

1933

Kenya

No. 3040

REVISION OF RECORDS SECTION

This File should be returned to
Queen Street when no longer required.

SUBJECT

C0533/431

Coffee Industry

Succession by Will

(See enclosure 1 in file reference)

Previous

H 8103/52

Subsequent

Succession by Will

C0533/54

5/11

States there are adequate powers by Rules under the Diseases of Plants Prevention Ordinance to prevent dissemination of disease in non-native areas and that it is unnecessary to take power to maintain quality of the product. Ambs. Rules under the Crop Production and Livestock Ordinance to control growing of coffee by Natives and States proposal to include the Kinyu areas must remain in abeyance.

The Governor considers it unnecessary to adopt the suggestion in paragraph 6 of 9 in 17094/31 that powers should also be taken to control coffee planting in non-native areas. This seems unfortunate as it would have removed any grievance on grounds of discrimination without causing any inconvenience to present growers.

The general report called for in that despatch on the staff available for supervision of native coffee planting will no doubt be furnished when the Estimates for 1933 have been revised - but

LBF. this should be kept in view.

As regards the draft rules these incorporate many of the provisions in the Coffee Rules already in force (copy in 18161/32).

Rule 13 gives an Inspector access to a plantation at all times instead of at any reasonable time in Rule 5 of the non-native Rules.

One must presume that the powers of the Inspector visit via a Headman in Rule 16(a) have been approved by the U.L.C.

? Subject to any observations by

Mr. Stockdale

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Mr. Stockdale

Mr. Stockdale approve the Rules; note that the Governor considers it unnecessary to take the power suggested in 3. In 17094/31 and propose to await the general report on the staff available to enable the scheme to be put into operation.

F.A. Stockdale
27/2/33.

Mr. Stockdale

Mr. Freeston is away. Perhaps you would look at this at this stage.

A. H. Acheson
28/2.

I have had put up in this bundle Tanganyika paper 5004/33 for comparative purposes.

I have compared the proposals for Kenya with those decided upon for T.A. where they are relevant, and in the notes attached submit points which might be given consideration.

F.A. Stockdale
2 March 1933.

Mr. Flood.

Mr. Priestman's point at A. is met, I think by the following pronouncement by the S of S in another connection:

"It is no part of my intention to impose, in the supposed interests of racial equality, an unnecessary legal obligation on members of one race, merely on the ground that such an obligation is necessary for members of another race in their own interests".

As proposed by Mr. Priestman, enclosing Mr. Stockdale's note (as altered in pencil) for conson.

L. B. Freeston
6/3.

§ 21(d) line 1. "Books" should be "book"

§ 26(1) line 2 "license" should be "license"

It is necessary for the general good to control the growing of coffee by natives and these rules do appear to provide the necessary powers. The Governor says there is no need to apply them to European areas and thinks there is power enough to deal with infected crops. I agree with him that, in the circumstances, it would be unnecessary to apply the rules to such areas and if unnecessary it is really undesirable to do so.

Rules 4 and 5 which require a permit to grow coffee in a plantation are quite general in application and should cover any racial objection.

As proposed

J. H. Flood
6/3.

Sir S. Wilson

This does not, I think, press; and you may prefer to keep it for Sir C. Bottomley, who returns on the 20th march.

The Kenya reply seems to me unhelpful on both the important suggestions in No. 9 in X 17094/31 - see paras 2 and 4 of this despatch.

It would be a pity if, now that they are at last providing for coffee growing by natives, the Govt. of Kenya should unnecessarily expose themselves to more criticism. They were given a lead towards "prudence" in para 6 of No. 9 in X 17094/31, and they reject this. As regards the Kikuyu deal, with in para 9 of that despatch, Govt. says nothing can be done until it is known what provision for agricultural staff can be made in this coming (financial) year. I should have thought that it was worth making quite abnormal efforts to permit of the

S of S despatch
18/2/33 on Native
Registration (No.
18 in 17217(A)/21)

1934

the Kikuyu not being excluded from the coffee-growing now to be permitted (under special conditions) to natives.

aecl
W.S. 33

Sir C. Bottonley
(or return)

I should like very much to have your views.

J.H.G.

17.3.33

Sir S. Wilson

1. With regard to ~~dominated~~ ^{less active} areas, the proposal was that the Government should take power to exercise control over coffee growing, and not that such control should necessarily be exercised. In my view something of the sort is desirable for reasons other than that of preserving a nominal equality of treatment between natives and non-natives. The present coffee growers in Kenya have most of them learned their work at a time when the reward for high quality was very great. That reward has shrunk and it is possible that the present growers, ^{will not continue their efforts and that} and not fresh growers who take up the industry will not realise the importance of maintaining quality.

I

I think that to take power to exercise control would be entirely justified.

2. As regards the Kikuyu, I am sorry to see that the provision of staff is a mere possibility for 1934. I agree with Mr. Parkinson that we should urge the Governor to make the necessary provision this year, if he can possibly do so, for the additional agricultural officers. It is not merely that the Kikuyu will be aggrieved if they are not allowed to grow coffee. Much of their land is identical with the land on which coffee is now being grown on European Estates and it seems bad economics to discourage the cultivation of coffee in likely areas.

W.S.
21.3.33

High State

As much as I dislike interfering with a Governor once he has had your views & I do not follow a ~~strong~~ ^{strong} ~~lead~~, I think in this case it would be wiser to put the points mentioned by Mr. Parkinson & Sir C. Bottonley to ~~the~~ ^{the} ~~Govt~~ ^{Govt} Sir J. B. G. He must see this by now that the question of coffee growing by natives is a very thorny one, and that the policy in the past is most difficult to defend.

J.H.G.
25.3.33

I agree. The material result will be the same either way. But this is just the kind of case where handling could go much better in Kenya a
 You might like the opportunity of explaining to Lord Francis & Scott in your talks the true intention of this garden

PZ. 2
 1/4/33

Rev. C. B. Howley

For necessary action

J. H. G. above

6. 4. 33.

The Flood
 In all the way west side
 7

Sir, Watson.

Lord Francis Scott called this morning and I took the opportunity of mentioning this subject to him.

On both points he urges very strongly that we should do nothing at present as it could not fail to embitter the feeling among the European settlers, both in connection with the income tax problem and in relation to the belief, quite unfounded, that the Colonial Office or the Secretary of State, or both, are out of sympathy with white settlement in the Colony.

On the question of making control general and not merely a matter of coffee growing by natives, he pointed out that the present regulations as to precaution against disease, etc. were all that was needed in European areas, and that there was no question of opening up European coffee growing in new areas. He considered the idea of extending to non-natives the control directed to safeguarding and guiding native coffee growing was ~~quite~~ *quite* ~~unjustified~~ *unjustified*.

