

1933

~~Kenya~~

1

No. ~~3006~~ / 9.

SUBJECT CO 533/429

Goldfields in the Kavirondo Districts.

Miscellaneous Information, Reports, etc.

Previous

Main file.

Subsequent

23028/4/34.

C. O.

49
END

Mr. Fenton 22/12

(B 206) 32 Example

Mr. Allen 23/12 atace Kenya

Code sent
12.57- 23.12.32

Mr. Parkinson.

Mr. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

C. O.
R 23DEC
D 23

Assured by No 2

#48 No. 283. Question being asked

DRAFT. Tel. comm

Gro. Maudie

in Parliament 7th Feb begins
to ask if there has been an
increase in immigration into
Kenya as a result of the
recent discovery of gold and
if so what are the figures (?)
and what facilities such
immigrants undergo and under
what conditions they are living
and working in the native
reserves etc.

Please forward material
for reply by air mail due
to arrive London Jan. 30th

SEGER.

worked and as at the Kisumu Aerodrome malaria may be contracted out of doors at night. Pending the institution of local mosquito surveys nothing can be said at present about the possibility of the prevention of such infection.

The question of the need to institute a rural mosquito survey at an early date is for consideration.

47

EXTRACT FROM A REPORT BY THE DEPUTY
DIRECTOR OF SANITARY SERVICE ON THE
KAKAMEGA GOLD FIELD.

THREE SPECIFIC PUBLIC HEALTH PROBLEMS ARISING OUT
OF THE ESTABLISHMENT OF A MINING INDUSTRY IN A
NATIVE RESERVE SUCH AS NORTH KAVIRONDO.

A. The Rural Malaria Problem.

North Kavirondo, or at least that part of the district in which the gold field lies, is a warm country with a high rainfall which is on the whole well distributed throughout the year and the country carries a native population among whom malaria is endemic to a high degree. In support of this statement the Medical Officer of health may be quoted as follows:-

"I. Of the native population living in the reserve 46 per cent show definite permanent signs of malaria infection. In other words approximately half the natives in the reserve may be regarded as carriers of malaria.

"II. Of identifiable anopheline larvae caught since the onset of the rains this year 88 per cent were of the species responsible for transmitting malaria, namely Anopheles costalis.

"III. Of the total number of adult mosquitoes caught in houses since the onset of the rains this year 90 per cent were of the malaria transmitting species.

"IV. It follows from a combination of these facts that a high proportion of mosquitoes in the neighbourhood are infected with malaria which means that unless precautions against infection by the mosquito are taken Europeans living in the district run a very grave risk of being infected with malaria sooner or later".

The countryside does not look malarial, but it is. In actual fact almost as large a proportion of the native population in North Kavirondo is infected with malaria as was the case with the native population of the Tana River District in September of this year.

And I was informed by the Medical Officer that he had seen European children, who had been resident in camps on the gold field for some time, with spleens as large as any that are ever seen among the African children of the neighbourhood.

Does this mean that Europeans must suffer from malaria on the gold field? Very definite it does not, but it does certainly mean that unless very good housing and very probably mosquito proof housing, is provided the incidence of malaria will be high, that the field will then get a bad name as regards health and that salaries will require to be on a tropical scale. With good mosquito-proof housing, however, and reasonable care these eventualities should be largely avoidable.

Whether malaria will be entirely avoidable, however, is another matter since presumably night-shifts will be

Firstly, it is undesirable that the gold field should get a bad name as regards health,

Secondly, the administration is at present engaged on a health campaign among the native population, a bad example from Europeans will not help this campaign.

Furthermore, in certain areas, as for example in the Kakamega location, local labour is not employed and native lines have been established. Where this is so inspection is required.

As I have said the present position is that there are some six hundred prospectors or miners on the gold field. These prospectors or miners, and the majority are still only prospectors or if miners then miners in a very small way, are living in temporary encampments some of which are better than others and on the average each prospector or miner employs from ten to sixty African labourers who in some cases come daily to work while in others they live in temporary lines. Some of the miners are doing well, others are not doing so well; those who have neither enterprise or capital will ultimately disappear. So with regard to Prospecting and Mining.

 S. Regards Medical and Social Progress.

For/

7. THE GOLD FIELD - PRESENT CONDITIONS.

As Regards Prospecting and Mining.

We spent a day travelling through the gold field.

About a year ago both prospecting and mining were concerned chiefly with alluvial deposits and our chief concern then was to ensure that mosquito nuisances did not occur as a result of interference with the river beds. Today all that is changed and attention is being directed to reef prospecting and reef mining while only a few individuals are still concerned with alluvial digging and no difficulty is being experienced in having the alluvial workings kept under control from the mosquito nuisance point of view.

Altogether there are in the field, I was informed, about 600 European miners or prospectors though as many of these have their families with them, the total number of Europeans must be considerably larger. These miners and prospectors live in temporary camps consisting as a rule of grass bandas. Some of the bandas - I saw about half a dozen - are better than others and the sanitary standard which is maintained varies from very good to very bad. One of the duties of the Sanitary Inspector from Kakamega is to visit these encampments. As a rule some nuisances are found, and as a rule when a letter is written to the occupier the nuisance is abated. The most usual nuisances are such as are concerned with the disposal of refuse and night soil and they arise from carelessness. It may be argued that as these people are living in a native reserve the nuisances which they create are no greater than those which already existed and therefore that there is no need for action. With such a contention I could not agree and in my opinion sanitary inspection of these encampments is necessary for the two following reasons:-

I anticipate that only a very few, if any, will be applied for in the Kakamega area for some time. I have dealt very fully with this aspect of the position in my despatch No.46 of the 14th instant. Where such applications are made, the contents of the memorandum on Native Policy will be borne carefully in mind and I trust that it will be conceded that I shall issue no leases until I am fully satisfied that compensation has been paid in such a way as completely to fulfil the provisions of the recent amendment to the Native Lands Trust Ordinance.

No 46

3066/1/33

I have the honour to be,
 Sir,

Your most obedient, humble servant,



Brigadier-General.

G O V E R N O R .

under the Outlying Districts Ordinance, and there would be a definite incongruity if a person were excluded from the Reserve for the purposes of prospecting yet could remain in it for the purpose of transport-riding, trading or performing any of the several activities ancillary to prospecting or mining. The practicability of applying the Outlying Districts Ordinance to the North and Central Kavirondo Districts has been carefully considered, but the restrictions which such closure would impose on normal trade and lawful occasions are considered to be too severe and cumbersome to justify such action.

The view ultimately taken was that no attempt would be made to restrict the entry for prospecting of so-called undesirable persons, but that drastic action to prevent them from pursuing mining activities should be taken if and when they were convicted of serious offences against the law or were found to be conducting themselves in such a way as might reasonably lead to serious breaches of the peace.

7. As regards the ability of the Administration to cope with the position, I propose, as a result of the Chief Native Commissioner's recent visit to this area, to post an additional District Officer to the North Kavirondo District and to make another District Officer available to deal with the situation when the fresh area westwards is opened. I am advised that this step together with the posting of additional technical and police officers should enable the Administration to cope with the position and, if necessary, a further District Officer can be transferred to assist in dealing with any temporary rush of work.

8. As regards the second point in your telegram No. 8 of the 6th January, no leases have yet been granted and

No 4
3006/1/13.

I

This number of permits does not, however, afford an accurate indication of the number of Europeans at present in the North Kavirondo Reserve for the reason that an appreciable number of Europeans are in the employment of Syndicates or of other individual Europeans and a permit has hitherto only been required from the employer. The most recent information is that there are about 800 Europeans in this area amongst whom there is a considerable number of women and children. As I stated in my Air Mail despatch No.47 of January 14th it will probably be advisable to impose further conditions in the Permit and this matter is to be discussed at an early meeting of the Central Native Lands Trust Board.

