultural Producers' Conference.

I beg to move.

Question proposed.

Serial No. 1 agreed to.

The question was put and carried.

SUPPLEMENTARY ESTIMATES OF EXPENDITURE, No. 1 of 1954/55

(Governor's Consent Signified)

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that a sum not exceeding £42,521 be granted to the Governor, on account, for or towards defraying the charges of Supplementary Estimates of Expenditure, No. 1 of 1954/55.

This is the constitutional changes' expenditure and Members have already agreed to the expenditure involved in these changes, in so far as the remainder of the present current financial year is concerned.

Sir, I beg to move.

Question proposed.

THE CHAIRMAN: Unless there are any general points which Members wish to raise, I propose to adopt the same procedure as in the previous Estimates and ask the Clerk to call out the Votes and Heads.

All items agreed to.

The question was put and carried.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Committee do report back to the Council.

Question proposed.

The question was put and carried.

Council resumed.

[Mr. Deputy Speaker in the Chair]

REPORT

MR. GRIFFITH-JONES: Hon. Members, I have to report that the Committee of Supply has considered Supplementary Estimates of Expenditure Nos. 5 and 6 of 1954, and No. 1 of 1954/55 and has passed a Resolution agreeing with the same.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Council doth agree with the Committee in the said Resolutions.

Question proposed.

The question was put and carried.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that under Standing Order 168, Standing Order 32 shall be suspended to the extent necessary to allow Order No. 28 to be taken to-day.

THE SECRETARY FOR HEALTH, LANDS AND LOCAL GOVERNMENT seconded.

THE DEPUTY SPEAKER: I am not sure myself that this Motion is strictly necessary. Standing Order 32 says that: "Unless otherwise provided by this Standing Order no Motion shall be moved on the day on which Notice thereof is given except by leave of the Council".

THE MINISTER FOR FINANCE AND DEVELOPMENT: Perhaps under these circumstances, I should ask leave of the Council.

THE DEPUTY SPEAKER: Leave of the Council is officially asked by the Chair. I am merely putting what I trust is a rhetorical question—is it the pleasure of the Council that this Motion be taken? (Hear, hear.)

COMMITTEE OF WAYS AND MEANS

Committee of Ways and Means—Order for Committee read. Mr. Deputy Speaker left the Chair.

IN THE COMMITTEE

[Mr. E. N. Griffith-Jones, Q.C., in the Chair]

MOTION

IMPOSITION OF PROTECTIVE DUTY (Governor's Consent Signified)

THE MINISTER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move:—

WHEREAS it is necessary in the interests of the local manufacture of glass bottles and containers, to impose a protective duty upon such articles when imported.

BE IT HEREBY RESOLVED that the suspended duty of 20 per cent *ad valorem* be imposed upon such articles by Proclamation issued under section 3 of the Customs Tariff Ordinance, 1948.

This Proclamation, Sir, is a Resolution consequent upon the passing by the Council of the Customs Tariff (Amendment) (No. 2) Ordinance.

I beg to move.

THE MINISTER FOR COMMERCE AND INDUSTRY seconded.

Question proposed.

The question was put and carried.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Committee do report back to the Council.

Question proposed.

The question was put and carried.

Council resumed.

[Mr. Deputy Speaker in the Chair]

REPORT

MR. GRIFFITH-JONES: Hon. Members, I have to report that a Committee of Ways and Means has considered the imposition of a Protective Duty Resolution and has approved the same without amendment.

THE MINISTER FOR FINANCE AND DEVELOPMENT: I beg to move that the Council doth agree with the Committee in the said Resolution.

Question proposed.

The question was put and carried.

ADJOURNMENT

THE DEPUTY SPEAKER: Hon. Members, this concludes the business on the Order Paper and the business for the current meeting of the Council. Accordingly, the Council will now stand adjourned *sine die*. For the convenience of hon. Members, I would inform them that the date on which it is at present proposed that Council should meet again is the 28th of September. Should it be necessary to call Council before that date, steps will be taken accordingly under the Standing Orders.

Council will now stand adjourned *sine die*.

Council rose at fifteen minutes past twelve o'clock.

WRITTEN ANSWERS TO QUESTIONS

No. 78

MR. CROSSKILL (Member for Mau) to ask the Minister for Agriculture, Animal Husbandry and Water Resources to state:—

(a) What organization is now operating for the disposal of surplus stock from the South Baringo Reserve?

(b) Whether he considers such organization satisfactory and, if not, what other measures are planned?

(c) How many head of cattle have been purchased from the South Baringo Reserve in January, 1954, by the Government Marketing Organization?

(d) Whether there has been any development in the opening up of new markets for Kenya meat?

REPLY:—

(a) The African Livestock Marketing Organization is responsible for the disposal of surplus stock from the South Baringo Reserve.