On the question of urging the Governor to make further progress with coffee growing in the Kikuyu, Lord F. Scott regarded this as the greatest affront which could be given to European coffee growers. The unofficial members agreed with much reluctance to the experiment in Embu, or if it was applied to Kikuyu proper - which would surely fail to earn Kiambu, immediately, and in European coffee areas - the consequences would be lamentable. It appeared, indeed, that the Governor, in implying that the extension to Kikuyu was only waiting till an agricultural officer was available, had gone beyond anything that his Executive Council had contemplated.

I pointed out that eventually the main ^{trial} coffee growing ~~was to be~~ among the Kikuyu and that to experiment in Embu first would only mean putting the clock back for 4 or 5 years. I urged that, quite apart from the certainty of prognative criticism in this country, it was essential to provide the Kikuyu and other tribes with a stable industry of their own, and that it would by no means interfere with the supply of labour for European farmers. But Lord F. Scott's objections were immovable, partly on the old grounds of spread of disease and of increased opportunities for theft without detection, but mainly on the ground of ^{the} present temper of European feeling, and he urged strongly that nothing should be done until Mr. Holm, the Director of Agriculture, arrives here next month and could be consulted. Lord F. Scott did go so far as to point out that there was plenty of land in the Kikuyu Reserve, behind the closely occupied Kiambu area, which was practically unused at present. He would say, I suppose, that if there was to be any experiment with native coffee growing in Kikuyu proper, the area should be chosen in a position of this sort so as not to be in direct contact with European production.

In the circumstances I think that it will be best to wait for a few weeks for Mr. Holm's arrival.

Wes 12.4.33

Prof of State
(on return)

You should see I think we

had better discuss with Mr Holm
when he arrives in England.

B.H.G.

12.4.33

D
1 April.

But I must again make my
position clear.

1. It is right to restrict native
coffee production to areas ^{subject to} ~~which~~ ^{insurance}
~~can be~~ effectively ~~protected~~ ^{insured}
against disease etc. This
is both in the interests of
coffee growing generally in the
colony & a precaution to ^{protect}
existing growers and ^{existing} growers.

2. It is not justifiable to prohibit
native coffee growing ~~and~~ in order
rather to preserve a monopoly

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coffee growing generally in
Kenya & a precaution to
prevent existing processes are admitted.

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native coffee growing and in order
rather to preserve a monopoly

to the letters or to
has been a target
supply of labour

P.V.L.
3/5

Mr C. Bottomley
This must now wait for Mr Holm to
reply. Mr Bottomley will expect a reply
a NO 1 and I think it would be well to send
an interim one but he should receive the letter
by accident and provide a fresh outline in Kenya

I ask next and say it is proposed to discuss
with Mr Holm and that in the meantime the Rules
should not be promulgated. And send a copy of
Mr Studdelers note (as edited in pencil)

S.C.W. Hand
4.5.33

So proceed.
I may add my record of
the meeting that I asked Lord
Francis Scott of them for my
idea that native Kenya
coffee would devalue the
value of the trade name of
"Kenya coffee". He said
he thought there was nothing in that.
Wed. 6.5.33

7/5/33 2 To Gov. Conf (1 Annual) 9 MAY 1933
(w/c notes)

3 Governor Bygone Tel 91 8 May 33
Requests early reply to No 1

4 To Gov. Tel 114 3 June 33 9 May 33
Parliamentary discussion by Mr G. Gallahue
No 2 or 3 file

Notes see also
sub file 1
(Mr. S. G. Gave's
recommendations &
misc notes)

5 In Session
The note of our discussions with Mr Holm
regarding has been prepared by Mr Bottomley
is attached.

J. A. Studdeler
7/5/33 15 May

6 Anti Slavery Society 7/5/33 18 Sept
(Express satisfaction at decision)

DESTROYED UNDER STATUTE

17 O/A (d) (Reminded)
I regret the delay in sending of these
papers. It has not however been entirely due to
lethargy. Since the date of the discussion with
Mr. Holm recorded in No. 3 it has been necessary to
wait particulars for further consultation with him
on various points. Mr. Gave's protracted fiasco
has further complicated matters and finally there
has been the all important question of ensuring that
the necessary staff would be available for supervision
of the experiment.

x See sub file (1)

In conversation last week with Mr. Martley
an Agricultural Officer recently arrived on leave, I
learnt that Government has planted a nursery of coffee
seedlings in the Embu District and is proposing to
distribute them in March of next year to natives of
the

the Reserve to be planted in an area of land (held communally) of about 500 acres which has been selected by the Department of Agriculture. No other steps have been taken; the proposal to have a similar experimental area for the VIKUJA near Fort Hall has been temporarily dropped.

It will be seen from No. 62 of 10/35 that Government propose to place in charge of the work "some young man with coffee experience" locally engaged under the local terms of service. Mr. Stockdale, with whom I have discussed the suggestion agrees that this real will not do. Even if the local young man proved competent to supervise the transplantation etc., by the end of the first year supervision by a proper Agricultural Officer would be essential and it is obviously better on political as well as on technical grounds that the responsibility from the outset should rest on someone about whose fitness to bear it there can be no question.

The difficulties of the Kenya Government in providing staff will be effectively met if the application succeeds which the Secretary of State has made to the Carnegie Trust for the appointments of two native Agricultural Instruction Officers for 2 years (copy of the application is annexed), but I understand that a decision cannot be expected for some weeks to come, and clearly we can say nothing to Kenya unless and until a favourable decision is reached.

Draft submitted for conson. Draft reply also to No. 6....

Papers should be brought up on the 1st November for

Washed

for discussion with Mr. Waters, the newly appointed Director of Agriculture (he will be in London during November and sails on the 30th of that month.)

Amunt
30/7/35

As to 706, the Society has no immediate business to mention and the S. off. is not yet in a position where he has to send them reports. I would omit para 2 of the draft. They can get the bodies out of the bagelle when they are used.

I fully agree that a proper Agricultural Officer must be put in charge. A local officer who was not very good would do little good. It is also to be pointed out that the Government will be chiefly interested in the whole plantation.

The President's draft does not make either of the points in your letter of 21/7/35 viz (1) The advisability of taking steps to control coffee growing completely & (2) The question of starting work among the Kikuyus. As to (1) the Governor thinks it unnecessary & Lord Scott said it was feasible. As to (2) the Gov. has no staff & Lord Scott is very well at the idea. It looks to me as if Gov. was afraid of the issue but in any case it will be better to start the experiment at Embu as proposed. That is if it is a success & if the forested plaques do not come off then there will be no excuse for not letting the Kikuyus grow coffee - subject always to the necessary control.

On the whole I think it best not to mention the two points again. Kenya will only 'alone walk' and the great thing is to get a start made. If a success is attained then the impetus of the industry will do the rest. If it isn't a success then we shall have avoided aggravating the touchy settler. (J.F. 5/10/35)

I don't think we need object to sending the

*Same letter
to Mr. Waters
W.S.*

The Rules
the Society ~~is~~ but I
don't like giving even a half
promise about the progress
reports: when we have first.