No 18

3006/1/33

6. In discussing with Sir Albert Kitson before he left the Colony, the recommendation in his report on the application of the Tanganyika Concessions Limited, considerable attention was given to the question of restricting the number of persons who should be permitted to proceed with prospecting if his recommendations were accepted: and it was then the unanimous view of my advisers, in which Sir Albert fully concurred, that it would be impracticable to attempt to apply any limitation in numbers. If for instance a number limitation were imposed and the maximum number had been reached, it would mean that no matter how desirable or how financially equipped the applicant might be, he would have to be refused admission. Moreover, if an existing Company or Syndicate wished to add to the number of their employees, they would be unable to do so. Furthermore, in regard to the point of permitting undesirable characters to enter Native Reserves, the permit system under section 13 of the Mining Ordinance only deals with prospecting in Native Reserves. There is nothing to prevent anyone entering a Native Reserve for other purposes as long as such Reserve is not a closed district under

fluctuating periods and are then relieved by partners; others have been continuously resident on their claims for a year or so. The type of dwelling they occupy varies from an ox-waggon or tent or box-body motor car to a native-built hut and in a few cases to portable frame structures and wood and iron houses. There have fortunately been but rare cases of serious sickness and though, I fear, this has been due principally to good fortune, inspections are carried out from time to time by the local Sanitary Inspector. Generally speaking the mode of living is primitive and indeed in one report the Medical Officer of Health expressed the view that most of the Europeans were living under less favourable conditions than the African employees of the Tanganyika Concessions Limited who have indeed put up very satisfactory labour lines for their employees.

At this stage, however, ephemeral conditions are inevitable.

The Deputy Director of Sanitary Service has recently visited this among other areas and made a report on the position. This report has only been completed this week and has not yet received consideration by my advisers or by myself, but I enclose copies of extracts from it with this despatch so as to show you the position and to indicate that the problems which it presents are realized and are exercising our minds.

5. Turning to your telegram of the 6th January the number of permits issued under section 13(i) of the Mining Ordinance between November 1st and the 12th of this month is 251 in respect of the Kakamega Goldfield of which 34 have been issued to persons who were formerly not residents in the Colony. Ten permits have also been issued in respect of other Native Reserves to Kenya residents.

No 4
3006/1/33

This

In these figures of European immigration in the months September to December, 1921, is included a total figure of 106 Europeans who entered the Colony by Air and overland. The majority of these immigrants are represented by the travellers by air on normal business and those visitors by air and overland who have come about mining business have, I think it is reasonably safe to say, been the representatives of reputable mining interests in South Africa whose advent is, from the standpoint of successful mining exploitation, much to be desired.

3. It is, of course, too early to judge what effect Sir Albert Kitson's report will ultimately have in other countries or what will be the result of the opening up of areas at present closed to individual prospecting. But, even if considerable interest is displayed, it is not necessarily to be assumed that the Colony will be invaded by large numbers of undesirable persons: for the expenses connected with reaching and entering Kenya are not inconsiderable. Over and above the outfit and steamer or other travelling costs, all new immigrants who are unable to show that they come to permanent employment are required to deposit or produce a bond entered into on their behalf by a reputable resident for the sum of £50. They must then travel from Mombasa to the Goldfields - a distance of over 500 miles, and before being permitted to enter a native reserve to prospect must deposit a further sum of £25. They must also be equipped with funds sufficient to support themselves and pay for their native labour during their prospecting operations.

4. The Europeans who are at present engaged in mining operations in the Kakamega area are to a largely preponderating degree local residents. Some go from their farms for fluctuating



KENYA.

No. 65.

AIR MAIL.

GOVERNMENT HOUSE,
NAIROBI,
KENYA.

20th January, 1933.

Sir,

I have the honour to refer to your telegram of the 23rd December, 1932, and to your telegram of the 6th January, 1933, and it will perhaps be convenient if my observations on both telegrams are incorporated in one despatch in which I can inform you fully as to the position in regard to mining operations in the North Kavirondo District.

Wood (5)
No 1
No 4
3006/1/33

2. There has been no appreciable effect on Immigration from overseas from the publication of Sir Albert Kitson's Preliminary Report. That Report was issued in October last and I quote below the immigration figures for the months of September to December over the last few years.

		1926	1927	1928	1929	1930	1931	1932	Decr. from 1931.	Increase over 1931.
September	E.	496	506	501	720	662	368	383		15
	I.	525	707	685	729	733	558	555	3	
October	E.	629	801	701	792	883	724	750		26
	I.	575	822	748	1039	975	750	440	310	
November	E.	668	776	759	733	992	888	540	548	
	I.	882	881	1313	999	780	664	378	286	
December	E.	658	610	691	820	561	715	441	274	
	I.	1246	1747	1018	1637	1375	753	412	341	

It will be observed that in fact from November to the end of the year there was a decrease on the relative immigration figures for 1931 of no less than 622 Europeans and 627 Indians.

In

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

C. O.

3 38

Mr. Creasy 2/2/33

3006/8/33 Kenya.

Mr. Franklin 2

Mr.

Mr. Parkinson.

Mr. Tomlinson.

Sir C. Bottomley. 2 *done*

Sir J. Shuckburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

in case

Code of Sel

8/10

2/2/33

Ken

DRAFT. CODE TEL.
GOVERNOR NAIROBI.

Private and Personal.

Your despatch 20th,

January No.63 para.6. Am

definitely of opinion that

Government should reserve to

itself discretion ^{any power} ~~as regards~~

~~grant or refusal of prospecting~~
^{to refuse}

^{to undesirable}
~~licences/ and~~ Despatch follows by

air mail of 8th February

~~elaborating reasons.~~

(2)

SECEP.

2 dfts.

Copy for Registration

4
37

TELEGRAM from the Governor of Kenya to the Secretary of State for the Colonies.

Dated 4th February, 1933. Received in the Colonial Office at 3.3 p.m. on 4th February, 1933.

Private and Personal.

No 3 Your telegram of 2nd February Private and personal.

No 2 and paragraph 6 of my despatch of 20th January No.63.

As there is a meeting of Central Land Trust Board 10th February I should be glad if gist of your despatch could be telegraphed in time for consideration in conjunction with revised form of permit under section 13 (1) of Mining Ordinance.

abandoned, it will be difficult, if not impossible, to recover it.

Again,
~~There is a further point, that if~~
those who enter the Reserve know that the grant of a licence is at discretion, this will help to ensure good conduct on the part of those who are following some other occupation in the Reserve as well as those who are directly engaged in prospecting.

4. I ^{realise} appreciate that, even if a discretion exists, it is impossible to guarantee that licences shall not be granted to men who

subsequently prove to be undesirable, *(it would be reasonable to grant)* and *(no doubt)* a licence would be

granted in any case where nothing ~~was~~ *(I would not say "definitely". Something sort of proof might occur)* was known against the applicant.

But I am definitely of opinion that the discretion should be maintained

and

Mr.

Mr.

Mr.

Mr. Parkinson.

Mr. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Perm. U.S. of S.

Parly. U.S. of S.

Secretary of State.

DRAFT.

36
and I shall be glad if you will consider how this can best be secured, whether by tightening up the conditions to be prescribed by the Native Lands Trust Board in giving their consent under Section 13(i) of the Mining Ordinance, or otherwise, and if you ^{no doubt} will inform me in due course of the action taken.

I have, etc.

(Sgd.) P. CUNLIFFE-LISTER

the entry for prospecting ~~to~~ of
so-called undesirable persons,
but that drastic action to
prevent them from pursuing mining
activities should be taken if and
when they were convicted of serious
offences against the law or were
found to be conducting ^{themselves} ~~them~~ in such
a way as might reasonably lead to
serious breaches of the peace.

3. I appreciate the care
and thoroughness with which this,
as indeed all other questions
connected with the development of
the gold-field, has been considered
by you and your advisers, but it
appears to me that it would be
well for your Government definitely
to reserve to itself a right to
grant or refuse a prospecting licence.