(b) This organization cannot at present operate in a satisfactory manner under the restricted outlets for the comparatively low-grade stock available for disposal in this area. It is expected that the Kenya Meat Commission cannery plant will be in operation by July next, and provided the African Livestock Marketing Organization can purchase at their economic value cattle of the canning type in Baringo, there should be a considerable outlet for this class of stock. In addition, orders have been placed for the establishment of a field abattoir in South Baringo for the production of meat meal and other animal by-products. It is hoped that this plant will be in operation by September, 1954, and that it will have a capacity of some 1,500 head of cattle per month. In the event of the Kenya Meat Commission being able to secure substantial additional markets for low-grade meat, the African Livestock Marketing Organization could undertake buying in South Baringo at very short notice.

(c) No cattle were purchased in South Baringo in January, 1954, by the African Livestock Marketing Organization, but

302 head were bought by African traders for export to Nyanza. It is the policy of the African Livestock Marketing Organization to sponsor popular cattle sales at which traders buy cattle for resale under proper control in the African consuming areas. Owing to the Emergency buyers for the Kikuyu markets are no longer able to attend such sales which take place regularly every month at Ameeing and Ravine.

(d) The Kenya Meat Commission is constantly endeavouring to expand its export markets for frozen meat of all grades. Recently markets for trial shipments have been secured in Soviet Russia and, in addition, meat is being exported to Uganda, the Belgian Congo, Mauritius and Seychelles. The risk of rinderpest infection in frozen meat presents an obstacle to many potential European markets for frozen meat and the Kenya Meat Commission, in collaboration with the Veterinary Department, is investigating various means by which it is hoped that these difficulties may be overcome.

No. 100

Mrs. SHAW (Member for Nyanza) to ask the Acting Chief Secretary to state:—

How many Kikuyu in Government service have been—

- suspended;
- detained;
- convicted,

since the Emergency began and how many of those in the above categories are still—

- on full pay;
- on half pay;
- have been discharged?

REPLY:—

(a) No Kikuyu, Embu or Meru in the Government service are at present suspended from duty. The Colonial and local regulations provide for the suspension of an officer from the performance of his duties only where he has been convicted of a criminal offence and the question of his punishment within the service is still under consideration. Suspension is therefore a purely temporary state; the officer is eventually either dismissed the service, or reinstated on some lesser punishment being imposed.

(b) (i) Eighty-four Kikuyu, Embu and Meru Government employees have had Detention or Restriction Orders issued against them.

(ii) In addition 383 Kikuyu, Embu and Meru employees are held by the Security Forces, mainly under "Anvil" arrangements.

(c) Sixty-four Kikuyu, Embu and Meru Government employees have been convicted of criminal offences under Emergency legislation or the laws of Kenya that were in force prior to the Emergency.

Of those in categories (b) and (c):—

(i) Three hundred and ninety-four are receiving full pay. This is because they have been reinstated in the service on infliction of a lesser punishment than dismissal; or because they are being held by the Security Forces; it would not be proper to disperse with their services or to interdict them from duty on half pay until such time as they are charged with an offence or Detention or Restriction Orders are issued against them.

(ii) Thirteen are at present interdicted from duty and are receiving half pay.

(iii) One hundred and twenty-four have been discharged. This total includes the eighty-four employees in category (b) (i) who have had Detention or Restriction Orders issued against them.

The details given are in respect of permanent staff only and do not include works paid or menial employees. The temporary nature of their engagement makes it impracticable to provide figures for this latter category, whose employment is deemed to have terminated as from the date they cease work, whatever the cause may be.

No. 101

MR. SLADE (Member for Aberdare) to ask the Acting Chief Secretary to state:—

In view of increasing demands for manpower, and consequent shortage of staff in essential services, will Government consider again curtailing overseas leave for civil servants during the present Emergency?

REPLY: No, Sir. Many officers are undergoing great strain in the troubled areas, and a heavy burden is falling on

officers generally on account of the demands of the Emergency. Moreover, a previous general curtailment or deferment of overseas leave of civil servants did not yield the results expected. The Government does not therefore intend to reintroduce a general curtailment of leave at the present time.

This does not mean, of course, that if particular officers who are due for leave are required for some special purpose, their leave will not be deferred or curtailed. It is a well-recognized rule that leave is subject to the exigencies of the public service.

No. 117

MR. SLADE (Member for Aberdare) to ask the Minister for Internal Security and Defence to state:—

1. Is it a fact that, during Operation "Anvil", the hon. Minister directed that the Kenya Regiment should no longer be used for that operation?

2. If so, will the hon. Minister please state his reasons for such direction?

REPLY: No, Sir. It is not within the authority of the Minister for Defence to direct what troops should or should not be used in operations.

2. In view of the answer to the first part of this question the second part does not arise.

No. 118

MR. COOKS (Member for Coast) to ask the Minister for Finance and Development to state:—

If the Government has yet considered the Cost of Living Report?

If so, do they accept any or all of its recommendations?

Will they furnish the earliest opportunity for its discussion in Legislative Council?

REPLY: The Government has not yet considered the Cost of Living Report.

The second part of the question, therefore, does not arise at present.

I can assure the hon. Member that the Government will furnish the earliest opportunity for discussion should this be desired.

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