6.10.33

See of State (through Lord Alton)
Papers
Ethel
6.10.33

I had a long interview with
the General some time ago. He
was not very convincing, &
instead admitted that on
ethical grounds it was im-
possible to justify the embargo
on native coffee growing.
At the same time it is of
the highest importance that
we should go about this
experiment very gradually
& carefully, as it is our
intention to do.

10.10.33

Handwritten initials

Go to the case
see next file

To Anti Slavery Socy 18/10/33

To Henry Wray (2) was 18 OCT 1933
(w/c 17.19 & HA all on 30/10/33)

To Henry Wray 2 (w/c 609) 9. 20 OCT 1933

Brought up wide minute of 30th Sept. 33

14.11.33
Lynsey 297

This question was brought to
the W. Water notice before he said

Put by
J. P. ...
7/11

12. Extract from Manchester Guardian of 21st Nov. 33

Put by
J. P. ...
21/11

13. Emma Byrne 16th leaf 25th Nov. 33

Assumes limitation of native coffee growing to areas
remote from European estates applies to experimental period
only & suggests that this location should be made plain to the
Socy (D. 30/10/33 - copy attached for record)

Copy of Report also
sent from Socy to
the Anti Slavery
Society
v. No. 9

No reply to No 10 has yet been received.

[Signature] 23.1.34
23/1/34

End of para. 6 of No. 10

? We might wait a month & if nothing
is written, ask what conclusions
Gov. has come to

□ B. u. in a month.

[Signature]
23/1/34

(the)

B. u. no reply to no 10 received

23/1/34

The S/S has had two discussions
with Mr. Kenyon

W. B. u. in a fortnight noted
23/1/34

[Signature]
23/1/34

⊙ Brought up with 23/1/34 vide minute above

F. 3020/34

P. 4/4

18.7

[Signature] 23/1/34
23/1/34

[Signature]

For reply to No 10 has yet been received.

[Signature] 23.2.54
1954

End of para 6 of No. 10

? We might wait a month & if nothing is in the air, at least conclusions to Gov. has come to.

M. Davis: 23/2

B.u. in a month

[Signature]
23/2

(2)

B.u. no reply to no. 10 received

cas, R 24/7
23/2/54

The S/S has had discussions also in Kenya.

? Wait B.u. in a fortnight *[Signature]*
M. Davis: 23/2

[Signature]
23/2

(3) Brought up with 23/53/54 under minute above.

[Signature] 12/4
1954
F. 3060/54
Part 17
107

[Signature]

Copy

Original on 10/1/33

1310

CONFIDENTIAL.

287- November 1933.

Sir,

I have the honour to refer to your confidential despatch of the 6th November, in paragraph 2 of which it is stated that at an interview with Mr. S. G. Gage you emphasized the fact that the intention is "simply to permit natives in certain limited areas remote from European estates to grow coffee, etc." I assume that this limitation to areas "remote from European estates" applies to the experimental period only and that Government is not committed to such a restriction in its future policy. In this connection I would refer to your Confidential despatch of 10th April 1933, in paragraph 9 of which you said: "I should be glad if I could reconsider the possibility of including areas in the Kikuyu Reserve as part of the initial experiment, and expressed the view that the Kikuyu Reserve could be included if it were impossible to provide the necessary supervision in that as well as in the other areas that I proposed to select. To that I replied in paragraph 4 of my Confidential despatch No. 4 of the 23th January 1933. "I am keeping in mind the possibility of including areas in the Kikuyu Reserve as part of the initial experiment but until such time as I am able to ascertain what provision there will

be ...

No 34

3040/1/33

No 9

14094/31

No 1

3040/38

RIGHT HONOURABLE
 MAJOR SIR PHILIP CURRIE-FLESTER, F.C., O.B.E., M.C., M.P.,
 SECRETARY OF STATE FOR THE COLONIES,
 DOWNING STREET,
 LONDON, W. 1.

be next year for the appointment of additional Agricultural officers this proposal must, I regret to say, remain in abeyance."

B. If there is any reason to suppose that Mr. Gore may have misunderstood the position, I suggest that it will be advisable to make it plain to him that the intention of Government to limit coffee growing by natives to areas remote from ~~European Estates applies only to the inland areas~~ and that future policy in respect of areas to be selected remains open.

I have the honour to be,

SIR,

Your most obedient, humble servant,

J. BYRNE.

BRIGADIER-GENERAL

GOVERNOR.

Highgate

12 A2

I spoke to you about
Mrs. Benson Platt

297

Attach
APD
cf

Manchester Guardian
27. 11. 33

NATIVE RIGHTS IN KENYA

Coffee-Growing

To the Editor of the Manchester Guardian

Sir, The Nairobi press informs us that at last the Kenya Government is allowing Africans to grow coffee. But by no means all who wish to. Only a select few are to be allowed the "experiment" in the districts farthest

from railways, towns, and markets. In those districts the educational level is low and, as coffee-growing is a difficult art, the conditions of the "experiment" will scarcely be fair, whereas in the districts near Nairobi and other towns, where coffee-growing is forbidden to Africans, there are thousands of them already familiar with the art, and not a few who have had the entire practical management of the plantations of their European masters.

As the claim is likely to be made that Africans in Kenya are in fact allowed to grow coffee, it is important that the public should realize that permission is being given to only a handful who are peculiarly unqualified to make a success of the task, and that the prohibition of coffee-growing to the better qualified has created among them a strong sense of injustice and resentment.

In Tanganyika, of course, the Government encourages and helps coffee-growing by Africans, and in that country it is not only by far the most profitable crop but also the source from which Africans pay most of their taxes.

—Yours, &c.,
NORMAN LEYS,
Drailsford, near Darby.

November 21.

1000 13

C. O.

Mr. Freeston. 30/9

Mr. Horn 5/10

Mr. Parkinson

Mr. Tamlinson

X Sir C. Bottomley. 6/10

Sir J. Shuckburgh

X Perms. U.S. of S. 26/10

X Paris. U.S. of S. 26/10

X Secretary of State 11/10/33

Account of No 1 on 23/35/34
No 6

DOWNING STREET,

October, 1933.

18 OCT 1933

DRAFT

KENYA

CONFIDENTIAL (2)

O.A.?

Sir,

I have, etc. to inform you that since the date of my confidential despatch of the 9th of May, the question of coffee growing by natives in Kenya has formed the subject of further discussion with Mr. A. Holm, the retiring Director of Agriculture and with members of the unofficial community representing the views held by a section of the European coffee planters in Kenya.

2. A copy of correspondence with Mr. S. C. Gare is enclosed. I am also forwarding to you for disposal, under separate cover, a set of documents purporting to be signed by European planters and managers of coffee estates which was handed to Lord Plymouth by Mr. Gare at an interview which was accorded

From [unclear] 14/5/34
117 on 30/10/33/2
To [unclear] 28/10/33
(4) 23/10/33/1
(9)
[unclear]
(5 specimens at 11A on 30/10/33)
Balance in pocket folder

2 d/b

to him on the 19th of July.