I ^{very much} fully appreciate that an area
where

C. O.

Mr.

Mr.

Mr.

Mr. Parkinson.

Mr. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Perm. U.S. of S.

Parly. U.S. of S.

Secretary of State.

DRAFT.

where Europeans pass freely cannot be
made a closed area, but the fact that
a man may be allowed to enter a
Native Reserve for ~~the~~ purposes of
transport-riding, trading, etc., should
not of itself entitle him to receive
a prospecting licence. The Government
would, in my opinion, be on
indefensible ground if a licence
were granted as a matter of course to
a man who there was every reason to
suppose was an undesirable person,
and who was subsequently proved to
be such; and you will appreciate
that it is always a much more
difficult thing to take away a licence
than to refuse it in the first
instance. If in the future the field
is approved on a large scale, the
number of would-be prospectors will
grow, and it will be increasingly
necessary to exercise a discretion,
but, if once that discretion has been
abandoned

C. O.

6/24

Mr. Creasy 2/2/33

3006/8/33 Kenya.

Mr. Frisvold

Mr.

Mr. Parkinson.

Mr. Tomlinson.

Sir G. Bottomley. *2 f.o.*

Sir J. Shuckburgh.

Perms. U.S. of S.

Parly. U.S. of S.

Secretary of State.

*Part amended by No 13
Mr. Arnold. No. 15*

52
R 3
D 6

By air mail of 7th February.

6 February, 1933.

DRAFT.

for use

Sir,

KENYA.

NO. 78

GOV.

(2)

I have etc. to acknowledge the receipt of your despatch No.63 of the 20th of January, and to thank you for the full information which you have given me as to the position in regard to mining operations in the North Kavirondo District.

2. From para.6 of your despatch

I note that the question of restricting the number of persons who should be permitted to proceed with prospecting was carefully examined, and that the view ultimately taken was that no attempt should be made to restrict

2 dfts.

the

necessary to exercise discretion,
but if discretion once abandoned
it will be difficult if not im-
possible to recover (d) discre-
tionary issue of licences will help
to ensure good conduct on part of
those following other occupations
in Reserve as well as of prospec-
tors.

I realise that even with dis-
cretion ~~it will be~~ impossible to
guarantee that licences will not be
granted to those who subsequently
prove undesirable and that it will
be reasonable to grant licence if
nothing known against applicant,
but ^{definitely} consider discretion should be
maintained whether by tightening
up conditions to be prescribed
by ^{Central} ~~Native Lands Trust~~ Board in
giving

C. O.

Mr.

Mr.

Mr.

Mr. Parkinson.

Mr. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

DRAFT.

33
giving consent under Section 13~~3~~ ^(c)

Mining Ordinance or by other means.

Ends.

Secer.

C. O.

Mr. Priestman D 12/33

Mr. ~~Carley~~ 6/2/33

Mr. Parkinson.

Mr. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

at once

330

Codea Reus 7.50
32
6/1/33-9

C. O.
R 7 FEB
D 7

No 43

Your despatch of the 20th January

(2) No.63 paragraph 6. The following is

gist of despatch which follows by air

mail of ⁸ 24th February begins ~~fully~~

appreciate care with which question

~~has been examined~~ of restricting issue

of ~~prospecting~~ licences, but I consider

that Government ~~of Kenya~~ should

definitely reserve to itself right to

grant or refuse prospecting licence

for following reasons (a) ~~it would be~~

indefensible if licence were issued

as matter of course to person believed

undesirable and subsequently proved so

(b) ~~it is~~ more difficult to cancel

licence than to refuse it in first

instance (a) if field is ~~improved~~ on

large scale it will be increasingly

necessary

DRAFT. Code Tel.

(C.M.S.)

Governor Nairobi.

919

Telegram from the Governor of Kenya to the Secretary of State for the Colonies.

Dated 20th February.

Received 9.3 a.m. 20th February, 1933.

No.46.

3006/33

No.8

Your telegram No.58. Substance Mining permits approved by Central Land Trust Board runs required deposit of £25 and undertaking to prevent Malaria by filling excavations] permit liable to cancellation if prospect^{ed} rights or licenses cease to be valid or if holder is convicted of serious criminal offence(s), fails to pay wages, compensation or camping fees due, behaves or employs a person who behaves in a manner prejudicial to peace and good order in a reserve.

Amad
11

The Executive of the Miners Association has done sterling work but they cannot whip the lot in to heel.

With the publication of your Report, which everybody thinks admirable; I have taken the opportunity to suggest to Government that the northern area should not be opened immediately but that a little more experience should first be gained in handling a mass of people in a Native Reserve. We are not yet sure of the personnel required to handle the situation and must take into consideration when asking for men, the permanency of their engagement.

.....

Murray Hughes.

The reef has been sunk on for 90 feet and it, with its walls, gave nearly 600 inch dwts. No lateral development has been done.

The T.C.L. Forest prospect has not gone very far ahead. It is developing as a large-ish but irregular replacement body within the conglomerate, but its extent and shape cannot yet be defined. A local syndicate is developing an entirely similar thing opposite to Horne and William's on the Yala. Here, it is associated with a broad shear zone in the conglomerate, but is just as irregular in its occurrence as "blocks" in the shear-zone. Development is confined to an inclined shaft but is proceeding.

O'Brien and Smallwood's prospect is attracting the attention of all our distinguished mining visitors, but insufficient development has been done to lift it out of the cloud of suspicion of secondary enrichment, and no one is inclined to touch it yet.

Fayle's reef at 95 feet is 6 feet wide and carries 3 dwts. No lateral development had been attempted pending my own arrival. I have now advised lateral development for 100 to 200 feet to explore the possibility of a shoot.

And really so it goes on. -Insufficient development on which to base any definite judgment. Socially the field is presenting its difficulties - Greeks, Italians, and a generally mixed crowd of undesirables have come in and are causing us a lot of worry. They drink with the natives and sleep with their women, and one or two most unpleasant and disgusting incidents have taken place. Nearly 1000 whites are here and the natives do not like it.

10
26
at Kakamega.

Kenya.

Mining and Geol. Dept.

February 8th, 1933.

Dear Sir Albert.

I am back in our old quarters and write to give you the impressions one receives after having been absent for 6 months.

Alluvial. According to the miners themselves, alluvial mining has come to an end. This may be the case for those few who were taking off the cream when we first arrived, but I still think a great amount of gold has been left behind for some one with capital and initiative to extract. Two local syndicates have been granted short lengths over the Yala for exclusive working and are starting tests on methodical lines. It will be of great interest to see what results they have. The Pakancusi people (Coldham) applied for the Edzawa but were refused following numerous objections from the small man.

Reef Mining. It is impossible to keep in touch with the hundreds of "discoveries" Swinton Home and Fitzgerald's show at Piccadilly Circus has been bought by a rich American, named Dr. Ganahl, who has descended on Kakamega like a tornado and is spending money like water. He paid £8,000 for the Circus reef, and in addition to this expenditure is building a petrological laboratory, a Chemical and assay laboratory, proper houses for his nine European employees, large garages, and is preparing an aerodrome for his 3 seater aeroplane.

The "Circus" East Africa" took note of.

I suggest that you consider
^(full)
possibility of enacting legislation
enabling you to confer by proclama-
tion arbitrary powers on Administra-
tive Officer in a specified area to
order exclusion or expulsion from
the area of any person whose presence
therein is in his judgment undesirable,
with heavy penalty for disregard of
such order, and for return without permission.

Glad if you will also consider
legislating (possibly by amendment of
section 70 of Ordinance 64 of 1930)
so as to permit of enrolment of
selected members of mining community
as special Police, with such remunera-
tion as may be necessary. It would
probably be prudent to prescribe that
authority of such special Police
should be exercised only over non-Natives.