3. The representations

which I have received from this and other sources have in no way modified my determination that in principle the embargo on coffee production by natives cannot equitably be maintained. I see no justification for prohibiting a native from growing coffee ^{or other} crops in order to preserve the existing monopoly enjoyed by European planters and I attach great importance to the possibility of providing the native population in suitable areas ^{and} under proper conditions, with a new crop of economic value.

4. At the same time I ~~may~~ ^{impress} the necessity of introducing

the change with the greatest ^{care} circumspection. The danger to the existing industry from the dissemination of ^{extensive chewing} pests and a possible deterioration of the coffee

C. O.

- Mr.
- Mr.
- Mr.
- Mr. Parkinson.
- Mr. Tomlinson.
- Sir C. Bottomley.
- Sir J. Shackburgh.
- Permt. U.S. of S.
- Party U.S. of S.
- Secretary of State.

DRAFT.

coffee recognised in the world's markets as the product of Kenya are I feel sure, recognised by your advisers to be sufficiently real to call for every precaution and the closest possible supervision. Any attempt to accelerate the experimental process beyond the power of the Administration to control it effectively must be firmly resisted, and I look to you to ensure that the enthusiasm of those who wish to participate or to encourage the participation of others in this new form of ^{agricultural enterprise} native development is restrained within reasonable bounds.

5. The draft Rules under the Crop Production and Livestock Ordinance have been further discussed with Mr. Holm. I am satisfied that, subject to your consideration of the alterations suggested in my despatch of the 9th of May, (acceptance of which I am content to leave to your discretion) the

(1)

C. O.

Mr.

Mr.

Mr.

Mr. Parkinson

Mr. Tomlinson

Sir C. Bellamy

Sir J. Shackburgh

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State

DRAFT.

growing "some young man with coffee
experience, under ^{the} local terms of service"

Such an arrangement is, in my judgment,
open to obvious and serious objection; and

I ~~shall~~ ^{will} be glad if you ~~would~~ reconsider
whether steps cannot be taken, before

the commencement of next year's
activities for a fully qualified

Agricultural Officer to be entrusted
with the responsibility of supervising

the work.

7. Copies of the Rules when
promulgated should be forwarded to me

for record; and I ^{shall} ~~should~~ be glad to
receive in ^{a year's} 10 months time a report

on the progress made with the experiments
I have, etc.

(Sgd.) P. OUNIFFE-LISTER

O.O.

3000/1 Kenya

Mr. [unclear]

Mr. [unclear] 5/10

Mr.

X Mr. Bottomley 6.10

Sir J. Shuckburgh

Sir G. Girdle

X Permt. U.S. of S.

X Early U.S. of S.

X Secretary of State.

18 OCT 1933

Seq 5

Sir

DRAFT.

(The Hon. Sec.)
Anti Slavery Abolition
Particular Society

Copy 6. this to
O.A.B. L.F. ref. copy
diff. copy

2 dfts

I am glad to refer to
your letter of the 14th of August
regarding the collection of
coffee by natives in Kenya
and to inform you that
although he has decided in
principle that the embargo
on native coffee-growing
shall be removed, the precise
conditions under which
the experiment shall be

MW

both

introduced are still under consideration.

It is anticipated that Rules to control native coffee growing will shortly be promulgated in Kenya. A copy will be forwarded to you when received from the Colony.

~~You are requested to
return the enclosed copy of the
minutes of the meeting held on
the 1st of June 1954.~~

A copy of your letter under-mentioned and of this reply are being forwarded to the Acting Governor.

(Signed) J. E. W. FLOOD

Q
[]
? Omit, see
minutely
Ivitoray and
the...
J. E. W. FLOOD

87

Kenya.

Development of Native Agricultural Instruction.

The East African Governments generally are endeavouring to promote the growth of suitable economic crops for export purposes where this can be done without detriment to the production of essential foodstuffs. This necessitates satisfactory arrangements being made for the technical guidance and instruction to the growers and for the orderly marketing of their produce. Progress in these two directions has already been made in certain of the British East African Dependencies and the Government of Kenya, recognising that the development of native production is essential for the Colony's economic future, is making every effort to assist the marketing of native grown produce. Schemes involving central and group marketing have been established and others are in contemplation. Coffee growing by natives is to be attempted in certain selected areas, which will involve careful selection of suitable land, provision from established nurseries of selected planting material, supervision of cultural operations in the early stages of growth, provision for the control of pests and diseases, and ultimately assistance in the organised preparation of the produce for market and in the actual marketing itself. Financial assistance is desirable to enable the Kenya Government to provide the technical instruction necessary to ensure a reasonable probability of success. The services of two agricultural officers will be required and to provide for their salaries, passages, travelling expenses and for the establishment of nurseries for the provision of selected planting material

material a sum of £2,000 per annum will be necessary. If this could be secured for a period of 5 years it would permit of the first crops being harvested and of a system of centralised or cooperative marketing being evolved. Whilst it would be proposed that the agricultural officers would be mainly concerned with coffee it is suggested that they should also be able to give instruction generally on other native crops grown in the districts in which they would be stationed.

Telegraph:
20 CATHEDRAL, GURTON, LONDON.
Telephone:
VICTORIA 6225

The Anti-Slavery and Aborigines Protection Society

in which are incorporated the British and Foreign Anti-Slavery Society and the Aborigines Protection Society.

Received

DENISON HOUSE,

296, VAUXHALL BRIDGE ROAD,

LONDON, S.W. 1

(CLOSE TO VICTORIA STATIONS.)

Hon. Secretary:
Travers Burton, M.A.

Parliamentary Secretary:
John H. Harris.

4th August, 1935.

To:-
The Rt. Hon. Sir Philip Cunliffe-Lister, G.B.E., M.C., M.P.,
Colonial Office,
Downing Street,
S.W.1.

Re

ACKD. BY P.C.

Sir,

We beg on behalf of this Society to inform you that the Committee has learned with much satisfaction that, in response to the recommendations of the Agricultural Commission which have been received, it has been decided by the Government of Kenya to encourage the cultivation of coffee by natives, under certain conditions.

Our Committee would appreciate being permitted to express through you to the Kenya Government its appreciation of this decision, and to ask that they may be favoured with reports which may be received as to the progress of this experiment of native coffee growing in Kenya Colony.

We are, Sir,

Your obedient servants,

Travers Burton
Hon. Secretary.

John Harris
Parliamentary Secretary.

P.S.

The Committee would be glad to know in due course the precise conditions which will attach to the permission given to the natives.

*msd. (9)
copy kept*

NOTE of a Meeting held in Mr. Stockdale's room on Tuesday the 6th June, 1933, between Mr. Holm, Mr. Stockdale and Mr. Freeston (Mr. Hibbert being also present) to discuss the Kenya Native Coffee Rules forming the subject of the Governor's Confidential No.4 despatch of the 13th January, 1933.

Mr. Stockdale and Mr. Freeston briefly reviewed the objections to the proposed Rules which had been raised by Lord Francis Scott and Mr. S.G. Gare on the score of the opportunity which would be afforded for undetected thefts and of the risk of the spread of disease, and on the grounds that native coffee growing would not bring in as large a return to the growers as other occupations, and said that the question which the Colonial Office had to consider was whether the Secretary of State should be advised to sanction the Rules in face of these objections. Mr. Holm was also informed of the opinions expressed by the Secretary of State in his minute of the 3rd May.

See on
note file

With regard to the view of the Secretary of State that native coffee production should be restricted to areas and subject to conditions which would ensure an effective insurance against disease, Mr. Holm said that the Rules had been framed in such a way that the Director of Agriculture had power in his hands to achieve what the Secretary of State desired, provided that no undue pressure was brought to bear on him by Administrative Officers. He mentioned that he had occasionally had to take a very firm line to ensure that the principles outlined in the Secretary

Secretary of State's comprehensive reservation was preserved, e.g. in the avoidance of separate plantings. He said that he had consistently received object from the Governor and from the Chief Native Commissioner. The difficulties in question were to be looked for from Provincial Commissioners or District Officers. He mentioned that in certain parts of Kikuyu he would not consider it advisable for natives to plant coffee at the present time because of the prevalence of the mealy-bug pest, and it would be equally undesirable to permit cultivations in the Sotik area where coffee berry disease was prevalent and so far difficult to control. He agreed with Mr. Stockdale's view that so long as the areas were carefully selected there ought to be no danger from pests.

With regard to the Secretary of State's second point on the question of supply of labour, Mr. Holt stated that the position had so changed in recent years that adequate supplies of labour were available for plantation enterprises.

Mr. Holt drew special attention to Rule 3 (2) (c) of the proposed Rules, which read as follows:

" PROVISIONS AS TO COFFEE.

"3. (1) The Director shall from time to time by notice in the Official Gazette declare areas of native reserves as areas in which coffee may be grown and no person shall grow coffee in a plantation without a native reserve except in such a declared area.

(2) In defining any such area the Director shall have regard inter alia to -

* * *

(c) economic considerations affecting the interests of native coffee growers."

This he regarded as a key rule, and was drafted to cover such points as those raised. In the case of the introduction of coffee growing by natives, he expressed the opinion that if and when the Rules were sanctioned, the despatch to the Governor should emphasise the importance of no undue pressure being allowed to be brought upon the Director of Agriculture in regard to its interpretation. It was in his opinion most important that development should proceed gradually and experience gained. At the present time Administrative Officers seemed to expect Agricultural Officers to manage native plantations, whereas their duties could, of course, be only of a purely supervisory nature. It would be possible for greater assistance to be rendered by the Agricultural Department if they had a certain number of trained native instructors working under Agricultural Officers in the various districts.

With regard to the question of thefts, he felt more apprehension on this question than on any other. Legislation, of course, existed under which the claims of establishments for legal possession was there, but he was not sure that the difficulties were of a serious nature, especially with regard to the Kikuyu. He was not sure that the Kikuyu were thieves, in spite of the fact that they were a very poor people, and he was not sure that the law was not being enforced.

With regard to the question of native coffee, he pointed out that the market for the hill coffee in Kenya had suffered comparatively little during the world depression, and these still commanded a relatively high price.

He felt that it was not for the Government to tell natives that they were not to grow coffee because the price was falling. Who could tell what the price would be in five, ten, or twenty years time? If the Agricultural Department was given a fair opportunity for the supervision of native growing, he saw no reason why native grown coffee should not become of equal quality to European.

With regard to the status of Mr. Gares, Mr. Holm stated that he was not in a way of business, had never been on the Coffee Board, and in his opinion did not occupy a sufficiently representative position to warrant his being personally interviewed by the Secretary of State. Mr. Gares' views were really those of Mr. Bargean, who was a member of the Coffee Board.

Mr. Holm's attention was drawn to the suggestions for certain amendments to the Rules set out in the note enclosed in the despatch to the Governor dated the 9th of May. Mr. Holm admitted that certain of the amendments were necessary, for example, those suggested to Sections (2) and (13), but he pointed out that the Rules had been passed by the Chief Native Commissioner, and he was also a member of the Colonial Council. He understood that the Department of Agriculture felt that great experience would have to be gained before a final set of rules could be formulated, especially in regard to matters relating to factory control. In these circumstances, he would prefer that consideration of the suggested amendments should be left to the Government of Kenya which would be guided by the advice of the Acting Director of Agriculture and his Senior Coffee Officer.

Mr.

Mr. Holz finally mentioned the extraordinary
disunity and diversity of opinion which existed amongst
local coffee planters.

3040/1/33 Kenya 475

C. O.

Mr. ~~Pearson~~ 9/5
Mr. ~~Dood~~ 9-5 above
Mr.

620/1/33
121
9.1.33
-SPA

Mr. Parkinson.
Mr. Tomlinson.
Sir C. Balfour.
Sir J. Shuckburgh.
Permt. U.S. of S.
Parly U.S. of S.
Secretary of State

DRAFT.

GOVERNOR NAIROBI.

NO 114. ~~Confidential~~ Yes
telegram of the 8th May
NO 910 I propose to
discuss coffee rules
with HOLM on his arrival
and in meantime they
should not be promulgated
Dropatch follows by
today's airmail

Secret

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

Dated 8th May. Received at 3-48pm 8th May 1933.

RECEIVED
9-MAY 1933
COL OFFICE

No 97.

Na

Should be glad to receive an early reply to my despatch of 13th January Confidential regarding coffee rules. Unless a start can be made within a few weeks it must be postponed for several months as no suitable seed will be available until ripening of the main crop early in 1934. Coffee seed loses germinating capacity very rapidly and seed of the present crop cannot be kept for more than a few weeks.

answd. 9 May 33 (No 214)

C. O.

3 400 72 1000

27 Mar
2

Mr. Priestman

Mr.

Mr.

Mr. Parkington

Mr. Tomlinson

Sir C. Bevanley

Sir J. Shackburgh

Secy. U.S. of S.

Parly. U.S. of S.

Secretary of State

8/5
8/5
8/5

May, 1944

By Air Mail of the 9th of May

24

Sir,

DRAFT.

KENYA

Confidential

Governor

... have etc. to ^{report to} acknowledge the receipt of your conf. despatch No. 1 of the 30th of January submitting for my approval, draft rules under the Crop Production and Live Stock Ordinance for the control of coffee plantings by natives.

2. As Mr. Holmes is due to arrive in this country shortly, it is proposed to discuss with him certain points in connection with the draft rules which I desire to obtain further information, and in the meantime ~~rules should not be promulgated.~~

3. A note containing certain suggested amendments to the rules is

Number to Secy. (No. 10)

it will not be possible to promulgate them.

which have been suggested provisionally

enclosed

enclosed for your consen. and

I will address you further on

the subject in due course.