I feel sure that the unofficial
community will eagerly support you in
any action you see fit to take in these

*[Refer to the amendment
of section 70 of
Ordinance 64.]*

- Mr.
- Mr.
- Mr.
- Mr. Parkinson.
- Mr. Tomlinson.
- Sir C. Bottomley.
- Sir J. Shuckburgh.
- Perms. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

DRAFT.

I shall be glad to have an
^{clear}
~~an~~
expression of your views as soon as
you can conveniently give these
matters your attention. Publication
of my decision on Kitson's second
report must wait until I am in a
position to accompany it with a
statement of the administrative
measures proposed to be taken to
^(full measure of)
ensure/control.

C. O.

Mr. Freeston, 22/2

Mr. Flood 22

Mr.

Mr. Parkinson.

Mr. Tomlinson.

* Sir C. Bottomley. 22. 2. 33

Sir J. Shuckburgh.

* Perms. U.S. of S.

Parly. U.S. of S. 22. 2. 33

Secretary of State.

(for union.)

DRAFT TELEGRAM

GOVERNOR

Secret

NAIROBI

Amert 3008

Coded Desch

11.30 am

23 1/2

NO 13
23 FEB
23

February 1933

Answered

No 62

Shk at once

Your telegram No. 46, revised

form of permit is very satisfactory
am still impressed by
but I ~~must still press upon~~ the

urgent necessity of exercising

strictest control over entrance of

doubtful characters into Reserve.

5)

See my despatch 6th February No. 78.

Amicable relationships hitherto ^{*maintained*} ~~restored~~

between Natives and Europeans reflect

great credit on settler-miners who

are no doubt as anxious as you and I

to maintain ^{*high*} standard in this

essential matter. But I am disturbed

by allegations which have reached me

from apparently well informed sources

that position has recently deteriorated

owing to influx of Greek, Italian

and other ^{*un-*}desirables.

compensating natives as is suggested in the "Herald" but is kept in case the natives fail to pay wages or fail to find work to do, and to meet any other obligations.

4. With regard to the second matter, the cases of violence are in the nature of, and it is noted that the chief native should sit or stand by, again visited the gold fields on the 1st of the month, but could discover no evidence in any of the fields of the actual incident which took place so long ago as January 1902.

H. Dymally

CHRISTOPHER-SMITH,
G. O. S. R. C. R.

sudden appearance of a considerable number of Europeans, who quite contrary to all previous experience have camped in the Reserve, and show at present no signs of moving out; but still more owing to a genuine anxiety lest the activities of the European will become permanent, with the result that in the end they will be permanently deprived of large areas of their land. So far as it is possible to foresee the future nothing of the kind is likely to occur, and when once the period of prospecting is over the actual area likely to be covered by mining leases will embrace comparatively speaking an infinitesimal portion of the Reserve. It will, however, be readily understood how difficult it is to explain this process to the untutored native, or to satisfy him as to the temporary nature of the present phase of mining activity.

3. But even during the present period of prospecting it is most misleading to suggest that natives are being dispossessed of their land. Although prospecting ranges over some three hundred square miles the claims are scattered and the actual extent of land affected by digging holes and sinking shafts is not great. Any miner occupying a claim in a Native Reserve pays Sh.3/- per month per head for each European living there and he also pays 1. cent per square yard per quarter for damage done to the surface in the cutting of trenches or digging of pits. This is equivalent to a rent at a rate of approximately £10 per acre per annum.

Incidentally the deposit required from miners, which has been raised from £10 to £25 is not used for compensating...

KENYA.

No. 79.



121
GOVERNMENT HOUSE,
NAIROBI,
KENYA.

RECEIVED
20 FEB 1933
G. L. OFFICE

28 JANUARY, 1933.

Sir,

No 12.
1807/32

I have the honour to refer to your despatch No. 925 of 23rd December, 1932, enclosing an extract from the "Daily Herald" of December 21st, in which you ask for my comments on the statements that "the natives complain that their agricultural livelihood is being destroyed" and that "cases of violence are increasing".

2. with regard to the first statement, no reports have been made to me that "the natives complain that their agricultural livelihood is being destroyed". On the contrary my information is that many individual natives are profiting by the market for produce and foodstuffs suddenly created at their very door, while owing to the demand for pit-props, a gum tree, which was formerly worth about 6^d, will now bring the fortunate owner anything from 5s. 6/- to 10/- a piece. But though the individual native is very definitely the gainer in this way it would be creating a wrong impression to suggest that the natives as a whole welcome this sudden incursion of the European into their Reserve. This is accounted for partly by a not unnatural bewilderment at the

sudden ...

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

Board to lie to the Governor and not to a Court of Law. This Bill will be of general application. As regards prospectors a revised form of permit was agreed by Central Land Trust Board after considering terms of your despatch No.78 of 6th February and will be sent by next air mail.

No 5

RECEIVED
13
19

TELEGRAM from the Governor of Kenya to the Secretary
of State for the Colonies.

Dated 4th March.

(Received Colonial Office 2.55 p.m. 4th March 1933)

No.54 Secret.

3006/8/33

No 11

Your telegram of the 23rd February No.62 Secret. I have no official information as to deterioration to which you refer and am making further enquiries from Provincial Commissioner on the point, I fully agree as to desirability of Government taking necessary powers to eliminate as far as possible presence of undesirables and to secure support of unofficial community in any action taken. Indeed as result of discussion at the last Central Land Trust Board I had already instructed Attorney General to prepare such legislation.

In my view and those of my advisers there are serious objections to suggested enrolment of special police within a native reserve and I would prefer to secure co-operation of unofficial community in connection with measures proposed for expulsion of undesirables. A draft Bill has therefore been prepared which will be submitted to you as soon as it has been referred to the Provincial Commissioner and Miners Association. It will provide for (1) Proclamation of area (2) Appointment in such an area of a board consisting of District Commissioner Chairman and not less than 3 unofficial (3) board to be given arbitrary powers of expulsion from area of any person whose presence is deemed by them undesirable (4) appeals against order of expulsion by

Board

C. G.

3006/8 Kenya

13.
80
14/18

Mr. ~~153~~

Mr. ~~153~~

Mr. Parkinson.

Mr. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

Casual receipt
12.157 15.3.33
9

Private & personal secret.

(ND 13)

DRAFT.

Governor

Nairobi

Your telegram No 54. I quite agree with you that suggestion for enrolment of special constables should be dropped. Suggestion was only tentative.

SECESSION IN AUSTRALIA

The Secession movement in Western Australia raises a grave political problem. It will be recalled that on April 8th a referendum took place in Western Australia, the electors being asked two quite distinct questions: (a) Whether they were in favour of seceding from the Commonwealth; (b) whether they were in favour of summoning an Australian convention to alter the Constitution, and settle their grievances. On the first issue, there was a two to one majority, on the second a two to one minority. These two results are not independent of each other, and must be read together, and therefore represent a complete dissatisfaction with the operation of Federal policy. As the new Premier (Mr. Collier) has declared his intention of giving effect to the will of the people, the Referendum vote has created some concern among the authorities both in this country and Australia. On the one side, Western Australia has a strong case, and the Federal Government has already promised to give it every consideration, but the vote is a clear demand for separation, and not for redress. On the other, the legal and practical difficulties of translating the vote into actual secession are enormous and in truth insuperable.

The background of the separatist movement is predominantly constitutional. The Secessionists claim that West Australia entered Federation on the understanding that every provision in the Constitution was to be rigid and sacrosanct, that State autonomy was to be respected, and Federal authority to be confined to the limits prescribed by law. Instead, developments have been in a direction completely antithetic. State autonomy has diminished; Federal authority has progressively expanded. While Western Australia, partly through its geographical position, partly through a general difference in character, has retained its desire for independence, it has been forced to accept a severe curtailment of its rights and powers.