~~I have etc.~~

I take this opportunity to ack. the
recd. of your tel. N° 91 of the 8th of
May asking for an early reply to your
dep. I regret that in this case, I cannot
give a decision at present, & I have so
farred you in my tel. of evd. date.

(Sgd.) P. CUNLIFFE-LISTER

NOTES ON DRAFT RULES

accompanying Kenya Confidential despatch 4
(I. in 3040)

Section 2. Consideration should be given^{to} whether it would not be advisable to distinguish between "cherry" and "buni". These are well understood terms, and it is of doubtful advantage if "buni" should be included in a wider definition of "cherry" than that usually accepted by the coffee industry.

It should be considered, for example, whether cherry should not be defined as complete untreated coffee fruits and a differentiation made in respect of "buni" as has been done under the latest T.T. legislation where it is defined as "coffee cherry which has been dried by any means but not otherwise treated." If this is done, the inclusion of "buni" as well as "cherry" under the definition of pulping station will be necessary.

Copy as amended to Gov (2)

Section 4 (2)(b) It should be considered whether this should not be amended. The funds required by a native, who was prepared to work, might only amount to the amount necessary for the purchase of plants.

Development would be done not by hired labour but by his own exertions the sweat of his own brow. I would suggest that this be amended to read as follows:-

(b) that sufficient evidence is forthcoming from the applicant to indicate that the planting and development of the plantation will be satisfactorily carried out.

Further, if there is mention of "funds" in this section, it is bound to become the subject of attack by those who suffer

suffer from the illusion that natives and non-natives are not being treated ~~equally~~ ^{equally at all}. They will argue that it might be impossible for any native to satisfy the Director that he has finance behind him.

Rule 13. "All times" should read "at all reasonable times between sunrise and sunset".

Rule 21(c) implies that an inspector has a power of entry for inspection of books, ~~but would it not be desirable to make another rule giving to inspectors general power of entry to factories to inspect buildings, machinery, storage accommodation etc. of Tanganyika 27 of 1932, Section 10.~~

Reverse of Schedule A.

~~Delete the portion in brackets in Section (g) in the prior and deal with this by Secretariat circular to District Commissioners.~~ ^{phase} ^{should be omitted as point can better be dealt with}

General.

~~Is there any reason why~~ no mention is made in these Rules of the licensing of factories or pulping stations? Permits have to be secured from the Director for factories or pulping stations, but warehouses have to be licensed and it might be considered whether pulping stations should not also be subject to license instead of, or in addition to, permit, and that such licenses be renewable annually. Consideration might also be given as to whether storage will be done in factories or pulping stations and, if so, whether such storage accommodation should be subject to the provisions made for licensed warehouses.

COLONIAL PRODUCTS (NATIVE
CULTIVATION).

2. CAPTAIN DOWER asked the Secretary of State for the Colonies if he will consider the appointment of a committee to inquire into the procedure adopted by different Colonial Governments to encourage the cultivation by natives of products with which they have not been hitherto familiar; and whether he will see that the reference to such committee embraces the issues of world over-production, degrading of quality, and prejudicial competition with investment of European capital which Colonial Governments have consistently invited?

THE SECRETARY OF STATE for the COLONIES (Sir Philip Cunliffe-Lister): I do not think such a committee would serve a useful purpose. Conditions vary in different Colonies, and in regard to different commodities, and I think Colonial Administrations are fully alive to and take into proper account all relevant considerations both local and general.

BRIGADIER-GENERAL SIR HENRY CROFT: May I ask the right hon. Gentleman whether his attention has been called to the disastrous effects of the native cultivation of coffee in the Kilimanjaro area of Tanganyika; whether he is aware that in that area disease pests exist; and whether he will undertake to see that such disaster will not be permitted in Kenya Colony adjoining that area?

SIR PHILIP CUNLIFFE-LISTER: I certainly should not accept the statement my hon. and gallant Friend has made that native coffee growing in Tanganyika

has

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(No 7)

31

has been a failure. I have been at some pains to obtain information from impartial sources, and I find that on the whole it has been regarded, as respects quality, as quite reasonably successful, and as commanding a better, or certainly an equal price, compared with coffee from other plantations. As regards coffee growing in Kenya, I have laid it down that in the interests of maintaining efficiency very special conditions must apply, and I think my hon. and gallant Friend will be interested to know that after discussing the matter with the Coffee Trade Association of London, who had asked me to see them, put it on record that they are amply satisfied.

SIR R. CROFT: Is the right hon. Gentleman aware that in the Kilimanjaro area there has been an enormous increase of the very disease which completely wiped out the coffee crop in Ceylon, and will he make inquiries into that?

SIR P. CUNLIFFE-LISTER: I am fully alive to the importance of preventing disease coming into coffee plantations, and that is why I am insisting on very strict conditions. I am sure my hon. and gallant Friend will agree with me that this question is by no means confined to native plantations. He himself has told me of an instance within his own knowledge where he was put to great expense because of the lack of supervision and maintenance on settlers' plantations adjoining his own.

MR. LOUIS SMITH: Has the right hon. Gentleman received many protests from Kenya regarding his policy of encouraging native growing of low grade coffee.

thus

thus prejudicing the higher quality of the European grades?

SIR P. CUNLIFFE-LISTER: There is no question of encouraging the growing of low grade coffee, and I think anybody who knows the conditions which are laid down, and will certainly be enforced, will see that every care is being taken to maintain the efficiency of the Kenya crop.

MR. LUHN: May I ask the right hon. Gentleman whether he has not heard of certain colonies in which there is a necessity for new crops, and, in view of that, ought not this matter to be considered further than has been stated in his answer?

SIR P. CUNLIFFE-LISTER: In my reply I stated that every consideration was being taken into account, and I think it is very desirable that coffee growing -

MR. LUHN: I am not alluding to coffee but to other products.

SIR P. CUNLIFFE-LISTER: Then perhaps the hon. Member will put a question on the Paper.



KENYA
NO

GOVERNMENT HOUSE
NAIROBI
KENYA

CONFIDENTIAL

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- OFFICE
COL. OFFICE 1/5

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14094/1

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7094/1

Sir,

I have the honour to refer to your Confidential Report of the 12th April, 1952, conveying your agreement to the general policy regarding coffee growing by Natives of Kenya as outlined in my Confidential No. 177 of 23rd November, 1951.

With regard to paragraph (d) in which you advised that it would be a prudent measure to take power to control coffee planting in non-native areas in any case in which the Director of Agriculture is satisfied that it is in the public interest to exercise such control as an insurance against the dissemination of disease and in order to maintain the quality of the produce, there are two points which must under the Diseases of Plants (Control) Act, 1947, be revised have regard to, namely, the dissemination of disease. It has, however, never been considered necessary to take power to maintain the quality of the product amongst non-native growers, because they are only too aware of the absolute necessity of doing so if the industry is to flourish. I am, therefore, of the opinion that such a step is not necessary.

THE RIGHT HONOURABLE
 MAJOR SIR PHILIP GUILFORD-LESLIE, P.C., G. C. S. I., M. A.,
 SECRETARY OF STATE FOR COLONIES,
 DOWNING STREET,
 LONDON, S. W. 1.

- 3 -

points which might lead me to wish to amend the Rules I shall inform you accordingly. In the meantime I would like your approval of the Rules as they stand.

I have the honour to be,

Sir,

Your most obedient,
Humble servant,


ERIC DOBSON, CLERK
GOVERNMENT

CROP PRODUCTION AND LIVESTOCK ORDINANCE.

RULES.

IN EXERCISE of the powers conferred upon him by Section 4 of the Crop Production and Livestock Ordinance, 1926, His Excellency the Governor in Council has been pleased to make the following rules:-

Title.

1. These Rules may be cited as "the Kenya Coffee (Native) Rules, 193..", and shall come into force on the and shall apply to all Native Reserves in the Colony and Protectorate of Kenya.

Definitions.

2. In these Rules, unless the context otherwise requires -

"Direct " means the person for the time being holding the office of Director of Agriculture.

"Inspector" means any person appointed by the Director by notice in the Gazette as an inspector for the purposes of these Rules.

"Native Inspector" means any native appointed by the Director by notice in the Gazette as a native inspector for the purposes of these Rules.

"District Commissioner" means District Officer in charge of a District.

"Occupier" means in the case of a non-native the person occupying the land, and in the case of a native, the person at the time holding the cultivation rights according to local native custom.

"Headman" means a headman gazetted as such under the Native Authority Ordinance.

"Coffee" ...

"Coffee" means the fruits of Coffea species or parts thereof.

"Trade samples" means samples of coffees not exceeding ten pounds in weight.

"Parchment" means the endocarp of the coffee fruit.

"Cherry" means complete coffee fruits.

"Plantation" shall include any land on which a coffee bush or plant is growing whether the land is used solely as a coffee plantation or not, but shall not include a coffee nursery.

"Nursery" means any land on which coffee is raised from seed or by vegetative propagation.

"Factory" means any place where coffee is cleaned or graded, but shall not include a pulping station.

"Pulping station" means any place where 'cherry' is pulped and/or fermented and/or otherwise treated for the preparation of coffee in parchment.

GROWING OF COFFEE.

Areas to be defined in which coffee may be grown.

3. (1) The Director shall from time to time by notice in the Official Gazette define areas in native reserves as areas in which coffee may be grown and no person shall grow coffee in a plantation within a native reserve except in such a defined area.

(2) In defining any such area the Director shall have regard to -

- (a) the suitability of the soil, rainfall and climatic conditions of such area for the purpose;
- (b) the extent of the area in relation to economical control and supervision.
- (c) economic considerations affecting the interests of native coffee growers.

permit to grow coffee.

4. (1) No person shall grow coffee in a plantation except by virtue of a permit granted by the Director.

(2) Before granting such permit he shall be satisfied -

(a) that satisfactory provision will be made for the control and supervisory services which in his opinion are necessary, and

(b) that sufficient funds will be forthcoming to meet the cost of planting and development of the plantation, and

(c) that where in the opinion of the Director such is necessary, satisfactory provision is likely to be made for the erection and equipment of a pulping station or other provisions for the preparation of coffee for market.

licence to grow coffee.

5. No person shall grow coffee in a plantation unless he is in possession of a licence in respect of such plantation issued to him by the District Commissioner.

6. Licences to grow coffee shall expire on the 31st December each year.

7. Every licence to grow coffee in a plantation shall be in the form and subject to the conditions set out in Schedule A hereto and the annual fee in respect of each licence shall be calculated at 20 cts. per 100 trees or part of 100 trees owned by the licensee, with a minimum charge of Sh.1/-, provided that this fee in respect of coffee grown by an individual occupier and planted in one area or adjacent areas shall not exceed Shs.30/-.

8. The District Commissioner may in his discretion allow a licence to be transferred from any one person to any other person on the ground of the decease of ...

of the licensee or if the licensee be desirous of transferring his holding or on any other sufficient grounds.

Nurseries.

9. No person shall grow coffee in a nursery except by virtue of a permit granted to him by the Director.

Seed.

10. No person shall dispose of any coffee for seed purposes except to the Director.

Growing.

11. No native shall grow coffee except from seedlings obtained from an Inspector.

Management & cultivation.

12. All coffee plantations and nurseries shall be managed and cultivated to the satisfaction of the Director who may order any coffee grower to perform such cultural or other operations on his plantation or nursery as he may deem fit and necessary.

Access to plantations & nurseries.

13. An Inspector or Native Inspector shall at all times have access to every coffee plantation or nursery or any land on which he has reason to believe any coffee bush is growing, for the purpose of searching for diseases and pests, investigating the method of cultivation, and ascertaining that these or any other Rules under the Crop Production and Livestock Ordinances are complied with by the grower.

14. An Inspector shall be at liberty to remove samples of soil and parts of plants from a plantation or nursery for the purpose of research or investigation.

Prevention of disease.

15. Whenever an Inspector shall consider that any coffee bush is infected with any pest or disease or that the condition of any coffee bush or the state of any land on which any coffee bush is growing is such as may give rise to any pest or disease -

(a) if such land is occupied, such Inspector may require the occupier thereof to take

such ...

such action with regard to such land or any coffee bush or bushes thereon as he may consider necessary or advisable to control or eradicate any such pest or disease or to prevent the spread of such pest or disease; or

(b) if such land is unoccupied or appears to such Inspector to be unoccupied, such Inspector may treat or destroy any or all coffee bushes thereon in such manner as to him may seem necessary or advisable or by order of the headman of the location concerned to treat or destroy such coffee bushes as the Inspector may require.

16. (1) Whenever under the powers conferred by Rule 15 an Inspector shall require an occupier to take any particular action with regard to any land or coffee bush thereon he shall specify such period as to him may seem reasonable within which such action shall be completed.

(2) If such occupier shall fail to carry out such requisition, the Inspector may cause such treatment or destruction to be carried out at the expense of the occupier.

(3) Every such requisition may be sent by such Inspector in writing to the Headman of the area in which the plantation or nursery is situated and the Headman shall give a receipt to the Inspector therefor, and shall communicate the requisition to the occupier within a period specified by the Inspector or if he fails to communicate the requisition within the specified time he shall report such failure to the Inspector or the District Commissioner, who shall inform the Inspector.

(4) When requisitions are to be applied to all the occupiers in a defined area, the Inspector shall send such requisitions to the Headman or Headmen of the area through the District Commissioner.

(5) ...

(2) Any requisition served as aforesaid by any Inspector shall be complied with by the person or whom it is served and non-compliance shall constitute a breach of these Rules.