The reasons for the swing towards centralization are twofold. Firstly, the Upper House, in which States were given equal representation, has proved ineffective against the Lower House, in which representation is on a population basis. Naturally, therefore, greater power is given to the larger States which dominate the Lower House, and it follows that legislation reflects their overriding interests as against the smaller states. The Senate has degenerated into a party chamber, and the

body of opinion, emanating in some cases from men of high Christian feeling, is so strongly stirred and so strangely hostile to the progress of the work and the attitude of the Government. It appears to me that this hostile opinion may be divided into three sections—those ignorant of the facts, but who would genuinely like to be informed; a smaller class who don't know and don't want to know, feeling that any stick is good enough wherewith to beat a dog; the third, and much the smallest, who know the facts, but deliberately pervert or conceal them. With regard to the first: their main motive is a spirit of Christian charity and the essentially British feeling that favours the under-dog, and the only criticism one can reasonably make is that it is hard to find the authority that tells them to exclude from these sentiments men and women of their own race. The second are urged by an almost fanatical championship of the native against the immigrant races; a championship so willfully blind that it ignores the fact that the largest section of their black protégés, the Wakikuyu, are themselves an immigrant race. Indeed, this tribe base their claim to large sections of the land in their possession on purchase from the natives, a method of exploitation which is expressly forbidden to their white protagonists. With regard to the third section, whatever their cloth, class, colour or race: Scripture clearly indicates what their ultimate fate will be, and we can safely and sadly leave it at that.

As I read it, and subject to correction, the case which the second and third schools of thought have forced upon the first is, roughly, as follows: The natives of Kenya have always been oppressed by the white settlers and the Government which is their servile instrument. The present trouble is yet another instance in point. Here we have an industrious tribe forcibly ejected from a great share of their all too scanty heritage, which is handed over to a band of dissolute white miners. So flagrant is this that it actually involves an alteration in the Native Lands Ordinance, that Magna Carta which ensures that the natives, at all events, shall retain their vested interests and remain capitalists as long as the British Empire stands. So monstrous is it that no provision is even made to replace the land which is so cruelly snatched away with further land which should, of course, be taken from the rapacious settler.

If this be the charge, its main gravamen obviously fails, inasmuch as no land has as yet been taken from the natives. A right to hire ingress to the minerals which never were his is the sole concession. There is, however, a substratum of truth in the

subsidiary charges. It is true that a verbal alteration has proved necessary in the Native Lands Ordinance, but the inevitability of this, in the event of minerals being found, was pointed out by the then Governor, Sir Edward Grigg, and his unanimous executive whilst the Ordinance was in draft. It is also true that no further territory has been set aside to compensate the tribe for such of its land as may eventually be alienated. For this there are two excellent reasons. There is no certainty that any land at all will eventually be taken, still less how much or where it will lie. Further, if such land were allotted, it is extremely doubtful whether any single native would leave his easy market for an untried territory. Nevertheless, I find myself somewhat in agreement with a remark attributed to a politician of eminence touring the Colony. "You have certainly kept the spirit of our trust with the natives. Why not keep the letter, too." I compute the area of which the tribe has been temporarily dispossessed to be not more than 500 acres (out of 7,000 square miles), the exact amount being easily ascertainable from the amount paid in rent. It would be easy to earmark, say, one thousand acres for replacement, should such necessity arise, and I believe that one most suitable area in no one's occupation exists. It seems to me that not only would this prove to the doubting Thomases that our intentions are strictly honourable, but would indicate to the British public what a trivial matter is in fact involved.

My concluding impression is this. A problem of the greatest complexity is being tackled, and I am filled with satisfaction at the spirit in which it is being approached, and the determination to be fair to all the sections involved. Most of all, I take away a feeling of admiration for the men and women of my own race now working in the face of every discouragement to regain a modest competence. May Fortune turn a friendly face on their endeavours!

CRANWORTH.

THE EMPIRE REVIEW

matter what the hour, to partake, not of a pannikin of rum or a bottle of gin, but of an excellent dish of the first-rate Kenya tea, and right refreshing you will find it.

While you are enjoying it, the talk will run on the one absorbing topic—gold, in all its local aspects; the incredibly long tail just panned by Jones, the rich springer Brown has struck, the South African magnate who is flying up, his pockets bulging with cash, the lack of enterprise of the big company. One motif characterizes each topic, unbounded optimism. It is in the air. No one expects to find an Eldorado, or even a pocket full of nuggets; but this year, next year, or at latest in two or three years, the main reef will be discovered, the mortgage on the farm will be paid off and, since wholesale prices will once more have reached a profitable level, all will be happy ever after. May it indeed prove to be so. It is not suggested that you are straying into a paradise of plaster saints, either white or black. Most certainly you are not. There are here, as elsewhere, stories of claim jumping, unscrupulous dealing and other delinquencies that sound none too savoury. But it can be maintained that there is a general standard of conduct and just dealing in difficult circumstances of which their fellow countrymen have true reason to feel proud.

Kakemega is not an unhealthy district. With reasonable care, and provided that a camp is sited on a bare hilltop, there is no reason for anything worse than the ordinary touch of fever. Living at present is very cheap. Probably there may be a majority of miners whose expenses do not exceed a pound a week. The great drawback to the rainfall, which during the greater proportion of the year is very heavy indeed, often accompanied by severe thunderstorms. This rain not only brings mosquitoes and every kind of insect, but makes digging operations doubly difficult and even dangerous, besides rendering the roads often nearly impassable.

Let us turn to the attitude of the native population. Here again the observer, who has drawn his anticipations from the outpourings of a considerable section of the British Press will receive as great a shock as those who have drawn theirs from novels on the Yukon goldrush. Where are the soured and hostile faces? Where are the evacuated huts and the ruined holdings? Those who want to believe in them had better stay away. They won't find them in Kakemega. The labour to be seen seems happy and contented, if one may judge by the gleaming white teeth and frequent laughter; and it may be noted that in the majority of cases work is knocked off for the

day at two or half-past. A considerable proportion of the mine workers are recruited from adjoining tribes, since the Kakemega prefers the lotus life, and who shall blame them, and moreover find opening for the first time, and at their very doors, a market beyond their wildest dreams. Not only do their chickens, their eggs, their cattle, maize and sweet potatoes fetch prices such as they have never fetched, but firewood and timber have suddenly become marketable commodities. Blue gum planted from Government seed and now from eight to ten years old, are fetching six shillings each, and their destruction without replacement is, I trust, receiving due notice from Government officials.

As to "shambas"* destroyed by mining and prospecting, I found them few indeed—in all the 7,000 square miles perhaps some hundreds of acres. Far, far fewer than the Anglophobes would wish us to believe, and still far fewer than the natives themselves would have them to be. For let this fact be known. For every yard of cultivation occupied the native owner receives, not only ample monetary compensation for the crops that he might have harvested, but also an annual rent at the rate of £9 13s. 6d. per acre. And here it should be pointed out that the average selling price of virgin land in white occupation does not exceed £1 an acre. Nor is this all. Every single hut and every single building erected by the intruders pays a rent of thirty-six shillings a year; and, since the cost of erection in the majority of cases is from twelve to fifteen shillings, and the resulting yearly damage might perhaps amount to sixpence, this would appear to be on no ungenerous scale. Just prior to my visit one of the partners of a mining syndicate went westwards to recruit labour from an adjoining tribe. Volunteers were readily obtainable, but ere he left the chief came to him with a bitter, and it seems to me not unreasonable complaint. "Why is it," he asked, "that my country is not thrown open and the white man allowed to look for gold and bring my people much prosperity. What are the Kakemega that they should have this special favour?" If this story were true, and it reached me from a most reliable source within a day or two of its occurrence, it throws a somewhat different light on the native attitude to that which holds sway in certain influential circles at home.