PURCHASE AND MANUFACTURE OF COFFEE.

Permit for factory or pulping station.

17. No person shall erect or own a factory or pulping station except with the approval of the Director and by virtue of a permit granted by him.

18. No permit shall be transferred except with the consent in writing of the Director, but such consent shall not unreasonably be withheld.

19. The Director may at any time suspend or revoke a permit on the ground that the holder of the permit has been guilty of a breach of these Rules or other subsequent Rules under the Crop Production and L. stock Ordinance, or has been convicted of a criminal offence, or on any other sufficient ground.

20. Every permit shall be in such form and subject to such conditions as the Director may think fit.

Books of account to be kept at pulping station.

21. At every pulping station there shall be kept by the owner or manager thereof books of account in which shall be entered day by day the following particulars concerning all purchases, sales, shipments, receipts and consignments of coffee:

- (a) the date of purchase, sale, consignment or receipt;
- (b) the weight, description and in the case of purchase or sale, price of the coffee so dealt with;
- (c) every owner or manager shall on demand of any inspector produce for inspection the books kept by him under the provisions of this rule and allow copies to be made thereof

(d) ...

- (d) every such book shall be preserved by the owner or manager for at least three years after the date of the last entry therein;
- (e) the books shall be kept in English or Swahili.

22. (1) Every owner or manager of a pulping station shall forward in duplicate to the District Commissioner at the end of each calendar month returns showing full details of all "cherry" purchased, received, pulped or otherwise handled during that month and these details shall include the following particulars -

- (a) place where purchased, received, pulped or otherwise handled;
- (b) quantities purchased, received, pulped or otherwise handled;
- (c) if purchased the prices paid and the name of the vendor or vendors.
- (d) any other particulars the Director may require.

(2) These returns shall also include particulars of all coffee consigned which has left the pulping station during the month and these particulars shall include the following details -

- (a) name and address of person, factory or licensed warehouse to which consigned;
- (b) date of consignment;
- (c) quantities consigned;
- (d) whether sold, and if so the price paid therefor;
- (e) any other particulars the Director may require.

(3) The District Commissioner shall forward a copy of all such returns to the Director.

23. At any factory or pulping station where "cherry" is bought, payment shall be made in cash.

Weighing Machine.

24. Any weighing machine or scale or balance used in the purchase of coffee must be maintained in working order satisfactory to an Inspector or District Commissioner, who may require its removal from the premises.

Warehouses.

MOVEMENT OF COFFEE.

25. No person shall move any coffee from the pulping station, or the factory containing a pulping station as an integral part thereof, in which it was pulped to any warehouse, or other place and no person shall receive into any warehouse or other place any coffee so moved unless -

- (1) such warehouse or other place is licensed for that purpose in accordance with the provisions of these Rules; or
- (2) a permit for such movement has been granted by the Director or other person authorised by him in that behalf;

Provided that -

- (a) coffee being despatched to a licensed warehouse or other place and coffee intended for immediate export, may be despatched for such purpose at a railway station;
- (b) trade samples not exceeding ten pounds in weight may be forwarded to merchants under the following conditions -

- (i) that such samples shall be registered on arrival and kept under such conditions as the Director may think fit.
- (ii) that all such samples be either despatched by post to a destination outside the Colony or roasted or, if not further required for trade purposes, handed to an Inspector for destruction

Licence of
Warehouses.

25. (1) The Director may, at his discretion license a building or other place as a warehouse for the purpose of these rules and such licence shall be in such form and subject to such conditions as the Director may think fit.

(2) Special conditions applicable to the storage of coffee in licensed warehouses may also be imposed by the Director who may decline to license any warehouse unless he is satisfied that such warehouse contains facilities for the treatment of coffee, and for the destruction of Stephanodores and/or Sopheronica either by fumigation or by heating or by any other method approved by the Director. All such licensed warehouses as aforesaid shall be subject to inspection at any reasonable time by an Inspector.

27. If any coffee is found to be infected with stephanodores and/or Sopheronica in a warehouse the keeper of such warehouse shall forthwith notify the Director of the fact and shall state the name of the factory or pulping station from which such coffee was delivered.

28. Any coffee found to be infected with Stephanodores and/or Sopheronica during the period it is in the warehouse shall together with the bags containing it and any other coffee immediately in contact with it, be immediately effectively treated to the satisfaction of an Inspector for the destruction of living Stephanodores and/or Sopheronica beetles, larvae, pupae and viable eggs.

29. No coffee shall be moved from a factory, pulping station, warehouse, or other place, except in new standard coffee bags, provided that coffee

consigned ...

consigned from a factory or a licensed warehouse for immediate export to Canada or the United States of America may be exported in new standard coffee bags or in new 28 in. by 33 in. Dundee bags.

Standard coffee bag.

30. A "standard coffee bag" shall be a "double warp light cee bag", measuring 40 inches by 23 inches, weighing 2 lb. hemmed at mouth, ^{or} inches by 9 inches to 8 inches by 6 inches.

Bags of coffee to be marked.

31. All bags of coffee leaving a factory or pulping station shall be marked with such distinctive grade and/or other mark as may be prescribed by the Director and no coffee produced in any Native Reserve shall be sold except under such mark and such designation or description as may be approved by him.

32. All local coffee of every description on or near railway stations, godowns, factories, pulping stations, warehouses and on or near any other place where coffee may be spilled, shall be collected and burnt regularly before the first day of each month. Failure to do so shall constitute an offence under these rules on the part of the persons in charge of such station, godown, factory, pulping station or warehouse or other place.

GENERAL.

33. Any person who without lawful excuse obstructs any Inspector or Native Inspector in the discharge of his duties under these rules, or who refused to carry out the instructions of an Inspector in discharge of his duties under these rules, or who otherwise contravenes the provisions of these Rules, shall be guilty of an offence.

BY COMMAND of His Excellency the Governor in Council.
NAIROBI, This day of 193 .

SCHEDULE A.

COLONY AND PROTECTORATE OF KENYA.

No. _____

.....District.

Licence to grow coffee in a plantation
in a Native Reserve.

(Issued under the Kenya Coffee (Native) Rules 1932)

Licence is hereby given to
oflocation ofDistrict
to plant and/or grow coffee in a plantation situated
in Defined Area No.

This licence expires on the 31st day of December
next after the date thereof.

This licence is subject to the conditions printed
on the back of the licence.

This licence is issued in respect of
(.....) acres and a fee of Shs. has been paid.

Licenses.

Licencee's permit No. 193..

Dated this day of 193...

Fee paid. Shs. _____

District Commissioner.

F.T.O.

(To be printed on the back of the License)

Every licensee shall be subject to the following conditions:-

(a) He shall not dispose of any coffee for seed purposes except to the Director.

(b) He shall not grow coffee except from seedlings obtained from an Inspector.

(This clause may be deleted if the licensee is a non-native).

(c) He shall manage and cultivate his plantation to the satisfaction of the Director.