If, however, the impressions that one receives so strongly on the spot are correct, it may well be asked how it is that a great

* Native gardens or cultivations.

second periods. Prospecting is still busily going on. Holes are being dug, earth and sand is being washed and quartz is being crushed. You can see many times in a day that most exciting of operations, the panning of likely deposits, and even a disinterested spectator's heart will beat the faster when under the swift yet skilful shaking of the expert the contents of a pan are reduced to a teacupful of sand and water. Still the shaking and draining go on, until at last no more than a spoonful of black and sandy particles ripples now up, now down, the bottom edge of the pan. It's there! A minute yellow spot appears at the top edge of the deposit as the water draws away to be lost again as it gently surges up. Now a thimble would hold the residue, and slowly and delicately the balance is shifted and the water oozes down. The yellow spot returns; it grows; now an eighth, now a quarter of an inch, of pure yellow, with a larger streaky portion attached. Such is what is known as a "tail," and never did anglers fish grow bigger in a country inn than grow these tails around a mining camp. A little further on alluvial is being washed in sluices along a river bed. This is really panning on a more elaborate, but nevertheless inexpensive, basis. Countless centuries and millions of tons of rain have washed the gold from some hillsides, and there it is, sometimes in rich deposits, sometimes in small, but often a good paying, if ephemeral, proposition. It is recorded here how two gallant ladies with a gang of natives washed out over \$14,000 in a few months ere the dust ran thin, and a very large proportion of this sum was profit—profit as sorely needed as it was worthily earned.

The Yala runs through the fields, even in the dry weather, as large as the lower reaches of the Avon. There is at least the reasonable probability that beneath its brown waters will be found alluvial rich in gold, and already more than one syndicate or company is engaged in effecting a temporary diversion of a reach. Yet further may be found a stamping mill to which quartz from all around may be brought for crushing. All these operations belong to the first phase, but evidences may be seen of the coming of the second. On one of the green hilltops the huts cluster thicker. So do the motors, and their paint is newer, as indeed are some of their makes. On one slope is being erected a building with the hideous, if inevitable, corrugated iron roof, forming somewhat of a blot on the landscape. Something more than prospectors' work is here; the pioneers' efforts have warranted the introduction of real capital and the second stage has come.

Away facing us is the one large prospecting area which has so far been allotted, aggregating some thirty-five square miles. The secrets of the company are jealously guarded and the hand of every individual miner is against them, which after all is but natural. Nevertheless, it would appear that the Government have struck a wise and just mean, and one moreover that should prove of ultimate benefit to all individual prospectors and claim-owners.

But what of the human element? What of the traditional mining camp? In the Kakemega goldfield there are no saloons, no ladies of easy virtue. It is doubtful if there is even a revolver in the whole mining camp, or enough whisky to keep "Burning Daylight" * or one of his confrères going for a single night. Truly these goldfields are like no goldfields yet discovered, much less exploited. There is as yet but one collection of huts which could be termed by any process of imagination a mining camp in the old sense. Instead we find, say every quarter of a mile, tucked away in a banana grove, or far preferably on a bare green opening, a little round or oblong hut, the walls of stick plastered with mud, the roof of grass. Perhaps there will be two or three huts together, and if the tiny habitations look unusually tidy, you may have the opportunity of raising your hat to a lady, and well indeed may you raise it.

Let us take a peep inside. The floor is of mother earth, fairly solid by now, save where the tropical rain has found its way through a corner of the roof, and on it are stretched the ancient skins of a couple of buck. A square deal table stands as near the centre as the pole which supports the roof will allow; a canvas deck-chair and two or three of local make surround the table. Against the door may be seen two kerosene tins, with home-made wooden handles, for drawing water. A so-called bookshelf, fashioned from the lids of chop-boxes, flanks the opening which terms itself a window. In it are a dozen only too well-thumbed novels and works of reference, and half that number of many month old magazines and periodicals. On the top shelf repose two battered hurricane lamps, while against it leans an aged shot-gun. On the walls hang, nailed at the corners, a picture or two culled from the same magazines—last year's Derby winner; a pack of grouse coming down to the stooks; or a fat trout rising in the gloaming. Nothing very gaudy or luxurious here, but if the tenant—mark the word—is in, you will find a right good welcome and will be pressed, no

* "Burning Daylight," by Jack London.

Crown, which by an Ordinance has the right to work them or distribute them for working in such a manner as it may find best in its discretion. Although minerals have before been found, and the likelihood of such finds has been obvious, the wisdom and justice of this Ordinance generally have never been seriously questioned. It is certainly unfortunate for the white settlers, as it is opportune for their bitter antagonists, that the present discovery should not have taken place on settled land. But it was not so found, which after all is not surprising, seeing what a minute fraction, less than one-twentieth, of the Colony has so far been allotted to white settlement.

With the definite finding of gold came the inevitable prospector with his demand to peg out claims. Came also the rich company, with its demand for an area far wider than a claim, in which in return for sole prospecting rights it would guarantee to spend a sum of considerable magnitude. Moreover this gold strike took place at a time when it was of untold value to the Colony. The slump in world prices, aggravated by three years of locust depredations, had broken the hearts and emptied the pockets of many, and among them some of the most deserving, of Kenya's farmers. Men who years before had realized their capital, and with high hopes and stout hearts had ventured their all in a strange new country, found themselves through no fault of their own completely destitute. These men, indeed, formed a problem of the acutest variety in a colony itself in deep monetary straits, and in no position to support an indigent population, and they sprang eagerly to seize this further slender chance that Fate dangled before their eyes.

The problem for those who govern Kenya has been not only to deal wisely and fairly with these conflicting interests, but at the same time to keep faith with the native, both in the letter and in the spirit. In order to judge how they have accomplished this, a visit to the scene of action seems the first necessity.

The mining district, so called, lies some thirty-five miles from the old railway terminus at Kisumu, and eighty from the township of Eldoret on the Usin Guishu plateau, the latter being the more traversed route, since it leads from a settled and healthy area. The road from Eldoret for the first thirty miles is fairly good, running over level plains at an altitude of near 7,000 feet, where cattle have usurped the grazing that twenty years ago was in the undisputed possession of game in countless numbers. Once the plateau is left the road winds

downward through the lovely Nandi forest, and, owing to the nature of the terrain and to the rainfall, deteriorates till, save in the rare intervals of dry weather, it becomes an apology for the name. As one descends one large river and numerous small streams are crossed, and the country becomes greener and more obviously fertile. We are getting into the mining area. Signs of activity are not at first very apparent. There is little trace of any cultivation, and clumps of forest alternate with bush country and long grass. Further on the heat increases, the bush grows less dense, the forest disappears and here and there native huts and cultivation make their appearance. Now we reach to a stretch of short emerald green grass; round it are more huts, and a little further on a native school, next to which the inevitable goal posts rise from the football ground, the whole scene looking remarkably like a village green at home. In increasing numbers come the miners' huts, which would for the most part be indistinguishable from those of the natives save for the indispensable cars usually in an advanced stage of dilapidation. Now we come to the overt appearance of a mine close to the road. A genuine hole in the side of a hill. Its appearance is advertised by a sign, half a box-lid, which informs us that whereabouts are invested the hopes, the courage, not to mention the scanty coins of, shall we say, "The Annie Laurie" or "The Never-say-die" Syndicate. Other names spring to the eye; some pathetically reminiscent of a never-forgotten home, while others such as Golders Green, Clapham Common, and Piccadilly Circus, recall the insatiable nomenclature of the trenches.

In Africa there are said to be three phases to successful mining. First the prospecting, the discovery and the pegging. Then if the initial finds and indications warrant it the formation of syndicates and, finally, companies with some considerable amount of capital, running perhaps into five figures, to undertake elaborate investigations involving the use of expensive instruments such as diamond drills and necessitating the sinking of deep and probably timbered shafts. The object is to prove the existence of reefs which will warrant the expenditure of huge sums by promising a handsome return over a length of years, this constituting the third phase. It follows therefore that until the conclusion of the second phase it is impossible to forecast in what place or in what manner the ultimate and permanent developments will take place, if indeed they ever occur.

To-day Kakemega may be said to lie between the first and

IMPRESSIONS RECEIVED IN KAKEMEGA GOLDFIELDS

Much has been written about the Kakemega Goldfields in Kenya; but such writing as has come my way has been confined to two aspects: the wrongs inflicted on the native population, and the immediate prospects of the actual mining. It may be therefore that the impressions on an ordinary visitor, with no expert knowledge of mining, and whose views on the native question are confined to a belief of even justice for both black and white, will be of interest.

To take the site of contention first. The region known as Kakemega is the district inhabited by a subsidiary tribe of the Kavirondo, of which they form on the whole a somewhat backward and unprogressive section. The area consists of roughly 7,000 square miles, lying at an altitude of from 5,500 to 5,000 feet. The country is very beautiful. It is well watered, being intersected by one major river, the Yala, and numerous tributaries, and for the most part is wonderfully fertile. Timber is abundant; there being both indigenous forest, and also avenues and clumps of gums introduced since our Administration assumed control. The annual rainfall is heavy, from 80 to 100 inches. The tribe is mainly agricultural, though a few cattle and a considerable number of goats graze on the rich pasture. It must not be thought that all the land is cultivated. Probably not one quarter is at the present time in use. There are the forests and the green hill tops which form such an attractive feature of the scenery, and, moreover, there are the areas lying fallow, for one must understand that the agricultural system is one which would ensure the censure and worse of an English Agricultural Committee. It is to allow an area which appears worked out to revert first to weeds and then to the quickly encroaching bush, until such a time as experience indicates that Nature has restored its easy fertility. Nevertheless the practice serves its purpose and even, under this wasteful system the tribe possesses an acreage far in excess of its needs. There are few villages, but the huts are for the most part scattered singly throughout the pick of this most pleasing district. In this region gold, apparently one of the world's most pressing needs, has been discovered.

In Kenya the ownership of land is carefully limited to the surface, and all mineral rights are strictly reserved to the

had I been asked I should have refused to say anything on closer political union as that matter had already been dealt with quite clearly by the Joint Select Committee, of which I was a member, and what I was out for was co-ordination in economic work with a view to developing the three territories as one economic unit, pointing out the folly of trying to maintain three separate economic units.

When I got to Arusha I had a private talk with the British people there and also attended a public meeting which is fully reported in the paper, a cutting of which I enclose. When I got there I found that the Moshi people had telegraphed a garbled report of my proceedings and views which also went to London. I had this corrected and I hope my correction received equal publicity.

I found in Tanganyika and here a very different state of affairs. Outwardly, at all events, there is no German question, but everybody is fidgetting about the Mandate. I have personally taken a very definite line on this subject and I am hoping that H.M. Government will make an unequivocal statement on the situation at no very distant date.

I fear this is rather lengthy. I will not trouble you further at the moment.

I go to Zanzibar for two days on Saturday and then on to Nyasaland via Beira.

With kind regards,

Yours sincerely,

(Sgd.) J. Sandeman Allen.

only trouble in the minds of the chiefs is what may happen when leases are granted. I know the Carter Commission has dealt with this fully but the real trouble is the use of the word "lease", as the natives persist in going back in their minds to what happened with agriculture many years ago and they do not understand the difference between the two. It is a pity that mining leases could not be called by another name. I may say that this particular view is shared by nearly everybody I have spoken to.

On my return to Nairobi I addressed a very well attended meeting on the subject of the British Empire and its constituent parts, a report of which I hope to be able to send you. I also finally settled with the Chamber of Commerce people as to representation on the Board and I am waiting to hear in a month or two's time from the producers, who are pretty certain to follow on the same lines.

I then went over to Moshi and Arusha by arrangement. The British elements there are somewhat excitable and they appeared to have arranged that I should give an address on closer political union. The Germans were in the majority at the Chamber of Commerce and passed resolutions saying that they had nothing to do with closer union, etc., and the Chamber of Commerce seems to have broken up on this point, so when I arrived I found great racial friction and excitement, and the meeting which was to have been held at Moshi was transferred to Arusha. I had the opportunity, however, of interviewing quite a number of people before I went to Arusha, including that hot-head Salambé, but I am glad to say that two leading Germans whom I interviewed in Moshi were quite satisfied that they had no objection to the position. As a matter of fact, I think that the British people definitely

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COPY.

Government House,

Dar-es-Salaam.

10th October, 1933.

AIR MAIL.

Sir Cecil Bottomley, K.C.M.G., C.B.,
Colonial Office,
Downing Street,
London, S.W.1.

My dear Bottomley.

I wrote you last from Nairobi on the 27th September. With regard to Kakamega, the more fully I went into matters there the more satisfied I think every fair-minded man would be that the natives are not suffering in any way from disturbance. They are more than fully compensated for any trenches and operations in their shambas. When I was looking at the countryside from the labour line of the Tanganyika Concessions I was very much struck with the peculiarly fertile appearance of certain parts of different shambas and when I enquired about it I ascertained that these particular parts were the parts which had been dug out in trenches and temporary shafts for which the native received his compensation and that subsequently the trenches have been filled in with the result that the ground has been dug up more than it has been before and produces much better crops. At first, I understand, the natives in the district did not care very much about mine working, but when outside labour arrived they realised the advantages and are now quite keen on it. If a man commences to dig in an uncultivated part it is not unusual for him next day to find a number of banana trees planted round his hole. Yearapit goats have even been found to have tumbled into these holes! The

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16. Sir J. Sandeman Allen (S.O.) 10 Oct. 33
gives details of his visit to Takamaya and impressions
of mining activities there.
(Original on 4010/16/33 EA copy attached).

? Pur by
TWD wires: 26/K

(A. H. ...
26/10/33)

(M)

17. Extract from the "Daily Telegraph" 5/3/34. Transferred to
230 x 8/316 K.

15 Extract from Empire Review of June 19 33

- Impersonal received in Hakameya Whitefield

This well-written article by Lord Cranworth
may perhaps interest the S. of S.
? Put by

W. H. B.
11/7

Yes: Lord Cranworth can't be accused of being
a government man. The article strikes me as scrupulously
fair & it bears out the attitude taken by the S. of S.

W. H. B.
11.7.

aced
10.7.33

Lord Plymouth

You may be interested

to see.

J.H.B.

19.7.33

S.

24.7.33

(M)

2
S. A. /
not
S. A.
ended
Ketter
we all
in
coll
K. ...

9A

Science & Stats.

You may care to see
(15) in the file,

before Lord Granville

comes to see you

(Monday, 31st July)

E. H. H.

27/7/55

S. P. has seen

G. C. H.


31/7

I said a week ago I
wished a telegram sent
to the former saying I
approved of dropping the
special constable idea
altogether - Why has this
not been done?

I have written in to T-T
file that T-T should conform
to Kenya practice where
I have approved it


PVZ
14/3

The Sops agrees that this must now await
developments.

Polly 
15.3

Yel. to Gov. K. (A. 97) - 15. 3. 33
(No. 12 2nd)

to the President
but this case
will be under
instruction
Concise
(1973)

No. 14 to be
drafted
14


12 Governor Byrnes 79 _____ 28 Jan 33

Furnishes comments on the article in the Daily Herald regarding the conditions prevailing in the Lakebaya goldfield.

The supplementary information is interesting & may be useful, but no reply or other action is called for.

2 P. 14

J. S. Wilson

J.S.W. Flood

2/3

11 2-3 above

13 Governor Byrnes Tel 57 Secret _____ 14 March 33

State legislation is in preparation for the elimination of undersonallos; that there are serious objections to the enactment of special police within a native reserve, & that a Bill is being submitted for the control of goldfield areas.

Mr. Byrnes
Mr. Flood

(Pp. have been circulating with a P.P.

all this morning).

I understand from Mr. Boyd that S.P. has seen this telegram, and is in agreement with para. 2.

In the meantime it has come to our notice that T.T. has already legislated on the subject, & the T.T. paper I have suggested

5015/33
T.T.

that Kenya should be kept informed of T.T. action.

? Await receipt of draft B.M. proposed

in 15.

J. S. Wilson
8/3

I am asking Mr. Gwynn to discuss T.T. immigration of Mines, to come and see us some information about the conditions in the Kenya, to which the new legislation applies. Meanwhile I may note that, so far as our information goes, there are really any natives resident in the Lakebaya goldfield, so that the conditions are very different to those in Kenya.

J. S. Wilson

As to Kenya we must await the draft

Bill as suggested. The Special Constable suggestion was a more or less tentative one and as the Governor thinks the objections too serious we should follow his advice.

J.S.W. Flood
9.3.

Li. S. Wilson

You should see.

? await Kenya to bill.

=

See also 5015/33 T.T.

allments - with minute of P.P.

cced

W.S. 33

J. S. Wilson

3.33.

over

These papers were discussed with the Secretary of State yesterday afternoon. The attached telegram has been prepared on the lines which he directed. As regards the minutes and drafts on 300, the Secretary of State accepted in principle the proposed instructions to the Governor in regard to dealing with applications for areas 1, 3 and 4, and he also agreed that such applications, when received from the Governor, should be referred to a small Committee to be established for the purpose. I have revised the drafts on that paper to bring them into conformity with the telegram herein.

J. D. Austin
22/2

Yes the telegram is on the lines directed.

110 H.S. 222

(The powers suggested are drastic but the whole situation is such as to require drastic measures if necessary)

Drastic, but like ^{you} to command an unusual degree of support except perhaps from the Governor's legal advisers.

Sir S. Wilson

I think you should see what is in progress, but it is hardly necessary to trouble the S. H. again. W.S.

22-2-20

P. H. B.
at once

rest is new.

10. S.P.S. should see in connection with the Murray-Hughes letter (sent on today) and the pp. about the second Kikoni Report (already with him).

A. Hunter
20/2

Yes: the last part of it goes as far as can reasonably be done.

S.L.W. Hunt
20.2

As I have pointed out on the Murray-Hughes letter, the difficulty will be to police the area adequately.

S.L.W.
20.2.33

B.H.G.
20.2.33

10. Extract from letter of Murray-Hughes to Sir A. Kikoni
Sir C. R. H. ... Sir S. ...

Mr. Flood

S.P.S. should see the attached extract from a letter wh. Sir A. Kikoni received today from Mr. Murray-Hughes, the Kenya Government Geologist.

The passage marked on p. 2 is disquieting; we know, however, that the question of close control of undesirable was to be discussed at a meeting of the Central Lands Trust Board on Feb. 10th.

L.B. Green
20/2

at tel: is ...
about the results
w.r.b.

3

Sir A. Kikoni tells me that inch dots (top of page 2) means the no. of dots per ton multiplied by the no. of inches in the width of the reef. Thus with a 5' reef 600 inch dots means 10 dots to the ton over the lot. He says the reef is very rich indeed.

I do not like the marked passage at all. It is just the sort of thing that will provoke very hot and justifiable comment. But if you have local tracks & Kikoni it is next to impossible to keep them all out.

S.L.W. Hunt
20.2

Policy is going to be the difficulty - I don't want to do anything which would seem to back the Government (a politician for himself) in business, but he may have to be the first up.

2 Sec of State
you will be
interested to see
B.H.G.
20.2.33

rest is new.

10. ? G.P.S. should see in connection with the Murray-Hughes letter (sent on today) and the pp. about the second Kilom Report (already with him).

A. Hunter
20/2

Yes: the last part of it goes as far as can reasonably be done.

J. C. W. Howard
20.2.

As I have pointed out on the Murray-Hughes letter, the difficulty will be to police the use adequately.

G.P.S.
20.2.33

B.H.G.
20.2.33

Mr. FRESTON. (Via Sir C. Bottomley).

I think this is the right course.

Any comments?

(Intd.) P.C.L.

17.1.

1. I have suggested slight verbal changes.
2. Sir J. Byrnes is now at Entebbe attending the Government Conference. The air-mail letter will no doubt be forwarded to him there, but he will hardly be in a position to reply without reference to his Secretariat in Nairobi. ? Tele. off. officially to the Deputy Governor

Passed as in draft.

W.D. B. 17/1

17/1

Secy of State
Sir J. Byrnes

I have made one small addition: of the name: used to Nairobi Sir J. Byrnes and will be sure that it is forwarded to him above.

W.D.B. 17.2.

7 To Gov. Tel. (P & P) _____ 17 Feb. 53.

8 To Gov. Tel. 58 _____ cons _____ 17 Feb. 53.

9 Governor Byrnes Tel. 16 _____ 20 Feb. 53.

Some substance of many permits obtained by Central Land Trust Board.

The L16 report and the anti-malaria program are taken over from the previous form of permit; the

Byrne P. P.

Cabinet approved Memo I
sent by air mail. I think
~~it will be~~ This includes approval
of Kitson's report. I wish however
to defer announcement of
approval till I can state
amendments you propose in
conditions of Licence as result
of recent discussions.

urgent

Mr. President (via Sir C. vs. Members)

I think this is the right
course. Any comments?

PVA

18/2

14. Governor Byrne Tel (P.P.) _____ on Feb 23
Requests that gist of despatch mentioned in No. 2
may be telegraphed for meeting of Central Land Trust
Board on 10 Feb.

The despatch already filed & copied
has been posted into a letter which
I have forwarded and sent to Telegraph Secy.
The despatch has been to mine.

See
No. 16

Shree
6.2.33
at min.

By Air Mail
7/2/33

To Gov. 78 (2 answered) was 6 FEB 1933

3/3

see to
outlog
v

6 To Gov. Tel 43 — 4 answered — 6 Feb. 33.



It quite reasonable to distinguish
between the prospector who has
to deal with the water in the
matter of his land and crops
and the transport rider, etc.

But he must accept the
considered view of the Governor
and his advisers.

W.C.W.
31.1.33.

W.C.W. 1/2/33

On reading the despatch I made
exactly the same comment as Sir Cecil Eottomley.
I do not see why the Government of Kenya should
abandon their discretion to grant or refuse
licences. I fully appreciate that an area where
Europeans pass freely cannot possibly be made a
closed area. But why should the fact that a
man is not prevented from driving a cart or a
motor car in the Reserve entitle him to a ^{prospecting} ~~mining~~
licence? I think the Governor would be on
indefensible ground if a licence were granted
as a matter of course to a man who there was every
reason to suppose would behave badly and that man
subsequently got into trouble. It is, besides,
a much more difficult thing to take away a
licence once you have granted it than to refuse to
grant a licence. Look moreover to the future.

If

If the field is proved on a large scale many new
people will come in and want to prospect. You will
find it increasingly necessary to exercise a discretion,
but if you have once abandoned that discretion I do
not see how you can recover it. Again, if the men who
go into the Reserve know that the grant of a licence
is at discretion, this is a further insurance of good
conduct on the part of those who are ^{prospecting} ~~occupied~~ in the
Reserve as well as those directly engaged in prospecting.

I appreciate of course that even if a
discretion exists it is impossible to guarantee that
licences shan't be granted to men who subsequently
turn out to be unsuitable; and no doubt a licence
would be granted in any case where nothing was known
against the applicant. But I am sure the discretion
must be maintained. A despatch should go to the
Governor by air mail on these lines and I think it
would be wise to send him a private and personal
telegram indicating very briefly my views and saying
that they will be elaborated in a despatch.

PZ-L

1.2.33

3 Tel to Governor - Personal - 2nd February

It quite reasonable to distinguish
between the proprietor who has
to deal with the nature in the
matter of his land and crops
and the transport rider, &c.

But he must accept the
considered view of the Governor
and his advisers.

W.L.W.
31.1.33.

W.L.W. 1/2/33

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